

## **MEMORANDUM**

**To:** Water Right File No(s). 45-7317, 45-13981 and 45-13982

**From:** Monica Van Bussum

**Date:** June 20, 2011

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

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**PURPOSE/NARRATIVE:** On May 1, 2009, and again on April 19, 2011, the Department received applications to lease portions of these three rights to the Water Supply Bank.

45-7317 has combined limits with other licenses – 45-7118 and 45-7125 – that indicate some combination of the three rights is for 102 acres of supplemental water on 630 acres of ground. It is clear from the intent of the lease, and because they are putting only 154 acres into the Bank that they are putting primary water into the Water Supply Bank. The 102 acres of supplemental water will now be under 45-7118 and 45-7125.

**AUTHORITY TO FILE:** The applications were signed by Craig Searle, one of the right holders.

**WATER RIGHT VALIDITY:** 45-7317 was partially decreed on May 1, 2005, and the first application to the Bank was received May 1, 2009, so five years had not elapsed between the partial decree and Bank application. 45-13981 and 45-13982 were leased to the Bank from 1995 to May 2010, when they were released from the Bank.

**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:**

A phone message left for the watermaster went unreturned, indicating no concerns.