

## MEMORANDUM

**To:** File(s) 67-14269

**From:** S. Hemenway

**Date:** 5/22/2013

**Re:** Review/Analysis for Application to Rent Water from the State Water Supply Bank

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### PURPOSE/NARRATIVE:

Water Right 67-2250 is for irrigation of 41 acres, with 5.9 acres overlapping the proposed place of use. Water right 67-2250 has insufficient water from the slough and spring, along with only having a water right that is for 0.013 cfs/acre, to adequately irrigate the 41 acres under this water right. The proposed place of use using water right 67-14269 would allow irrigation for the overlapping 5.9 acres at 0.02 cfs/acre, and allow for 0.02 cfs/acre for the remaining 9.5 acres. SEE BOYLE 67-2250 and PROPOSED POU MAP, and the 5.9 ACRE OVERLAP MAP.

Reviewing the water rights leased to the WSB by Griffin, there were overlaps, with only 4.34 acres available without overlaps from water right 67-149, and 17.5 acres without overlaps from water right 67-14269. For this reason, water right 67-14269 was selected. SEE GRIFFIN WATER RIGHTS OVERLAP MAP

### COMBINED LIMITS:

$[(67-2250 @ 41.0 \text{ ACRES}) + (14.5 \text{ PROPOSED ACRES})] - 5.9 \text{ overlapping acres} = 49.6 \text{ combined acres.}$

### AUTHORITY TO FILE:

Water right 67-14269 is still owned by William Griffin, and is an active lease in the Water Supply Bank, that does not expire until 12/31/2015. The property that is the proposed place of use, is owned by the WSB rental application is owned by the applicant, Brian or Kara Boyle (also confirmed by Tax Lot information).

### WATER RIGHT VALIDITY:

Water Right 67-14269 was decreed 10/20/2008.

### INJURY TO OTHER WATER RIGHTS:

None

### ENLARGEMENT OF USE:

None. 17.5 acres from 67-14269 had no overlapping water rights, and for this reason they were used for this rental. SEE GRIFFIN WATER RIGHTS OVERLAP MAP.

**LOCAL PUBLIC INTEREST:**

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

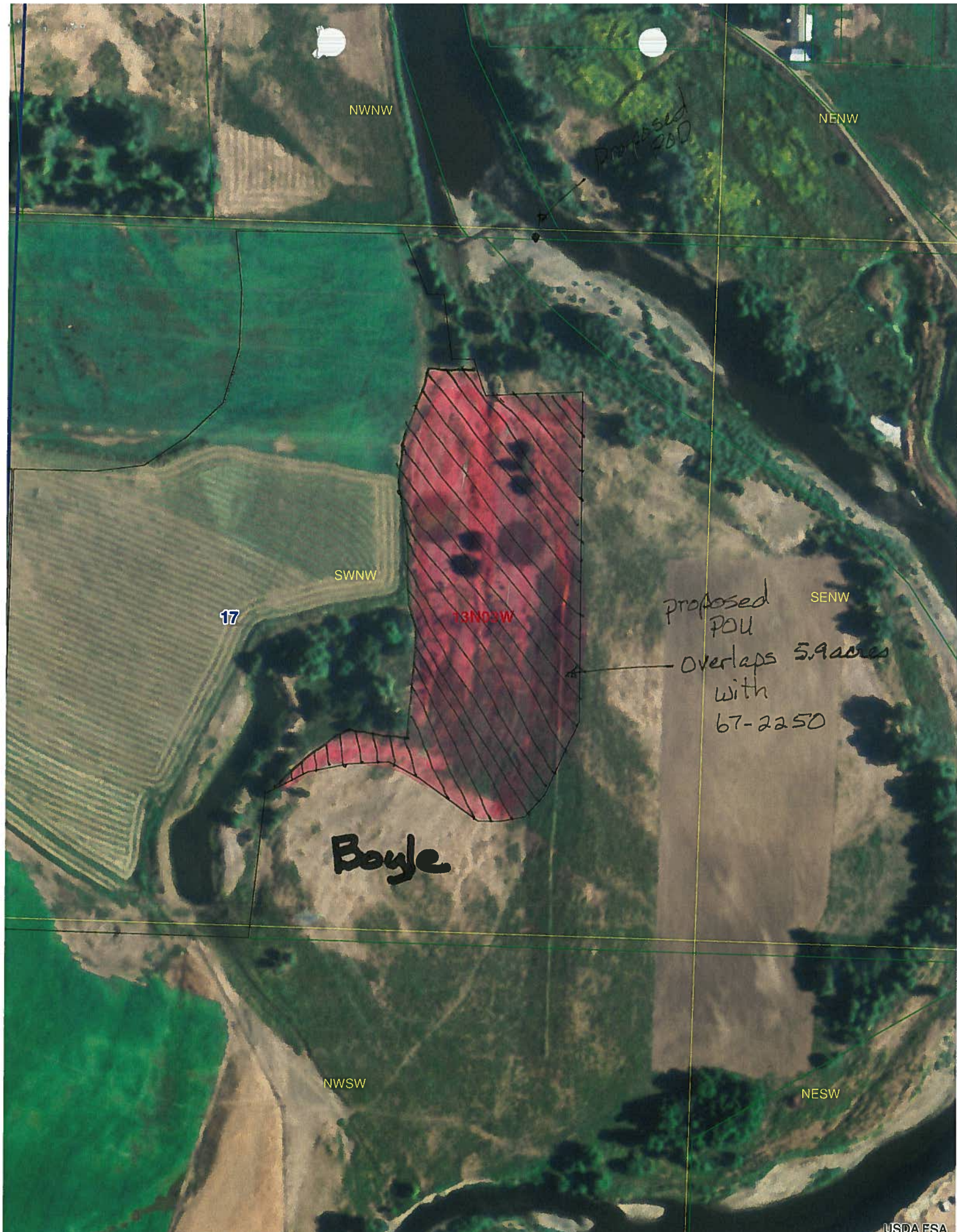
**BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:**

