

MEMORANDUM

Date: June 21, 2024
To: Transfer 89019
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This application proposes to change the point of diversion and place of use for an 86-acre portion of water rights 25-61B and 25-138A. The rights were split prior to the transfer. The split portions were assigned water rights 25-14546 and 25-14547. Proposed point of diversion is a pump station on Willow Creek that has been used since the 1980s. Proposed place of use reflects changes that have been made to the irrigation system in recent years.

There appears to be a slight East-West shift in the GCDB grid. Proposed point of diversion is right on the quarter-quarter line. Based on nearby fence lines, roads and the previous water right shapes, the proposed point of diversion (existing pump station) appears to be in the SWSW of Section 12, T03N, R39E.

Authority to File: Application was filed by Shaw Capital Inc. Wallace and Leona Reed are the current owners of record for the water rights. Applicant, Shaw Capital, provided deeds tracing ownership of an 86-acre portion of the rights from Reed to Shaw Capital. Bonneville County parcel records confirm that Shaw Capital owns the existing and proposed place of use for water rights 25-14546 and 25-14547. Ownership records will be updated after the transfer approval.

Water Right Validity: SRBA Court issued partial decrees for water rights 25-61B and 25-138A in 2005. Place of use has been consistently irrigated since that time.

Injury to Other Water Rights: No issues identified. Shaw Capital's portions of the rights have been diverted from proposed point of diversion for over thirty years. Even though point of diversion is moving upstream of other water right points of diversion, Willow Creek is regulated on a single priority date and has flowing water in this reach throughout the summer. Watermaster for Water District 1 was notified of the application and did not provide comment.

Enlargement of Use: No issues identified.

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.