

MEMORANDUM

Date: September 08, 2004
To: Transfer 71291
From: rwarner
Re: Transfer Comments

This transfer proposes to change the nature of use and the period of use for a portion of water right 22-11220. The applicant has expressed her desire for constructing a ½ acre size pond for the purposes of fire protection, recreation, and aesthetics. The pond is proposed to be located in the same areas where it was once irrigated for the production of grass hay. The pond is proposed to store water year around while only diverting water into the pond during the irrigation season. In order to mitigate for this application, the applicant has proposed to discontinue irrigating one (1) acre of the existing two (2) acre right. A pond consumptive use calculation for evaporative losses shows that the minimum amount of lands required to be dried up for mitigation is 0.36 acres. Since the proposed pond is planned to be lined, no other loss analyses were performed. The one (1) acre of land to be dried up should be more than necessary for offsetting this new use. The remaining one (1) acre of land will continue to be irrigated as previously.

Authority to File:
Applicant is the owner of the water right.

Water Right Validity:
The water right is a decreed water right. This same right was claimed in the Snake River Basin Adjudication and has been favorably recommended.

Injury to Other Water Rights:
Basin 23. The property to which this water right pertains falls within Water District 01. Comments will be solicited from this entity and the transfer will be advertised to determine any protests.

Enlargement of Use:
There is no evidence of enlargement of use.

Local Public Interest:
No issues have been identified. The transfer will be advertised in the local newspaper to determine otherwise.

Beneficial Use / Conservation of Water Resources:
Transfer will provide for waters to a pond in similar amounts that were provided for the acreage irrigated previously.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.