

TO: File

DATE: November 25, 1998

FROM: Jim Stanton

SUBJECT: App. for Transfer, L. Ray Stanger Trust

Today I visited the subject property in connection with this application. The supposed existing place of use is much lower in elevation than the new place of use, so wastewater would have to be collected at the licensed points of diversion and pumped as much as 160' up hill & as much as 3 miles away to the new land. The land in Sec. 16 (the new p/u) is already irrigated with groundwater under and expansion claim in the SRBA, so the actual number of irrigated acres would not increase if this application is approved.

Although I put this application together at the applicant's request, it is my opinion that this thing is bogus. I drove all around the area, and saw nothing but pivot sprinklers and wheel lines. None of this area is gravity irrigated, and there were no ditches that could carry wastewater even if there was any. By the applicant's own admission, they have not used these licenses since 1992; at least six irrigation seasons have passed since this water was last used. The point of diversion in Sec. 14 no longer exists; the pond that used to be there has been filled in and farmed over. There is a low spot in Sec. 24 that could hold water, but no pumping system that could make use of it. Since the licensed water supply no longer exists and will not exist in the future, the application is speculative; there is nothing to transfer. There are a fair number of these old wastewater rights on the books, but I strongly believe that they should be declared forfeited in the SRBA unless it can be clearly shown that the water is still available and in use (which is rarely the case). It makes no sense and benefits no one to waste computer space on these abandoned rights. I therefore recommend that this application be denied and that the two water licenses be declared forfeited.

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