

MEMORANDUM

Date: August 16, 2021
To: Transfer 85097
From: Brian Normandeau
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change point of diversion, add point of diversion and change place of use for a 4-acre split portion of water right 22-7681. The transferred portion of the right will be used for irrigating a new orchard and tree farm which will have a total area of 14 acres, but will only require 4 irrigated acres based on tree canopy diameter and spacing. The new water right (split portion) has been assigned water right number 22-14411.

Authority to File:

Thomas and Lexie Hill are the current owners of record for water right 22-7681. The application included an Option Agreement for Purchase and Sale of Water Right, which gives Rocky Mountain Water Exchange (RMWE) an option to purchase up to 40 acres of water right 22-7681 from Thomas and Lexie Hill, as well as an Agreement for Purchase and Sale of Water Right between RMWE and the applicant, Charles G. Gaudet, for the 4-acre portion of the right. The property owner at the proposed place of use and points of diversion is Charles G. Gaudet Revocable Trust according to Teton County parcel data.

Water Right Validity:

Water right 22-7681 was licensed in 2000. Aerial imagery does not clearly demonstrate any 5-year period on non-use for the 4 acres proposed to be changed by this application. Further, this right was involved in Transfer 84471, which was approved earlier in 2021. No forfeiture issues identified.

Injury to Other Water Rights:

The proposed points of diversion include an existing well and a new well, neither of which are located nearby currently existing production wells. The application was not protested. No issues identified.

Enlargement of Use:

Approval of this transfer does not result in an increase to diversion rate, total volume or total irrigated acres covered by this water right. The 4 acres being transferred will no longer be irrigated at the pre-transfer place of use. Although the tree farm will comprise an area of 14 acres, the Narrative in Support of Transfer (Part 1A.3) included with the application demonstrates that the actual irrigated area (i.e. canopy area) will be 4 acres based on the spacing between individual trees. No issues of enlargement 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.