

MEMORANDUM

To: Water Right File No(s). 36-7026

From: Monica Van Bussum

Date: May 5, 2011

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

PURPOSE/NARRATIVE: This application to lease 38 acres of right 36-7026 was received by the Department on December 5, 2008. The application said the applicants wanted a year-to-year lease. I spoke with Daryl and Ilene Serr's son, Ryan, on March 9, 2011, and confirmed their continued intent to lease for the full 5-year period. Daryl Serr has passed away but Ilene is still living and Ryan runs the farm. I spoke with Ryan about a change of ownership for the right to remove his father from the right and leave his mother as an owner.

AUTHORITY TO FILE: The application was filed by both Daryl and Ilene Serr.

WATER RIGHT VALIDITY: The water right was decreed in the Snake River Basin Adjudication (SRBA) in 2001 and the application was filed in 2008. The acres accepted into the Bank were covered under the Magic Valley Groundwater District's mitigation plan between 2004 and 2006 (see email from watermaster Cindy Yenter, attached). The applicants sought to put 38 acres into the Bank, but only 24.1 acres were accepted into the mitigation plan and the watermaster's records indicate 267 of the 291 acres authorized have been irrigated, leaving 24 acres to be leased. Therefore, 24.1 acres will be leased to the Bank.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident through the lease. 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. The applicant/owner has been operating under an approved permit and a right licensed with the State of Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:

See attached email from Cindy Yenter, Watermaster for Water District 130.