

Comment Report

Application ID 71947

1. jroberts 5/10/2005 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 : Trust Water Area (Trust Water Area)

Exempt: Y

Reason:

Doc Attached:

Explanation: Within Trust Water Area

2. jroberts 5/10/2005 Legal Notice Remarks

Comment: Transfer proposes to accurately describe the location of a reservoir used for stockwater storage and stockwater from storage on BLM ground. Location is T16S, R21E, SENE of Section 17, which is approximately 14 miles south and 7 miles west of Oakley.

3. jroberts 5/10/2005 Comment/Analysis

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

Date: May 10, 2005

To: Transfer 71947 File

From: Jeanie Robertson

Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to more accurately describe the place of use of a small reservoir used for stockwater storage and stockwater from storage. The license described the place of use and point of diversion in the NESE of Sec. 17 and the use as year-round stockwater storage of 0.2 AF. A claim was filed with the pou and pod in the NESE, the source as Neds Reservoir No. 1 for stockwater from 5/15 to 11/15 for 0.2 AF and year-round wildlife for 0.5 AF with a total of 0.5 AF. There is a recommendation, however, which shows the pod already in the SESENE of Sec. 17 as this application for transfer requested. The wildlife has been dropped from the recommendation, the uses are stockwater storage and stockwater from storage but the pou is still in the

uses are stockwater storage and stockwater from storage but the pou is still in the NESE. This transfer will correct that.

- Authority to File:
This is BLM land.

- Water Right Validity:
Right has been recommended and objected to in the SRBA by Bedkes and Poultons. Issues are priority date and purpose of use description. It is currently stayed. I have discussed the transfer with AJ staff and legal who are in agreement that the transfer can be processed since it will bring the pou and pod in line with the competing claims of the Objectors but will not interfere with the Objection process. Notice of the transfer approval will be sent to the Objectors also so that they are fully aware of the changes.

- Injury to Other Water Rights:
None anticipated.

- Enlargement of Use:
None.

- Local Public Interest:
No negative impacts anticipated.

- Beneficial Use/Conservation of Water Resources:
Proposed use (stockwater storage and stockwater from storage) 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.