

MEMORANDUM

Date: April 29, 2025
To: Transfer 89662
From: Christian Stewart
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add a point of diversion (pump in slough) to four irrigation rights that are currently diverted at an existing ditch and a pump from "McMillan Slough", also known as Spring Slough, tributary to the Snake River.

Authority to File: Garth and Kathy Wilcox are the owners of record for the four water rights. Madison County parcel records show Garth and Kathy Wilcox own the place of use.

Water Right Validity: Rights 22-13752, 22-13755, 22-13758, and 22-13761 were decreed by the SRBA court between 12/2008 and 03/2010. Aerial imagery shows irrigation at the place of use from 2008-2023. No forfeiture issues identified.

Injury to Other Water Rights: The transfer was advertised without protest. The watermaster was contacted and did not provide comment. 9.92 cfs of other rights are also diverted at ditch A0012214. These rights are diverted at a pump station at the end of the ditch by Maxwell and Wilcox, and a small amount is diverted near the POD by Starks. Tim McGarry, lessee of Maxwell's water rights, submitted a signed statement that the proposed transfer would not adversely affect the ability to exercise Maxwell's water rights. Maxwell was unable to be contacted. To help prevent injury to the Maxwell's and flows in ditch A0012214, the applicants new diversion (new pump in slough) will be limited to 4.92 cfs.

Enlargement of Use: The existing acres and diversion rate will not change as a result of this transfer. No enlargement issues identified.

Local Public interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified.

Effect on Economy the Local Area: 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.