

Comment Report

Application ID 71599

1. jstanton 11/8/2004 2:03:04 PM Special Administration Area Notes

Comment: Special Administration Areas : Raft River CGWA

Exempt: N

Reason:

Doc Attached:

Explanation:

2. jstanton 11/8/2004 2:03:41 PM 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 11/8/2004 Comment/Analysis

Comment: This is a very simple transfer that justs adds a well to the existing system due to sand problems with the present well. The existing well pumps so much sand that it destroys a set of bowls every year unless valved back to less than 1000 gpm. Mr. Grush would like to do away with this well completely, but is not sure that he can get enough water from a new well to fully supply his needs. The transfer appears to be approvable with standard conditions.

Grush has been watering the land under 43-12967 with this well also, but plans to stop that practice due to uncertainty over what might happen to that land in the future. That land may be taken up by the expansion of an existing feedlot owned by someone else, and he does not want any obligation to supply water from the new well to that property. Therefore, this right is not included in the transfer.

Authority To File: The Grushes have a lease/purchase agreement on this property; the land owner is not included as a co-applicant, as the transfer does not change ownership of the water right. The land owner did not sign the application, as his signature is on the lease.

Water Right Validity: The right was decreed in 2002, so forfeiture is not an issue.

Injury To Other Rights: No issues identified.

Enlargement of Use: None requested.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified. The land has been sprinkler irrigated for maximum efficiency of water use, and this will continue.

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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.

4. jstanton 11/8/2004 Legal Notice Remarks

Comment: This application proposes to add a second well to the existing irrigation system due to sand problems with the present well that prevent the full allowed diversion rate from being utilized. The proposed well will be located about 5 miles south and 3/4 mile east of the Hwy. 77/81 junction at Malta.