

MEMORANDUM

Date: January 30, 2014

To: Transfer 78953

From: Scott Bergendorf

Re: Transfer Analysis

This transfer proposes to add a point of diversion and change the place of use for water rights 35-2603, 35-4127, and 35-12670.

This transfer will increase the area used for land application of its industrial effluent to comply with water quality requirements. The additional well will provide freshwater to facilitate operation of the land application part of the industrial process system.

Authority to File:

Lamb Weston Inc. is the current owner of record for water rights 35-2603, 35-4127, and 35-12670. Lamb Weston Inc. merged with ConAgra Foods Inc. to become ConAgra Foods Lamb Weston Inc. per notarized documents of ownership. Lamb Weston Inc. is owner of the proposed place of use per Power County Tax lot data. Ownership of the rights will be updated to ConAgra Foods Lamb Weston Inc. in a future change of ownership.

Water Right Validity:

Water rights were decreed in 2000. 2011 aerial photography and WMIS records indicate that water is being applied for industrial beneficial use. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 120. Points of diversion are within adjacent ESPA model cells. No ESPA model analysis is required. This transfer was advertised and was not protested. Watermaster does not oppose transfer.

Enlargement of Use:

No issues identified.

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.