

MEMORANDUM

Date: January 13, 2009
To: Transfer 74963
From: bjordan
Re: Transfer Evaluation

This transfer proposes to change the place of use to water rights 31-7489 and 31-7128. Applicant proposes to increase the existing place of use for land application of waste water. This application for transfer was submitted in accordance with a consent order and agreement that IDWR sent out on June 2, 2008. Waste water was being applied to land that did not have a water right. Applicant has a permit (LA_000075-03) from DEQ to apply waste water to 1676.5 acres of land including the land described in this transfer. Applicant will be using existing wells.

Authority to File:

Applicant is the current owner of water rights 31-7489 and 31-7128 as indicated by IDWR records. Applicant has submitted a Waste water permit (LA_000075-03) permitting them to apply waste water to new place of use. Sam Huffman who is the VP of operations & technology signed application (see file). The business name has been changed from North American Foods LLC to Idahoan Foods LLC (see file). We are processing this application for transfer under the name Idahoan Foods.

Water Right Validity:

Transfer was submitted in accordance to a consent order and agreement sent out by IDWR. Forfeiture not an issue.

Injury to Other Water Rights:

Inside the ESPA and in Water district 110. Applicant is only changing the POU. PODs will remain the same. No ground water analysis is needed. Watermaster has no issues with the transfer as long as the applicant has a measuring devise and a lockable devise on the diversions. Advertise to determine protest.

Enlargement of Use:

There is no evidence of enlargement of use.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.