

MEMORANDUM

To: File(s) 35-2251, 35-2651D, 35-7772 and 35-7989
From: Monica Van Bussum
Date: August 31, 2012
Re: Review of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: On May 22, 2012, the Department received an application to rent irrigation water to cover 21 acres of irrigation from a pending notice of violation (NOV) for Merlin Smith Sr. The application is only for 2012.

AUTHORITY TO FILE: Mr. Smith signed on his own behalf.

WATER RIGHT VALIDITY: The water rights to be rented have been in the Bank since 2006.

INJURY TO OTHER WATER RIGHTS: No injury is apparent. There are limiting conditions on the rental that should protect against both enlargement and injury. The use has mostly already occurred and the rental is not to extend past 2012.

ENLARGEMENT OF USE: Conditions of the rental 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 rental appears consistent with conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:

Rental is to satisfy an NOV.