

Comment Report

Application ID 71437

1. jstanton 8/9/2004 10:50:27 AM Special Administration Area Notes

Comment: Special Administration Areas : Eastern Snake Plain Aquifer

Exempt: N

Reason:

Doc Attached:

Explanation:

Special Administration Areas : North Snake GW District

Exempt: N

Reason:

Doc Attached:

Explanation:

2. jstanton 8/9/2004 10:51:14 AM 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 8/9/2004 Comment/Analysis

Comment: This transfer proposes to change the pou due to the installation of pivots on two adjacent farms served by a single well. The proposed pou covers portions of several pivots, and a companion transfer (71422) covers the other portions of the pivots. I disagree with this, as this is clearly a ppu; all the acres and all the rights should be included in a single transfer. But the applicant chose to do 2 separate transfers; Jeff Rau of Brockway Engineering could not give me a good explanation of why. S. O. has agreed with this, however, so I am processing the transfers as filed. The rights were recently decreed, so I do not plan to do a site visit at this time. The transfer appears to be approvable.

There is a question as to the correct annual volume for this right. The standard for this area is 4.0 afa/ac, but the decree allowed only 3.5 afa/ac. Jeff Rau said he thought that it was licensed for the lower amount. I am sticking with the decreed amount at this time, as the objection period for SRBA findings has passed.

Authority To File: The applicant is the right holder of record, so this is not an issue. The application was signed by Robert Shillington, partner & registered agent for Notch Butte Farms according to IDSOS registration. John Lezamiz is the other partner and also their attorney, so I checked the correspondence flag as Yes.

Water Right Validity: The right was recently decreed in the SRBA, so this is not an issue.

issue.

Injury To Other Rights: No issues identified.

Enlargement of Use: No issues identified. The number of irrigated acres remains the same.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified.

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 issues have been identified that would require further review or submittal of additional data by the applicant (except for the lienholder letter).

4. jstanton 8/9/2004 Legal Notice Remarks

Comment: This application proposes to change the place of use slightly due to the installation of pivot sprinklers on 2 adjacent farms. This transfer covers the number of acres allowed for the north farm, and a companion transfer covers the south farm. The same well will continue to provide water for this property. The well is located about 5 1/4 miles south of the Shoshone city center and about 2 3/4 miles west of Hwy. 93.