

MEMORANDUM

TO: Water Rights File 65-22627
FROM: Daniel A. Nelson
DATE: March 17, 2011
SUBJECT: Michael W. and Patricia A. Baker Water Supply Bank Rental Application

SUMMARY

Michael W. and Patricia A. Baker filed a water bank application to lease all of water right 65-22627 to the water supply bank. This water right was decreed to the Bakers on March 26, 2002 for 1.12 cfs, 21 AF, and 6 acres for Irrigation and Domestic uses. A Warranty Deed associated with a previous Change of Ownership and tax lot information show that the Bakers are the current owners of this property.

This application was filed on December 24, 2008, which creates a seven year period between the time the water right was decreed and the time that the water bank application was filed. A review of the LandSat and NAIP photos show that no irrigation has occurred from 2002 through 2010, which suggests that this water right may no longer be valid.

AUTHORITY TO FILE

The tax lot information and other ownership information suggest that Bakers are the current owners of the property. Mr. and Ms. Baker both signed this application providing the necessary authority to file and sign this application.

SUFFICIENCY OF SUPPLY

There is no evidence to suggest that the sufficiency of water supply would be an issue for this water bank lease.

INJURY

There is nothing to suggest that putting these water rights into the water bank would cause injury to other water users.

ENLARGEMENT

No enlargement is being proposed.

BENEFICIAL USE

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

LOCAL PUBLIC INTEREST

There is a concern that placing this water right into the water bank after not being used for over 5 years would not be in the public interest.

WATER DISTRICT

Ground water in the area described by this water right is not regulated by a watermaster, so no watermaster comment is necessary.

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.