

MEMORANDUM

Date: March 2, 2022
To: Transfer 85601
From: Brian Normandeau
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes adding a point of diversion to water rights 21-170 and 21-171. The new point of diversion is located on the Henrys Fork on a small arm of the Ashton Reservoir. The source of the rights is Willow Creek, which is tributary to the Henrys Fork. The diversion rate at the proposed point of diversion is limited to 1.00 cfs.

Authority to File:

The transfer applicant is Seeley Farms, and the application was signed by Alvin H. Seeley. The current water right owner is Seeley Brothers, and the land covered by the rights is owned by Seeley Farms LLC per Fremont County parcel data. Alvin H. Seeley is registered on both entities with Idaho Secretary of State.

Water Right Validity:

Rights 21-170 and 21-171 were decreed 7/26/2007 and 2/2/2007, respectively. Review of available aerial imagery since the decree does not indicate any 5-year period of non-use. No issues identified.

Injury to Other Water Rights:

The new point of diversion will result in an exchange allowing the applicant to divert 1.00 cfs of their Willow Creek water from the Henrys Fork. Delivery of this right will continue to be regulated as Willow Creek water by Water District 01. The proposed POD is ~0.25 miles below the confluence of Willow Creek and Henrys Fork (Ashton Reservoir). Although the diversion is moving downstream, there are no existing diversions between the current and proposed points of diversion. The application was not protested, and the watermaster of WD 01 was given the opportunity to review the application and did not provide any comment. No issues identified.

Enlargement of Use:

Approval of this transfer does not result in an increase to diversion rate or irrigated acres. Administration of these rights by WD 01 will remain unchanged from the pre-transfer conditions. 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.