

Comment Report

Application ID 72828

1. jstanton 2/16/2007 8:11:15 AM Special Administration Area Notes

Comment: Special Administration Areas : Raft River CGWA

Exempt: Y

Reason: Non-Consumptive Use

Doc Attached:

Explanation:

2. jstanton 2/16/2007 8:11:35 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 2/16/2007 Comment/Analysis

Comment: This application proposes to change the pou to a different 40 to avoid conflicts with other stockmen using the same troughs. The same well will continue to be used. There should be nothing in this transfer to concern anyone, so it should be approvable with minimal conditions. The applicant owns a 25% interest in this well.

Authority To File: The water right is owned by Roland & Kathy Zollinger, who are the principles in Z Bar Livestock. The transfer does accomplish a name change.

Water Right Validity: The right was decreed in 1998, but there is no evidence to indicate that forfeiture has occurred. There would be no need for the transfer if the right was not being used.

Injury To Other Rights: There should be none. The transfer should benefit other users of the shared well.

Enlargement of Use: None requested.

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 2/16/2007 Legal Notice Remarks

4. jstanton 2/16/2007 Legal Notice Remarks

Comment: This application proposes to change the place of use for a non-consumptive stockwater right in order to reduce conflicts with other ranchers sharing the same well. The Z Bar cattle will now be watered in a different tract of private land purchased by the applicants. The well is located 1 mile east of Sublett, Idaho. The place of use will move about 1/8 mile NW from its present location.