

MEMORANDUM

To: Water Right File No(s). 2-7353 and 2-10205

From: Monica Van Bussum

Date: June 25, 2012

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

PURPOSE/NARRATIVE: On March 22, 2012, we received applications to lease all of 2-7353 and 2-10205 to the Water Supply Bank for 2005 through 2029. The applications were not previously filed because of an oversight but because these are IWRB leases and the period of the lease is important, we are retroactively approving them.

AUTHORITY TO FILE: The applications were signed by Brian Patton on behalf of the IWRB.

WATER RIGHT VALIDITY: 2-10205 was partially decreed in the SRBA in 2009 and 2-7353 is awaiting partial decree.

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.

There is a condition on 2-7353 that says it cannot be more than 432 cfs when combined with 2-2268. However, 2-2268 has been split multiple times (first into 2-2268B for City of Boise and 2-10194 for Bell Rapids). However, according to a note in 2-10194, there were multiple splits on the Adjudication records. 2-10194 split into 2-10203 and 2-10204. Transfer 69664 was approved on a portion of the right (2-10203 split into 2-10205 and 2-10206). Therefore, the status of 2-10194 has been changed to Active Transferred. Because of these splits, it appears the overlap with 2-7353 should be 2-10205. Since all of both rights are being placed into the Bank, there should be no enlargement as long as portions are rented together. No doubt the partial decree for 2-7353 will clear up the conditioning when it is issued.

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 leases appear consistent with the conservation of water resources in Idaho.