

MEMORANDUM

To: Water Right File No(s). 65-2307, 65-2538, 65-2541, 65-2546, 65-7817, 65-11362 and 65-11363

From: Monica Van Bussum

Date: August 4, 2011

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

PURPOSE/NARRATIVE: These lease applications were originally received in June of 2007 but were not processed because of our processing backlog. We tried contacting the owners in the spring of 2011 but were unsuccessful, so we returned the applications. They have now been resubmitted and are ready to go.

Most of these water rights do not have combined limits. It appears some of them should. In the approvals, I've tried to allow the extent of the water rights but balance it with common sense about historical use.

AUTHORITY TO FILE: The applications were signed by Harry Bettis, an authorized agent for Black Canyon Partners LLC.

WATER RIGHT VALIDITY: These water rights were partially decreed in the Snake River Basin Adjudication in June 2002 and the original lease applications were received in July 2007, so we had not reached the beginning of the 6th irrigation season from partial decree, and no further forfeiture review is needed.

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.

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 leases appear to be consistent with conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:

The watermaster indicated no concerns (email attached).

Van Bussum, Monica

From: waterdist65 [waterdist65@srvinet.com]
Sent: Monday, August 01, 2011 12:00 PM
To: Van Bussum, Monica
Subject: RE: Water Supply Bank Lease for Bettis/Black Canyon Partners

Hi Monica,

Thank you for this chance to comment.

I spoke with Mr. Bettis shortly after he gained ownership of the Black Canyon Ranch and we discussed how to preserve his water rights in the event they are inactive for a period of time. I believe it is to his best interest to indeed place these rights in the water bank and I believe it is important keep the rights available for those lands.

Judging from the list of rights you provided, it appears he intends to not place his additional rights, numbers 65-10453 and 65-2543 in the water bank which leads me to believe that they are intended to remain active. If this is the case will you please remind Mr. Bettis to keep in touch with me so we can properly account for this diversion and produce diversion records for the land.

Thank you and let me know if you need anything further.

Ron Shurtleff
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Fax: 208-642-1042
E-mail: waterdist65@srvinet.com

From: Van Bussum, Monica [<mailto:Monica.VanBussum@idwr.idaho.gov>]
Sent: July 29, 2011 17:20
To: waterdist65
Subject: Water Supply Bank Lease for Bettis/Black Canyon Partners

Hi Ron,

It's been a few weeks since we've talked. I have a series of Water Supply Bank lease applications for Harry Bettis of Black Canyon Partners in Emmett. They are looking to put all of the following water rights into the Bank:

65-2307
65-2538
65-2541
65-2546
65-2633
65-7817
65-11362
65-11363

Do you have any comment or concern as watermaster? Thanks!

Monica

MONICA VAN BUSSUM

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