

MEMORANDUM

To: File(s) 37-5

From: Monica Van Bussum

Date: August 24, 2012

Re: Review of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: On August 24, 2012, the Department received an application from Elise Lufkin to rent water on her already irrigated acres. This application is for late-season water only. We previously processed a partial season rental application for Pete Van Der Meulen in the same basin, and this is much the same situation. Ms. Lufkin's water has been cut off and she is renting water to maintain previous irrigation. This has previously been acceptable to Jeff Peppersack where the rationale was that it would be penalizing the applicant if we require them to rent water for the entire season if they only need water late in the season. Additionally, this water would likely remain unrented otherwise, so it provides some additional revenue for the Department and the lessor.

AUTHORITY TO FILE: Ms. Lufkin signed the application on her own behalf.

WATER RIGHT VALIDITY: This water right was accepted into the Bank in 2011.

INJURY TO OTHER WATER RIGHTS: No injury is apparent. The leased right is closely geographically located to the rented location, so there's little risk of injury to other right holders.

ENLARGEMENT OF USE: The rental has limiting conditions on it. There is little risk of enlargement because the applicant's rights were curtailed prior to being fully diverted.

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:

The watermaster indicated his support for the application.