

Comment Report

Application ID 73038

1. jroberts 3/16/2007 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 : North Snake (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 3/16/2007 10:14:37 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. jroberts 3/16/2007 Comment/Analysis
Comment: M E M O R A N D U M

Date: February 26, 2007
To: Transfer 73038 File

From: Jeanie Robertson

Re: Evaluation of Sufficiency of Information Submitted

This is one of two transfers filed by Edward Rosa, the other being transfer 73039.
Right 37-7009 was split up front in preparation for the transfers. This transfer deals
with portion 37-21646 and proposes to dry up 6.4 acres from 37-7009 in order to bring
in the required 16.8 AF to an existing dairy in the SWNW of Section 10, T06S, R15E.

in the required 16.8 AF to an existing dairy in the SWNW of Section 10, T06S, R15E. Right 37-11200 is an existing decreed domestic and stockwater right already at the location. (They are assuming they already have 14.4 AF with this 13, 000 gpd d&s right.) They submitted a worksheet from Bob Ohlensehlen from Nutrient Management Solutions that shows 21 AF are needed at the existing dairy. They also provided FSA records that show sugar beets were grown on approximately 107.5 acres during the 2005 season. According to the Allen & Brockway 1983 report, the consumptive irrigation requirement for sugar beets in that area (Shoshone 1 station) should be 2.63 AF/ac. ($6.4 \text{ ac} \times 2.63 \text{ AF/ac} = 16.8 \text{ AFA}$) This coupled with the assumed 14.4 AF from 37-11200 would equal 31.4 AFA and should provide sufficient water supply at the existing dairy. Two existing wells will be tied together and no new wells will be drilled. The wells are located within Water District 130. Their approximate location is 2.25 miles east and 1.25 - 1.5 miles south of the center of Gooding.

· Authority to File:

IDWR Records show the rights in the name of Edward and Karen Rosa. The Rosas are now divorced and a quitclaim deed for water rights 37-7009 (which was split) and 37-7447A from Karen to Edward was provided with the application. (No mention was made of 37-11200, the site where the existing dairy is located and where the additional water is being moved. I have requested documentation from Brockway Engineering.) The application stated that there were no lien holders on the property.

· Water Right Validity:

37-7009, parent right of 37-21646, was decreed on 12/11/2002 and 37-11200 was decreed on 5/4/2001. This transfer was received in our office on 1/17/2006, so forfeiture should not be an issue. FSA records, which showed sugar beets were grown during the 2005 season on land covered by 37-7009, were also submitted.

· Injury to Other Water Rights:

None anticipated. The wells are existing wells in WD130 with a water master and measurement and reporting requirements, so no injury should occur. The to and from wells are located within the same cell (14, 10) on the old model grid so no mitigation was required.

· Enlargement of Use:

None anticipated.

· Local Public Interest:

No negative impacts anticipated.

· Beneficial Use/Conservation of Water Resources:

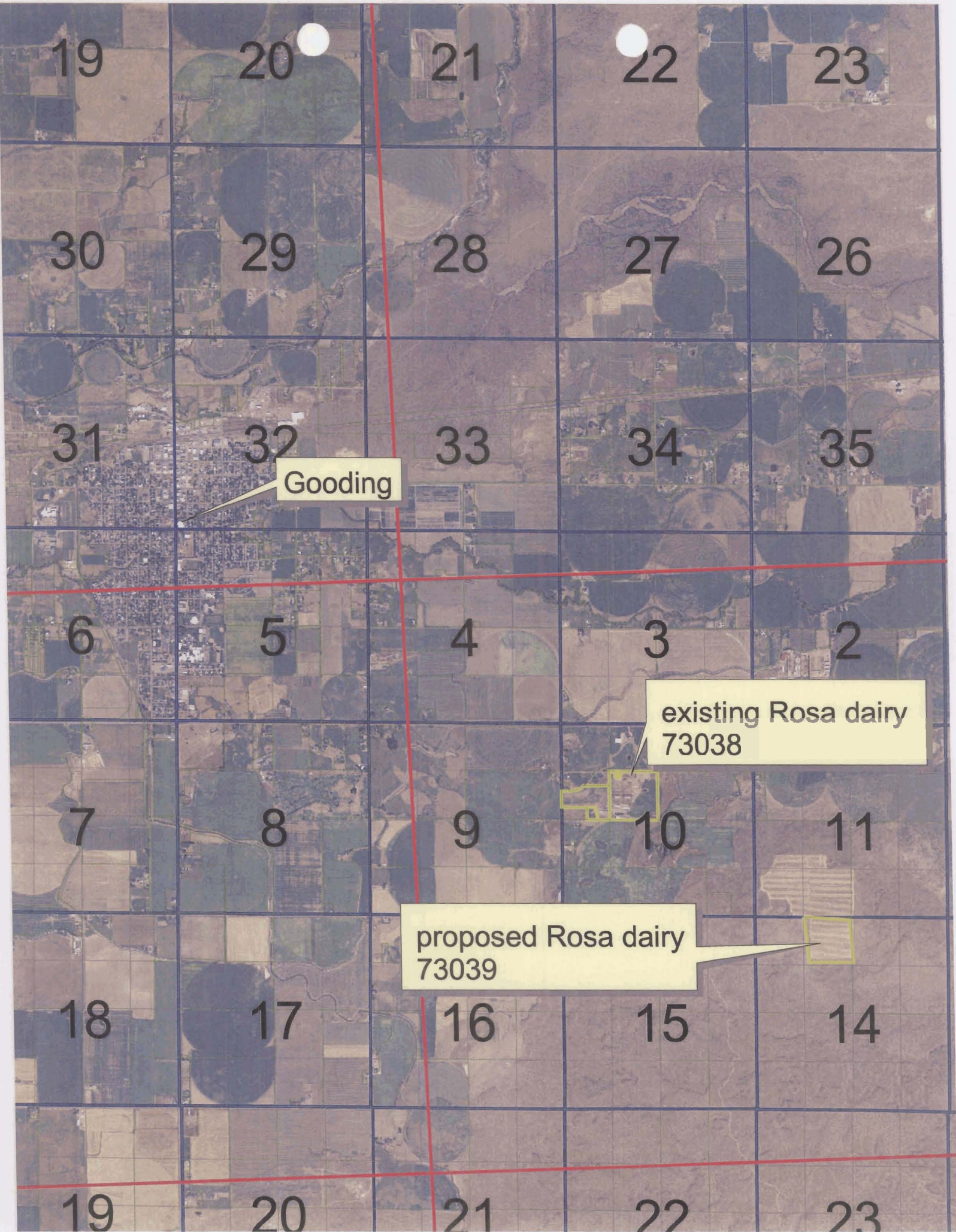
Proposed use is recognized as a beneficial use of water.

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.

forth in Section 42-222 Idaho Code preventing processing of this application.

4. jroberts 3/16/2007 Legal Notice Remarks

Comment: Transfer proposes to dry up 6.4 acres from a right currently used for irrigation and convert 0.13 cfs and 16.8 AF to commercial and stockwater use at an existing dairy located 1 mile to the west and 0.5 mile north. No new wells will be drilled. The dairy is located approximately 2.0 - 2.5 miles east and 1.25 miles south of the center of Gooding.



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Gooding

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existing Rosa dairy
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proposed Rosa dairy
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