

Comment Report

37-21719

1. jstanton 3/23/2006 9:28:42 AM Special Administration Area Notes

Comment: Special Administration Areas : Eastern Snake Plain Aquifer

Exempt: Y

Reason: Non-Consumptive Use

Doc Attached:

Explanation: Exempt from 1992 moratorium

2. jstanton 3/23/2006 9:29:09 AM Additional Information Supporting Application

Comment: Residency affidavit for hydropower development: N/A

Additional hydropower project information: N/A

Additional fish propagation project information: N/A

Appropriation Rule 40.05.c information: N/A

Mitigation Plan or acceptance form: N/A

Evidence of Pre-1987 development: N/A

3. jstanton 3/23/2006 Comment/Analysis

Comment: This application provides water for in-building use for a 25-building commercial complex to be developed just SE of Johnny's Country Store north of Shoshone. Shelley told me that licensing requires actual development of businesses, not just stubbing water lines into the building sites, and I have so advised the applicant attorney. The use for each building will be covered by the limits for a Class B domestic use (0.04 cfs & 2500 gpd) in order to be exempt under the 1992 moratorium. As required under the recent law, the proposed well will not provide any irrigation water. The application appears to be approvable with standard conditions.

4. jstanton 3/23/2006 Legal Notice Remarks

Comment: This application proposes the drilling of a new well to provide in-building water for a commercial complex to be built just SE of Johnny's Country Store 3 1/2 miles north of Shoshone on the east side of Hwy 75. A flow of 49 gpm is requested.

5. eretelle 3/24/2006 mitigation question

Comment: Are mitigation conditions 139 and 140 required?

Although domestic use is usually considered non-consumptive, Shelley raised the issue of this use being consumptive to the aquifer since the water is never really returned to its source, but instead is returned to the river via the water treatment plant.

Gary's position is that since we are authorizing in-house use only (no irrigation), no mitigation conditions are required.

Measuring, control and reporting conditions were added at the request of the watermaster.

6. ameritt 6/9/2006 recommendation

Comment: This application was processed in parallel with state office staff. The application was advertised without protest. I added condition 106 since I believe it will be a public water supply well. I gave a copy to Brian Reed at DEQ and he thinks it will be a public supply well. I recommend approval as drafted.