

MEMORANDUM

Date: January 5, 2022

To: Transfer 85514

From: Michael Holliday

Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change and add points of rediversion, remove the Hubbard Ditch as a point of diversion, and change the place of use of a 60% split portion of rights 22-131C, 22-238B, and 22-2029E. These rights were recently included in approved transfer 84788, which added a point of injection into and a point of rediversion from Grouse Creek. Since transfer 84788 included a condition which limited the rate injected into Grouse Creek to 60% of each right, the point of injection and point of rediversion will be removed from the remaining portion of the rights included in transfer 85514, and conditions about injections and rediversions will be removed or modified as appropriate.

Authority to File:

Ownership of rights 22-131C, 22-238B, and 22-2029E was recently updated to Grouse Creek Reserve LLC in transfer 84788. Teton County parcel data confirms that the applicant owns the proposed points of rediversion and both the current and proposed places of use. A search on the Secretary of State webpage showed that Dennis Gertmenian is authorized to sign on behalf of the LLC.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2008. Aerial imagery shows regular irrigation of the place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights should not be impacted by the proposed changes. As in transfer 84788, 0.37 cfs of the remaining portion of right 22-238B will continue to be used to offset convenience losses in the North Leigh Canal and the Hubbard Ditch. The transfer application was advertised, and no protests were filed. I discussed the application with the Water District 1 watermaster, and he did not oppose its approval.

Enlargement of Use:

The rights included in this transfer will be split, but the total authorized rate and acreage will not increase. 33.6 acres will be dried up at the current place of use so that an equal number of acres can be irrigated at the proposed place of use. The proposed changes will not result in enlargement.

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.