

MEMORANDUM

To: Water Right File No(s). 22-130D, 22-136C, 22-515B, 22-516B, and 22-517B

From: Monica Van Bussum

Date: February 6, 2013

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

PURPOSE/NARRATIVE: We received this set of applications as part of a larger group of Water Supply Bank applications on October 15, 2012. I had some concerns about some of the acres being offered to the Water Supply Bank in the other groups and held these applications until issues were worked out with the other groups. The other issues have been resolved and we can now move forward with all groups.

The acres accepted for lease are slightly less than what was submitted. I requested a shapefile from the applicant's consultant and compared that shapefile to the available imagery. There were some areas of the shapefile of the proposed acres that were very narrow and there really would have been no way to determine if those acres had not been irrigated. There would have been no way for the applicant to demonstrate they had not been irrigated. There is great enlargement concern when we can't determine if leased acres have been idled. I have attached a map showing the accepted acres.

AUTHORITY TO FILE: The applications were signed by Robert L. Harris, an attorney with Holden, Kidwell, Hahn, & Crapo. Holden Kidwell is listed as the attorney of record for the rightholders.

WATER RIGHT VALIDITY: The water rights were partially decreed in the Snake River Basin Adjudication in 2008, so no further validity review is required.

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



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NENE

NWNE

SWSW 4

SESE

SWSE

SESW 1

NESE

SWSE