

MEMORANDUM

TO: Water Right Files 37-155, 37-22249
FROM: Cynthia Bridge Clark
DATE: March 3, 2011
SUBJECT: Review of Application to Lease a Water Right to the State Water Supply Bank

SUMMARY

On March 14, 2007, the Department received an application to lease a portion of water right no. 37-155 to the Water Supply Bank on behalf of Eagles Nest Investment Group, LLC along with a request for change of ownership to split the water right. Water right no. 37-155 was subsequently split into water right nos. 37-22248 and 37-22249. The portion of parent water right 37-155 offered for lease corresponds to right 37-22249 in its entirety.

Water right 37-22249 authorizes diversion of 1.28 cfs from the Big Wood River for irrigation on a 39.8 acre place of use within Section 16, Township 2N, Range 18E. It was offered for lease for an indefinite period of time at the Current Rental Rate. Current Bank policy limits a lease term to a maximum of 5 years with an option to reapply as necessary. Therefore, this lease is approved with term period from 2007-2011.

AUTHORITY TO FILE

The application was signed by Randall C. Budge, attorney, who is recognized as the representative in the water right records.

WATER RIGHT VALIDITY

Water right no. 37-22249 was partially decreed in the Snake River Basin Adjudication on June 29, 2010.

INJURY

No injury is apparent through the lease.

ENLARGEMENT

No enlargement is evident through the lease alone. Rental of water under this right should comply with the existing conditions of the water right and comments should be obtained from the Big Wood River watermaster (Water District 37). Specifically, diversion of water under water right nos. 37-22248 and 37-22249 is limited to a maximum of 1.57cfs.

LOCAL PUBLIC INTEREST

Review staff has no information to suggest this application is inconsistent with the local public interest.

WATER DISTRICT

This water right is administered within water district 37 (Big Wood River).

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES

The lease appears to be consistent with conservation of water resources in Idaho. The applicant/owner has been operating under an approved permit and a right leased with the State of Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS

None. During a telephone conversation with Kevin Lakey, Water District 37 watermaster, indicated he has no concerns.