

M E M O R A N D U M

Date: February 25, 2010
To: Transfer 76051
From: jstanton
Re: Amended Comment/Analysis

This application proposes to replace a well that went dry. Other wells in the system are also seeing reduced production, so it is hoped the new well (recently drilled as a test well) can produce 1200 gpm to make up production lost in the rest of the system. This amended application is to clarify the location of the wells historically being used. This is a simple transfer that should be easily approvable with standard conditions. The applicant hopes to start drilling within 60 days. He needs to be charged the additional \$125 to turn the test well into an irrigation well.

Parallel Processing Required: No.

Advertising Required: Was advertised as originally filed but amendment not required to be advertised since no hydrologic difference and no protest of original advertisement and original advertisement not likely to change.

Authority To File: Mr. Newcomb is the owner of record for these rights. The transfer just adds his wife as her name is recorded on other rights they own jointly. This should not be an issue.

Water Right Validity: These rights were decreed in May of 2005, so forfeiture is not an issue.

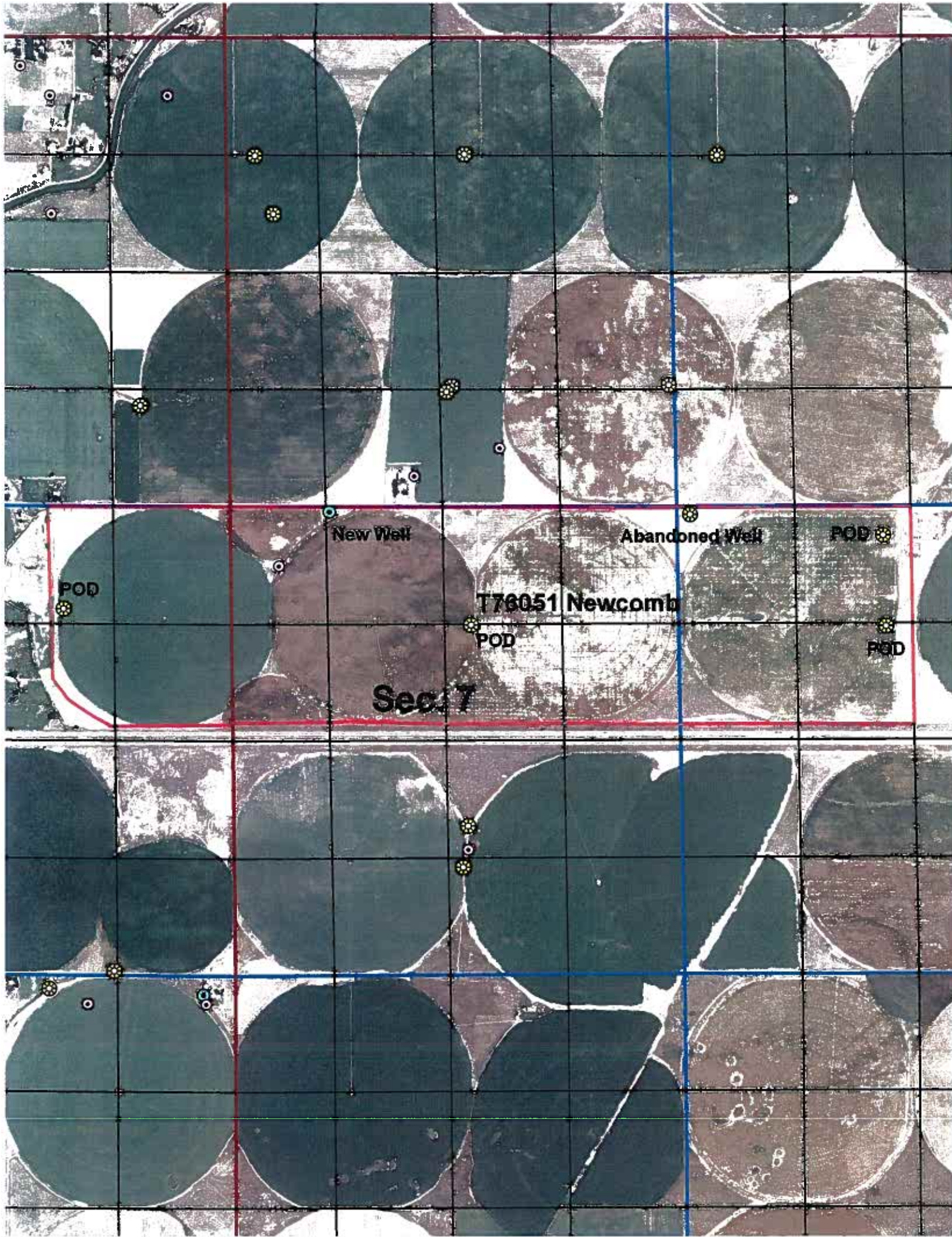
Injury To Other Rights: There should be none. The new well is in a cell adjacent to the cell of the well being replaced, so no ESPA mitigation can be determined.

