

MEMORANDUM

Date: May 16, 2024
To: Transfer 88788
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This transfer application proposes to add a new shared point of diversion to ground water right 29-4492 and spring water right 29-4493. The proposed point of diversion is a shallow ground water well to be constructed within 120 feet of the existing well for right 29-4492 and the existing spring box for right 29-4493.

Authority to File:

The applicant is the current water right owner of record. Bannock County tax lot data shows the applicant as the owner of the current place of use. The applicant has authority to make this change.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2004. Water use is for commercial use. The hotel is open and actively diverting water for commercial use. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

Applicant proposes to move add a ground water point of diversion to their spring water right. To do so, the applicant must demonstrate that the ground water and spring water source are hydraulically connected. The application included a report from Rocky Mountain Environmental analyzing the water chemistry of the spring (hot water) and ground water well (hot water). The report concludes that the water diverted from both sources is the same source. IDWR's Hydrology Section reviewed the report and did not identify any errors. The existing well on the property is a shallow well. Evidence provided by Rocky Mountain Environmental indicates that the common source is at least within the zone between 0 and 70 feet below land surface. Well depths greater than 70 feet may tap into other confined hot water aquifers. To prevent the applicant from diverting another water source (which is not hydraulically connected to the spring), the approval will contain a condition limiting the depth of the new well to less than 70 feet below land surface.

Other rights do not appear to be injured by the proposed change. The quantity authorized to be diverted will not change as a result of this transfer. The water master was notified and did not provide a comment opposing the approval of the transfer. The transfer was advertised without protest.

Enlargement of Use:

The transfer application proposes to add a ground water well to spring right 29-4493. The evidence provided by the applicant suggests that the spring flow in and around the existing spring box is significant. Because the springs come out above and below the Portneuf River, it is difficult to capture the water without diluting the heat value. By diverting from a shallow well, above the springs, the applicant will avoid some of the logistical problems associated with the spring box. Water right 29-4493 is limited to the amount of water flowing from the springs. To prevent enlargement, the approval will include a condition limiting the diversion from the ground water well under right 29-4493 to times when water is available and in priority at the original point of diversion located in T09S R38E Sec 21 Lot8 (NESE). Enlargement does not appear to be an issue since the rate will not increase as a result of the transfer.

Local Public interest / 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.