

MEMORANDUM

TO: Water Right File 47-16828
FROM: Daniel A. Nelson
DATE: October 5, 2011
SUBJECT: Antelope Springs Ranch Water Supply Bank Rental Application

SUMMARY

Marc Brackett, Co-owner of Antelope Springs Ranch filed an application to lease all of water right 47-16828 into the Water Supply Bank for a term of October 31, 2011 to October 31, 2016. Water right 47-16882 is from Ground Water for 1.39 cfs, 437.5 acre feet, to irrigate 125 acres.

This property is within the borders of the Blue Gulch Critical Ground Water Area(BGCGWA), but the lease of this water should not be affected by the BGCGWA. However, any rental of this water right will need to be reviewed by the Idaho Department of Water Resource Hydrology staff to determine if a future rental proposal would cause any injury or harm.

This water right was decreed in the Snake River Basin Adjudication on June 1, 2010. Therefore, there should be no issues with forfeiture.

AUTHORITY TO FILE

The tax lot information and other ownership information suggest that Antelope Springs Ranch is the owner of these water rights. The Idaho Secretary of State Business Search website shows that Marc Brackett and Jared Brackett are to owners of Antelope Springs Ranch. There is also another listing on the Idaho Secretary of State Business Search website for an Antelope Springs Ranch LLC. The Antelope Springs Ranch LLC is listed in Jared Brackett's name only. The property ownership, water right, and the Water Supply Bank lease application are all in the name of Antelope Springs Ranch and not Antelope Springs Ranch LLC. The Water Supply Bank lease was signed by Marc Brackett, but this shouldn't be an issue, since he is listed on the Antelope Springs Ranch documentation.

SUFFICIENCY OF SUPPLY

There is no evidence to suggest that the sufficiency of water supply would be an issue with this water bank lease. This water right is within the BDCGWA, so it will be imperative to ensure that any rental of this water be carefully reviewed.

INJURY

There is nothing to suggest that this water bank lease will cause injury to other water users, and could in fact create a benefit if it is not rented. Any rental of this water right will need to be thoroughly reviewed.

ENLARGEMENT

No enlargement is being proposed.

BENEFICIAL USE

The application proposes beneficial use consistent with conservation of water resources in Idaho.

LOCAL PUBLIC INTEREST

There is nothing in the file to suggest that this water bank lease is not within the local public interest.

WATER DISTRICT

This water right is not within the borders of water district, so no watermaster comment is required.

RECOMMENDATION

I recommend that this water right be accepted into the water bank for a term of 10/31/2011 to 10/31/2016. There are no special conditions that should be required on this water right. It should be noted in the file that a thorough review will be needed prior to renting this water right from the Water Supply Bank.