

Comment Report

Application ID 70870

1. jstanton 2/2/2004 9:57:19 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

2. jstanton 2/2/2004 Comment/Analysis

Comment: This application is part of on-going efforts by Idaho F & G Dept. to remove gravity irrigation diversions from the Salmon River drainage in order to protect endangered salmon and steelhead. Part of the applicant property is already irrigated from the existing pump site under other water rights. The application appears to be approvable with standard conditions. Morgan Creek has been an inactive water district for many years, so watermaster comments are not required. The I F & G office in Salmon has confirmed that the proposed pod is shared with Nyle Thornock for use on his land NE of the Dunfee property; the proposed conditions of approval list the rights of both owners.

Authority To File: The applicants are the owners of record, so this is not an issue.

Water Right Validity: The rights were decreed less than 5 years ago, so forfeiture is not an issue.

Injury To Other Rights: No issues identified.

Enlargement of Use: None requested.

Local Public Interest: By protecting endangered fish, this proposal will benefit the local economy and may reduce the need for more-restrictive regulations on area water users.

Beneficial Use/Conservation of Water Resources: By converting to sprinkler irrigation, water will be used more efficiently (leaving more water in the streams for endangered fish).

Review of the application finds that there is no clear inconsistency with criteria set forth in Sec. 42-222 I. C. preventing processing of this application. At least prior to advertising, no other issues have been identified that would require additional review or the submittal of additional data by the applicant.

3. jstanton 2/2/2004 Legal Notice Remarks

Comment: This application proposes to change the point of diversion for these rights from a gravity headgate on Morgan Creek to a pump in the Salmon River. A portion of

from a gravity headgate on Morgan Creek to a pump in the Salmon River. A portion of the Dunfee property is already irrigated from this pump, which will serve all of the property if the transfer is approved. The purpose of the transfer is to protect endangered salmon & steelhead that might get trapped in the gravity diversion. The farm is located between Hwy 93 & the Salmon River and south of Morgan Creek. The pump is located on the southwest corner of the farm just below Fuller Gulch, about 6 1/2 miles north of Challis.