

Comment Report

Application ID 70288

1. jstanton 7/29/2003 2:52:26 PM Special Administration Area Notes

Comment: Special Administration Areas : Artesian City CGWA

Exempt: N

Reason:

Doc Attached:

Explanation:

2. jstanton 7/29/2003 2:56:25 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 7/29/2003 Comment/Analysis

Comment: This application and T70299 are based on SRBA recommendations, so I do not plan to do additional field work to verify any elements of these rights. The concept of each is pretty simple, so I see no reason to deny the transfers. Each land owner is keeping his own water rights; only the place of use is changing. Water District 45-N is currently inactive, so there is no watermaster to consult in this matter. The north well in Sec. 32 was recommended in the wrong qqq, and the recommending SRBA agent has agreed that the SE/NE/NW is the correct tract. So I changed the application Part 3a to reflect this, and will notify the applicant by letter on this in case he has any comments. This was obviously just a typo when the recommendations were made.

Authority To File: The applicants are the owners of record.

Water Right Validity: The rights are recommended in the SRBA, so forfeiture does not appear to be an issue.

Injury To Other Rights: No issues identified.

Enlargement of Use: None requested. The number of irrigated acres on each farm will remain the same after the transfers are approved.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: By squaring up the farm, sprinklers can be used with maximum efficiency.

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 further review or

advertising, no other issues have been identified that would require further review or submittal of additional data by the applicant.

4. jstanton 7/29/2003 Legal Notice Remarks

Comment: This application and companion application T70289 will allow the applicant and Gordon Luke to square up their adjacent farms by trading about 80 acres of land. The existing wells on the Funk property will then be tied together for maximum efficiency of system operation. 40 inches of Dry Creek water is comingled with the well water when it is available, and can be used anywhere on the property. The farm is located straight south of Murtaugh Lake on both sides of the foothill (2900 N) road.