

Comment Report

Application ID 75396

1. jstanton 2/9/2009 8:17:56 AM Special Administration Area Notes

Comment: Special Administration Areas : Eastern Snake Plain Aquifer

Exempt: N

Reason:

Doc Attached:

Explanation:

Special Administration Areas : West Oakley Fan CGWA

Exempt: N

Reason:

Doc Attached:

Explanation:

2. jstanton 2/9/2009 8:18:27 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 2/9/2009 Comment/Analysis

Comment: This application proposes to drill a replacement well at an existing dairy.

The well will also be used for irrigation. It is expected that the new well will produce 2500 gpm, so this is the basis for the filing fee that has been submitted. The proposed east well on the property under the previous transfer was never drilled, and will now be moved closed to the center of the dairy. The transfer should be approvable with standard conditions; I have added the RO5 condition for water-district designation, but all other conditions from the previous transfer are virtually the same. Both Pam & Allen agree that parallel processing is not required, only advertising.

Authority To File: The applicant is the owner of record, so this is not an issue.

Water Right Validity: These rights were decreed in May of 2005, so forfeiture is not an issue. The transfer allowing construction of the dairy was approved in June of 2006 with a 5-year development period, so this also is not an issue.

Injury To Other Rights: There should be none with standard conditions. None of the authorized uses is being changed. No mitigation is required, and it is not necessary to run the Snake River model; the "replaced" well was never drilled, and both wells would be on the same farm anyway.

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.

4. jstanton 2/9/2009 Legal Notice Remarks

Comment: This transfer proposes to change the point of diversion for one well in the east part of the property to a different location closer to the center of the dairy. The well being replaced was authorized under an approved transfer in 2006, but was never drilled. The well will provide water for both irrigation and dairy uses, as will the two existing wells on the property. The new well will be located about 14 miles SW of Burley.