

MEMORANDUM

To: Water Right File No(s). 45-167A

From: Monica Van Bussum

Date: March 28, 2011

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

PURPOSE/NARRATIVE: On July 28, 2010, the Department received an application to lease all of 45-167A to the Bank for an indefinite period.

There is an overlap with 45-14018, the applicant's domestic right. However, the well was drilled in 1987 and there was testimony at trial in the SRBA indicating the surface water right had stopped being used on this property for irrigation. Presumably, after surface water stopped being used, the domestic well began to be used for lawn and garden irrigation. Therefore, there is no risk of enlargement.

AUTHORITY TO FILE: The right holder signed on her own behalf.

WATER RIGHT VALIDITY: The water right was partially decreed by the SRBA Court on February 27, 2008, leaving less than 5 years between the partial decree date and the application date.

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:

None.