Enlargement of Use: None requested.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified.

Review of the application finds that there is no clear inconsistency with criteria set forth in Sec. 42-222 I. C. preventing processing. At least prior to advertising, no other issues have been identified that would require further review or submittal of additional data by the applicant.



New Well

Abandoned Well

POD

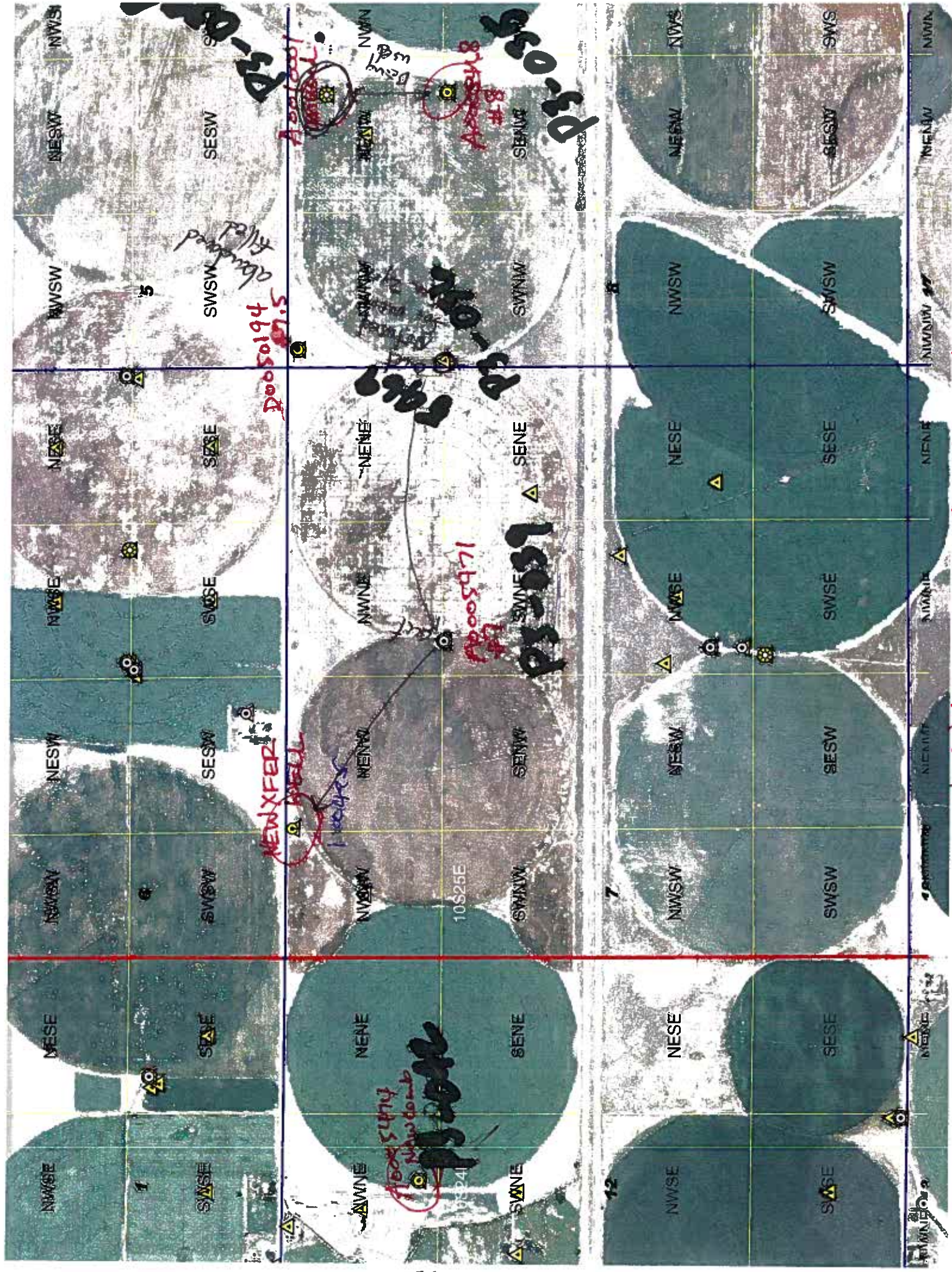
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T76051 Newcomb

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Sec 17



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