

Comment Report

Application ID 71652

1. jstanton 12/16/2004 9:38:47 AM Special Administration Area Notes

Comment: Special Administration Areas : Big Wood River GWMA

Exempt: N

Reason:

Doc Attached:

Explanation:

2. jstanton 12/16/2004 9:44:05 AM Additional Information Notes

Comment: Reviewed by Adjudication Staff: Request

Mitigation Plan or acceptance form: N/A

Municipal Rights Anticipated Horizon Information: N/A

3. jstanton 12/16/2004 Comment/Analysis

Comment: This application proposes to create a permissible place of use covering all the land owned by the applicant in order to cover irrigation uses in a proposed subdivision. This right is supplemental to the decreed surface rights on the existing farm, which will be put into the same ppu under a separate transfer. The two sources are already co-mingled in a sprinkler system in order to make the best use of a limited water supply. The transfer appears to be approvable with standard conditions.

Authority To File: The applicant has purchased this property from the McAtee family, and is now the owner of record. This is not an issue.

Water Right Validity: This is a licensed water right, and has been recommended in the SRBA. The licensed pou was reduced from 235 acres to 222 acres by a previous transfer. Forfeiture is not an issue.

Injury To Other Rights: None if conditions of approval are complied with. The next downstream uses do not occur for at least a mile below the proposed ppu.

Enlargement of Use: None requested. A corrected application was filed on 8-21-07 to change the shape slightly from what was originally applied for. My shape is slightly smaller than what was shown by Brockway due to removal of the various roads running through the farm (the Brockway shape & land list included the roads). Their original shape left out the two stream channels running through the property, but their new shape left these areas in; I am not concerned about this, so left that land in the ppu as filed (they could move the stream or bury it in a pipeline). The proposed ppu does not include about 8 acres that were sold to another party with surface rights only (no ground water).

Local Public Interest: No issues identified.

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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 12/16/2004 Legal Notice Remarks

Comment: This transfer proposes to create a permissible place of use for all the land owned by the applicant in order to facilitate changes to the irrigated land that will occur due to a proposed subdivision. Also, a third well is needed to provide the full licensed flow rate due to supply problems due to the continuing drought. The property is located about 6-7 miles SW of Hailey.