

MEMORANDUM

To: File 2-10471

From: Nick Van Dyke

Date: September 6, 2013

Re: 2013 JR Simplot WSB Rental Applications

PURPOSE/NARRATIVE: On June 27, 2013, the Department received an application to rent water from the J.R. Simplot Company. The application was signed by Terry Uhling, Sr. Vice President and Secretary. The application seeks to rent water from leased right 2-10471 as a precautionary measure to substitute for diversions under rights 2-7396 and 2-7399 in the event they are curtailed so minimum stream flows can be met on the Snake River. The cover letter submitted with the applications also mentions rights 2-10472, 2-10300A and 2-10300B to be rented as well however these rights are not leased to the bank.

Though only one application was submitted, the proposed rental is for two separate farms. The point of diversion listed in Elmore County will supply the ground in Sections 21 and 16, T05S R04E, for a total of 112 acres. The second farm will be supplied by the point of diversion listed in Owyhee County, for the 10 acres in Section 22 T05S R03E. Two rental agreements will be prepared, one for each farm.

On the application, a rate of 0.78 cfs and a volume of 164 acre-feet was proposed. In a phone conversation with Vic Conrad, who works for the Land, Water & Asset Recovery Dept. of Simplot, he indicated the amounts were ball park estimates. Vic decided a volume of 1.5 acre-feet per acre (afa) would work for them. The rate per acre of 2-10471, an inch to the acre, would be fine. Therefore the amounts for the two rentals are:

- 112 acre farm: $112 * 0.02 = 2.24$ cfs & $112 * 1.5 = 168$ acre-feet
- 10 acre farm: $10 * 0.02 = 0.20$ cfs & $10 * 1.5 = 15$ acre-feet
- Rental Fee: 183 total acre-feet rented * \$17 per foot = \$3,100.00

AUTHORITY TO FILE: Terry Uhling, who signed the application, is the Sr. Vice President and Secretary of the J.R. Simplot Company.

WATER RIGHT VALIDITY: Right 2-10433 was fully leased into the bank in 2009 for an indefinite period. This right was split into parts 2-10449 and 2-10450. Right 2-10449 was subsequently split again into parts 2-10471 and 2-10472. 2-10471 remains leased to the bank for an indefinite period. At the time of these rental filings by Simplot, 1, 043 acres remain available for rental.

INJURY TO OTHER WATER RIGHTS: None anticipated.

ENLARGEMENT OF USE: None anticipated. The applicant is not seeking to rent the full 4 afa of the 122 acres because it is a late season rental intended to supply only a portion of the irrigation season.

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LOCAL PUBLIC INTEREST:

Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:

The rental appears consistent with conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:

Corbin Knowles, watermaster for water district 02, does not have objections to either rental.