

MEMORANDUM

To: File(s) 37-457A and 37-457B

From: Monica Van Bussum

Date: April 4, 2011

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

PURPOSE/NARRATIVE: On February 28, 2011, the Department received applications to lease 37-457A and 37-457B and to rent them as well. This is pursuant to a private agreement between the lessor and renter.

The renter is technically Sun Valley Co. However, Sun Valley Co. is allowing Idaho Foundation for Parks & Lands to utilize some of the water on Idaho Foundation lands.

Douglas Bradshaw, the lessor, used to also be the owner of the land under 37-457B. That land is currently owned by the Idaho Foundation for Parks & Lands, Inc. The renter (Idaho Fdn.) is renting 37-457B to put it back on the original POU, once owned by Bradshaw.

This is all part of a private agreement, which was attached to the rental application.

The original application submitted did not contain a comprehensive legal description. However, I received a shapefile from the rental applicant's engineer, Larry Jones of Benchmark Associates, which gave me the needed information. I have included a spreadsheet showing the acreage breakdown per the shape. The original shape from Larry included some additional acres. I sent the spreadsheet to Scott Campbell, the applicants' attorney, and Larry and they provided confirmation the acreage I had calculated (listed under Bank approval on the spreadsheet) was correct for the rental.

AUTHORITY TO FILE: The rental application was signed by Wallace Huffman, President of the Sun Valley Co.

WATER RIGHT VALIDITY: The leased rights 37-457A and 37-457B have already been accepted to the Bank.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident.

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:

Kevin Lakey, watermaster for Water District 37, indicated no concerns.

Sec	QQ	App acres	Bank acceptance	Shape acres	Areas of discrepancy between approval and shapefile
5	SENW	0.2	0.2	0.2	0
5	NWSW	2.3	2.3	2.2	-0.1
6	NESW		0.4	0.4	
6	NESE	0.3	0.3	1	0.7
6	SESE		2.2	2.2	
6	NWSE		1.6	1.6	
6	SWSE		1.2	1.2	
	Unknown	12.2			
7	SESW		2.4	2.4	
7	NENW	0.9	0.9	0.9	
7	NENE		0.4	0.4	
7	SENW	0.5	0.5	0.5	
7	SWSE		2	2	
7	NWNE	0.2	0.2	0.3	0.1
18	NENW		1.3	1.3	
18	SESW		0.4	0.4	
19	NENW	29.8	29.8	29.3	-0.5
19	NWNW		0.3	0.3	
19	SENW	10.6	10.6	23.5	12.9
		57	57	70.1	13.1