

Nelson, Dan

To: Kidman, Denise; Van Bussum, Monica
Subject: Kirk Egbert Water Supply Bank Leases

Denise and Monica,

I wanted to let you both know that I am going to try to contact Kirk Egbert this week to let him know the results of my reviews of his Water Supply Bank leases. There are several leases, but they only deal with two separate systems, so I have grouped them together. I will refer to each by their section numbers.

Section 23 and Section 26 leases (T6N R35E)

These two leases are pretty straight forward. The only thing that I will be speaking with Mr. Egbert on these leases is the fact that neighbor's pivot passes over this land. He will need to ensure that his neighbor does not inadvertently apply water to this ground. It could be cause for the cancellation of the lease and/or a notice of violation. I have already contacted James Cefalo on these two leases for watermaster comment.

Section 1 and Section 2 (T7N R37E)

These 5 leases are little more difficult. There are two things that are happening with these leases.

- 1.) The water rights for these leases are on a graduated scale for mitigation purposes. The leases are for the 2012 and the 2013 seasons. The water rights for this ground allow 199 acres to be irrigated in 2012 and 204 acres to be irrigated in 2013. Approximately 233 acres are being proposed to be irrigated in 2012 and 2013.
- 2.) There is an existing Water Supply Bank rental agreement on water rights 31-7084, 31-7267A, 31-10964A, and 31-7569 to irrigate 74 acres of the ground described in Section 1 and Section 2. Mr. Egbert leased these water rights to the Water Supply Bank and then rented them out to prevent irrigating lands that were not allowed under the graduated irrigation scale. Per my conversation with Monica, we would prefer that he just reduce the rental amount on the water rights already in the Water Supply Bank.

Therefore, I am going to propose the following to Mr. Egbert:

I propose that Mr. Egbert send a letter to Monica to reduce the amount of water rented from water rights 31-7084, 31-7267A, 31-10964A, and 31-7569 to:

40 acres in 2012

$(74 \text{ acre WB Rental} - (233 \text{ acres proposed Irrigation} - 199 \text{ acres from water rights})) = 40 \text{ acres}$

and

45 acres in 2013.

$(74 \text{ acre WB Rental} - (233 \text{ acres proposed Irrigation} - 204 \text{ acres from water rights})) = 45 \text{ acres}$

I will let Mr. Egbert know that if he plans to irrigate more than the proposed 233 acres he will need to adjust his numbers accordingly. I have a feeling that Mr. Egbert may try to call around to find out what is going on, so I wanted to let everyone know what was happening to avoid mixed messages.

Thank you all for your help on this one.

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IRRigation Allowed

2009

$$130 + 11.1 + 42.9 + 74 = 258 \text{ acres}$$

$$\text{Actual IRRig 2009} = 264.8$$

2010

$$135 + 11.1 + 42.9 + 74 = 263$$

$$\text{Actual IRRig 2010} = 264.8$$

2011

14400's

11900's

WD



$$140^{\frac{1}{2}} + 11.1 + 42.9 + 74 = 268$$

32.2 aCker

39 29

IRrig. Limits 11410 - 11414 - 11428

1 / 2005 - 12/2008 = 120 Acre

2008 - 125

2009 - 130

2010 - 135

2011 - 140 acres - 2.76 CFS 427.49R

2012 145 2.86 CFS 442.49R

2013 150 2.96 CFS

11954 = 11.1 acres

11947 = 42.9 acres

Available

2012 - $145 + 11.1 + 42.9 = 199$ acres.

2013 - $150 + 11.1 + 42.9 = 204$ acres.

CURRENT WB Leases =

20 ac + 38 ac + 16 ac = 74 acres

2013 Acres allowed = 204

2012 Acres allowed with WRS = 199

Proposed irrig = 232.6 acres

Current Rental amount = 74 acres

2012 $232.6 - 199 = 33.6$ acres

2013 $232.6 - 204 = 28.6$ acres

WB Rentals
Needed
FOR each
year.

Amount Rented 2012 = 40 acres

2013 = 45 acres