

MEMORANDUM

Date: January 30, 2026
To: Transfer 90223
From: Christian Stewart
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change a 5-acre portion of a groundwater irrigation right (22-7143). The transfer proposes to only change the point of diversion and place of use for 4.5 irrigated acres and to change the nature of use of a 0.5 acre portion to fire protection storage in addition to changing the place of use and point of diversion.

Authority to File: The application was signed by Kevin Mayberry representing Equity Trust FBO. Equity Trust FBO/Kevin Mayberry is registered as a governor of Flag Ranch LLC by the Idaho Secretary of State. The owner of record for water right 22-7143 is Thomas and Lexie Hill. Flag Ranch LLC has entered into a purchase agreement through Rocky Mountain Water Exchange LLC (RMWE) to buy a portion of water right 22-7143 from Thomas and Lexie Hill. The application was signed by Thomas and Lexie Hill and Roger Warner of RMWE.

Injury to Other Water Rights: This application proposes to divert the changed portion of the water right through a new well located a short distance from the existing point of diversion on a separate property. It is not anticipated that the new well would divert from a different groundwater source or cause significant local groundwater impacts. No injury issues identified.

Enlargement of Use: No water rights are being unstacked as a result of this transfer. The proportional diversion rate and volume of the 4.5 acre irrigation portion of the right are not changing. The 0.5 irrigated acres being changed to fire protection storage were most recently used to grow Alfalfa. ETIDWR data from the Tetonia Experiment Station estimates that 0.5 acres of alfalfa has a net irrigation requirement of 0.9 acre feet, which is the volume proposed to be diverted for fire protection storage. 0.9 af is sufficient to fill the pond and replace evaporative losses throughout the year based on the pond dimensions provided by the applicant. Water right 22-7143 is currently diverted from the same well as water rights 22-7144, 22-7145 and 22-7146, which share a combined diversion rate limit. The combined diversion rate limit will be reduced by 0.07 cfs, the rate being split away in this transfer. 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.