

MEMORANDUM

Date: March 16, 2018
To: Transfer 82110
From: Scott Stosich
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use for a 7-acre split portion of water right 22-14026.

The Part 2A report included in transfer applications 82102, 82106 and 82110 contained an error in the POU description. However, the POU for parent right 22-14026 was corrected with the approval of transfer 82102. See the evaluation memo associated with transfer 82102 for additional explanation.

Authority to File:

A purchase and sale agreement provided with the application states that the current water right owners, Gary and Shannon Summers, will convey the 7-acre portion of water right 22-14026 to the applicant, Rags, LLC, once this transfer is approved. Randy Anderson is the registered agent for Rags, LLC, and is the property owner of both the proposed POU and POD. Teton County taxlot data confirms Randy Anderson is the property owner. Water right ownership will be updated after the transfer is approved.

Water Right Validity:

The right included in this transfer was decreed in the SRBA in November of 2008. Aerial photography does not indicate any recent irrigation, but the water right is currently leased to the Water Supply Bank, therefore, forfeiture is not an issue. The Water Supply Bank was notified of the transfer. Once the transfer is approved, Gary and Shannon Summers will amend the current lease agreement, removing the transferred portion of the water right.

Injury to Other Water Rights:

Other water rights will not be injured by the proposed changes. The sold acres at the current POU will be dried up, and the quantity authorized to be diverted will not change as a result of the transfer. The proposed changes were advertised and no protests were received.

Enlargement of Use:

The proposed changes will not increase rate, volume or irrigated acreage.

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.