



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

July 27, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARK MC DONOUGH
PO BOX 74
MELBA ID 83641

**RE: APPLICATION TO LEASE WATER RIGHT NO(S). 2-2240, 2-2431
(PART), 63-361 (PART), 63-8389 (PART), AND 63-9807 TO THE
WATER SUPPLY BANK**

Dear Lessor:

The Department of Water Resources ("department") has completed its review of the Applications to Sell or Lease Water Right(s) to the Water Supply Bank ("bank"). Please consider that the offered water right(s) are accepted into the bank.

Several items to keep in mind in connection with the lease of a water right to the bank are as follows:

WATER SUPPLY BANK LEASE CONDITIONS OF ACCEPTANCE

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1. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
 2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented from the bank.
 3. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
 4. While a water right is in the bank, forfeiture provisions are stayed.
 5. Acceptance of a right into the bank does not preclude the opportunity for review of the validity of the right in the ongoing Snake River Basin Adjudication or any other department application process.
 6. The water rights referenced above will be rented from the bank at the current rental rate.
 7. The above referenced water rights are leased to the bank as follows:

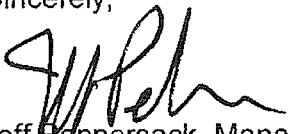
<u>Water Right</u>	<u>All or Part of Right</u>	<u>Amount Leased:</u>		
		<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Acres</u>
2-2240	all	2.25	507	112.5
2-2431	part	1.49	562.5	112.5
combined		2.25	562.5	112.5
63-361	part	0.28	63	14
63-9807	all	0.40	90	20
combined		0.40	90	20
63-8389	part	0.63	140.9	31.3

8. During the term of this lease, use of rights 2-2431, 63-361 and 63-8389 for irrigation is limited to a combined total of 62.5 acres, and a combined diversion rate of 1.25 cfs and diversion volume of 312.5 af.
9. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.

The rights will remain in the bank for an "indefinite" period of time unless the rights are released earlier by the Board, or upon request by the lessor. To change the term of the lease or to release the right(s) from the bank, the lessor must submit a request in writing to the department.

If you have questions, please feel free to contact the department.

Sincerely,


 Jeff Peppersack, Manager
 Water Right Permits Section

c: John Westra – IDWR Western Regional Office

MEMORANDUM

To: Files 2-2240, 2-2431, 63-361, 63-8389 and 63-9807

From: Jeff Peppersack

Date: July 27, 2004

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

Applications were submitted on March 12, 2004 by Mark McDonough to lease the following rights to the bank:

<u>Water Right</u>	<u>All or Part of Right</u>	<u>Amount to be Leased:</u>		
		<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Acres</u>
2-2240	all	2.25	507	112.5
2-2431	all	2.32	875	175
63-361	part	0.28	63	14
63-8389	part	0.63	140.9	31.3
63-9807	all	0.40	90	20

Details for each right are presented below. See attached map for place of use locations.

2-2240

This licensed right is proposed for lease, in its entirety, to the bank. The right overlaps right 2-2431 and SRBA review recommends limits of 3.5 cfs, 175 acres and 875 acre-feet.

2-2431

This licensed right is proposed for lease, in its entirety, to the bank. Right 2-2240 overlaps this right to the extent of 112.5 acres; see recommendations for combined limits above. Right 63-361 also overlaps this right to the extent of about 32 acres and right 63-8389 overlaps this right to the extent of about 26 acres.

Based on the lease applications, this right cannot be accepted into the bank in its entirety. Only the 112.5 acre part overlapping right 2-2240 can be accepted. The applications indicate that the rest of the place of use will continue to be irrigated.

63-361

This decreed right is proposed for lease, in part, to the bank. The total right is 1.1 cfs and 248 af for 55 acres. A portion of the right (about 32 acres) overlaps part of right 2-2431. A portion of the right (about 14 acres) overlaps a part of permit 63-9807. A portion of the right (about 13 acres) also overlaps a part of right 63-8389. The amount to be leased to the bank is 14 acres overlapping right 63-9807. The portion overlapping 2-2431 and 63-8389 will not be placed in the bank and will continue to be irrigated.

63-8389

This licensed right is proposed for lease, in part, to the bank. The total right is 1.16 cfs and 261 af for 58 acres. A portion (about 26 acres) overlaps a part of right 2-2431. That part will not be placed into the bank and will continue to be irrigated.

63-9807

This permit is proposed for lease, in its entirety, to the bank. Right 63-361 overlaps a portion (14 acres) of this right.

