

MEMORANDUM

To: Water Right File No(s). 45-2363

From: Monica Van Bussum

Date: April 23, 2012

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

PURPOSE/NARRATIVE: On April 9, 2012, the Department received an application to lease all of 45-2363 to the Water Supply Bank. 45-2363 is supplemental to shares from Oakley Canal Co. The Bank does not normally accept supplemental water rights in the Bank but we've spoken with the consultant and agreed to accept this water right into the Bank since the applicants are looking to sell the supplemental water off the property. The right can only be rented to renters who have a like supply (identical Oakley Canal Co. shares) and we are asking for the type of shares and how much shares are worth in the lease cover letter so hopefully we can have that information ahead of time.

AUTHORITY TO FILE: The application was signed by the right holders.

WATER RIGHT VALIDITY: The right is supplemental and is used only when needed. It has not been needed but the primary rights have continued to be used. Forfeiture is not a concern.

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, particularly in looking at what kind of and how many shares of Oakley Canal Co. water the prospective applicants have.

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 conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:

No concerns cited.