

MEMORANDUM

Date: September 25, 2024
To: Transfer 88172
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This application proposes to change the point of diversion and place of use for a portion of industrial water right 25-14499. The right is currently used for a concrete mixing plant south of Idaho Falls. The proposed point of diversion and place of use are associated with a proposed gravel pit north of Idaho Falls. The proposed industrial use is intended to offset the consumptive elements of the proposed gravel washing facility. The non-consumptive uses at the proposed gravel pit are to be covered by Application 25-14529, filed in conjunction with this transfer application. This transfer would move 6.1 acre-feet of the 17.1 acre-feet authorized by water right 25-14499.

Authority to File: Application was filed by Knife River Corporation, Mountain West, the current owner of record for the water right. The existing and proposed places of use are owned by Knife River Corporation according to Bonneville County parcel maps. Application was signed by Joseph Smith, Regional Environmental Manager for Knife River.

Water Right Validity: Water right 25-14499 was created through Transfer 85192, approved in October 2021. Transfer 85192 moved a ground water right to the existing place of use to cover the volume associated with the concrete mixing plant. According to diversion records for Water District 120, Knife River has diverted water in excess of its water rights at the concrete mixing plant. Forfeiture is not an issue.

Injury to Other Water Rights: No issues identified. Application included an analysis using the Transfer Tool. Impacts to the Snake River resulting from the change are less than 2 acre-feet per trimester in any reach. Watermaster was notified of the application and stated a concern about enlargement, described below. The Department published notice of the application, and no protests were received.

Enlargement of Use: Water District records show that the existing Knife River facility has exceeded the volume limits of its existing water rights. The Department notified Knife River that the transfer could not be approved if it would exacerbate the over pumping. In response to this concern, Knife River filed an Application for Permit (25-14552) to cover the non-consumptive uses at the existing concrete mixing facility south of Idaho Falls. The consumptive elements of the concrete mixing facility are covered by existing water rights, allowing this transfer to be approved.

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.