

MEMORANDUM

To: File 72-2149F
From: Nick Van Dyke
Date: August 29, 2012
Re: Review/Analysis for Additional Application to Rent 72-2149F from the Water Supply Bank

PURPOSE/NARRATIVE: On August 20, 2012, the Department received an application to rent 33.67 AF of storage water from Mosquito Flat Reservoir in Custer County for the irrigation of 37 acres. This application is a follow up or additional filing to a rental agreement approved November 2010 for 33 AF of storage water on the same 37 acres. The applicant has not had sufficient water to finish out the irrigation season, and therefore is applying to rent the remainder of the leased right, 72-2149F, which offered 66.67 AF of storage water into the bank. The additional storage water is available to rent.

The fee calculation for the revised application, including the additional 33.67 AF, needs some explanation due to the recent fee change that will occur increasing the dollar amount per AF from \$14 to \$17. The fees were calculated as:

1. Original Rental of 33 AF for 2012: $33(\$14 \text{ per AF}) = \462.00 . Fee was paid February 23, 2012.
2. Additional Rental of 33.67 AF for 2012: $33.67(\$14 \text{ per AF}) = \471.38 due.
3. Remainder of Modified Rental, years 2013 thru 2015:
 - Original 33 AF per year, **\$462.00** due. Original application approved before rule change came increasing the rental fee to \$17 per AF.
 - Additional Rental of 33.67 AF per year: $33.67(\$17 \text{ per AF}) = \textbf{\$572.39}$ due.
4. $\$462.00 + \$572.39 = \textbf{\$1034.39}$ due years 2013 thru 2015, per year.

AUTHORITY TO FILE: Antony Yacomella signed the application, which was submitted in his name.

WATER RIGHT VALIDITY: 72-2149F was partially decreed in 2000 and accepted into the Bank in 2007. Presumably validity was reviewed in 2007 upon its acceptance.

INJURY TO OTHER WATER RIGHTS: No injury is evident in this rental.

ENLARGEMENT OF USE: None anticipated. The watermaster requested Yacomella rent an extra 10% to allow for evaporation losses in the initial application. The same approach is being taken on the second or additional rental, albeit a minor difference in including 0.67 AF to simply rent the whole right. 0.67 AF would likely not be rentable.

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 modified rental appears to be consistent with conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: I spoke with Nick Miller (Water District 170) and Rick Phillips (Water District 72A) and both were fine with the modified rental.