

MEMORANDUM

To: Water Right File No(s). 35-7192A

From: Nick Van Dyke

Date: August 22, 2012

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

PURPOSE/NARRATIVE: Application to lease 35-7192A into the bank received July 19, 2012. The right holder (Foster Land and Cattle) would like to lease 1.78 cfs/700 acre-feet/175 acres into the bank. 35-7192A is good for 5.45 cfs/2144.8 acre-feet/536.2 acres within a 592.1 acre ppu. There is a second right, 35-9069, with an acre limit of 55.9 acres that shares the same ppu. Both acre limits are additive to the overall ppu acreage, no overlap between the two rights.

AUTHORITY TO FILE: The applications were signed by Luke Marchant of Holden, Kidwell, Hahn, and Crapo, who is the applicant's attorney of record.

WATER RIGHT VALIDITY: An on-site inspection of the right's place of use was provided with the application providing evidence of resumption of use in 2010. The same report was submitted with transfer application 77732 to provide evidence of water right validity. Transfer 77732 was approved in February of 2012.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident through this lease application.

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.