

Comment Report

Application ID 74874

1. jstanton 9/8/2008 8:41:49 AM Special Administration Area Notes

Comment: Special Administration Areas : Eastern Snake Plain Aquifer

Exempt: N

Reason:

Doc Attached:

Explanation:

Special Administration Areas : North Snake GW District

Exempt: N

Reason:

Doc Attached:

Explanation:

2. jstanton 9/8/2008 8:44:47 AM 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 9/8/2008 Comment/Analysis

Comment: This application adds an existing well to the existing irrigation system. When the original Sand Springs Ranch was split up a few years ago, the realtors involved told me which wells went to which ground; transfers were filed and approved based on this information. The well in Sec. 32 apparently was historically used in Sec. 29, and the applicant only recently found this out. He wants to have the additional ground water available for his use, as the well on his land is not sufficient to properly irrigate his ground at times. Mainly, Mr. Hill wants the well to be included under his water rights because he thinks it will increase the value of his property. The transfer appears to be approvable with standard conditions. Since nothing is really changing on the ground, it may not be necessary to advertise this transfer.

Authority To File: The applicant owns the pou according to our records, and has obtained written permission from the land owner in Sec. 32 to make the transfer.

Water Right Validity: Although the well in Sec. 32 has not been used for several years, the decreed pou has continued to be irrigated. Boise has ruled that irrigation of the land is sufficient to avoid forfeiture. The land owner in Sec. 32 disconnected the well from his irrigation some time ago, so the transfer will not affect him (even though this well is listed as a pod under his rights).

Injury To Other Rights: There should be none with proper conditions.

Enlargement of Use: None requested. There are 192 canal shares on this property, so ground water is always needed for proper irrigation. This will continue as it always has, and conditions will be added to the rights indicating the supplemental nature of this source.

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.