

MEMORANDUM

TO: Water Right File 63-27214
FROM: Daniel A. Nelson
DATE: March 8, 2011
SUBJECT: Boise State University Water Supply Bank ^{Lease} ~~Rental~~ Application

SUMMARY

Lori Graves of SPF Water Engineering filed an application to lease a portion of water right 63-27214 on behalf of Boise State University for an indefinite term on July 28, 2009. Stacy Pearson, Vice President of Finance and Administration for Boise State University signed the application. Water right 63-27214 was decreed on April 29, 2009 for 0.87 cfs, 196.7 AF and 43.7 acres of irrigation from ground water. This water right is a ground water right that supplements South Boise Water Company canal shares. The applicant wishes to place 0.27 cfs, 61.7 AF, and 13.7 acres into the water bank, which will leave 0.60 cfs, 135 AF, and 30 acres of this supplemental water right will continue to be used at the current location.

Boise State University has been the only holder of this water right, and the tax lot information shows that all of the lands are owned by Boise State University. Therefore, ownership doesn't appear to be in question.

Water right transfer number 75807 was recently filed on this water right. This water right transfer was approved in June of 2010 to allow the 43.7 acres to be used within a 115 acre permissible place of use within the University's campus. A second water right transfer number 75808 was filed to move water from the campus to a new location. The transfer review memo composed by Angie Grimm for both of these applications is attached to this memo.

AUTHORITY TO FILE

The Vice President Finance and Administration for Boise State University, Stacy Pearson, signed the application for lease. Review of the Boise State University website confirms that Ms. Pearson is the current Vice President Finance and Administration for Boise State University and it appears as though Ms. Pearson has the authority to 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. Please review Ms. Grimm's water right transfer memo for additional information.

ENLARGEMENT

No enlargement is being proposed. Please review Ms. Grimm's water right transfer memo for additional information. Ms. Graves did supply a maps and shape files showing the ground currently being irrigated by this water right. These maps and shape files suggest that 30.7 acres are currently being irrigated. However, the university is currently involved in construction projects that will reduce the number of acres being irrigated to or below the 30 acre amount. One of the current construction projects is located at the southwest corner of the campus at University and Capital Boulevard. Additional expansion projects are being proposed to the stadium that will further reduce the irrigation around the north side of the stadium located on the eastern side of the campus. It is highly unlikely that the Boise State University will be irrigating more than 30 acres from this point forward.

BENEFICIAL USE

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

LOCAL PUBLIC INTEREST

There is nothing to suggest that these are not in the local public interest. Please review Ms. Grimm's water right transfer memo for additional information.

WATER DISTRICT

Ground water in the area described by this water right is considered to tributary to the Boise River. However, ground water is not currently being regulated by the Boise River watermaster. Therefore, watermaster comment was not sought. Watermaster comments may be needed for rental of this water once the Boise River watermaster begins regulating ground water in this area.

RECOMMENDATION

I recommend that 0.27 cfs, 61.7 af, and 13.7 acres of water right 63-27214 be leased to the water bank, which will leave 0.60 cfs, 135 af, and 30 acres that will continue to be used as a supplemental water right to South Boise Water Company at the current location. Any rental of this application must be done by a water user with comparable shares in the South Boise Water Company, and the water user must also be within the area where ground water is considered to be tributary to the Boise River. The lease term will need to be prorated from July 28, 2009 to July 28, 2014.