

MEMORANDUM

TO: Water Right File 61-7459
FROM: Daniel A. Nelson
DATE: March 15, 2011
SUBJECT: Robert Worthham Water Supply Bank Rental Application

SUMMARY

Robert Wortham filed an application to lease all of water right 61-7459 for an indefinite term on June 18, 2010. Water right 61-7459 was decreed on January 15, 2001. Water right 61-7459 was decreed for 0.22 cfs and 60.1 AF for 15 acres of irrigation and stock water.

A change of ownership for this water right was filed on June 10, 2009, which changed the ownership of this water right from James W. Grimmett to Robert E. or Linda I. Wortham. All of the proper ownership documentation has been supplied, and the ownership process has been completed.

A review of the aerial photography for this water right suggests that it has not been used since prior to 2001 when the water right was decreed. The LandSat photos and NAIP photography don't show any significant irrigation of this property. The only year that even suggests possible irrigation was 2003, which is still seven years prior to placing this water right into the water bank.

AUTHORITY TO FILE

The tax lot information and other ownership information suggests that Mr. Wortham is the current owner of the property, and has the authority to file and sign this application.

SUFFICIENCY OF SUPPLY

There is an issue with water supply in the Mountain Home area. The aquifer in the Mountain Home area has been dropping approximately 1 to 2 feet per year. This water right does not appear to have been used since prior to 2001, which could enhance the lowering aquifer in this aquifer if it is put back into production.

INJURY

There is evidence to suggest that this water right has surpassed the time period allowed for forfeiture of the water right. To rent this water right could cause injury to other water users in this area.

ENLARGEMENT

No enlargement is being proposed.

BENEFICIAL USE

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

LOCAL PUBLIC INTEREST

This area has struggled for years with falling aquifer levels. If a water right that has not been used for last ten years or so is placed back into production, it could raise issues that could be considered to be not in the public interest.

WATER DISTRICT

Ground water in the area described by this water right is not currently being regulated by a watermaster.

RECOMMENDATION

I recommend that this water right not be accepted into the water bank until a formal administrative review of the current validity of the water right is addressed.