

Comment Report

Application ID 73520

1. jroberts 4/24/2007 2:24:18 PM Special Administration Area Notes
Comment: Special Administration Areas : Eastern Snake River Plain Area
(Moratorium Area)
Exempt: Y
Reason:
Doc Attached:
Explanation: Transfer

Special Administration Areas : Magic Valley (Ground Water District)
Exempt: Y
Reason:
Doc Attached:
Explanation: Transfer

Special Administration Areas : Trust Water Area (Trust Water Area)
Exempt: Y
Reason:
Doc Attached:
Explanation: Transfer

2. jroberts 4/24/2007 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. jroberts 4/24/2007 Legal Notice Remarks
Comment: Transfer seeks to change the place of use for two water rights currently diverting a total of 8.52 cfs and 2, 220 AF from two existing wells for the irrigation of 555 acres by separating and removing the acres from an existing large permissible place of use consisting of 8,644 acres. No new wells will be drilled. Location is approximately 15 - 16 miles north and 1.0 - 2.5 miles west of the center of Rupert.

4. jroberts 4/24/2007 Comment/Analysis
Comment: M E M O R A N D U M

Date: April 24, 2007
To: Transfer 73520 File

From: Jeanie Robertson

Re: Evaluation of Sufficiency of Information Submitted

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36-8775 was split as an ownership change up front into 36-16475 and 36-16476. Transfer seeks to change the place of use under 36-16476 and 36-7042 (which was migrated without the changes that should have been reflected from Transfer #66087) and move them out of a large PPU created by a previous transfer (66087), remove the wells from T07S, R23E, SWSENE of Sec. 12 and T07S, R24E, SWNWNE of Sec. 7 from all the other rights and make them appurtenant to these two rights only. (I ended up correcting the location of the wells to GPS points in the spatial data layer. The one in Section 7 went from the SWNWNE to the NWSWNE and the one in Section 12 went from the SWSENE to the SESWNE.) Another slightly confusing thing (at least to me) was that I removed 468 actual irrigated acres from the previous PPU in Sections 7 & 12 but the new PoU is now 555 acres instead of the 468. The total amount of irrigated acres within the PPU was reduced on the remaining rights to reflect the 555 acres coming off so it is okay. There are 57 associated rights with 31 wells each that will be affected by the transfer and must have their pou reduced, the wells in Section 7 & 12 removed, and the conditions updated. Because of all the Arcview linking that would be required if the other rights were brought into the transfer as associated rights, I have opted to go into Adhoc upon approval of the transfer and remove the wells from the other rights, and update their pou shapes and acreages along with their conditions. (By the way, there was a Water Bank Application for 77.4 acres of the new 555-ac ppu submitted on Aug. 4, 2006 for these two rights.) The location is approximately 15 - 16 miles north and 1.0 - 2.2 miles west of the center of Rupert.

Authority to File:

IDWR Records show the water rights in the name of Young & Young Partnership. Upon approval of the transfer the two rights will be changed to R J, L.L.C. Tax notices from 2004 have been provided to show R J, L.L.C. owns the property in Sections 7 & 12. They have also provided a partial mortgage release from the lien holder for this particular piece of property.

· Water Right Validity:

A partial decree was issued for the parent right of 36-16476, 36-8775, on Dec. 28, 2003 and for 36-7042 on June 2, 2003, so forfeiture does not appear to be an issue.

· Injury to Other Water Rights:

None anticipated. The right is under the jurisdiction of WD 130 so measuring devices and data loggers will be required with annual reporting of the uses and no new wells will be authorized.

· Enlargement of Use:

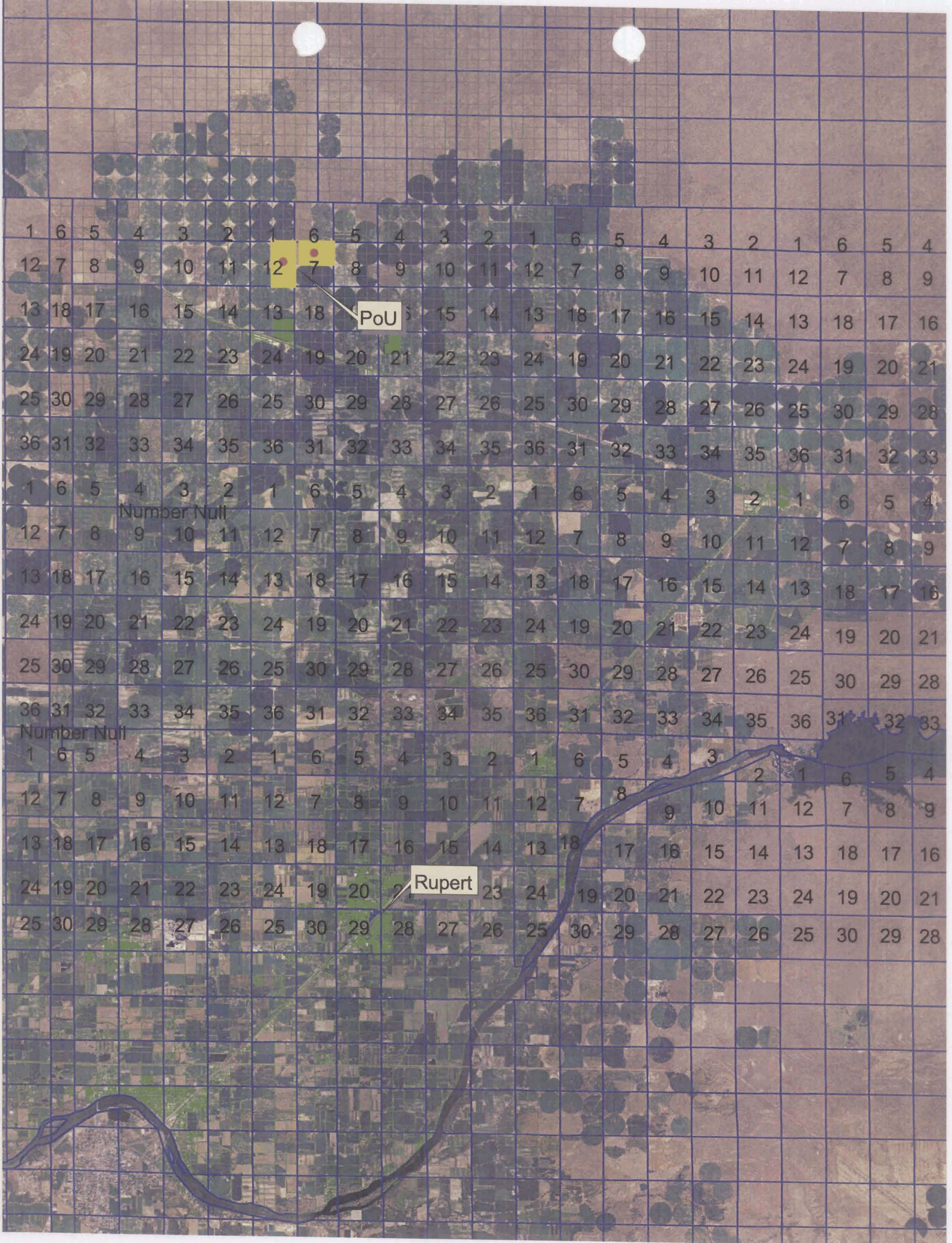
None anticipated.

· Local Public Interest:

- Local Public Interest:
No negative impacts anticipated.

- Beneficial Use/Conservation of Water Resources:
Proposed use is recognized as a beneficial use of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.



PoU

Rupert

Number Null

Number Null