

MEMORANDUM

Date: April 01, 2004
To: Transfer 71070
From: dcarlson
Re: transfer evaluation

This transfer proposes to move 5 acres of a groundwater right to a new location for a 5 acre house lot. New POD/POU. Due to ESPA model consideration this water right will be reduced to 4.5 acres. The new owners the Hensens have signed a mitigation plan outlining the diversion volume rates they will comply with.

Authority to File:

Applicant provided deeds that he recently purchased the original right 35-7677 from Bartholoma to superior I & I. The new owners, if this is approved, will be Carl/tina Hensen. They provided the deeds for the new POU. Used and/or between the names because Tina isnt on the land Deeds. There is a purchase agreement with the Hensens and Superior L &L. for 15 acres. transfers 71070, 71071 and 71043 are 5 acres each.

Water Right Validity:

This water right was decree in the SRBA in 2002. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA. cell change from 16/39 to 17/44. Inputs are 6.67 af/trimester -from well, 6 af/trimester -to well. Greater than 5% depletion shelley to neeley reach. Mititgation plan results in less than 5% depletions.

In the Water district 120. watermaster approved this transfer
Transfer will be advertised to determine any protests.

Enlargement of Use:

There is no evidence of enlargement of use.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue identified.

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.