

MEMORANDUM

TO: File 51-2163A

FROM: Steve Lester 

DATE: June 16, 2004

RE: Application for Extension of Time to Avoid Forfeiture

The application was filed early in the 2003 irrigation season and proposes an extension for five years for the 2003-2007 seasons due to significant well production problems.

The site is west of Bruneau in the northwest portion of Basin 51, falling within the Bruneau-Grandview GWMA.

Summary of Information Submitted

Authority to File: A partial decree was issued to the applicant in December 2000. Note the updated address documented by this application. The right is presumed to be owned by the applicant based on the decree. The applicant has authority to make this filing.

Water Right Validity: The right is presumed to be valid because the partial decree was issued within the five year period prior to the filing of this application. The application is timely with respect to water right validity.

Injury to Other Water Rights: Injury is not found by the proposed nonuse of water.

Enlargement of Use: N/A to this application.

Local Public Interest: No adverse impact to the local public interest is found.

Beneficial Use/Conservation of Water Resources: N/A to this application except that water is obviously conserved when not used.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

SCANNED
JUN 16 2004

Additional Information &/or Analysis

The applicant does not need to provide additional information. A watermaster is not involved with this situation. The GWMA area does not have an advisory committee from which to seek comments for applications. Further IDWR analysis is not necessary.

Discussion

Processing of the application at the regional level occurs outside of Workflow. The adjudication recommendation record should be migrated to a water right record. The shape file already reflects the current P/D and P/U. No other rights irrigate the P/U. No other rights share the same P/D¹. Overlap is not an issue.

If undefined diversion volume should be noted in an extension application, allow full volume of 4 afa/acre since the system can produce that amount. In that case, annual diversion volume is limited to: $4 \times 266.4 = 1065.6$ afa.

The application is approvable as filed.

Summary

I do not recall if additional conditions are routinely added to approved extensions. If so, the following conditions expected in a transfer scenario could be applied:

- 01M for possible future measurement
- R64 for 0.02 cfs and 4 afa per acre limit
- T19 to replace C18 for right that has been decreed in SRBA
- X61 for wr version of aj condition regarding early/late irrigation season uses.

Send the approval to the applicant at the current address shown.

¹ Current database P/D query shows active SRBA Claim 51-2163B for the same P/D tract but for another owner. It would be expected that splits from the same right would share the same diversion. But 51-2163B was decreed for a different well in SWNE S3. P/D overlap is not found.

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JUN 16 2003⁴