

MEMORANDUM

Date: October 16, 2008
To: Transfer 74456
From: jlarsen
Re: Transfer Evaluation

This transfer proposes to change the point of diversion, place of use, period of use, and nature of use of water right 22-13820. Water right 22-13820 is a split from 22-13584. This transfer is for remediation for losses caused by evaporation and seepage of four interconnected ponds. The initial fill for each season is provided from surface rights appurtenant to the same piece of land that was applied for through transfer 74448. The applicants mitigation plan shows that water from right 22-13820 will be sufficient to replace anticipated losses from the pond.

Authority to File:

Applicant is the owner of record as shown by a warranty deed provided by the applicant. Applicant has also provided a Water Right Purchase and Sale Agreement for the transferred water right. The ponds are for fire protection in the subdivision and are a benefit to all the landowners. This is a requirement from Teton County to have fire ponds.

Water Right Validity:

This water right was licensed on June 20, 1995. Aerial photo shows the property irrigated in 2004. Forfeiture is not an issue.

Injury to Other Water Rights:

No water district currently.

Transfer will be advertised to determine any protests.

Other water rights in QQ are: 22-13530, 22-129J, 22-13555, 22-13791, 22-2029, 22-311, 22-129, and 22-4120.

Enlargement of Use:

There is no evidence of enlargement of use. Mitigation plan has provisions to prevent an enlargement of water right.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.