

MEMORANDUM

Date: June 24, 2021
To: Transfer 84940
From: Michelle Watts
Re: Review & Evaluation of Sufficiency of Information

The purpose of this application is to replace a junior Portneuf River right for a senior right from Rapid Creek. This will be accomplished by moving a portion of right 29-13864 to the property through an exchange. Transfer 85069 will move the junior right, 29-2221G, off the proposed place of use to avoid stacking.

The exchange will split 0.08 cfs from Rapid Creek water right 29-13864 and inject it into the Portneuf River. This amount will then be diverted directly from the Portneuf River approximately 6 miles upstream from the point of injection. Ownership of the water right will be updated upon approval of the exchange.

Applicants filed an amended application to correct the proposed place of use to more accurately reflect the proposed irrigated acres.

Authority to File:

The applicants include the current owner of record for water right 29-13864, Acres Unlimited LLC., and the owners of the proposed place of use, Dennis Hill, and Mart Borg. Greg Smedley is the listed agent for Acres Unlimited LLC., and has signed the application as the proper owner of the water right with the authority to file the transfer.

Water Right Validity:

Parent right 29-293A was decreed in 2004 then split into right 29-13864 in 2005. The right was then leased into the Water Supply Bank starting in 2007 and released in 2020. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be impacted by the proposed changes. The exchange was advertised and no protests were received. The proposed changes have been reviewed by the watermaster of WD 29D, in which she does not oppose the approval of this application. In 2020, IDWR staff investigated the confluence of Rapid Creek and the Portneuf River in late summer and confirmed that Rapid Creek remains connected to Portneuf River throughout the irrigation season.

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.

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.