

Comment Report

Application ID 74314

1. jstanton 12/12/2007 4:27:55 PM Special Administration Area Notes

Comment: Special Administration Areas : Eastern Snake Plain Aquifer

Exempt: N

Reason:

Doc Attached:

Explanation:

Special Administration Areas : Oakley-Kenyon CGWA

Exempt: N

Reason:

Doc Attached:

Explanation:

Special Administration Areas : West Oakley Fam CGWA

Exempt: N

Reason:

Doc Attached:

Explanation:

2. jstanton 12/12/2007 4:28:21 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 12/12/2007 Comment/Analysis

Comment: This application proposes to tie together 6 existing wells that are located in two adjacent critical-groundwater areas. It also dries up some pivot corners to cover land (1 1/2 pivots) that is being illegally irrigated. The watermaster is aware of this, and has told Mike Cranney (who farms the property) that he needs to get legal by the next irrigation season. Cindy has requested expedited processing so that at least the advertising and protest period are finished by next spring. The well on the north side of Sec. 31 is described incorrectly in the transfer, as both the SRBA decrees and the 2006 ArcMap photo show it in the east half of the section; since the transfer does not propose to move the well, I have left it as decreed.

Authority To File: The applicant is the owner of record for all these rights, so this is not an issue. Some water is being moved the SW 1/4 of Sec. 31, which is described in the deed that changed ownership of these rights. Proof of ownership for the N 1/2 SW 1/4 Sec. 32 has been received; the applicant bought the land from Lamar Sanders, who owns App For Permit 45-7470 (which in all likelihood will never be approved).

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

Injury To Other Rights: There should be none with proper conditions and monitoring/reporting, as this usage is under the authority of Water District 140. The wells in each cgwa need to have separate limits on annual pumpage so that the withdrawal from each area does not increase under this transfer. Rights 45-7012, 7147 & 7148 have historically been served by wells in the West Oakley Fan, while the rest of the rights are served by wells in Oakley-Kenyon.

Enlargement of Use: The proposed ppu includes the equivalent of one pivot corner (6 acres) more than the annual acreage limit, so this will have to be monitored by the water district. The current place of use appears to cover about 1900 acres. Some of the proposed ppu will never be watered, but the extra acres are being retained at this time for possible entry into the water bank. There is a total of 321 expansion acres, so some of the current pou will have to eventually be dried up if the extra usage is not mitigated for after the SRBA process is completed in 2012. Enlargement does not appear to be an issue at this time.

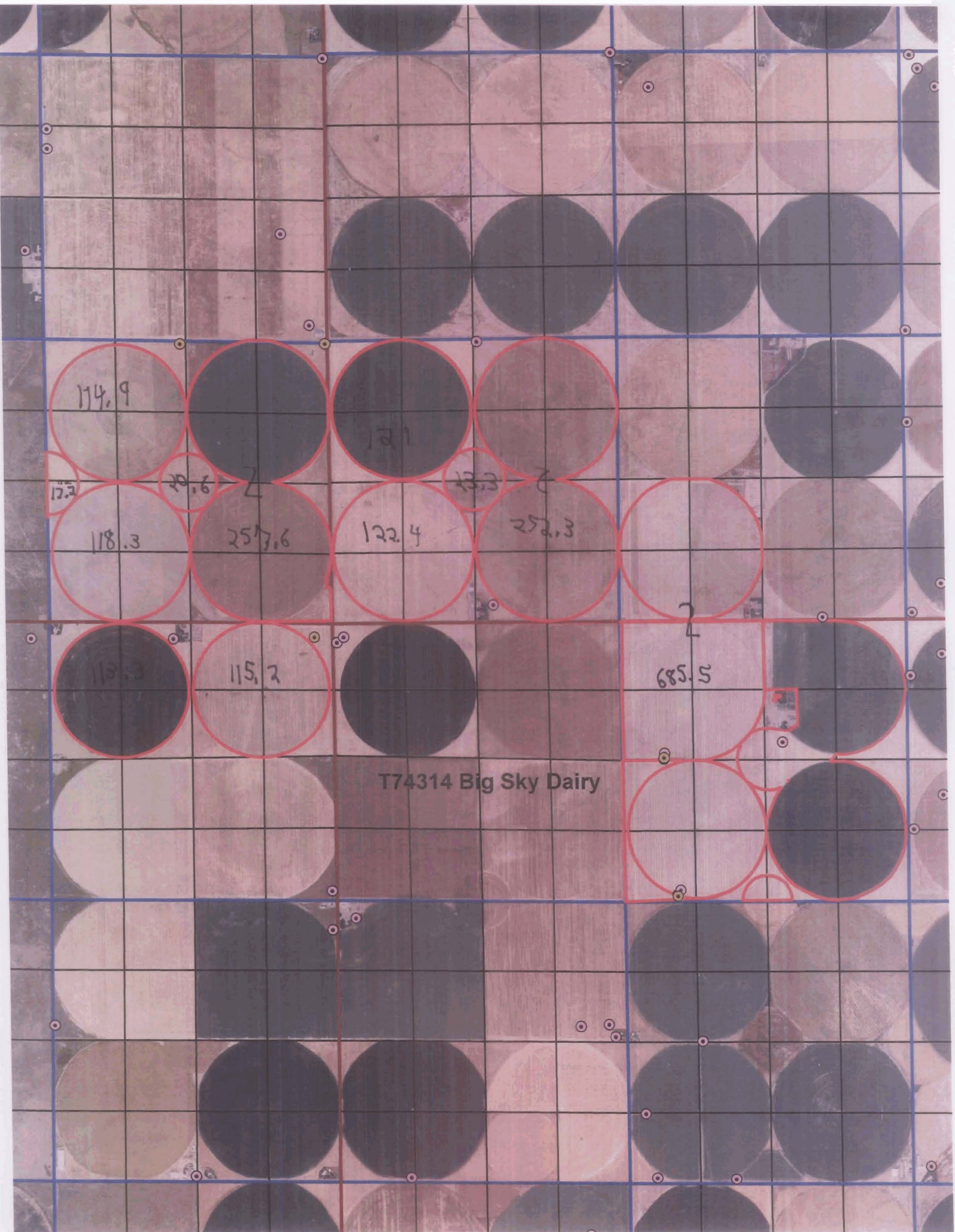
Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified. All land is sprinkled for maximum efficiency of water use.

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 11/12/2008 Legal Notice Remarks

Comment: This application proposes to tie several existing farms and 6 existing wells together in a common irrigation system. No new wells will be drilled. The property is located about 5-6 miles south and from 1 1/2 miles west to 1 1/2 miles east of Burley Butte.



114.9

121

13.3

17.2

20.6

2

2

118.3

257.6

122.4

252.3

2

113.3

115.2

685.5

T74314 Big Sky Dairy

115 ac

121 ac

12 ac

21 ac

23 ac

118 ac

250 ac

122 ac

252 ac

130 ac

113 ac

115 ac

T74314 Big Sky Dairy
1891 Acres

562 ac

8 ac

115 ac

118 ac

21
ac

250 ac

113 ac

115 ac

2006 Photo

121 ac

122 ac

23
ac

252 ac

130 ac

562 ac

8 ac