

MEMORANDUM

Date: December 3, 2024
To: Transfer 89400
From: Christian Stewart
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use for a 5 acre, .06 cfs, and 17.5 AF portion of water right 22-7681. The applicant proposes a 24 acre permissible place of use for the 5 irrigated acres. The split portion of the water right has been assigned water right 22-14622.

Authority to File: Thomas and Lexie Hill are the owners of record for water right 22-7681. AR&P 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 the RMWE had the legal right to sell water right 22-7681. The application included an unexecuted deed between Thomas and Lexie Hill and AR&P LLC for the portion of the water right. Teton County Parcels lists AR&P 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 89399. No forfeiture issues identified.

Injury to Other Water Rights: The application was not protested. The water right is not in a water district; no water master was contacted. The applicant proposes to pump water from a newly drilled 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. Water right 22-86B overlaps the place of use on the acres proposes to be transferred away. The right holder indicates that this Teton River irrigation right is physically and administratively undeliverable. Right 22-86B was included as an associated right in the transfer application and will be reduced by 0.1 cfs, 17.5 AF, and 5 acres upon transfer approval. The proposed place of use does not have any overlapping irrigation rights. 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.