

MEMORANDUM

Date: March 2, 2020
To: Transfer 83707
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion for a shared irrigation system. Two separately-owned water rights are included in the application. Generally, we would require each water right owner to file a separate transfer application. The application proposes a shared pump on the creek that would supply water to the two properties through a single mainline. This can be characterized as a single irrigation system. Therefore, the changes can be proposed in a single application. The application was accepted by the State Office.

Authority to File: Vernon Smith is the current owner of record for water right 75-4099B. Shawn and Janelle Smith are the current owners of record for water right 75-14956 (which was recently split from water right 75-4099B). Taxlot records and deeds provided by the parties confirm that the subject properties are still owned by Smith and Smith. Application was signed by Vernon Smith, Shawn Smith and Janelle Smith.

Water Right Validity: Water rights were decreed in the SRBA in 2008. Aerial photos show consistent irrigation of the subject properties.

Injury to Other Water Rights: No issues identified. There are no points of diversion on Tower Creek between the existing point of diversion and the proposed point of diversion. The proposed point of diversion is only approximately 1/4 mile downstream of the existing point of diversion. There is no water district on Tower Creek and, even though there are many small irrigation rights on the creek, the water rights on Tower Creek have never been administered by priority date.

Enlargement of Use: No 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.