

Comment Report

Application ID 71793

1. jroberts 3/3/2005 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 : Oakley Kenyon (Critical Groundwater Area)

Exempt: Y

Reason:

Doc Attached:

Explanation: Within Oakley Kenyon (Critical Groundwater Management Area)

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

Exempt: Y

Reason:

Doc Attached:

Explanation: Within Trust Water Area

2. jroberts 3/4/2005 Comment/Analysis

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

Date: March 4, 2005

To: Transfer 71793 File

From: Jeanie Robertson

Re: Evaluation of Sufficiency of Information Submitted

Transfer 71793 proposes drilling a new well to add an authorized point of diversion to two water rights currently used to serve a dairy (45-2434B and 45-12909B) and a feedlot (45-10454). The dairy operation is located approximately 2.0 - 2.25 miles west and 0.3 - 0.5 miles north of the center of Oakley. The feedlot is located approximately 1.75 - 2.0 miles west of the center of Oakley. These rights currently share two other wells. (A recent transfer, #71275, was approved in December of 2004, which tied these two wells together.) The proposed location of the new well is approximately 1 - 1.25 miles west of the center of Oakley. This transfer should be relatively straightforward since it is merely adding a well to supplement one of the others that is

straightforward since it is merely adding a well to supplement one of the others that is now pumping sand. The ownership and place of use will not change as a result of the transfer.

- **Authority to File:**

Applicant owns the property according to IDWR records for 45-10454 (feedlot). Mr. Whiteley, who signed the application, is the president of Shoulder 3 Ranches, and a member of Robinson & Whiteley LLC, the other applicant, according to IDSOS records. He is also the President of Acme Dairy, 45-2434B and 45-12909B. A letter from Farm Credit, the lien holder, approving of the transfer was also provided.

- **Water Right Validity:**

Water right has been recommended and reported in the SRBA.

- **Injury to Other Water Rights:**

None anticipated. No change in place of use, just adding a well to supplement another, which started pumping sand.

- **Enlargement of Use:**

None if appropriate conditions and limits are implemented.

- **Local Public Interest:**

No negative impacts anticipated, the facilities are already in place.

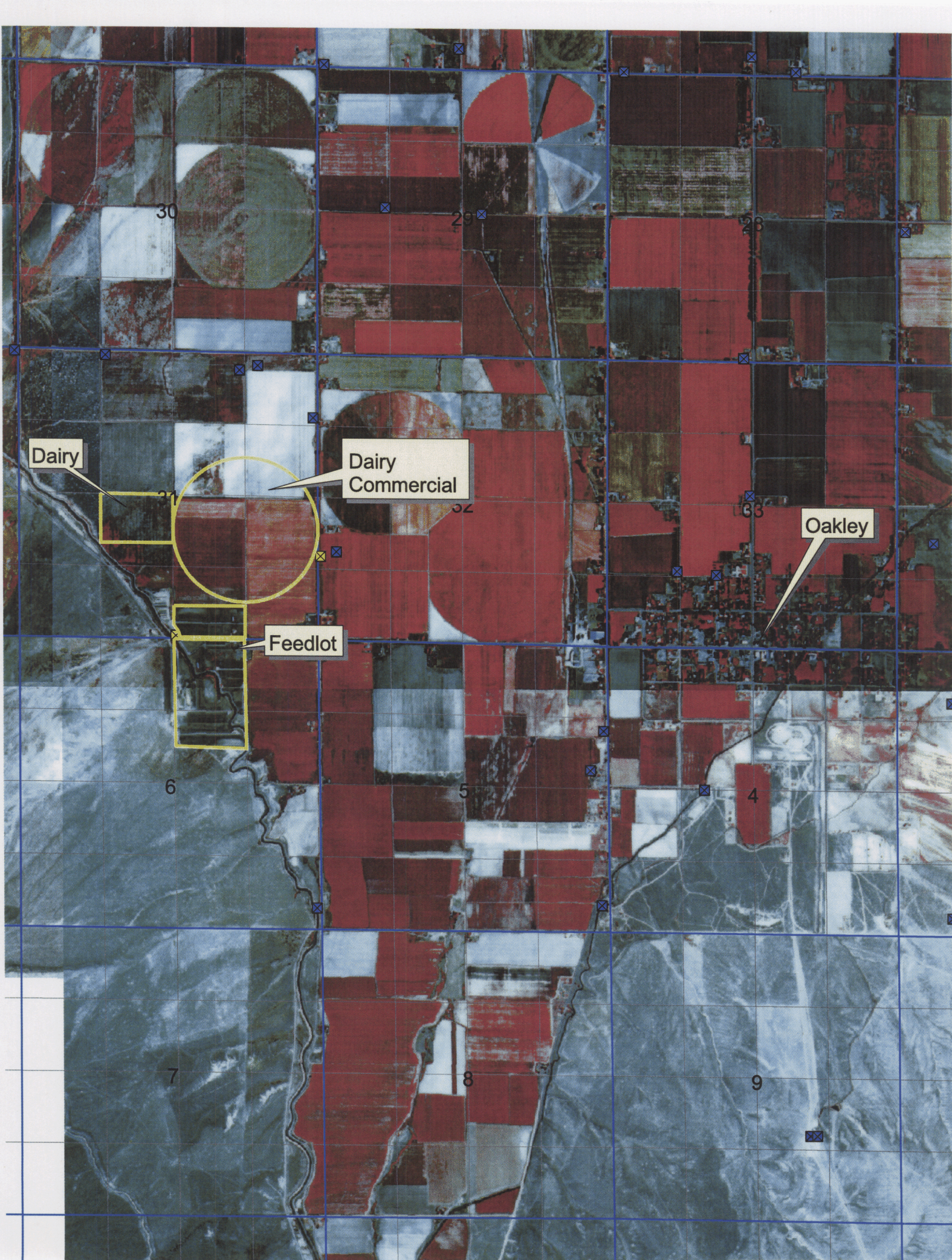
- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as 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.

3. jroberts 3/3/2005 Legal Notice Remarks

Comment: Transfer proposes drilling a new well to add an authorized point of diversion to two water rights currently used to serve a dairy operation located approximately 2.0 - 2.25 miles west and 0.3 - 0.5 miles north of the center of Oakley. Transfer also proposes adding this new well as an authorized point of diversion to a water right used to serve a feedlot operation located approximately 1.75 - 2.0 miles west of the center of Oakley. Both the dairy and the feedlot are currently sharing two other existing wells as authorized points of diversion. The proposed location for the new well is approximately 1 - 1.25 miles west of the center of Oakley.



Dairy

Dairy
Commercial

Oakley

Feedlot

