

Comment Report

Application ID 73737

1. jstanton 11/28/2007 1:36:12 PM Special Administration Area Notes

Comment: Special Administration Areas : Big Wood River GWMA

Exempt: Y

Reason: Mitigation Plan

Doc Attached:

Explanation:

2. jstanton 11/28/2007 1:39:51 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 11/28/2007 Comment/Analysis

Comment: This application proposes to enlarge the existing ppu that was created by previous transfers. Although the rights come from the Big Wood River, they are diverted through 1 existing and 1 proposed new well on the property; the rights are subject to priority cutoff by the District 37 watermaster. The transfer should be approvable with proper conditions.

Authority To File: The applicants are the owners of record due to a previous ownership change, so this is not an issue. The warranty deed for all of the proposed ppu is already on file, so no additional proof of ownership is required.

Water Right Validity: The rights have been recommended in the SRBA, so this is not an issue.

Injury To Other Rights: There should be none with proper conditions. The required mitigation plan was established under the previous transfers, and should not need to be modified.

Enlargement of Use: The proposed ppu is larger than what is presently allowed so that some land not previously irrigated can be watered temporarily so that trees can be established on parts of the property. It also covers land west of the county road that may be watered in the future. I am not sure exactly where the applicants want to establish trees, but the transfer will allow maximum flexibility of water use on their property within the allowable acreage limit.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified. Land will be sprinkled or drip irrigated for maximum efficiency of water use.

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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 11/28/2007 Legal Notice Remarks

Comment: This application proposes to enlarge the existing place of use on this property to include land not previously irrigated. The annual limit of 24.1 irrigated acres will remain in effect. An additional well will be drilled, and will be located about 6 miles south of Bellevue on the west side of Hwy. 75 and just south of the Baseline Road.