

MEMORANDUM

Date: April 6, 2026
To: Transfer 90277
From: McKenna Webster
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes correcting a clerical error and update ownership. The place of use was incorrectly decreed in the NWNW rather than the NENW Section 34, T08S, R36E.

Authority to File:

According to a provided deed, the applicant is the current owner of the property at the actual place of use for the water right. Bannock county parcel data also confirms that the applicant owns the place of use. Tim and Lora Smith own the property at the point of diversion and current described (but incorrectly described) place of use. Both the transfer application and ownership change application were signed by Tim Smith and Kristi Baldwin. In 2019, D. L. Evans Bank notified IDWR that it no longer held a security interest in water right 29-1071. As a result, the security interest was removed from the water right.

Water Right Validity:

The water right was decreed in 1998. The department has found no evidence to suggest forfeiture of the domestic water right included in this transfer.

Injury to Other Water Rights:

Watermaster comment was requested, but no comment was given. This application was processed with no advertisement. No injury identified.

Enlargement of Use:

The proposed changes will not result in enlargement because the authorized diversion rate will not increase because of the transfer. No physical change is occurring to the place of use or point of diversion; it is simply a clerical error correction.

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.