

MEMORANDUM

Date: October 25, 2023
To: Transfer 87507
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer changes the place of use and point of diversion for a 40 acre portion of right 35-2391. The transfer adds 40 acres to an existing partial circle pivot, extending the pivot circle.

Authority to File:

The applicant, Farmland Reserve, Inc., has the authority to file. Farmland Reserve is the current owner of record. The existing place of use is owned by Lance Funk, according to Bannock County taxlot data. A 2022 Water Right Bargain and Sale Deed changed the ownership of the right from Lance Funk to Farmland Reserve,. The applicant was the owner of the post-transfer place of use and point of diversion, according to Power County taxlot data.

Water Right Validity:

The water right is valid for transfer. It was decreed in 2002 and was leased to the Water Supply Bank until November 2023.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer. The transfer was advertised and protested. All protests were withdrawn with stipulations not relevant to the approval of this specific transfer. The Watermaster of Water District 120 was notified of the transfer and did not comment. A simulation of the impact of the transfer on flows in various reaches of the Snake River was performed in ETRAN3.4. The simulation predicted depletions on the Neeley to Minidoka reach in excess of 2 AF/trimester. However, the river is administered as a single reach between Near Blackfoot and Minidoka. ETRAN3.4 simulated increases in flow between Near Blackfoot and Neeley that offset the depletions between Neeley and Minidoka. Therefore, mitigation is not required because modeled impacts to all reaches of the Snake River are less than 2 AF/trimester and 10% of historical impacts,

Enlargement of Use:

No enlargement of use will result from the approval of this transfer. Rate, volume, nor irrigated acres are authorized to increase. The remainder of right 25-2391 and associated right 35-7777 reflect concurrent approval of Transfers 87498, 87507, and 88535.

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.