

MEMORANDUM

Date: October 22, 2008
To: Transfer 75039
From: dcarlson
Re: transfer evaluation

This transfer proposes to dry up 2.5 acres a two Fox Creek water rights to create a fire pond. Only the upper three points of diversion go to this place of use. These water rights were originally part of Fox Creek Canal, but were separated from the canal at the owners and the canal companies request. This place of use doesnt get additional water from the Fox Creek Canal.

Authority to File:

Applicant is the owner of record as far as the SRBA recommendations. The fire pond is for fire protection within the subdivision which is required by Teton County. This is for all the land owners.

Water Right Validity:

This water right was recommended in the SRBA in 2006. Forfeiture is not an issue.

Injury to Other Water Rights:

Will request watermaster 01 comments

Transfer will be advertised to determine any protests.

Enlargement of Use:

They will dry up 2.5 acres which would amount to 5.4 af/a of consumptive use at 2.19 af/acre for alfalfa at driggs. The ponds would amount to 4.5 af of storage. The rest would be available for evaporation. There is no evidence of enlargement of use.

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.