

## **Comment Report**

**Application ID 71019**

1. jstanton 2/3/2004 8:23:42 AM Special Administration Area Notes

Comment: Special Administration Areas : Big Wood River GWMA

Exempt: N

Reason:

Doc Attached:

Explanation:

2. jstanton 2/3/2004 8:24:58 AM Additional Information Notes

Comment: Reviewed by Adjudication Staff: Request

Mitigation Plan or acceptance form: N/A

Municipal Rights Anticipated Horizon Information: N/A

3. jstanton 2/3/2004 Comment/Analysis

Comment: The present pou has both surface & gw rights appurtenant to it, and the applicants have purchased 5 acres worth of water (12.5% of each right). They bought the new pou separately from another party without any water rights on it. This is a simple proportional split. These rights were put into the Water Bank last year so that the applicants could lease them out to irrigate with, as they know that a transfer would not be approved in time for last season. The application appears to be approvable with standard conditions. The well is supplemental to the surface sources.

Authority To File: Deeds submitted with the application verify that the applicants have purchased the land & water rights.

Water Right Validity: This right is protected by an SRBA claim, so forfeiture is not an issue.

Injury To Other Rights: No issues identified.

Enlargement of Use: The premise of the transfer is that 5 acres will be dried up at the present pou as the land is subdivided and turned into roads, home sites, etc. The proposed pou is 5 acres, but has rough borders and a home site; it is likely that less than 5 acres will actually be irrigated here. Enlargement does not appear to be an issue.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified. The new pou will be sprinkled, so water will be used as efficiently as possible.

Review of the application finds that there is no clear inconsistency with criteria set forth

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 issues have been identified that would require further review or submittal of additional evidence by the applicants.

4. jstanton 2/3/2004 Legal Notice Remarks

Comment: The present place of use of this right is being subdivided, creating about 5 acres of non-irrigated areas such as roads and home sites. The portion of the right appurtenant to these areas has been purchased by the applicants for transfer to their land just south of the subdivision. This water will be pumped from the existing domestic well on the Townsend property, which is about 1/2 mile SW of Bellevue on the east side of the Broadford Slough.