

MEMORANDUM

Date: July 15, 2024
To: Transfer 88993
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This application proposes to add a point of diversion to water right 35-8852, which supplies water for commercial use at the Idahoan potato processing facility north of Idaho Falls. The application also proposes to correct the place of use for the right, reflecting the property boundaries for the facility. The proposed additional point of diversion is located within the facility boundaries, less than one-quarter mile from the existing wells.

Authority to File: Idahoan Foods Inc. is the owner of record for the water right. Application was signed by TJ Budge, attorney representing Idahoan.

Water Right Validity: Water right was licensed in 1992 and has been consistently diverted since that time.

Injury to Other Water Rights: No issues identified. Watermaster stated a concern that Idahoan has diverted annual volumes in excess of the volume limit for water right 35-8852. Idahoan confirmed the excess diversion, but noted that the additional use was mostly covered by a WSB Rental. Idahoan is working on moving additional water rights to the facility through a formal transfer. Watermaster did not have any other concerns. The Department published notice of the application and no protests were filed.

Enlargement of Use: No issues identified. Rate and volume limits will remain the same. Water right is a trust water right, but did not carry the standard condition describing its trust water status. Standard condition was added to the right.

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.