

Comment Report

Application ID 72334

1. jroberts 10/10/2005 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 : Artesian City (Critical Groundwater Area)

Exempt: Y

Reason:

Doc Attached:

Explanation: Within Artesian City (Critical Groundwater Area)

Special Administration Areas : Trust Water Area (Trust Water Area)

Exempt: Y

Reason:

Doc Attached:

Explanation: Within Trust Water Area

2. jroberts 10/10/2005 Legal Notice Remarks

Comment: Transfer proposes to create a Permissible Place of Use of 2,040 acres for 11 water rights with five authorized points of diversion currently used for the irrigation of 1,978 acres. Location is approximately 5.0 - 6.5 miles south and 1.5 - 4.5 miles east of Murtaugh in Cassia County.

3. jroberts 10/10/2005 Comment/Analysis

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

Date: October 10, 2005

To: Transfer 72334 File

From: Jeanie Robertson

Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes creating a permissible place of use of 2,040 acres for 11 water rights with five authorized points of diversion currently used to irrigate 1,978 acres. The place of use and points of diversion are located approximately 5.0 - 6.5 miles

The place of use and points of diversion are located approximately 5.0 - 6.5 miles south and 1.5 - 4.5 miles east of Murtaugh in Cassia County, partially within the North Snake Groundwater District. A transfer (70289) was approved on 9 of these 11 rights in January of 2004. It was for three of the wells and created a PPU of 1508 acres. The other two rights were recommended together in a PPU of 470 acres with the remaining two wells. This transfer takes all of the rights and all five wells and puts them into a PPU of 2,040 acres but limited to a total of 1,978 acres within. (The application listed one of the wells in Section 3 as in the SWSESW, but the map and all of the decreed rights listed that well in the SESESW. I assumed a typo and made the correction.)

- Authority to File:

The water rights are in the name of the transfer applicants, Gordon and Eola Luke. Part of the property is owned outright and part has a mortgage. (A release letter from their bank has been requested and should be received shortly.)

- Water Right Validity:

The base rights for the transfer were recently decreed in the SRBA in May of 2005.

- Injury to Other Water Rights:

None anticipated. The property is actually located on the extreme southern edge of the ESPA and not within the old model grid cells. It does not require mitigation or analysis because the wells are continuing to irrigate the same lands and are not being moved.

- Enlargement of Use:

None anticipated, with appropriate limits.

- Local Public Interest:

No negative impacts anticipated.

- Beneficial Use/Conservation of Water Resources:

Proposed use is recognized as a beneficial use 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.