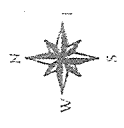
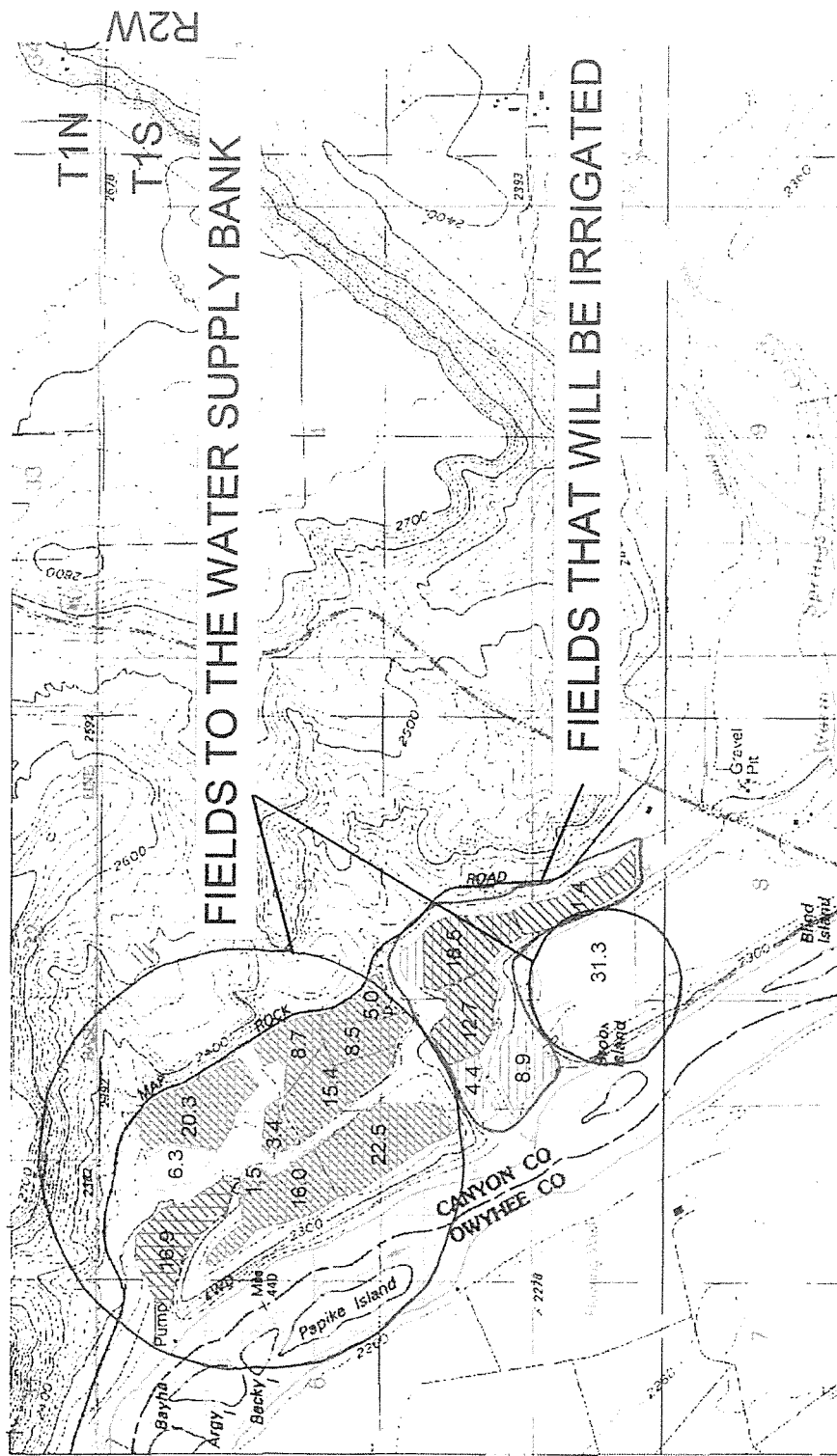
The amounts to be accepted into the bank are as follows:

<u>Water Right</u>	<u>All or Part of Right</u>	<u>Amount to be Leased:</u>		
		<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Acres</u>
2-2240	all	2.25	507	112.5
2-2431	part	1.49	562.5	112.5
combined		2.25	562.5	112.5
63-361	part	0.28	63	14
63-9807	all	0.40	90	20
combined		0.40	90	20
63-8389	part	0.63	140.9	31.3

The remaining parts of each right not leased to the bank are as follows:

<u>Water Right</u>	<u>Remaining Parts not Leased:</u>		
	<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Acres</u>
2-2431	0.83	312.5	62.5
63-361	0.82	185	41
63-8389	0.53	120.1	26.7
combined	1.25	312.5	62.5

McDonough Fair...





Rocks and Gravel

- ☐ 63-8389.shp
- ☐ 63-9807 claim.shp
- ☐ 02-2431.shp
- ☐ 63-361 claim.shp
- ☐ 02-2240.shp
- ☐ Sections
- ☐ T01s02w.shp
- ☐ GCDB01S02W GCDB
- ☐ S1nr2w.shp
- ☐ T01n02w.shp
- ☐ S1sr2w.shp

