

MEMORANDUM

Date: March 4, 2022
To: Transfer 85699
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use for a 1.1-acre split portion of water right 25-2020. The proposed place of use covers 1.6 acres. 0.5 acres of the proposed place of use are irrigated with domestic ground water right 25-7505. The proposed place of use is located approximately three miles west of the existing place of use. Because the proposed place of use is on a separate irrigation system from the existing place of use for right 25-2020, it makes sense to split the right and have separate right describe the irrigation occurring at the proposed place of use. Water right 25-2020 authorizes a small recreation pond at the proposed place of use (created through a previous transfer). Therefore, the storage portion of the right will be included in the split portion created through this transfer rather than on the remaining portion of right 25-2020.

Authority to File: Application was filed by The Church of Jesus Christ of Latter-Day Saints (LDS Church) and signed by a representative for the church. The LDS Church - Corporation of the Presiding Bishopric is the current owner of record for the right. The LDS Church owns the property at the existing and proposed places of use.

Water Right Validity: A partial decree was issued for water right 25-2020 by the SRBA court in 2005. 135 acres of water right 25-2020, including the acres to be transferred, were leased to the Water Supply Bank in 2005. The acres were released from the WSB in 2020.

Injury to Other Water Rights: No issues identified. Split portion of water right 25-2020 will move from the main stem of Sellars Creek to a tributary stream (South Fork Sellars Creek). One of the proposed points of diversion on South Fork Sellars Creek was already added to water right 25-2020 as part of previous Transfer 79132. Proposed points of diversion are located approximately three miles upstream of the other points of diversion authorized in water right 25-2020. There are no water right points of diversion between the existing and proposed points of diversion. Other rights on South Fork Sellars Creek are small stockwater rights. Water right 25-2020 and its progeny carry a junior priority date on Willow Creek. In drought years, the right may only be available for a couple of weeks. LDS Church was notified of the limits of the right and is exploring renting water from the WD1 Rental Pool when the right is curtailed.

Enlargement of Use: No issued identified. Part of the irrigation at the proposed place of use is covered by domestic right 25-14030. This right will be identified in a transfer approval condition.

Local Public interest: No issued identified.

Beneficial Use/Conservation of Water Resources: No issues identified. Sprinkler irrigation.

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.