

Comment Report

Application ID 72152

1. jroberts 9/26/2005 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 : North Snake (Ground Water District)

Exempt: Y

Reason:

Doc Attached:

Explanation: Within North Snake (Ground Water District)

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

Exempt: Y

Reason:

Doc Attached:

Explanation: Within Trust Water Area

2. jroberts 9/26/2005 Legal Notice Remarks

Comment: Transfer changes the place of use for a water right used to supply irrigation of 90 acres. Location is approximately 4.0 miles south and 5.0 miles west of Wendell.

3. jroberts 9/26/2005 Comment/Analysis

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

Date: September 26, 2005

To: Transfer 72152 File

From: Jeanie Robertson

Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes changing the place of use of irrigation right for 90 acres. It was submitted by Hill Top Dairy, C/O Danny C Vanderham and signed by he and his wife, Marjean. The right was decreed in the SRBA but a dairy was subsequently built on part of the property and the decreed place of use no longer matches the actual acres being irrigated today. The transfer will correct that. The place of use and point of

being irrigated today. The transfer will correct that. The place of use and point of diversion are located approximately 4.0 miles south and 5.0 miles west of Wendell and are within Water District 130.

- Authority to File:

The water right is currently in the name of Danny and Marjean Vanderham, address in Corona California. The applicants submitted a copy of a Certificate of Assumed Business Name filed with the Secretary of State as Hill Top Dairy in Wendell, Idaho. A copy of a Grant Deed was also submitted from the Vanderhams to Hill Top Dairy, resulting in an ownership change.

- Water Right Validity:

The base right for the transfer was decreed in the SRBA in December of 1997.

- Injury to Other Water Rights:

None anticipated.

- Enlargement of Use:

None anticipated.

- 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.

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Wendell

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Hill Top Dairy

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T085

R14E 26

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4 miles South

5 miles West