

Skaggs, Pam

From: Luke, Tim
Sent: Friday, May 03, 2013 2:21 PM
To: William A Parsons
Cc: Brian Higgs; Jaxon Higgs; Skaggs, Pam; Keen, Shelley
Subject: SWID Mitig Rts and Water Bank

Bill,

I received your letter dated April 30, 2013 regarding those water rights identified as being in both the Southwest Irrigation District (SWID) Mitigation Plan and the IDWR Water Supply Bank (Bank). We have reviewed the rights specifically noted to be excepted from the SWID mitigation plan for the 2013 season for use in pending Bank Rental applications. The rights in question are identified in SWID's Mitigation Plan associated with the Burley Irrigation District J Canal conversion projects. Based on the clarifications provided in your letter, the following actions will be taken for the rights listed below.

- IDWR will move forward with the George and Bill Kelley rental of Burley West Investments LLC (BWI) rights 45-2509 and 45-13522 for the 2013 season only. Joel Parker of BWI had earlier requested the release of these rights from the bank, but confirmed his agreement to this rental for 2013. These rights should be released from the bank following the 2013 season.
- IDWR will also move forward with the MVCP LLC rental of a portion of their own right 45-13904 for 82.1 acres irrigation in the 2013 season only. The rented portion of this right should be released from the bank following the 2013 season. There are also 42 acres of irrigation under this right leased separately to the bank that should be released from the bank.
- Rights 45-7317, 45-13981 and 45-13982 are also currently leased to the bank by MVCP LLC, but are not part of any pending rental applications. These rights should be released from the bank since they are part of the SWID Mitigation plan.
- Right 45-13905 for commercial and stock water use is leased into the bank and will continue as such unless MVCP LLC chooses to request release. The right is currently rented through the 2014 season. Your letter noted that it be included in the SWID mitigation plan.
- All other rights leased to the bank that are also part of the SWID mitigation plan should be released from the bank immediately by the right holders using the Water Supply Bank Lease Release Request form.
45-13948, 45-13950 & 45-13963 V & R Farms
45-14184, 45-14186 & 45-14188 Paul Christensen
- IDWR has also found that rights 45-2578, 45-2597 and 45-14060, owned by PKD Properties LLC and TLD Properties LLC, are leased to the Bank. A portion of these rights (3.6 acres) have been rented by the LDS Church. These rights appear to have some overlap with ground water right 45-7086D which is identified in the SWID Mitigation Plan associated with the West Cassia Pipeline. SWID may need to review these rights with respect to its mitigation plan.

Finally, IDWR understands from your correspondence that SWID's 2013 mitigation obligations are being met through other strategies. We are aware of course that SWID is a participant in the buyout of the Blue Lakes hatchery with the Idaho Ground Water Appropriators (IGWA) so all SWID obligations are satisfied for the Blue Lakes delivery call. We further understand that SWID is working with IGWA and members of the Surface Water Coalition (SWC) to finalize mitigation obligations for 2013 and that such obligations will be in the form of direct delivery of storage water to SWC members.

Sincerely,

For 45-2509 + 45-13522 WSB

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