

MEMORANDUM

Date: November 13, 2025
To: Transfer 90121
From: Christian Stewart
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add a point of diversion for water rights 75-4183 (Smith) and 75-14847 (Yenter). The applicants are seeking to eliminate their portion of an inefficient ditch and utilize Big Flat Irrigation Company's McNutt diversion and ditch. The transfer also proposes to correct the legal description of the original point of diversion to reflect the actual location, and retain it as an alternate diversion point. The place of use for 75-4138 and 75-14847 will remain the same.

Authority to File:

Bryan and Cynthia Yenter are the owners of record for water right 75-14847. Jacob and Chyenne Smith are the owners of record for water right 75-4183. The McNutt diversion and ditch are operated by Big Flat Irrigation Company. The applicants provided documentation from the Big Flat Irrigation Company giving permission for their use of the McNutt diversion and ditch.

Water Right Validity:

The SRBA court decreed rights 75-14847 and 75-4183 on 11/17/2008. There appears to be vegetation growing at the place of use for the water rights. No forfeiture issues identified.

Injury to Other Water Rights:

The applicants propose to move their water rights from the current point of diversion and ditch, which is shared with the Lees (75-14137) and the Simmons (75-14138). The ditch splits into two laterals beginning in SENE Sec 6, approximately 0.5 miles downstream from the point of diversion. One lateral conveys water to Smith and Yenter properties, while the other conveys water to Lees and Simmons properties. This application was advertised and not protested. Notice of the proposed transfer was also mailed to the Lees and Simmons, who did not submit any comments or protests.

The current point of diversion and ditch delivery system will serve as a back-up to the proposed McNutt diversion and ditch system. To ensure proper delivery and administration of water between the two points of diversion, the applicants must notify the watermaster before April 1st of each year indicating which point of diversion will be used for the upcoming irrigation season.

Enlargement of Use:

This transfer only proposes to change the point of diversion and would not change the diversion rate, volume, or irrigated acres authorized by the water rights. No enlargement 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.