

MEMORANDUM

Date: May 7, 2024
To: Transfer 88869
From: Brian Normandeau
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add a point of diversion, change the point of diversion and place of use for a 10-acre split portion of water right 22-7681. The application proposes a 131-acre permissible place of use. The new water right (split portion) has been assigned water right number 22-14602.

Authority to File:

Thomas and Lexie Hill are the current owners of record of water right 22-7681. The applicant is Isaac J. Morton, Trustee of the Teton Idaho Property Trust. The application included an Agreement for Purchase and Sale of Water Right between Rocky Mountain Water Exchange (RMWE) and the applicant for the 10-acre portion of the right. In the agreement it states in part that RMWE has the legal right and option to sell the transferred portion of water right 22-7681. The applicant was represented by Rocky Mountain Environmental Associates, who are a known affiliate of RMWE. The Teton Property Idaho Trust is the property owner at the proposed place of use and points of diversion per Teton County parcel data.

Water Right Validity:

Water right 22-7681 was licensed in 2000. Aerial imagery does not clearly demonstrate a 5-year period of non-use for the ten acres proposed to be changed by this application. Further, the validity of this right has been evaluated without concern in multiple other transfer applications approved between 2020 and 2023. No issues identified.

Injury to Other Water Rights:

The proposed points of diversion are not located near any currently existing production wells. The application was advertised and was not protested. No issues identified.

Enlargement of Use:

Approval of this transfer does not result in an increase in the diversion rate, total volume or total irrigated acres covered by this water right. No 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.