

MEMORANDUM

To: Water Right File No(s). 51-13005, 51-13006, 51-13007, 51-13008, 51-13011, 51-13014, 51-13035 and 51-13037

From: Monica Van Bussum

Date: October 15, 2010

Re: Review of Applications to Lease Water Rights to the Water Supply Bank

PURPOSE/NARRATIVE: Dan Nelson reviewed the previous packet of applications for the Standlee/M&W KMA rights and much of his earlier memos still stand. However, on further review, we found an overlap with 51-7108A (the acreage in 09S 12E 26 NESE and NWSE). The overlap itself appears to be the result of an error and correspondence with Greg Sullivan at Brockway indicates they will try to fix it through a transfer later. However, we needed a more immediate solution with the Bank. They will not place parts of 51-13005, 51-13006, 51-13011 and 51-13014 into the Bank and reduced the acreage under 51-13037.

AUTHORITY TO FILE: Applications were signed by the president of M&W KMA, Michael Standlee, who is also an authorized signer for Standlee Family Limited Partnership.

WATER RIGHT VALIDITY: The rights were decreed in 2007, so 5 years of non-use have not elapsed.

INJURY TO OTHER WATER RIGHTS: Proper rental review should protect against injury. No injury is apparent from lease.

ENLARGEMENT OF USE: Proper rental review should protect against enlargement, as these new rights all have combined limits.

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:

None.