

Comment Report

Application ID 74985

1. jstanton 8/4/2008 1:43:01 PM Special Administration Area Notes

Comment: Special Administration Areas : None

Exempt:

Reason:

Doc Attached:

Explanation:

2. jstanton 8/4/2008 1:43:16 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 8/4/2008 Comment/Analysis

Comment: This application proposes to correct the legal description of the pod and pou, which was decreed incorrectly in the SRBA. Nothing will change on the property. The transfer should be approvable by the regional manager without advertising and with minimal conditions. The applicants, through their attorney, have requested expedited processing in order to satisfy the county p & z office in relation to a proposed feedlot expansion (250 head, which should still keep this as a de minimus use). Due to the minimal amount of work required on this application, I will try to honor their request. I am requiring a signed corrected app, as the original app does not correct the pod.

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

Water Right Validity: Current ArcMap photos show a home and feedlot on the proposed pod/pou, so this does not appear to be an issue. The applicants own the S1/2SW1/4 Sec. 28 per taxlot data and a warranty deed supplied by them. The original SRBA claim was just wrong, and checking county records would not have detected the error. The same land was owned by the original claimant. The original pou is all irrigated land, with no apparent home site in the SW/SW Sec. 28.

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

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

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