

Comment Report

Application ID 75605

1. jstanton 8/7/2009 3:59:45 PM Special Administration Area Notes

Comment: Special Administration Areas : None

Exempt: Y

Reason:

Doc Attached:

Explanation:

2. jstanton 8/7/2009 4:00:06 PM Additional Information Notes

Comment: Reviewed by Adjudication Staff: N/A

Mitigation Plan or acceptance form: N/A

Municipal Rights Anticipated Horizon Information: N/A

3. jstanton 8/7/2009 Comment/Analysis

Comment: This application proposes to tie all the existing groundwater rights on this farm together for maximum flexibility of water use. The transfer also adds another well to the system to make up for declining production in the existing wells. The transfer should be approvable with standard conditions. The X61 condition on 43-7122A & B will need to be modified, as these rights have no SRBA involvement; if the condition cannot be worded so it makes sense, it should be dropped.

The county has talked about rerouting portions of the highway for several years, but no money has been available so far. The place of use could change on portions of the farm if this ever occurs, but this application proposes no such changes at this time.

Parallel Processing Required: Yes. Right 43-13350 has a limit of 125.5 acres per year, but this makes no sense, as the limit should be 180.5 ac/yr. The higher limit was approved under T70599 in 2004, and nothing appears to have changed. I have reviewed scanned documents, and cannot determine where the lower limit came from. The existing limit on the ppu is 20 acres more than the total annual limit for the 3 rights (including 2335 & 7122A), so a lack of irrigable land does not appear to be an issue. Before I formally change this limit, I request S. O. review to see if this is a problem.

Advertising Required: Yes due to drilling of a new well.

Authority To File: The applicants are owners of record, so this is not an issue.

Water Right Validity: The place of use was put into its current figuration via transfer in 2004. This is an irrigated farm where the applicants live. Forfeiture does not appear to be an issue.

Injury To Other Rights: There should be none.

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Enlargement of Use: None requested. The surface rights covering some of this land are not involved in the transfer, as their place of use will not change.

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.

4. jstanton 8/12/2009 Legal Notice Remarks

Comment: This application proposes to tie all the existing wells on this farm together for maximum flexibility of water use, and also adds a new well due to declining pumping rates in the existing irrigation system. The same land will continue to be irrigated. The new well will be located about 2 7/8 miles south of the Raft River interchange on Hwy I-86, and on the east side of the county road that parallels the Raft River.