

MEMORANDUM

To: Water Right File No(s). 45-13904

Associated Files: 45-690, 45-691, 45-7004 and 45-7186A

From: Monica Van Bussum

Date: June 16, 2011

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

PURPOSE/NARRATIVE: On November 15, 2010, we originally received this applications to lease a portion of the water rights into the Bank. These had been returned to the applicant pending amendment and were received again April 19, 2011. All of these water rights overlap to some extent, but 45-7004A, 45-7186A and 45-13904 have POU's distinct from each other, and 45-690 and 45-691 overlap wholly with the others, but are limited in extent to a relatively small portion. 45-13904 is the only water right of the group to conclusively irrigate the POU that will be idled, so it is the only one accepted into the Bank. However, the associated rights need the permissible place of use (PPU) reduced by the amount in the Bank. The PPU before the lease was 1,863 acres, but the lease will reduce the PPU by 42 acres, making the PPU now 1,821 acres. There is a condition on the lease to this effect and this memo will be scanned to all the files, which should make administration of the water rights easier.

AUTHORITY TO FILE: The applications were signed by Craig Searle, one of the owners of Moo View Cow Palace.

WATER RIGHT VALIDITY: Parent right 45-7186B was partially decreed in the SRBA in May 2005. 2005 and 2007 imagery indicate evidence of irrigation.

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 conversation with Brian Higgs, Watermaster for Water District 140, on June 16, indicates no concerns.

SEARLE MOO VIEW COW PALACE
WATER BANKED ACRES, RENTED, & AVAILABLE ACRES, WITH PPU & POU
NAIP 2009 AERIAL

☒ Party of Borrower
☐ Address
☐ Principal, PFI, 2315 + 203 + 6276
☐ Graham, Lynn
☐ CD, Bank
☐ Domestic, Foreign
☒ Addressable to Voter Group 5, AC
☒ \$5,000, 20 Acres in a Tract of 500 AC
☒ N