

MEMO

TO: Rob Whitney

FROM: Cherie Palmer

DATE: August 6, 2014

RE: Unauthorized use of water rights 35-2084 and 35-7699

Water rights 35-2084 and 35-7699 were leased into the bank on 4/18/2013 in their entirety. Those water rights have a combined limit that allow for the irrigation of 155 acres. The lease is supposed to expire at the end of 2015.

While attempting to fulfill a water supply bank rental application, I found that the place of use associated with water rights 35-2084 and 35-7699 were being irrigated. I looked at LandSat aerial imagery for 2013 and 2014 and found that approximately 155 acres are/were being irrigated.

Water rights 35-2084 and 35-7699 are committed to two rental agreements beginning in 2013 which both expire at the end of the year in 2015. The total amount committed through 2015 equals 126.5 acres.

It appears that the 126.5 irrigated acres are creating an enlargement because the lessor is irrigating those 126.5 acres and third party (the renter) is also irrigating 126.5 acres under the same water rights.

In addition, the lessor/right holder is irrigating 28.5 acres that are leased into the bank but, not currently rented.

In conclusion:

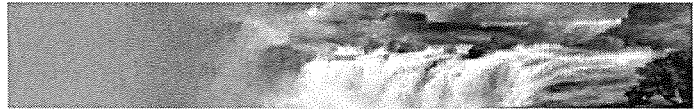
$155.0 \text{ acres total/leased} - 126.5 \text{ acres rented} = 28.5 \text{ acres uncommitted leased acres.}$

Furthermore, I checked the WMIS data and found that the point of diversion associated with water rights 35-2084 and 35-7699 was being used in 2013. The WMIS number is 600075.

Lastly, I found correspondence from Aberdeen Springfield Canal Company (ASCC) that states that the right holder can divert their canal shares from the same well that serves water rights 35-2084 and 35-7699.

I also can't overlook the fact that these water rights might be partially supplemental to ASCC but, the water rights were leased into the bank as primary. This is a separate issue that the compliance bureau will not be involved with. But I want it documented that if these water rights are ever accepted into the bank again, we should review these for supplemental issues.

Idaho Department of Water Resources

WMIS
Water Management Information System

Quick Search:

[For assistance, email](#)[WMIS Info](#)

Search Method:

WMIS Number

WMIS Number

600075

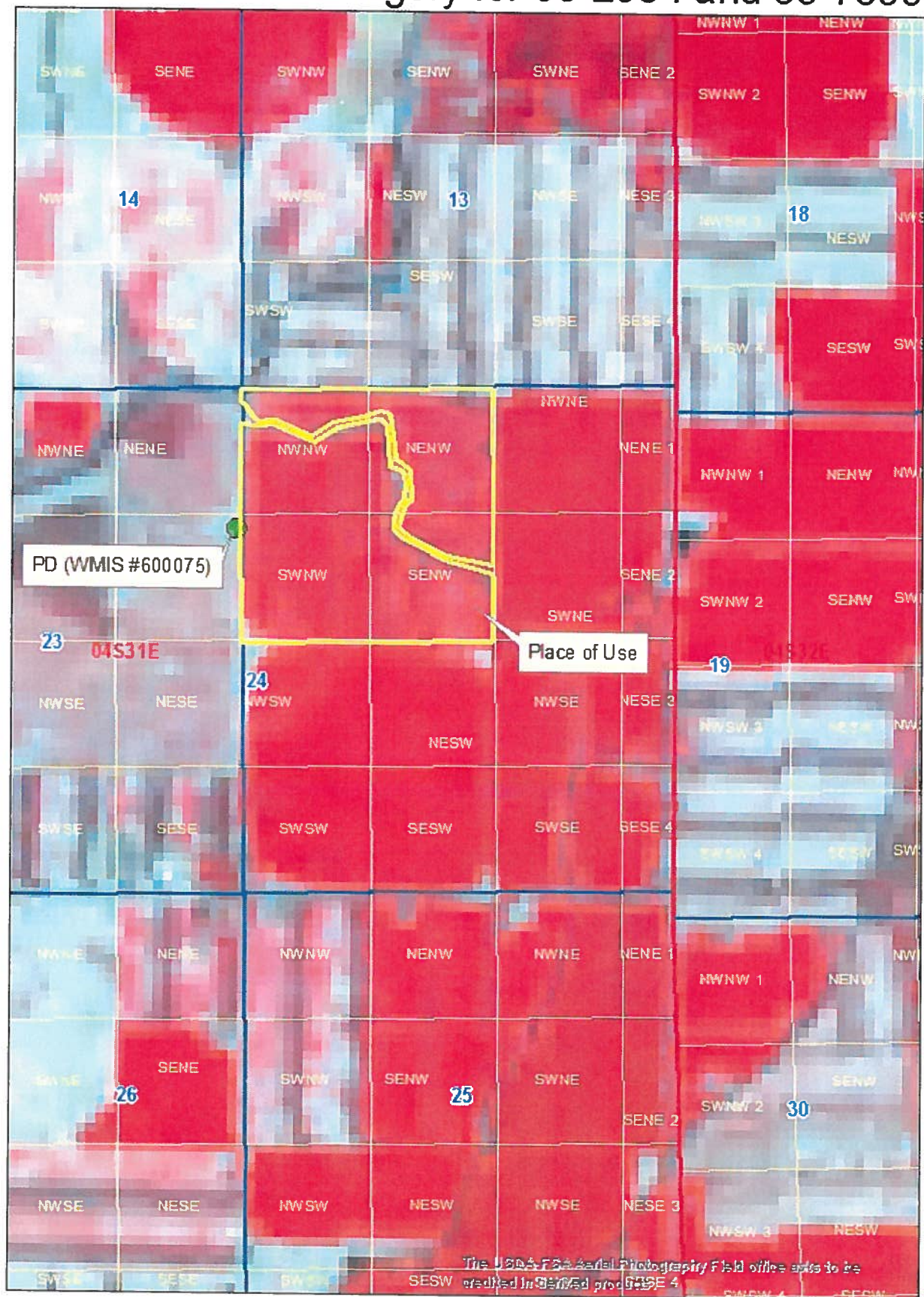
You are logged in as cknowles[Point Of Diversion](#) [PCC](#) [Flow Meter](#) [Time Clock](#) [Alternate](#) [Contacts](#) [Data Summary](#)
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Data Summary

You are viewing 600075; A0007371

Report Year	Alternate	FM	PCC	Time Clock
2013			430.60	
2012			534.20	
2011			357.00	
2010			525.00	
2009			440.00	
2008			487.29	
2007			335.40	
2006			416.95	
2005			460.24	
2004			476.70	
2003			507.10	
2002			403.60	
2001			1.10	
2000			372.20	
1999			333.10	

6/2013 LandSat Imagery for 35-2084 and 35-7699



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The USDA-FSA Aerial Photography Field office asks to be credited in CAP/AD as follows: 4