

MEMORANDUM

Date: June 11, 2013

To: File

From: Nick Van Dyke

Re: Windburg Lease(s)/Funk Rental(s) Package: Rights 35-2084 35-7699 35-13578 35-13588 43-13595 43-13597

Purpose/Narrative: This memo addresses four lease applications and two rental applications submitted to the water supply bank April 18, 2013. The lease applications involve rights 35-2084, 35-7699, 35-13578 and 35-13588, all under the ownership of Myrna and Richard Windburg. The lease term sought for the four rights runs from 2013 thru 2015. The current rental rate of \$17.00 per acre-foot is acceptable to the lessor.

- 35-2084: amount leased – all. 1.50 CFS, AF N/A, 100.0 AC
- 35-7699: amount leased – all. 1.62 CFS, AF N/A, 155.0 AC
- 35-13578: amount leased – all. 2.12 CFS, 424.0 AF, 106.0 AC
- 35-13588: amount leased – all. 3.02 CFS, 604.0 AF, 151.0 AC

The rental applications involve the four rights above and two other rights currently leased into the bank for an indefinite term: 43-13595 and 43-13597. One rental will supply a 120 acre pivot, referred to as field 55. The other rental will provide for two pivots totaling 264 acres, referred to as Toevs 264. Rental term sought is 2013 thru 2015. Rental applicant for both is Lance and/or Lisa Funk.

Authority to File: Richard Windburg signed the lease applications (name connector on the rights is "or"). Greg Sullivan of Brockway Engineering signed the rental applications by means of limited power of attorney. Documentation was provided.

Water Right Validity: Review of 2011 aerial imagery shows the ground appurtenant to the four rights up for lease was irrigated that year. Both 43-13595 and 43-13597 were accepted into the bank in 1996 and leased for an indefinite period. Forfeiture is not a concern.

Injury to Other Water Rights: None anticipated. ESPA analyses were provided for both rentals. The model inputs for the field 55 rental were accurate and model results showed impacts less than 2 acre-feet per trimester and less than 10% increase to historical depletions per reach. Model inputs submitted for Toevs 264 appeared to be off a bit; however a model run was completed to match the acre-feet and acres requested for the two pivots. Model outputs showed less than 2 acre-feet per trimester and less than 10% increase to historical depletions per reach. Results from both model runs can be found at:

N:\WRDocs\WSB\WSB PROCESSING DOCUMENTS\2013 Lease-Rentals\2013 RENTALS\FUNK\FUNK FIELD 55 & TOEVS 264

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: James Cefalo, watermaster for water district 120, has no objections to the leases or rentals.