

Revised **Comment Report**
Application ID 71185

1. jroberts 10/5/2004 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 10/5/2004 Legal Notice Remarks
Comment: Transfer proposes adding the Union Ditch as a point of diversion for two water rights used to irrigate 176 acres on a farm located approximately 1.5 - 2.0 miles north and 1.5 - 2.0 miles west of Gooding. The Union Ditch diversion point is located approximately 4.5 miles north and 4.5 miles east of Gooding. In addition, the transfer proposes creating a 245 acre permissible place of use on the farm.

3. jroberts 10/19/2004 Comment/Analysis
Comment: M E M O R A N D U M

Date: October 18, 2004
To: Transfer 71185 File

From: Jeanie Robertson

Re: Evaluation of Sufficiency of Information Submitted

This transfer proposes adding a point of diversion several miles upstream in the SENESW of Section 12, T05S, R15E, changing delivery from the Big Wood River to the Canal Company Lateral 1465-B via the Union Ditch. Applicant has provided a letter from the Big Wood Canal Company agreeing to the change. Applicant also has canal shares with the BWCC and wishes to keep the original diversion in Section 31 as an alternate pod. The transfer also proposes to add 69 acres in the west half of the NW quarter of Section 25 to cover the installation of a pivot several years ago. This would create a ppu of 245 acres, the two rights when combined limited to the 176

would create a ppu of 245 acres, the two rights when combined limited to the 176 recommended acres within. The rights are within Water District 37, under control of a watermaster. Watermaster comment is needed and subordination language because there are quite a few senior rights located between the two points of diversion which may be injured by diverting the rights at the upper pod. This is especially true of right 37-21279 for 6.4 cfs with a 11/01/1913 priority date. Appropriate conditions must be added to assure there is no enlargement in the pou and no injury to upstream right holders of the original pod.

· Authority to File:

IDWR records list the applicants as the current owners of the rights being transferred

· Water Right Validity:

Rights have been recommended in the SRBA but have not been included in a Directors Report.

· Injury to Other Water Rights:

None anticipated.

· Enlargement of Use:

None if appropriate conditions and limits are implemented.

· Local Public Interest:

No negative impacts anticipated.

· Beneficial Use/Conservation of Water Resources:

Proposed use (irrigation) 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.

4. jroberts 3/3/2005 Comment/Analysis

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

Date: March 3, 2005

To: Transfer 71185 File

From: Jeanie Robertson

Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to add a point of diversion several miles upstream in the SENESW

Transfer proposes to add a point of diversion several miles upstream in the SENESW of Section 12, T05S, R15E, changing delivery from the Big Wood River to the Canal Company Lateral 1465-B via the Union Ditch. (The application called the location of this new pod the SENESW of Section 12, but GIS showed it to be located in the NESESW of Section 12, so the approval reflects this change.) Applicant has provided a letter from the Big Wood Canal Company agreeing to the change. Applicant also has canal shares with the BWCC and wishes to keep the original diversion in Section 31 as an alternate pod. The transfer also proposes to add 69 acres in the west half of the NW quarter of Section 25 to allow greater flexibility and to cover the installation of a pivot several years ago. This would create a ppu of 245 acres, the two rights limited to the 176 recommended acres when combined. The rights are within Water District 37, under control of a watermaster. (I talked to the watermaster, Kevin Lakey, about this transfer and he said he had no objection to it, but we will still send a comment letter to him during the advertising process for official commentary.) I recommend approval with the appropriate conditions to make sure there is no enlargement in the pou.

- Authority to File:

IDWR records list the applicants as the current owners of the rights being transferred

- Water Right Validity:

Rights have been recommended in the SRBA but have not been included in a Directors Report.

- Injury to Other Water Rights:

None anticipated.

- Enlargement of Use:

None if appropriate conditions and limits are implemented.

- Local Public Interest:

No negative impacts anticipated.

- Beneficial Use/Conservation of Water Resources:

Proposed use (irrigation) 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.