

MEMORANDUM

Date: August 29, 2013

To: File

From: Nick Van Dyke

Re: WG Farms LLC Lease Applications: Rights 36-2415A 36-15356A 36-2550 36-8212

Purpose/Narrative: Applications to lease 36-2415A, 36-15356A, 36-2550, and 36-8212 received June 5, 2013. Two applications seek 194.5 acres to be leased under combined rights 36-2415A, 36-15356A. The other two applications propose 82.3 acres to be leased under combined rights 36-2550, 36-8212. All four rights are part of a larger group of rights that irrigate roughly 4,400 acres on a farm about 6 miles northwest of Minidoka.

Note the lease contracts for 36-2415A/36-15356A and 36-2550/36-8212 combine the place of use grid/listing between the individual lease applications. For example, the lease application for 36-2415A lists 0.4 acres in the SENE of Section 12 T7S R24E and the lease application for 36-15356A lists 0.6 acres in the same $\frac{1}{4}$ - I combined them into 1 acre on the contract.

Authority to File: Steve Whitesides, manager and registered agent for WG Farms LLC, signed all four of the lease applications. Zach Latham of Brockway Engineering, consultant, submitted the applications on behalf of WG Farms.

Water Right Validity: 36-2415A, 36-2550, and 36-15653A were decreed in the SRBA. 36-8212 was licensed in 1994. All four rights were accepted into the water supply bank for the 2012 irrigation season. Different acreage locations were identified in the June 5, 2013 applications, but review of aerial imagery confirms irrigation. Forfeiture not a concern.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: None anticipated.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: The rental appears to be consistent with conservation of water resources in Idaho.

Department Staff or Watermaster Comments: Cindy Yenter, watermaster for water district 130, has no objections to the lease applications.

RECOMMENDATION OF WATERMASTER

Application No: Water Supply Bank Lease
Water Right No: 36-2415A / 36-15356A (194.5 ac) and 36-2550 / 36-8212 (82.3 ac)
Applicant Name: W-G Farms LLG

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: September 3, 2013

Water District 130

submitted electronically _____
Cindy J Yenter, Watermaster

Van Dyke, Nick

From: Zach Latham [zach.latham@brockwayeng.com]
Sent: Thursday, August 08, 2013 9:18 AM
To: Van Dyke, Nick
Subject: RE: WG Farms 2013 WSB Lease Applications

Nick-

Through this email, I am providing a formal response to your 7/31/13 letter on behalf of WG Farms regarding additional information in support of proposed water supply bank lease acres described under 36-2415A and 36-15356A.

1. 36-2415A- T.07S R.24E SEC 12, 0.4 acres in SENE, and 36-15356A- T.07S R.24E SEC 12, 0.6 acres in SENE and 7.8 acres in SESE.
 - a. Brockway Engineering's 1/14/13 Amended WSB lease application proposed leasing a total of 1.0 acre in the same township, range, section in SENE and 7.8 acres in the same township, range, section in the SESE.
 - b. IDWR approved these acres in the proposed QQ's under BOTH water rights but mistakenly listed the incorrect Range, Range 25E (see page 2, 2/7/13 approval document) on the approval documents, which is 6 miles east of the applicants property. 2013 proposed lease acres based on IDWR's previous acreage review and 2/7/13 approval. The approval mistake has gone un-noticed until now.
2. 36-2415A- T.07S R.24E SEC 13, 7.0 acres in SWSE, and 36-2415A- T.07S R.24E SEC 24 5.0 acres in NENW.
 - a. Both 2008 aerial imagery and FSA crop records indicate irrigation in these areas.
 - b. Please take a look at the 2008 infrared aerial Landsat imagery that IDWR has access to, showing irrigation in these areas.
 - c. FSA crop records can be submitted upon request.

Please let us know how you would like to proceed, thanks for your time and I look forward to working towards application approval.

Zach Latham

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All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Zach Latham [<mailto:zach.latham@brockwayeng.com>]
Sent: Wednesday, August 07, 2013 10:35 AM
To: Van Dyke, Nick (Nick.VanDyke@idwr.idaho.gov)
Subject: WG Farms 2013 WSB Lease Applications

Nick-

I left a voice message for you today regarding your 7/31/13 letter titled; RE: 2013 Water Supply Bank Lease Applications for WG Farms. Please give me a call to discuss at your earliest convenience, thanks.

Zach Latham

Hydrologist
Brockway Engineering, P.L.L.C.