

Comment Report

Application ID 72402

1. jstanton 7/13/2006 9:07:54 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

2. jstanton 7/13/2006 Comment/Analysis

Comment: This application proposes to move one pod downstream downstream to a location more suitable for a pump diversion, and also changes the pou to land with canal shares. Declining stream flows no longer allow the rights to be used as recommended in the SRBA, according to Mr. Adams. It appears that the application can be approved with standard conditions. A 1954 agreement covers the use of this source, and that will not change.

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

Water Right Validity: Although the rights have not been decreed as of 7-12-06, all other legal action has been completed according to the SRBA web site. So any non-use is still protected from forfeiture. I do not plan any field work to investigate further unless requested to do so.

Injury To Other Rights: None so far as I can tell.

Enlargement of Use: Although the proposed ppu is much larger than the recommended acres, most of the land is already irrigated with canal shares. These rights are limited by the natural supply of waste water, so actual usage will probably decline over time until the source dries up so much as to be unusable. Adams is just trying to use what is available as efficiently as possible.

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.

3. jstanton 7/13/2006 Legal Notice Remarks

Comment: This application proposes to move one point of diversion on Coulee 700 downstream downstream about 1000 feet to a new pump site, and to change the place of use for one right from the east side of the stream to the west side. Both rights will be co-mingled with canal shares in a permissible place of use. The property is

be co-mingled with canal shares in a permissible place of use. The property is located 5 to 5 1/2 miles north and 9 to 9 1/2 miles east of the Gooding city center.

TRANSFER

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