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

**DEPARTMENT STAFF OR WATERMASTER COMMENTS:**

On 5/20/2013, Watermaster WD67 Brandi Horton and 5/22/2013 Western Regional IDWR/John Westra (since Steve Lester was on annual leave) were sent a copy of the WSB Rental Agreement, and review notes, requesting their comments/remarks.





NENE 1

NWNW 4

NENW 3

NWNE 2

NENE 1

SENE

SWNW

SENW

SWNE

SENE

6

67-149  
3.4  
acres  
without  
overlap

NWSW

NESW

NWSE

NESE

NESE

SESE

SWSW

SESW

SWSE

SESE

**Griffin  
Overlaps**

67-14269  
17.5 acres  
with no  
overlap

138030

NENE

NWNW

NENW

NWNE

NENE

7

SENE

SWNW

SENW

SWNE

SENE

NESE

NWSW

NESW

NWSE

Source: Esri, DigitalGlobe, GeoEye, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community

Available Acres without Overlap

## Hemenway, Sandy

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**From:** Brandi Horton [watermaster67@hotmail.com]  
**Sent:** Wednesday, May 22, 2013 4:34 PM  
**To:** Hemenway, Sandy  
**Subject:** RE: Water Supply Bank Rental Agreement: Boyle, using water right lease 67-14269 (acres without overlaps)  
  
**Importance:** High

Hi Sandy,

I just had a chance to look over all the information you sent concerning the Boyle/Griffin lease. I didn't find anything to raise an eyebrow over...it appears to be just as the Boyles and I discussed when they came to me several weeks ago to discuss it. I'm sorry I didn't get to you sooner on this. Things are getting very busy around here! If you need anything else from me just let me know.

Have a Great Day!

Brandi Horton  
Watermaster-District 67  
2297 Snapp Ln.  
Midvale, ID 83645  
(208) 550-0313

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Subject: Water Supply Bank Rental Agreement: Boyle, using water right lease 67-14269 (acres without overlaps)

Date: Wed, 22 May 2013 08:25:54 -0600

From: [Sandy.Hemenway@idwr.idaho.gov](mailto:Sandy.Hemenway@idwr.idaho.gov)

To: [John.Westra@idwr.idaho.gov](mailto:John.Westra@idwr.idaho.gov); [Steve.Lester@idwr.idaho.gov](mailto:Steve.Lester@idwr.idaho.gov); [watermaster67@hotmail.com](mailto:watermaster67@hotmail.com)

CC: [Sandy.Hemenway@idwr.idaho.gov](mailto:Sandy.Hemenway@idwr.idaho.gov)

