

MEMORANDUM

Date: Sept 24, 2025
To: Transfer 89648
From: Christian Stewart
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the nature of use for a portion of three irrigation rights into wildlife storage ponds. A portion of the place of use for the irrigation rights was also modified according to Idaho Code § 42-221.O.8 to reflect acres actually irrigated. A clerical error in the spelling of the water right owner was also corrected.

Authority to File: The application was signed by Bryan Shiflett, manager of Shiflett Family Management LLC per Idaho Secretary of State records. Shiflett Family Management is the owner of record for rights 34-335, 34-336, and 34-337 and owner of the place of use per Custer County parcel records. Previous IDWR records had a typo and listed "Shiflett Family Management LLC" as the owner of the water rights. "Shiflett" is the correct spelling.

Water Right Validity: Rights 34-335, 34-336, and 34-337 were decreed by the SRBA court on 12/14/2001. Aerial imagery shows flood irrigation at the place of use in the years between 2002-2023. No forfeiture issues identified.

Injury to Other Water Rights: Springs, Howell Spring, and Sage Creek are all tributary to sinks. The transfer was not protested, and the watermaster did not return a request for comment. Changing the nature of use to wildlife storage is not anticipated to affect other water users. No injury issues identified.

Enlargement of Use: This transfer proposes to convert 3.4 stacked acres irrigated by rights 34-335, 34-336, and 34-447 and 1.0 acre irrigated only by 34-337 into wildlife storage, a total of 4.4 acres of irrigation. The consumptive volume of the conversion of 4.4 acres of grass pasture is 0.3 af/acre and 1.3 af total. The irrigation diversion rate of each right was reduced in proportion to the acres being changed, and that rate will be changed to diversion to storage. This transfer provides 1.3 af of wildlife storage volume to be used for evaporation losses of the wildlife storage ponds. A companion application for permit 34-14968 authorizes 6.3 af for wildlife storage to be used for initial fill and carryover storage for the ponds.

The decreed place of use was inconsistent with historical aerial imagery records submitted in the SRBA and additionally inconsistent with the shapefile representation. Legal description of the place of use for irrigation was modified to reflect actual use. No physical change occurred for the irrigation place of use changed in accordance with Idaho Code § 42-221.O.8. The correct acres are reflected in this transfer approval. 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.