

MEMORANDUM

To: Water Right File No(s). 95-467 & 95-467A

From: Pam Skaggs 

Date: May 23, 2012

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

PURPOSE/NARRATIVE: These applications were first submitted on February 7, 2008. The applications were returned with a request for additional information. Shelley Keen's 05-14-2012 memo to file provides a detailed review of the water rights, and actions taken by the right holder and the department. The resulting determination is that these rights can be accepted retroactively into the Water Supply Bank beginning February 7, 2008 for a five year lease period ending 12-31-2012.

AUTHORITY TO FILE: The applications were signed by Paul Montreuil as President of Dalton Gardens Irrigation District. Paul notified me by 05-23-2012 email that the suggested amendment of these Lease Applications was correct and acceptable. (See file for email string.)

WATER RIGHT VALIDITY: These rights were valid at the time of the original application to the bank. (See 05-14-2012 memo.)

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: Review of the submitted applications found that the rights fully overlap and a proportional share of both rights associated with the proposed leased acres is necessary to avoid enlargement. The applicant's consultant was contacted and the applicant submitted written notice to amend the applications to reflect the required portions of rights are leased. No enlargement is evident through the amended lease alone. Proper rental review 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 lease appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:

Water District 95A is currently inactive; no comment requested.