

MEMORANDUM

TO: File # 51-2229

FROM: Sandy Hemenway

SUBJECT: Water Supply Bank Rental Agreement Review

DATE: 11/15/2010

Season of Use:

Same as on Adjudication Recommendation Report.

Tax Lot Information:

Shows property owned by D.L Schiermeier 142 Brockdale Dr., McCall, ID 83638. When Don Schiermeier was contacted by phone on 11/9/2010, he stated that he owns both places, but to keep the address for the lease application the same as what is on the water right: 29393 Davis Rd., Bruneau, ID 83604.

POU:

The rental application submitted did not include a copy of a map indicating the location of the POU, but did include a copy of the Partial Decree, showing the legal description. The Partial Decree that was issued on 12/1/2000 matches the Adjudication Recommendation Report.

Review:

Notes in the file stated that the License for 51-2229 had been accepted by ASCS in a CRP 10-year set aside program, and beneficial use resumed 10/1/1997.

The file also had notes that stated that the groundwater sources were "supplemental," since assignment of the corporate stock for 624 shares of Capital Stock of Basin Mutual Canal Co (now 2-10236 and 2-10237). After the phone conversation on 11/15/2010 with Mr. Schiermeier, he stated that he purchased all the property that had previously been irrigated by Basin Mutual Canal Co. Running a query, it showed that the water rights had been changed over to Mr. Schiermeier's name from Basin Mutual Canal Co. (surface water source from the Snake River: 2-10236 and 2-10237). Mr. Schiermeier stated that he had not used the groundwater sources since he had purchased the property (5 – 6 years ago) but wanted to retain the water rights in the event there wasn't enough surface water. Mr. Schiermeier had no power records or monitoring records that would have been historical records of use on a regular basis or the amount. Mr. Schiermeier plans on turning on the pumps for the groundwater source periodically to co-mingle with the surface water, and keep the pumps in good working order.

Due to the information above, and since the sole purpose of this water right is "supplemental water," the Sell/Lease Application for 51-2229 is being denied

MEMORANDUM

TO: File # 51-2229 Schiermeier

FROM: Sandy Hemenway

SUBJECT: Water Supply Bank Sell/Lease Agreement Phone Conversation

DATE: 11/9/2010

Today, Donald Schiermeier called in reference to the letter that was sent to him dated 11/4/2010. He stated that he has only used surface water to irrigate the acreage, and has not used the ground water source in 5 – 6 years. He does not have any power records or measurement records for the pump. He was told by the previous owners of the property that he should put this water right in the water bank.

I told Donald that since the source was supplemental water that I would need to talk to Monica Van Bussum, and get back with him by Monday 11/15/2010.

The address shown on the water right and WSB Application, are the ones Donald wants to be used. He does own both places in Bruneau, and the address shown on the Tax Lot information (in McCall).