

MEMORANDUM

Date: March 5, 2026
To: Transfer 90258
From: McKenna Webster
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add a point of diversion for water rights 22-7706, 22-7654 and 22-14166. These rights are proposed to be diverted from both the new and existing wells.

Authority to File:

According to IDWR records, the applicant is the current owner of the water rights included in the transfer. Additionally, Madison County parcel data shows that the applicant is the owner of the property at the proposed points of diversion and place of use. A secretary of state annual report was provided showing Robert Smith as an authorized signer on behalf of Hard Way LP.

Water Right Validity:

Water right 22-14166 was decreed in 2007. Water rights 22-7706 and 22-7654 were licensed in 1997. Aerial imagery and WD 100 watermaster reports suggest there have not been five consecutive years of non-irrigation. Forfeiture is not an issue.

Injury to Other Water Rights:

The current and proposed points of diversion are in the ESPA; however, both points lie within the same cell. No ESPA analysis required. The transfer application was advertised, and no protests were received. Watermaster for Water District 100 does not oppose the application. No injury identified.

Enlargement of Use:

The proposed changes will not result in enlargement because the authorized diversion rate, volume, and acreage will not increase because of the transfer.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issues identified.

Effect on Economy of the Local Area:

No issues identified.

Effect on Agricultural Base of 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.