

MEMORANDUM

To: Water Right File No(s). 37-20843, 37-21240, 37-21242, and 37-22499

From: Monica Van Bussum

Date: August 11, 2012

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

PURPOSE/NARRATIVE: On June 8, 2012, the Department received applications to lease the entirety of the above-mentioned water rights to the Water Supply Bank for a five-year period.

These rights do have some overlap with 37-8409, which is already in the Water Supply Bank. For a more extensive review of their overlaps and ownership issues, see Dan Nelson's memo in file 37-8409 dated July 12, 2011. To summarize that memo, the ownership for these rights is correctly placed in the name of Silver Sage Owners Assn and while these three overlap with each other, there is not a place of use overlap with 37-8409. Additionally, that memo mentions the rights in question here were initially denied lease to the Bank because of an overlap issue with a contested water right in the SRBA 37-2507. 37-2507A was partially decreed disallowed in the SRBA because it was recommended under other right numbers and 37-2507B was partially decreed as active in the SRBA, so no contested case remains.

AUTHORITY TO FILE: The applications were signed by Mike Goitiandia on behalf of Silver Sage Owners Assn.

WATER RIGHT VALIDITY: These rights were partially decreed in the Snake River Basin Adjudication in 2010, so a five year period of non-use is not an issue.

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. These rights should be rented together to prevent 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:

The watermaster did not respond to an email asking for comment, indicating no concerns.