

MEMORANDUM

To: Water Right File No(s). 63-32484

From: Monica Van Bussum

Date: April 15, 2011

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

PURPOSE/NARRATIVE: On April 11, 2011, the Department received an application to lease all of 63-32484 to the Water Supply Bank for a 5-year period. This application had previously been denied for ownership issues. The issues are now resolved – the application was submitted with a change of ownership which has been completed – and we can accept the right into the Bank.

AUTHORITY TO FILE: The application was signed by Steven Smith and Robert Phillips of SCS. The Idaho Secretary of State's website shows an annual report listing Kenneth Christensen as the representative for SCS. However, the SOS website indicates Robert Phillips signed the annual report on behalf of Kenneth Christensen.

WATER RIGHT VALIDITY: The water right was partially decreed by the SRBA in 2009, leaving less than 5 years since the partial decree, so no further review is needed.

INJURY TO OTHER WATER RIGHTS: No injury is evident. This does appear to be a supplemental right to Settlers Irrigation District, so we will need evidence about use under the right before rental is allowed.

ENLARGEMENT OF USE: No enlargement is apparent 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. 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.