

Comment Report

Application ID 72440

1. jstanton 3/21/2006 Comment/Analysis

Comment: This application proposes to convert 3 groundwater and 2 Raft River irrigation rights to cooling use in two geothermal power plants that will be constructed on or near the existing farm. 3 plants are planned, but more water will need to be obtained in the future for the 3rd plant. The project will take 5 years, with irrigation being reduced as the cooling needs increase during that period. Blowdown from the cooling towers will be land applied or injected back into the cold aquifer per DEQ requirements; land application will occur through the existing sprinkler system. The application appears to be approvable with proper conditions, although this is a complicated proposal that could run into problems not anticipated at this time.

Authority To File: The applicant has provided a sale/purchase agreement from the right holder of record; the sale was to close in January. The applicant is registered with IDSOS as required.

Water Right Validity: The rights were decreed in 2002, so forfeiture is not an issue. I believe that the rights have been used until recently; the watermaster said that not much farming occurred in 2005.

Injury To Other Rights: None expected.

Enlargement of Use: There should be none with proper monitoring. The wells will eventually be under watermaster control. The Raft River rights have lousy priority dates, but could provide a little water at times. I am recommending a volume allowance based on the acre limits of the surface rights converted to consumptive volumes for hay, but it is doubtful that these amounts will ever actually be available. The groundwater rights were decreed with very low volumes for the number of acres allowed, so the rights are limited to these volumes (which are actually less than what would be allowed based on consumptive use of the crops grown on this farm). Jeff Peppersack has accepted their argument that all of the decreed volume should be available for the proposed use.

Local Public Interest: No negative issues identified. By using the geothermal resource underlying this area, the project should benefit the economy without harming users of the cold groundwater supply. The applicant has provided data showing economic benefits of the project.

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.

data by the applicant.

2. jstanton 3/21/2006 Legal Notice Remarks

Comment: This application proposes to convert 3 groundwater and 2 Raft River irrigation rights for cooling of two geothermal power plants to be built on or near the Wilcock farm within the next 5 years. Irrigation will be reduced as cooling needs increase. The farm center is located about 15 1/2 miles south and 2 1/4 miles west of Malta, Idaho.

3. jstanton 3/21/2006 4:21:45 PM Special Administration Area Notes

Comment: Special Administration Areas : Raft River Critical GW Area

Exempt: N

Reason:

Doc Attached:

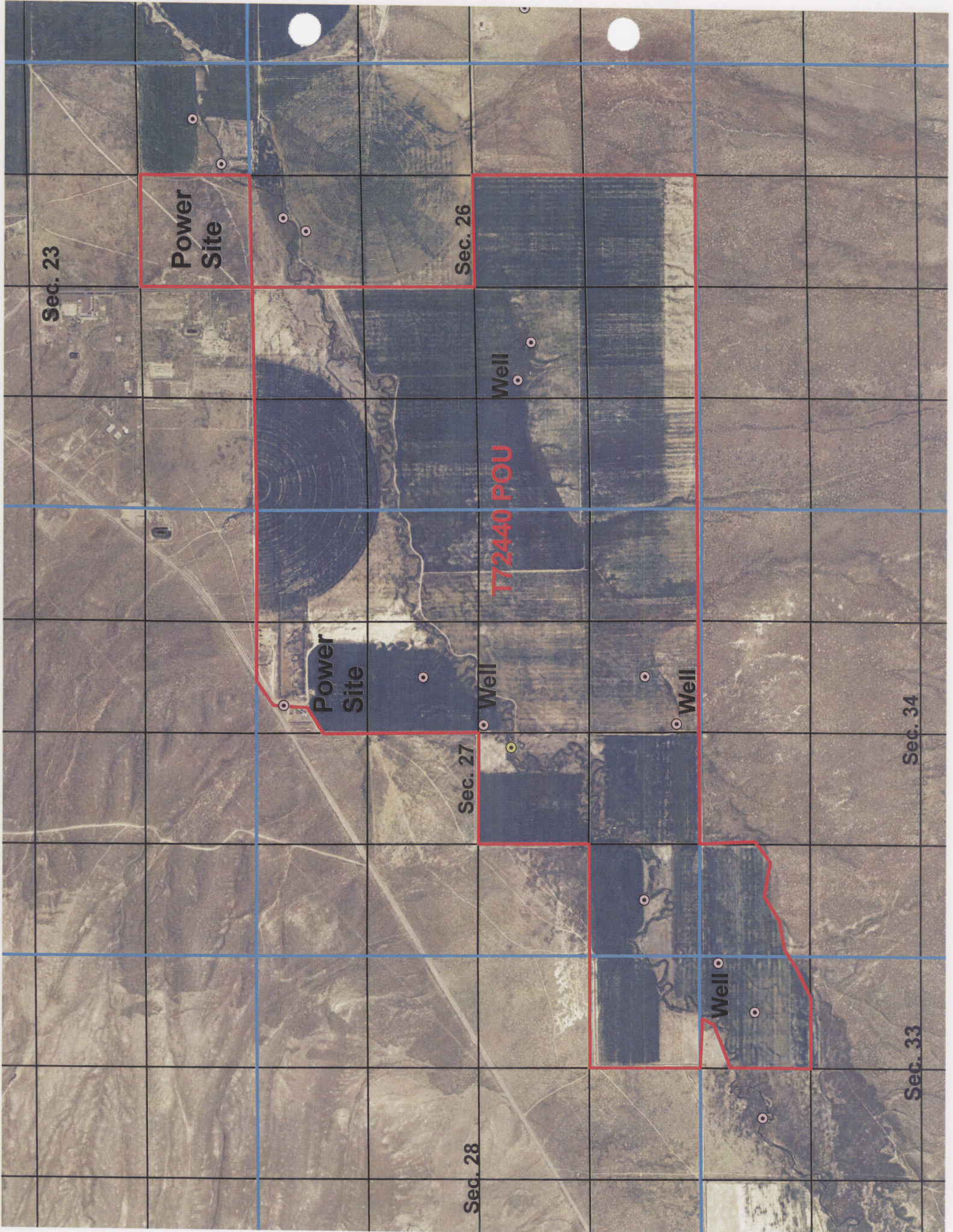
Explanation:

4. jstanton 3/21/2006 4:22:40 PM Additional Information Notes

Comment: Reviewed by Adjudication Staff: N/A

Mitigation Plan or acceptance form: N/A

Municipal Rights Anticipated Horizon Information: N/A



Sec. 23

Power Site

Sec. 26

Well

T72440 POU

Power Site

Sec. 27

Well

Well

Sec. 34

Sec. 28

Well

Sec. 33

TRANSFER _____

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slightly textured appearance and some minor discoloration or shadows, suggesting it's a scan of a physical document. There is no handwriting or other markings on the page.