

MEMORANDUM

Date: April 22, 2022
To: Transfer 85886
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

This is the third of three companion transfers. This transfer changes and adds points of diversion and changes the place of use of a 13-acre portion of right 22-7363. Eleven acres will continue to be used for irrigation at the new place of use. The transfer will also change the period and nature of use of a 2-acre portion of the right to cover losses associated with a pond. A 3.7-acre portion of the right is proposed to be held unused at the new place of use for 1 year to mitigate for the initial fill of the pond. Rights 22-7077 and 22-7257 will be brought into the transfer as associated rights in order to update combined limits with 22-7363.

Authority to File:

One of the applicant's sister companies, TRRE Holding Co, provided a warranty deed demonstrating ownership of the water right. The deed is located in companion transfer 85878. TRRE Holding Co authorized the applicant to file the transfer. Teton County parcel data show the applicant as owner of the proposed points of diversion and most of the proposed place of use. A small portion of the proposed place of use is owned by Teton RE Holdco. Teton RE Holdco authorized the applicant to move the water right to its property. The applicant provided documentation to show that Robert Fedoris is authorized to sign on behalf of all 3 companies.

Water Right Validity:

Water rights 22-7257, 22-7363, and 22-7077 were decreed in the SRBA in 2008. Climate Engine was used to confirm regular irrigation of the current place of use since 2008. Forfeiture is not an issue.

Injury to Other Water Rights:

The proposed 2-acre reduction in irrigated acres is adequate to mitigate for the annual evaporation and seepage losses associated with the pond. The proposed changes will not reduce the quantity of water available to other water rights. The application was advertised and no protests were received.

Enlargement of Use:

The proposed uses will not result in enlargement because enough acreage was removed from the current place of use to offset the increase in consumptive use from the proposed pond. Parent right 22-7363 will be reduced by the quantities being transferred. Combined limits will also be adjusted to prevent enlargement. The total authorized rate, volume, and acreage will not increase.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Effect on Economy 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.