

MEMORANDUM

TO: Water Right File 36-7882B and 36-15360
FROM: Daniel A. Nelson
DATE: May 12, 2011
SUBJECT: Triple T Farm Water Supply Bank Rental Application

SUMMARY

Ryan Teleford Partner for Triple T Farm filed two applications to lease 15.1 acres of water rights 36-7882B and 36-15360 for an indefinite term on November 2, 2009. Water right 36-7882B is from Ground Water for 7.85 cfs, for 639.5 acres. Water right 36-15360 is from ground water for 6.12 cfs, for 562 acres. When water rights 36-7882B and 36-15360 are combined they are limited to the 9.11 cfs and 2558 af for the irrigation the 639.5 acres described in both water rights.

The lease applications do not specify a specific diversion rate, but do list the acres, and a request that both water rights be used. Both water rights are a complete overlap 562 of the 639.5 permissible place of use. 77.5 acres of the 639.5 acres are covered only by water right 36-7882B. Since the applicant suggested that both rights be used, this information should only be used for background information. I will go through the splits of the water rights in the recommendation portion of this memo.

The 15.1 acres was irrigated in 2006, therefore there should be no forfeiture issues. It does appear as though the 15.1 has not been irrigated from 2009 forward, so the term of the application can begin in 2009

AUTHORITY TO FILE

The tax lot information and other ownership information suggest that Triple T Farm is one of the owner of these water rights. The Idaho Secretary of State Business Search website shows that Ryan Teleford is a member of Triple T Farm and has the authority to sign this application.

SUFFICIENCY OF SUPPLY

There is no evidence to suggest that the sufficiency of water supply would be an issue with this water bank lease.

INJURY

There is nothing to suggest that this water bank lease will cause injury to other water users.

ENLARGEMENT

No enlargement is being proposed.

BENEFICIAL USE

The application proposes beneficial use consistent with conservation of water resources in Idaho.

LOCAL PUBLIC INTEREST

There is nothing in the file to suggest that this water bank lease is not within the local public interest.

WATER DISTRICT

Water District 130 watermaster has been contacted, and responded that the lease application was acceptable. The watermaster did have some concerns over the acreage amount, so I called and went over the information with her. After my telephone call, she agreed with my assessment of the acres remaining and the being retired by water bank lease.

RECOMMENDATION

I recommend that these water rights be accepted into the water bank for a term of 11/2/2009 to 11/2/2014. The water rights splits and conditions for this water bank lease will need to be as follows:

Water Right 36-7882B – Portion Being Leased to the Water Bank

0.19 cfs – 15.1 acres

Water Right 36-7882B – Portion Remaining for Irrigation

7.66 cfs – 624.4 acres

Water Right 36-15360 – Portion Being Leased to the Water Bank

0.16 cfs – 15.1 acres

Water Right 36-15360 – Portion Remaining for Irrigation

5.96 cfs – 546.9 acres within the 624.4 acre permissible place of use

When the portion being leased to the water bank is combined water rights 36-7882B and 36-15360 are limited to 0.22 cfs, 60.4 af, and 15.1 acres.

When the remaining portion is combined water rights 36-7882B and 36-15360 are limited to 8.89 cfs, 2498 af, and 624.4 acres.

Acres per forty acre tract:

T6S R21E S22 NWSE = 1.6 acres leased – leaving 38.4 acres

T6S R21E S22 SWSE = 4.3 acres leased – leaving 35.7 acres

T6S R21E S23 SWSW = 5 acres leased – leaving 35 acres

T6S R21E S23 SESE = 4.2 acres leased – leaving 33.8 acres

Total Leased acres = 15.1 acres

Total Remaining acres in T6S R21E S22 = 268.6 acre

Total Remaining acres in T6S R21E S23 = 355.8 acres

Total for PPU = 624.4