

MEMORANDUM

Date: November 6, 2024
To: Transfer 89362
From: Christian Stewart
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add a point of diversion, change point of diversion and change place of use for a 3 acre, .04 CFS, and 10.5 AF portion of water right 22-7681. The applicant proposes a 7.5 acre permissible place of use. The split portion of the water right has been assigned water right number 22-14617.

Authority to File: Thomas and Lexie Hill are the owners of record for water right 22-7681. MD Spud LLC has entered into a purchase and sale agreement with Rocky Mountain Water Exchange LLC (RMWE) for a portion of water right 22-7681. The agreement included language that RMWE had the legal right to sell water right 22-7681. The application included an unexecuted deed between Thomas and Lexie Hill and MD Spud LLC for the portion of the water right. Teton County Parcels list MD Spud LLC as the owner of the proposed place of use and points of diversion.

Water Right Validity: Water right 22-7681 was licensed on 10/19/2000. Aerial imagery cannot confirm any 5 year periods of non use for the acres involved in this transfer. Water right 22-7681 was most recently included in transfer approval 89098. No forfeiture issues identified.

Injury to Other Water Rights: The application was not protested. The water right is not in a water district; no watermaster was contacted. The applicant proposes to pump water from an existing domestic well and drill a new well. No injury issues identified.

Enlargement of Use: This transfer does not propose an increase in the diversion rate, volume, or acres authorized for irrigation by this right. There are no overlapping water rights at the place of use. No enlargement issues 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.