

MEMORANDUM

To: Water Right File No(s). 22-13628 and 22-13630
From: Sandy Hemenway
Date: May 7, 2013
Re: Review of Applications to Lease Water Rights to the State Water Supply Bank

PURPOSE/NARRATIVE: Placed in the Water Supply Bank to protect it from forfeiture. The amendment submitted was to clarify that the agreement would only be in the WSB for the irrigation term for the physical year of 2013.

AUTHORITY TO FILE: The applications were signed by the right holder.

WATER RIGHT VALIDITY: Valid water rights owned by the applicant, and Tax Lot Information updated on 5/14/2012 confirming same owner and mailing address.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident through the lease alone. Proper rental review should protect against enlargement.

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 lease appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:

Lyle Swank was contacted on 4/3 and 4/16/2013 via email. The last email stated that the Department would assume that he had no concerns or comments if not contacted by 4/17/2013. To date, no comments have been submitted.

Hemenway, Sandy

From: Bill Coleman [bill@billcoleman.com]
Sent: Monday, April 22, 2013 9:08 AM
To: Hemenway, Sandy
Cc: Bill Coleman; Mike Stewart; Lorri Wold; sarah@tetonwater.org
Subject: Water rights 22-13630 and 22-13628
Attachments: 0193.pdf

Ms. Hemenway:

Attached are the corrected applications per our discussion, taking them to the end of this water year. Also, I appreciate finding out that if we can continue through next year, we should make application for that as soon as October. Thank you for your help in this matter. Bill Coleman

Bill Coleman
Prudential Utah Real Estate
Senior Vice President
Commercial and Project Development
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Cover E-mail for Application Amendments

Hemenway, Sandy

From: Hemenway, Sandy
Sent: Tuesday, April 16, 2013 7:01 AM
To: Hemenway, Sandy; Swank, Lyle
Subject: RE: Water Supply Bank Lease Application for 22-13628 and 22-13630 Targhee Hill Estates Water Co.

Hi Lyle,

I will assume that you do not have any concerns or comments, if I do not hear back from you by 4/17, and will proceed with processing the water supply bank lease application for Targhee Hill Estates.

Thanks so much,

Sandy

From: Hemenway, Sandy
Sent: Wednesday, April 03, 2013 2:55 PM
To: Swank, Lyle
Cc: Hemenway, Sandy
Subject: Water Supply Bank Lease Application for 22-13628 and 22-13630 Targhee Hill Estates Water Co.
Importance: High

Hi Lyle,

I am currently reviewing the water supply bank lease applications for water rights 22-13628 and 22-13630 Targhee Hill Estates Water Co, and wanted to know if you had any concerns or comments in reference to this? I have attached a copy of the water right report, copy of their application, and a map of the POU/POD.

<< File: DOC002.pdf >> << File: DOC.pdf >>

Thanks,

Sandy Hemenway
Sr. Water Resource Agent
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Water Master Comments

Hemenway, Sandy

From: Hemenway, Sandy
Sent: Wednesday, April 03, 2013 3:40 PM
To: bill@billcoleman.com
Cc: Hemenway, Sandy
Subject: Water Supply Bank Lease Application for 22-13628 and 22-13630 Targhee Hills Estates, LLC

Importance: High

Bill,

I am currently reviewing the Water Supply Bank Lease application for Targhee Hills Estates, LLC (water right 22-13628 and 22-13630). On Item E. 1. of page 2, you requested these water rights be put in the water supply bank for the period of 4/15/2013 thru 4/14/2014. For accounting purposes, lease agreements go till 12/31 of each year, so do you want to place these water rights in the bank for the just the irrigation year of 2013, or for both 2013 and 2014. Lease and rental agreements go on the annual irrigation year of 1/1 – 12/31. So, which year(s) do you want to lease:

4/18/2013 (date the application was received by IDWR) thru 12/31/2013

Or

4/18/2013 thru 12/31/2014

In the event you want it in the bank for both 2013 and 2014 irrigation years, the lease holder may withdraw a water right on relatively short notice, provided the water right has not been committed for use through a Rental Agreement. The concern would be if someone rented it thru 12/31/2014, then you would not be able to request for it to be withdrawn on 4/14/2014, it would have to be released on 12/31/2014. Let me know what you decide.



DOC004.pdf

I have included a copy of the lease applications. To make things easy, you can make corrections, initial them, put the date next to it, scan them and email them back. Please get back with me within 2 weeks, or the application will be denied.

Thank you,

Sandy Hemenway
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Request for Additional Information