

MEMORANDUM

Date: August 25, 2021
To: Transfer 85076
From: Michelle Watts
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the Portneuf River diversion located in Section 7 to a few hundred feet downstream. The remaining points of diversion will be corrected to reflect current usage. The Portneuf River diversion in Section 16 will be removed due to non-use. The ground water diversion in Section 7 will be corrected to the Portneuf River as it is a shallow well hydraulically connected to the river and locally referred to as the Swanson Pump Can. During a Simplot well measurement visit on July 21, 2021 the proposed Portneuf River POD was identified as being adjacent to the shallow well. Both POD shapefiles have been corrected to the accurate location.

Authority to File:

J.R. Simplot Company is the applicant and James Alderman, the secretary according to the Idaho Secretary of State's Office, has signed as the authorized agent. Right 29-4088 was decreed to J.R. Simplot Co. and the current and proposed points of diversion are on property owned by Simplot Industries Inc. The applicant is the proper owner of the water right and has authority to file the transfer.

Water Right Validity:

Right 29-4088 was decreed in the SRBA in 2004. Review of vegetation indices from 2016 to 2020 indicate application of water in the current place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be impacted by the proposed transfer. The transfer was advertised and no protests were received. The proposed changes have been reviewed by the watermaster of WD 29D and WD 120, in which they do not oppose the approval of the application with conditions for proper control works and approved measuring devices per IDWR guidelines.

Enlargement of Use:

The proposed changes will not result in enlargement because water use will not increase as a result of the transfer.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Effect on Economy the Local Area:

No issues identified.

Effect on Agricultural Base of the Local Area:

No issues identified.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.