

MEMORANDUM

Date: January 7, 2019
To: Transfer 82810
From: Scott Stosich
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the point of diversion and place of use for 29-4199. The proposed changes would move the water to be diverted from the Portneuf River to Mink Creek in an exchange.

Authority to File:

The applicant, Robert Ballard, is the property owner of the proposed point of diversion and place of use, which was confirmed by Bannock County parcel data. The current water right owner, Ronald Lorenz, has signed and is shown as a representative on the application. A change of water right ownership has been submitted to the department, indicating Ron Lorenz has sold the water right to Robert Ballard.

Water Right Validity:

The water right included in this transfer was decreed in the SRBA in 2004. Review of 2017, 2013 and 2009 aerial photography shows growing vegetation on the current place of use. There are no apparent issue with forfeiture.

Injury to Other Water Rights:

This transfer proposes to exchange water right 29-4199 from the Portneuf River to Mink Creek. Mink Creek enters the Portneuf River downstream from the current point of diversion and place of use, and the priority date of the water right make it junior to the majority of the water rights on Mink Creek. According to the current water right owner, the watermaster knows about the proposed changes and has claimed that Mink Creek has adequate water to accommodate the changes. The department did not receive a water master comment directly. After looking at the available watermaster report for 2018, all priority dates were delivered through the irrigation season. The transfer has been advertised and received no protests. There are no apparent issues with injury to other water rights.

Enlargement of Use:

The proposed changes do not appear to enlarge the water right because neither the rate, volume or irrigated acreage will increase as a result of the transfer. The proposed place of use will not overlap other water rights.

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.