

Comment Report

Application ID 72746

1. jstanton 2/14/2007 2:59:33 PM Special Administration Area Notes

Comment: Special Administration Areas : Eastern Snake Plain Aquifer

Exempt: N

Reason:

Doc Attached:

Explanation:

Special Administration Areas : North Snake GW District

Exempt: N

Reason:

Doc Attached:

Explanation:

2. jstanton 2/14/2007 3:00:09 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 2/14/2007 Comment/Analysis

Comment: This application covers a land swap that occurred about 3 years ago between adjacent farms in order to square up their properties for more-efficient sprinkler irrigation. Each owner sold a few acres to the other, but withheld the water rights as described in the warranty deeds that have been submitted with the applications. App 72746 and 72751 cover the swap, and should be processed together. The exchange would appear to be neutral to the aquifer, so it does not appear that mitigation would be needed; the amount of water involved is also quite small. The transfer appears to be approvable with standard conditions. The transfer also changes ownership of the subject water rights.

Authority To File: The applicants have supplied a deed from the owners of record showing their purchase of the property, and a deed for the land they obtained from Trail Trust. Ownership does not appear to be an issue.

Water Right Validity: The rights were decreed in 2001, and the land appears to be still irrigated. Forfeiture does not appear to be an issue.

Injury To Other Rights: There should be none with proper conditions. The wells for both farms are either in the same cell or in adjacent cells in the old ESPA model grid, so no significant injury can be determined.

Enlargement of Use: None requested. The transfer actually reduces the pou from 205

Enlargement of Use: None requested. The transfer actually reduces the pou from 205 acres to 200 acres.

Local Public Interest: No issues identified.

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 2/14/2007 Legal Notice Remarks

Comment: The transfer covers a land exchange between two adjacent farms that occurred about 3 years ago in order to square up the properties for more-efficient sprinkler operation. A companion transfer adjusts the place of use for the other farm. The same wells will be used on each farm; no new wells will be drilled under either transfer. The property is located 1 1/2 miles south and 3 1/4 miles east of Hazelton, Idaho.