

MEMORANDUM

Date: March 12, 2026
To: Transfer 90305
From: Christian Stewart
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use for a 1.5 acre portion of a Little Fourth of July Creek irrigation right. The applicant proposes to divert the split 1.5 acre portion from a new point of diversion on Fourth of July Creek through a separate system.

Authority to File: The application was signed by Daniel and Nicole Schuler, the owners of record for water right 75-14821. The current place of use and the proposed place of use are owned by Daniel and Nicole Schuler according to Lemhi County parcel records.

Water Right Validity: Water right 75-14821 was decreed in the SRBA on 11/17/2008. A portion of the place of use appears green in aerial imagery. The applicant provided affidavits from several neighbors that detail the historical irrigation practices on the property. The applicant also provided pictures of the irrigation system and included an explanation of his irrigation of the western hillside of the property. No forfeiture issues identified.

Injury to Other Water Rights: The transfer was advertised without protest. The watermaster was notified and did not provide comments. Water right 75-14821 is currently diverted from a ditch that is also the point of diversion for water right 75-11627 (0.17 cfs). Watermaster records indicate that this diversion is not measured. Aerial photography shows no irrigation occurring, suggesting that water right 75-11627 is not being fully utilized. There are no water rights diverted in between the proposed POD and the current POD. No injury issues identified.

Enlargement of Use: The total diversion rate and irrigated acres are not changing. No water rights are being unstacked. 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.