

MEMORANDUM

TO: Transfer No. 90133
FROM: Izzy Crichton
DATE: 8/26/2026
RE: Evaluation of Application

The purpose of this transfer is to split off a 1 acre and 0.013 cfs portion of water right 63-35510, move the place of use to Lot 11 Block 1 of North Fork Ranch No. 2 Subdivision located in T02N R03W Sec. 14 SWSE, and change the point of diversion to a proposed well on the same lot as the place of use. Location of proposed place of use and point of diversion are within a subdivision off of Sky Ranch Rd in Canyon County.

Summary of Information Submitted

Authority to File:

Transfer application was submitted by William and Wendy McDonald. Review of Canyon County parcel data shows that the proposed POD and POU location are owned by the McDonald's. Ownership change was filed at the same time as the transfer which changed the ownership of the water right into the McDonald's name. Authority to file is presumed valid.

Water Right Validity:

Right 63-35826 is the result of splits that occurred in 2020, 2023, and 2024. See Memo "Ownership Change Processed Prior to Transfer No. 90133" dated June 5, 2026. The partial decree for parent right 63-32256 was issued on April 29, 2009, for 40 acres of irrigation. All but 2 acres of right 63-32256 were leased into the WSB under contract 469 and 854, from 2014-2023. The most recent parent right, 63-35510, was leased into the water supply bank from 2024 to 2025. The rights were not rented while in the water supply bank. The right is presumed to be valid since the right was accepted into the water supply bank within the 5-year period of nonuse. Evidence of beneficial use does not need to be added to the file, it is an IDWR product available to other staff. Water rights are presumed valid, and no other evidence is presented to indicate otherwise.

Injury to Other Water Rights:

The quantity of water used, and number of acres irrigated for this right will not change as a result of this transfer being approved. Transfer 90133 was advertised along with requests for comment and no protests were received. For the reasons stated above, no injury to other water rights are anticipated.

Enlargement of Use:

No irrigation rights overlap the proposed POU including irrigation shares from an irrigation company. The rate and volume is a proportional split from the parent right 63-35510 and meets the Department's standard of no more than 0.03 cfs/acre and 4.5 af/acre at the place of use. The period of use will stay the same. There will be a permissible place of use for the proposed POU; the right will authorize one acre of irrigation within a two-acre parcel boundary. Enlargement does not appear to be an issue.

Local Public Interest:

This transfer is not anticipated to cause potential water quality issues, impact current land use requirements on non-private land or impact fish/wildlife resources. When the application was advertised no public comment was received. For these reasons this application proposes a change consistent with the local public interest. Review staff has no information to suggest this application is inconsistent with the local public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Discussion

The POU description of water right no.63-35826 was updated to include the subdivision name, lot number, and block number.

All current conditions apply to the water right transfer. Condition X27 was added for the permissible place of use.

Assuming other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.