Hi Brandi (WD67), and John (since Steve is on vacation),  
Here is the draft of the Boyle water supply bank rental agreement, review notes, maps, and cover letter. Please look it over, and let me know if you have any comments/remarks. This will not be mailed out until I hear from you, or within 2 weeks if no answer. <<DOC001.pdf>>

Thanks,  
Sandy Hemenway  
Sr. Water Resource Agent  
IDWR/State Office  
PO Box 83720 or 322 E. Front St.  
Boise, ID 83720-0098  
OFFICE: (208) 287-4920  
CELL: (208) 761-0280  
FAX: (208) 287-6700  
Email: [sandy.hemenway@idwr.idaho.gov](mailto:sandy.hemenway@idwr.idaho.gov)

Watermaster WD67 Comments

## Hemenway, Sandy

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**From:** Hemenway, Sandy  
**Sent:** Monday, May 20, 2013 12:58 PM  
**To:** Lester, Steve  
**Cc:** Hemenway, Sandy  
**Subject:** L2.0 Rental Agreement BOYLE 67-14269.docx



DOC005.pdf



L2.0 Rental  
Agreement BOYLE 67.

- (1) I have attached a copy of the water right 67-14269 that was leased to the bank, along with a map showing all the overlapping water rights owned by Griffin. From the overlapping water rights, there were 17.5 acres available to be rented that had no overlaps.
- (2) Here is a copy of the draft WSB rental agreement for the Boyles, along with a map showing their overlapping water right 67-2250 (41 acres 0.55 cfs total, 0.013 cfs/acre), and the proposed WSB rental for 14.5 acres.
- (3) The third map shows the 5.9 acres that are overlapped with the WSB rental and 67-2250.
- (4) I sent an email to Brandi Horton, watermaster 67, for comment, but have not heard back yet.
- (5) Do you have any comments or concerns?

Thanks,

Sandy

## Hemenway, Sandy

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**From:** Hemenway, Sandy  
**Sent:** Monday, May 20, 2013 12:10 PM  
**To:** Brandi Horton  
**Cc:** Hemenway, Sandy  
**Subject:** L2.0 Rental Agreement BOYLE 67-14269.docx



L2.0 Rental  
Agreement BOYLE 67.

Hi Brandi,

Here is a draft of the Water Supply Bank Rental Agreement for Brian and Kara Boyle. I was wondering if you could look it over, and let me know if you have any comments or concerns. I will send you a copy of the original water right that was placed in the Water Supply Bank. The Boyles were wanting to rent this water right for 5 years, but will only be able to do so for 3 irrigation years, since that is when the lease expires.

They are renting 14.5 acres from water right 67-14269, which reviewing all the overlapping water rights, there was 17.5 acres that was available that had no overlaps. For this reason, these are the acres that are being used. I have included some maps (1) a map of all the Griffin overlapping water rights, (2 ) is a map showing the proposed POU with the



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overlapping 5.9 acres with 67-2250 owned by the Boyles, (3) a map showing the overlapping 5.9 acres.

Thanks so much,

Sandy Hemenway  
Sr. Water Resource Agent  
IDWR/State Office, Boise  
(208)287-4920  
[Sandy.hemenway@idwr.idaho.gov](mailto:Sandy.hemenway@idwr.idaho.gov)

## Hemenway, Sandy

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**From:** Hemenway, Sandy  
**Sent:** Tuesday, May 07, 2013 5:08 PM  
**To:** barbkboyle@yahoo.com  
**Cc:** Hemenway, Sandy  
**Subject:** Boyle Water Supply Bank Rental Application

Brian or Kara,

I am currently reviewing your water supply bank rental application. On the application you had water right 67-149 written on the form. In checking the availability of the water rights that are in the water supply bank, 67-149 is leased into the bank at 14.2 acres, but limited to the irrigation of 10.4 acres for 0.13 cfs total diversion rate. Are you more interested in the 0.13 cfs diversion rate or irrigating 14.5 acres as you have on your application or 8.4 acres that do not overlap your water right 67-2250 spring source? I have attached a map that we can talk about when you call.



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Please give me a call, since I have some additional questions.

Sandy Hemenway  
Sr. Water Resource Agent  
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Boise, ID 83720-0098  
OFFICE: (208) 287-4920 (Monday thru Thursday 6am – 4pm)  
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