

MEMORANDUM

To: Water Right File No(s). 35-7788B and 35-7789
From: Monica Van Bussum
Date: February 25, 2013
Re: Review of Applications to Lease Water Rights to the State Water Supply Bank

PURPOSE/NARRATIVE: On February 12, 2013, the Department received applications to lease the entirety of 35-7788B and 35-7789 to the Water Supply Bank.

AUTHORITY TO FILE: The applications were signed by Carl Evers for Northern Agriculture.

WATER RIGHT VALIDITY: A review of 2011 imagery indicates the acres in question were irrigated.

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.

Right 35-7789 is flow limited with 35-7267A to 5.2 cfs. However, the diversion rates for each add up to 5.93 cfs. Since the two rights are owned by separate entities, the lease of 35-7267A is not an option. However, if we reduce the leased diversion rate of 35-7789 by the diversion rate of 35-7267A, we eradicate the enlargement concern. Thus, the lease approval says 4.68 cfs is leased, but we have reduced the actual leased amount by 1.25 cfs to 3.95 cfs.

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 leases appear to be consistent with conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:

None.