

MEMORANDUM

Date: September 5, 2023
To: Transfer 86243
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This application proposes to add a point of diversion to the two water rights held by Smith Maxwell Ditch Company, rights 1-10058 and 27-12108. The additional point of diversion will be a pump station on the Blackfoot River. This pump station will become a second point of diversion on water right 27-12108 and a second point of re diversion for water right 1-10058 (originally diverted from the Snake River and injected into the Blackfoot River).

Authority to File: Smith Maxwell Ditch Company is the current owner of record for the rights. Application was signed by Paul Thompson (shareholder in the company) and application included a letter of consent from Ron Thompson and Layne Hamilton, officers for the company.

Water Right Validity: SRBA partial decree for water right 1-10058 was issued in 2009. Partial decree for water right 27-12108 was issued in 2011. Acres have been consistently irrigated. Records for Water District 27 show consistent delivery of the water rights.

Injury to Other Water Rights: No issues identified. Smith Maxwell diversion is the last diversion on the Blackfoot River. Although the pump station is located approximately two miles downstream of the existing ditch headgate, according to the USGS gage on the lower Blackfoot River, the Blackfoot River remains connected to the Snake River throughout most of the summer so the additional point of diversion will not increase conveyance losses and will not increase the delivery burden on upstream juniors.

Enlargement of Use: No issues identified. Watermaster will regulate additional point of diversion. The two points of diversion will be limited to 13.9 cfs. This will require the right holder to reduce the quantity of water diverted at the main ditch, when the pump is in operation.

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.