

MEMORANDUM

Date: 12/8/2025
To: 90197
From: Jon Davidson
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change points of diversion for water rights 22-631 and 22-14259. Several years ago, the applicant installed a diesel pump in the Teton River, located south of the water rights place of use boundary. The applicant seeks to make this accomplished point of diversion change legal by filing this transfer.

Authority to File:

The Gardner Trust is the current owner of the water rights and the property at both the place of use and proposed point of diversion per warranty deed. Floyd Gardner, a Trustee of the Gardner Trust, signed the application. Ownership for rights 22-631 and 22-14259 will be updated through this transfer.

Water Right Validity:

The water rights were decreed in the SRBA. Water right 22-631 was decreed in 2009 and 22-14259 was decreed in 2012. A review of past aerial photography along with a recent site visit to the property confirms that the place of use has been consistently irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Rights 22-631 and 22-14259 are diverted from the Teton River and are regulated by Water District 01. These water rights have junior priority dates and are consistently curtailed early in the irrigation season. The Watermaster for Water District 01 was notified of the transfer and verbally indicated that he does not oppose the application. The transfer application was advertised and no protests were received. The proposed point of diversion change is not expected to reduce the quantity of water under existing water rights.

Enlargement of Use:

No enlargement of use will occur from the approval of this transfer.

Local Public interest:

No concerns identified.

Beneficial Use/Conservation of Water Resources:

No concerns identified.

Effect on Economy the Local Area:

No concerns identified.

Effect on Agricultural Base of the Local Area:

No concerns 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.