

Comment Report

Application ID 72868

1. jroberts 7/28/2006 Special Administration Area Notes
Comment: Special Administration Areas : Eastern Snake River Plain Area
(Moratorium Area)
Exempt: Y
Reason:
Doc Attached:
Explanation: Within Eastern Snake River Plain (Moratorium Area)

Special Administration Areas : Trust Water Area (Trust Water Area)
Exempt: Y
Reason:
Doc Attached:
Explanation: Within Trust Water Area

2. jroberts 7/28/2006 Legal Notice Remarks
Comment: Transfer proposes to split a water right currently diverting 0.94 cfs from 4 existing wells for domestic, commercial and stockwater uses in a feedlot, and the irrigation of 2 acres and move 0.72 acres of irrigation and 0.014 cfs to an existing well currently used for domestic purposes for 2 homes. The 0.72 acres of irrigation will be used on a 17.2 acre parcel in conjunction with canal shares. Location of domestic well is approximately 0.75 miles north and 2 miles west of Murtaugh just east of HWY 30.

3. jroberts 7/28/2006 Comment/Analysis
Comment: M E M O R A N D U M

Date: July 27, 2006
To: Transfer 72868 File

From: Jeanie Robertson

Re: Evaluation of Sufficiency of Information Submitted

Right 45-13711 was split up front in preparation for this and another transfer (72827). (Since the right has already been split, it looks the same before and after the transfer, but is included because the transfer is what accomplished the ownership change/split.) 45-13711 is now 45-14013 (Hollifield - see Transfer 72827), unchanged portion 45-14014 (M Four), and 45-14015 (Uhlig). The intent of both transfers is to split the feedlot and the uses, and to designate specific wells to each party. Only 0.72 acres of irrigation from 45-13711 and 1 well went to Uhligs under 45-14015 according to page 5

irrigation from 45-13711 and 1 well went to Uhlig under 45-14015 according to page 5 of the Settlement Agreement. There was some question as to exactly how many wells there were and Jason from Brockway Engineering indicated there were a total of 6. (See emails.) Jasons cover letter submitted with the applications also provided a statement and supporting spreadsheet which indicated that since the systems were to be disconnected, combined limit remarks would no longer be necessary. This seemed reasonable so they were dropped. Location is approximately 0.75 miles north and 2 miles west of Murtaugh just east of HWY 30.

- Authority to File:

Base right 45-13711 was decreed to three parties: Terry & Carol Hollifield, M Four LLC, and Uhlig Ranches Inc. The parties have since decided to split their portions off and separate their operations. A copy of the signed Settlement Agreement between Hollifields and M Four specifying the terms was submitted with the application. It also specified on page 5 how a small portion of the irrigation from 45-13711 was to be transferred to the Estate of Ed Uhlig (45-14015). Letters of Testamentary from the estate were submitted to change the ownership of 45-13712 and 45-14015 to the Estate of Edward L Uhlig.

- Water Right Validity:

Base right 45-13711 was decreed in the SRBA in May of 2005. Splits were created up front in preparation for this and another transfer (72827) which will clarify ownership, pous, and pods for the three different parties to which this right was decreed. 45-13712 was decreed to Uhlig Ranches Inc. in May 2005.

- Injury to Other Water Rights:

None anticipated, per the Settlement Agreement.

- Enlargement of Use:

None anticipated, per the Settlement Agreement

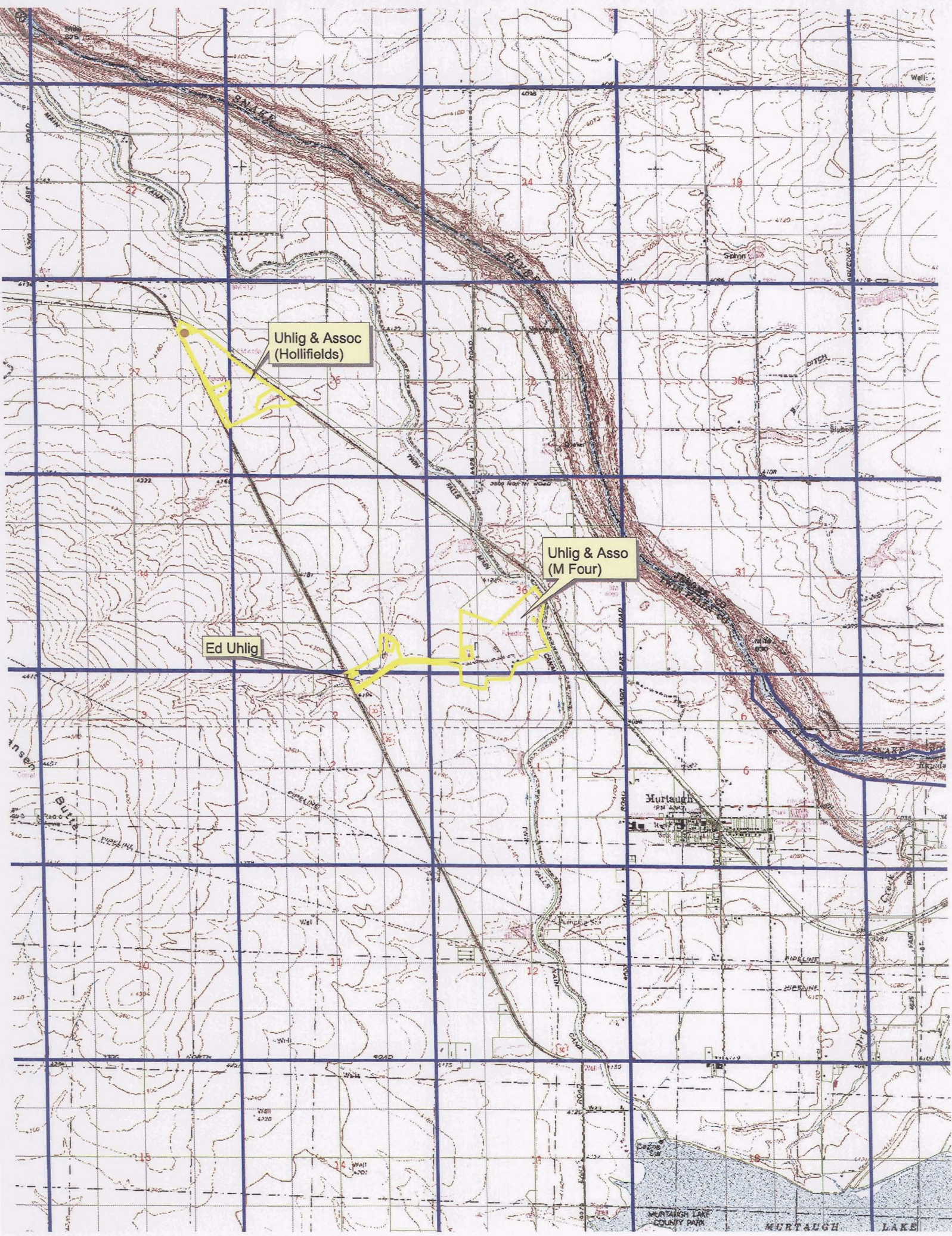
- Local Public Interest:

No negative impacts anticipated.

- Beneficial Use/Conservation of Water Resources:

Proposed uses are recognized as beneficial uses 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.



involved by section, township and range number.

FAX 1 page to go

Zilliams 324-3135

