

## **Comment Report**

**Application ID 72827**

1. jroberts 7/27/2006 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 7/27/2006 Legal Notice Remarks

Comment: Transfer proposes to split two water rights to clarify ownership, place of use and points of diversion. A stockwater right is currently used for the diversion of 0.76 cfs from 5 existing wells for year round use at a feedlot. The other right is currently used for the diversion of 0.94 cfs for commercial and stockwater uses at the feedlot, domestic use for 8 homes, and the irrigation of 2 acres from 4 existing wells. The feedlot and uses will be split and a total of 6 existing wells will be designated between 3 parties. Locations are between 0.75 - 2.5 miles north and 1.5 - 2.25 miles west of Murtaugh along HWY 30.

3. jroberts 7/27/2006 Comment/Analysis

Comment: M E M O R A N D U M

Date: July 27, 2006

To: Transfer 72827 File

From: Jeanie Robertson

Re: Evaluation of Sufficiency of Information Submitted

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Rights 45-2711 and 45-13711 were split up front in preparation for this and another transfer (72868). (Since these two rights have already been split, they look the same before and after the transfer, but are included because the transfer is what accomplished the ownership change/split.) 45-2711 is now 45-14011 (Hollifield) and the unchanged portion 45-14012 (M Four). 45-13711 is now 45-14013 (Hollifield),

the unchanged portion 45-14012 (M Four). 45-13711 is now 45-14013 (Hollifield), unchanged portion 45-14014 (M Four), and 45-14015 (Uhlig - see Transfer 72868). The intent of the transfer is to split the feedlot and the uses, and to designate specific wells to each party. 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.) The conditions in a previous transfer indicated the number of cattle in 45-2711 was 4,947. Since this right was split in half, I gave 2,473 each to 45-14011 and 45-14012. Likewise on 45-13711, the condition indicated a total of 7,053 cattle, so I gave 3,526 to each. 45-13711 also said the domestic use was for 8 homes. The settlement agreement submitted with the transfer indicated on page 5 that 1/8 or 1 home went to Hollifield (45-14013) and 7/8 or 7 homes went to M Four (45-14014). 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. Locations are between 0.75 - 2.5 miles north and 1.5 - 2.25 miles west of Murtaugh along HWY 30.

- Authority to File:

The base rights 45-2711 and 45-13711 were 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 agreement between Hollifields and M Four specifying the terms was submitted with the application.

- Water Right Validity:

Base rights 45-2711 and 45-13711 were decreed in the SRBA in May of 2005. Splits were created up front in preparation for this and another transfer (72868) which will clarify ownership, pous, and pods for the three different parties to which these rights were decreed.

- Injury to Other Water Rights:

None anticipated. An agreement signed by Hollifield and Munsee (M FOUR LLC - remaining portion) was submitted with the transfer.

- Enlargement of Use:

None anticipated.

- 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.



