

## **Comment Report**

**Application ID 72041**

1. jstanton 6/17/2005 9:44:10 AM Special Administration Area Notes  
Comment: Special Administration Areas : Eastern Snake Plain Aquifer  
Exempt: N  
Reason:  
Doc Attached:  
Explanation:

2. jstanton 6/17/2005 9:44:36 AM Additional Information Notes  
Comment: Reviewed by Adjudication Staff: N/A  
Mitigation Plan or acceptance form: N/A  
Municipal Rights Anticipated Horizon Information: N/A

3. jstanton 6/17/2005 Comment/Analysis  
Comment: This application ties 2 wells together in a ppu. This is already a connected system, but was not decreed that way in the SRBA. The other Harper transfer reduces the ppu by 25 acres, and removes 0.33 cfs from the flow rate of 36-2288; this number needs to be changed at the end of the approval process to match the untransferred portion under the other transfer. The transfer appears to be approvable with standard conditions.

Authority To File: The applicants are the owners of record. The signed app is only in the name of Layne Harper, but both he and Clint signed it. I told Daren Nelson of Brockways that I was going to add Clint as an applicant, and he had no problem with this. The transfer will not change ownership of these rights.

Water Right Validity: It has been less than 5 years since these rights were decreed, so forfeiture is not an issue.

Injury To Other Rights: Should be none with proper conditions. Both wells are already on the same farm, so no ESPA analysis is required.

Enlargement of Use: Should be none with proper conditions.

Local Public Interest: No issues identified.

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.

4. jstanton 6/17/2005 Legal Notice Remarks

Comment: This application legally ties the two existing wells together on all of the irrigable acres north of Hwy. 24 owned by the applicants. After the transfer, irrigation will be limited to 410 acres per year; 50 acres must be left dry each year. The farm is located 5 miles NW of Norland.