

MEMORANDUM

Date: February 9, 2025
To: Transfer 89547
From: Christian Stewart
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use for several irrigation water rights and create a permissible place of use for the rights. The water rights will be diverted from a single groundwater point of diversion. 48 acres of irrigation rights are being split off and moved across the ESPA from one location and an additional 30 acres are being split off and moved from a different location to the proposed point of diversion. Seven water rights already exist at the point of diversion. The seven rights authorize the irrigation of 108 acres, and these seven rights are being incorporated into the 718 acre permissible place of use. Water right 35-14243 is a 659 acre-limit water right being incorporated into the permissible place of use, however it is currently not mitigated for. If mitigation is provided for right 35-14243, its shapefile can be updated to reflect the mitigated acres authorized to be irrigated within the permissible place of use.

Authority to File: The application for transfer was filed by Farmland Reserve Inc, the owner of record for the water rights involved in this transfer. The application was signed by Scott Baird, a vice president of Farmland Reserve per the Idaho Secretary of State. The proposed place of use is owned by Farmland Reserve.

Water Right Validity: Water rights 35-13608, 35-14081, 35-14084, 35-14089, 35-14092, 35-14857, 35-14874 were decreed in the Snake River Basin Adjudication and were most recently included in approved Transfer 88765 on 07/02/2024. Water right 35-14243 was licensed on 08/16/2019. The acres mitigated for and irrigated under right 35-14243 are well documented in annual mitigation reports. Water right 35-14897 is a 30 acre split right from 35-7969, water right 35-14902 is a 48 acre split right from right 29-10265. Portions of rights 35-7969 and 29-10265 were leased to the Water Supply Bank during the 2025 irrigation season. No forfeiture issues identified.

Injury to Other Water Rights: The transfer was protested and all protests were ultimately withdrawn. This transfer proposes to change the point of diversion for groundwater rights within the Eastern Snake Plain Aquifer. According to ETRAN modeling results, the combined impacts of the depletions to the Snake River from this transfer do not exceed any thresholds for which mitigation would be required. There are other large irrigation wells in the area and there is no evidence that moving these rights to the proposed point of diversion would injure nearby groundwater rights.

Enlargement of Use: This transfer does not increase the diversion rate, annual volume, or irrigated acres of any water rights. The rights being moved are not stacked with other water rights. No enlargement issues identified.

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.