

MEMORANDUM

TO: Water Rights 63-35765, 63-35766, 63-35767
FROM: Cody Parker
RE: Evaluation of Application for Transfer No. 90147
DATE: November 11, 2025

Seddie Caldwell II LLC submitted Application for Transfer No. 90147 on October 24, 2025. The application proposes to change the place of use and point of diversion for the parts of water rights 63-2812, 63-11714, and 63-33411. IDWR processed the ownership change prior to transfer data entry. As a result the changes will be applied to water rights 63-35765, 63-35766, 63-35767 (see *Memo Re: Ownership Change Processed Prior to Transfer No 90147* dated November 6, 2025).

The proposed point of diversion is located 0.67 miles south of the original location. The diversions are not located within any areas where the sufficiency of ground water supply is of concern.

The changes proposed by the applicant will not change the effect on the source or hydraulically-connected sources and will not affect the rights of other water users. The application will be processed without legal notice.

Authority to File

The applicant submitted a warranty deed demonstrating ownership of the water rights with the transfer application. Seddie Caldwell II LLC is now the current owner of the water rights. The application was signed by Brent Thompson, described as the "Manager" of the LLC. There are no concerns regarding the authority to file the transfer application.

SUPPORT DATA

IN FILE #63-35765

Validity of Water Rights

The transfer proposes to change the place of use for 54.1 total acres which are in the NWNW and SWNW of Sec. 23, T03N, R03W. The water rights are not leased into the Water Supply Bank.

Sentinel imagery from May of 2025 clearly demonstrates at least 54.1 acres of irrigation of the place of use. The rights are presumed valid.

Injury to Other Water Rights

The diversions are not located within any closed areas where ground water supply is a concern. The proposed POD location is approximately 0.67 miles south of the original diversion. There should be no impact on other water users.

Enlargement in Use

The change in place of use is minimal and does not unstack any water rights. The place of use is located within the Wilder Irrigation District. All three water rights involved in the transfer have conditions of approval restricting ground water use for irrigation to those times when surface water is not available. Those conditions will be updated to the most current form (condition 943) on approval of the transfer. The proposed changes will not enlarge the water rights.

Local Public Interest

The application proposes a change consistent with the local public interest.

Beneficial Use/Conservation of Water Resources

The water rights collectively, authorize 4.5 afa/acre and less than 0.02 cfs/acre. Irrigation using ground water is restricted to those times when surface water is not available. The application proposes beneficial use within the standard quantities for irrigation and is consistent with the conservation of water resources in Idaho.

The application is consistent with the criteria of § 42-222 Idaho Code and should be processed

Discussion

Upon completion of the related ownership change, both the parent water rights and the split water rights contained the following combined-use limitation:

Rights 63-33411, 63-11714, 63-2812, 63-35765, 63-35766, and 63-35767 when combined shall not exceed a total annual maximum diversion volume of 675.0 af at the field headgate, and the irrigation of 150.0 acres.

The originating condition prior to the split was not actually a limitation, but rather a statement of the sum of the face values for the water rights. Therefore, the condition will be removed from the transferred water rights on approval, and the parent water rights will be modified as associated rights to remove the combined limitation.

Conditions 065 and 104 will be replaced by condition 943 for all transferred and associated rights.

Condition F06 will be removed from all transferred and associated rights.