

MEMORANDUM

To: File 2-2262

From: Cherie Palmer

Date: March 25, 2013

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

PURPOSE/NARRATIVE: An application was received from Deruyter Properties LP to rent 3.29 cfs, 739 af, and 164.3 acres for land that is located directly north of the Snake River, upstream of CJ Strike Reservoir. The applicant plans to irrigate the acres using an existing pump station that is on the Snake River and requested the water for the maximum amount of 5 years.

The applicant has a second rental agreement, executed in 2012, that is going to be under the same delivery system under water right 2-2259. This rental is through 2016 and is for 115.5 acres. Previously, the applicant rented 2-2186 for 53.5 acres, which expired last year. This rental includes that 53.5 acres plus 110.8 new acres.

AUTHORITY TO FILE: Nicolaas Deruyter, the signatory of the application, is a general partner of Deruyter Properties LP per the IDSOS 2013 report.

WATER RIGHT VALIDITY: This rental can be filled using right 2-2262 in the name of Grindstone Butte Mutual Canal Co.

Availability of 2-2262=	32.01 cfs, 2376.0 ac, and 9504.4 af
Rental Requires =	<u>3.29 cfs, 164.3 ac, and 657.2 af</u>
Balance	28.72 cfs, 2211.7 ac, and 8847.2 ac

The best fit for this rental is 2-2262 based on the location. The lease PD is ~12 miles upstream of the rental PD.

INJURY TO OTHER WATER RIGHTS: There is an existing pump at the proposed PD to provide water for the lands under the rental. The applicant owns the land at the PD. The PD that is in place is used in connection with right 2-2379. Note that the applicant identified that the PD under right 2-7369 will share a PD during the rental duration, however, right 2-7369 is located at a different location than illustrated on the map and is owned by a different individual. I believe that this was an error, right 2-2379 is located at the location on the map and is owned by the applicant.

ENLARGEMENT OF USE: Per current aerial imagery, the place of use under 2-10450, is dry. The applicant originally asked for 4.5 af/ac despite the standard being 4.0 af/ac for this area. I contacted Dave Shaw on the phone on 3/25/13 and he said proceed with the standard irrigation requirement. No enlargement issues exist.

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: Corbin Knowles, watermaster, suggested I find an upstream lease to fulfill this rental to avoid injury.

DeWitt Prop. Rental PD vs Rental POU/PPD

Lease for acres under 2-2262 is good through 2017
Note that the lease POU is for pivot corners only--see the map found in the lease application documents. I checked 2012 SPOT imagery and the acres that were meant to be dry were per the imagery.
~Cherie Palmer 3/25/13

