

MEMORANDUM

To: File(s) 71-64A and 71-69

From: Cherie Palmer

Date: May 22, 2013

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

PURPOSE/NARRATIVE: The purpose of this rental is to use the applicant's own water rights at the authorized POU for irrigation purposes. In reality, the application is going to sell the all or part of their water rights and don't want them to be rented out if they find a buyer. They will rent their own water rights to tie them up so they can release them from the bank any time...they don't intend to irrigate according to Allen Merritt of southern region.

AUTHORITY TO FILE: Katie Breckenridge, General Partner of Breckenridge Family LTD Partnership is authorized to sign the bank application.

WATER RIGHT VALIDITY: In 2010, rights 71-64A and 71-69 have been indefinitely leased to the bank and have been protected from forfeiture during that time. These rights have been confirmed in the SRBA by being decreed in 1999 and can be rented for use.

INJURY TO OTHER WATER RIGHTS: Because the rental and lease POU and PD are the same as the decreed POU and PD, no injury is expected...in case they do decide to irrigate.

ENLARGEMENT OF USE: There are no enlargement issues.

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: see attached comments. Watermaster did not respond.

Palmer, Cherie

From: Merritt, Allen
Sent: Wednesday, May 15, 2013 3:04 PM
To: Palmer, Cherie
Cc: Skaggs, Pam
Subject: RE: Water Supply Application; Breckenridge Family LTD 71-64A, 71-69

These rentals resulted from a meeting I had with Rob and Katie a week or so ago. At that time they visited my office and we consulted with Pam on the phone.

As I understand their desire was to keep the rights in the bank since they are currently leased for an indefinite time. They did not want to change that time period. They still desire to protect them from forfeiture but they want to tie them up so nobody else could rent them since they also desire to sell them but they do not currently have a buyer. They thought this would give them the most flexibility and Pam was ok with that concept.

I do not think the water will really be used during the rental period but I might be mistaken.

I hope this helps.

Allen

From: Palmer, Cherie
Sent: Wednesday, May 15, 2013 10:48 AM
To: goodonya_19@yahoo.com; Merritt, Allen
Subject: Water Supply Application; Breckenridge Family LTD 71-64A, 71-69

Hello,

I am processing an application from the Breckenridge Family Limited Partnership to rent their own water rights that are leased into the water supply bank. The water rights are 71-64A and 71-69. They propose to use their water rights at the decreed place of use using the decreed points of diversion. In other words, they are resuming use as if the rights were not leased to the bank. They would like to rent the rights for a 5 year period. Once the rental expires, the rights will continue to be leased to the bank. I wouldn't think there are any issues with approving this rental but I thought I would run it through you to double check. Please let me know if there are any concerns. Thank you very much for your time.

*Cherie Palmer, Sr. Water Resource Agent
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B Bar B Inc.
Katie Breckenridge

Fax

TO: PAM SKAGGS FROM: Katie Breckenridge
TO: IDWA WATER SUPPLY BANK DATE: 5.8.13
FAX: 208.287.6700 PAGES: ONE INC. COVER
PHONE: 208.287.4951
RE: ALTURA'S LAKE CREEK / GROUNDWATER RENTAL

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

•Comments:

PAM,
THANK YOU FOR YOUR PHONE CALL TODAY
AFFIRMING RECEIPT AND PROCESSING OF MY
APPLICATION TO RENT WATER RIGHT NO.'S
71-64A AND 71-69 FROM THE WATER SUPPLY
BANK. I LOOK FORWARD TO HAVING
THIS PROCESS COMPLETED AS SOON AS
POSSIBLE. PLEASE INCLUDE A BILL WHEN
YOU SEND THE FINAL DOCUMENTS.
THANK YOU FOR YOUR EFFORTS.
Katie Breckenridge