

MEMORANDUM

To: Water Right File No. 29-2395

From: Nick Van Dyke

Date: March 22, 2013

Re: Review of Application to Lease Water Right 29-2395 to the State Water Supply Bank

PURPOSE/NARRATIVE: Application to Lease Right 29-2395 received March 4, 2013. The application seeks to lease all of 29-2395 (2.82 cfs/1148 af/287 acres) into the bank for a period of two years (expiring 2015).

AUTHORITY TO FILE: The lease application was signed by Jim Hart, who is listed as one of the current owners of 29-2395. A special agreement allowing the right to be leased into the bank was also submitted and signed by James (Jim) Hart, David Hart, and Robert Hart, all current owners. To date, 29-2395 also lists Laurel Taylor and Harry Hartwigsen as current owners. Per email and phone correspondence, both are now deceased. Per the applicant's representative, Jason Helms, documentation will be submitted shortly to remove both Laurel Taylor and Harry Hartwigsen as owners of 29-2395.

WATER RIGHT VALIDITY: Right 29-2395 was partially decreed in March of 2004. The right was enrolled in the CRP program from 1997 thru 2010. Documentation was provided. Forfeiture is not a concern.

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:

None.