

MEMORANDUM

To: Water Right File No(s). 36-2415A and 36-15356A

From: Jean Hersley and Monica Van Bussum

Date: February 7, 2013

Re: Review of Applications to Lease Water Rights to the State Water Supply Bank

PURPOSE/NARRATIVE: We've received this application on May 8, 2012 with required fees to lease the entirety of water right nos. 36-2415A and 36-15356A to the water supply bank. We reviewed imagery and requested an amended application excluding approximately 53.5 acres in Section 13 (see attached email). We received those amended applications on January 15, 2013.

AUTHORITY TO FILE: The application was signed by Steve Whitesides who is a registered agent with the company.

WATER RIGHT VALIDITY: 2004-2011 Imagery indicates property has been irrigated with the exception of 53.5 acres in the southern half of the SE¼ of Township 07S, Range 24E, Section 13. Lease was amended and is approved reflecting this.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: Right No. 36-15356A is an enlargement of this right pursuant to Section 42-1426, Idaho Code. These two rights should be rented together with the proportional share of each.

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:

The watermaster was involved in the review and is aware of this approval and has no further concerns.

Van Bussum, Monica

From: Van Bussum, Monica
Sent: Friday, November 16, 2012 1:10 PM
To: 'Zach Latham'
Cc: Yenter, Cindy
Subject: 36-2415A et al WG Farms Bank lease applications

Hi Zach,

I've had the chance to review the Water Supply Bank lease applications for WG Farms. They can be divided into two groups, 36-2550/36-8212 and 36-2415A/36-15356A.

A review of Landsat imagery for the acres identified for lease from 36-2415A/36-15356A in the SE ¼ of Section 13 indicates no irrigation occurred on these lands between 2004 and 2011, making those acres ineligible for the Bank. This amounts to 53.5 acres that would not be eligible for lease. You have two options which I'll explain below.

Second, Cindy and I calculate different numbers to be taken from each water right in the 36-2550/36-8212 package. You included a spreadsheet illustrating how you calculated the contribution from each water right and I think that is helpful in figuring out how our calculations end up different. Your first step was to calculate the diversion rate to be leased from 36-2550. I think you need to take that one step further back and calculate the percentage of total acreage that is contributed by each right to the total:

36-2550 – authorized for 217 acres within the PPU

36-8212 – authorized for 58 acres within the PPU

Both of these have a combined acreage limit of 274 acres. If you divide 217 acres by 274 acres, you get 79.2%. This percentage is the amount of acreage that 36-2550 contributes to the total. You then multiply the 79.2% by the number of acres to be leased (84.4) and you get 66.8 acres should be leased under 36-2550. Multiplying 58 acres by 274 acres gives you 20.8%, which is the amount contributed by 36-8212. Therefore, 17.9 acres are to be leased under 36-8212. Then you calculate the diversion rate and volume using the duties of water from their respective water rights. I've attached a spreadsheet Cindy used to calculate the splits that I think will be helpful given this explanation.

So, I promised to get back to those options under 36-2415A/36-15356A. Your first option is to let us issue the lease for the full amount of the water rights minus the 53.5 acres that are ineligible for lease.

Your second option is to reduce the amounts offered under 36-2550/36-8212 to allow for the ineligibility of the 53.5 acres (this would give a total lease of 30.9 acres). Then you could still offer the entirety of 36-2415A/36-15356A for lease. This assumes you and WG Farms want to put the entirety of the enlargement right 36-15356A into the Bank. We would need amended applications and maps to reflect these adjustments.

Zach, as always, I can give you 14 days to provide response. If we do not get a response in that time, I will proceed with issuing the 36-2415A/36-15356A lease without the 53.5 acres included, and I will issue the 36-2550/36-8212 lease with the amounts I've specified above (66.8 acres/17.9 acres). Please call if you have questions.

Monica

MONICA VAN BUSSUM

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From: Yenter, Cindy
Sent: Thursday, November 15, 2012 9:16 AM
To: Van Bussum, Monica
Subject: WGLease2012.xlsx



WGLease2012.xlsx