

MEMORANDUM

Date: July 2, 2019
To: Transfer 82591
From: Scott Stosich
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to create a permissible place of use for water rights 22-500B, 22-14224, 22-14225 and 22-14226. The PPU will consist of 117 acres, of which 101 acres will be irrigated. The two Spring Creek rights, 22-500B and 22-14224, will cover 95 of the 101 acres; the ground water rights, 22-14225 and 22-14226, will cover a 67-acre pivot of the 101 acres.

Authority to File:

The applicant, Teton Farms I, LLC, is the owner of water rights 22-14224, 22-14225 and 22-14226, according to documents submitted with the application. The owner of water right 22-500B, Mavis Gallenson, has agreed to the proposed changes, and has signed a document stating such. Teton County records confirm that Teton Farms I, LLC and Mavis Gallenson are the property owners for both the current and proposed place of use. The applicant has the authority to make the proposed changes.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2008. Review of 2011 and 2015 aerial photography shows consistent irrigation of the current place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

It is unlikely that other water rights would be injured by the proposed changes. A permissible place of use is being created, in combination with the creation of a single diversion system. The quantity authorized will not increase as a result of the transfer. The transfer was publicly advertised, and was protested by Fremont-Madison Irrigation District. FMID withdrew its protest based on a private agreement with the applicant. The watermaster of Water District 1 commented that he would not oppose the approval of the transfer if measurement devices are installed.

Enlargement of Use:

The proposed changes will not result in enlargement because neither the rate, volume nor irrigated acres will increase as a result of the transfer. There are no overlapping water rights on the property. Acre limits and other conditions of approval have been added to the water rights in order to ensure no enlargement will occur. The ground water rights, 22-14225 and 22-14226, have additional combined limits with 22-4142, 22-7250B, 22-13590 and 22-13591, totaling a combined limit of 3.80 cfs.

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.