

MEMORANDUM

To: File

From: Nick Van Dyke

Date: October 16, 2013

Re: 2013 Merlin Smith WSB Rental Application

PURPOSE/NARRATIVE: Application to rent 21 acres of irrigation for the 2013 irrigation season submitted April 8, 2013. Changes/additional information were needed and received October 10, 2013. The rental acres are to cover additional acreage of a pivot and ground between two pivots located about 11 miles northwest of Blackfoot. The rental is intended for 2013 only.

AUTHORITY TO FILE: Jared Harris, of the firm Baker & Harris, signed as attorney for applicant Merlin Smith.

WATER RIGHT VALIDITY: Rights available for the rental, 35-14258, 35-14260, and 35-14262, were leased into the bank under parent numbers 35-7372, 35-2351, and 35-2553B, respectively, in March of 2009 thru the end of 2013. All three parent rights were decreed in the SRBA.

INJURY TO OTHER WATER RIGHTS: None anticipated. An ESPA analysis was done, aquifer effects did not increase over the transient thresholds for any of the eleven reaches.

ENLARGEMENT OF USE: None anticipated.

LOCAL PUBLIC INTEREST: No information to suggest these applications are inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: Applications appear consistent with conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: James Cefalo, watermaster for water district 120, has no objections to the applications.