

Comment Report

Application ID 71910

1. jstanton 1/31/2007 11:14:37 AM Special Administration Area Notes

Comment: Special Administration Areas : None

Exempt:

Reason:

Doc Attached:

Explanation:

2. jstanton 1/31/2007 11:15:19 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. jstanton 1/31/2007 Comment/Analysis

Comment: This application proposes to move the pod downstream about 2 3/4 miles into a different canal from the one that now serves the property. The application has been corrected so it is based on the SRBA recommendations instead of the claims. The app was held for completion of the recommendations, and this has now occurred; the recommended pou is 6 acres less than what was claimed. The pou will not change under this transfer.

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

Water Right Validity: The transfer is now based on the SRBA recommendations, so this is not an issue.

Injury To Other Rights: I called the watermaster to see he wants to charge conveyance loss, and he suggested 5%; I have structured Condition 194 accordingly. The applicants have written permission from the District Canal Co. to move out of their system, which should take care of concerns about injury to other users on this canal. Allen has asked Mr. Sherbine to provide a written ok from the Baseline Canal Co. for these rights to be moved into their system, which should take care of any concerns about injury to these users.

Enlargement of Use: None requested.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified. Presumably the requested change will provide a better water supply or a more-efficient delivery system for this property.

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 2/1/2007 Legal Notice Remarks

Comment: This transfer proposes to move the point of diversion for two existing 1886 Big Wood River irrigation rights from the District Canal to the Bypass Canal/Baseline Canal to better serve land recently purchased by the applicants. The District Canal starts in Sec. 36 T. 2N R. 18E, and the Bypass Canal starts in Sec. 12 T. 1N R. 18E. The point of diversion will be moved about 2 3/4 miles downstream from its present location. The watermaster has recommended that 5% of the decreed flow rates be left in the Big Wood River to mitigate for the proposed change. The place of use will remain the same under this transfer.