

MEMORANDUM

To: Water Right File No(s). 22-223, 22-355, 22-13000, 22-13001, 22-13002, 22-13003, 22-13004, 22-13005, 22-13006, 22-13007, 22-13008, 22-13009, 22-13010, and 22-13011 (12.0 cfs and 1050 AF)

From: Monica Van Bussum

Date: March 17, 2011

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

PURPOSE/NARRATIVE: There are two rentals for most of these water rights. This memo is for the small rental, as noted in the "To" field above.

By email on May 11, 2010, Rob Harris, attorney for the lessor/renters applied to extend these lease/rentals for 2010-2014. On May 20, 2010, the Department received a paper copy of the extension request. This was returned for additional information on July 12, 2010. I spoke with Rob Harris on March 11, 2011, and we decided the Department had enough information to go on. These lease/rentals were originally granted for 2005-2009 and will now be granted for 2010-2014.

The 2005-2009 agreement authorized a diversion rate of 0.3 cfs and an annual volume of 17.5 AF for a change in nature of use from irrigation to aesthetic and storage. The 2005-2009 agreement did not take into account the volume reduction for the change in nature of use, which would have reduced the rental amount from 3.5 AF/ac rented to 2.5 AF/ac rented. This means the renter needs to pay for the full volume rented of 17.5 AF but is only allowed to divert 12.5 AF.

Each right offered needed to contribute, so I used a spreadsheet to calculate the contributions (attached). For those rights whose contributions calculated at 0.00 for cfs or acres, I increased the amount on the rental document to 0.01. For those rights whose contributions calculated at 0.0 for volume, I increased the volume to 0.1 AF for record-keeping purposes. This did not alter the total volume to be rented. This was only for record-keeping.

AUTHORITY TO FILE: The applications were signed by Arnold Woolstenhulme, Secretary of Trail Creek Irrigation Co., and John Winger, President of Trail Creek Irrigation Co.

WATER RIGHT VALIDITY: The rights were accepted into the Bank in 2005.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is apparent.

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.

WR#	Renumbered?	Priority date	WR CFS	WR AF	WR AC	% CFS CONTRIBUTING TO TOTAL	RENTAL CFS	RENTAL AF	CONSUMPTIVE VOLUME	RENTAL AC
22-90		1/22/1916	1.6	NA	6758.4	0.0057	0.00	0.10	0.1	0.03
22-524		DISALLOWED		NA		0.0000	0.00	0.00	0.0	0.00
22-602A	22-13553	9/1/1889	0.28	NA		0.0010	0.00	0.02	0.0	0.00
22-223		4/1/1889	3.2	NA		0.0113	0.00	0.20	0.1	0.06
22-355		6/1/1889	0.4	NA		0.0014	0.00	0.02	0.0	0.01
22-13000		4/1/1890	11.24	NA		0.0397	0.01	0.70	0.5	0.20
22-13001		7/15/1890	3	NA		0.0106	0.00	0.19	0.1	0.05
22-13002		6/1/1893	4.8	NA		0.0170	0.01	0.30		0.08
22-13003		7/1/1894	13.62	NA		0.0481	0.01	0.84		0.24
22-13004		7/15/1895	12.4	NA		0.0438	0.01	0.77		0.22
22-13005		6/1/1897	31.84	NA		0.1125	0.03	1.97	1.4	0.56
22-13006		8/15/1896	8.4	NA		0.0297	0.01	0.52	0.4	0.15
22-13007		10/28/1894	7.7	NA		0.0272	0.01	0.48	0.3	0.14
22-13008		6/1/1898	7.8	NA		0.0276	0.01	0.48		0.14
22-13009		6/1/1902	1.4	NA		0.0049	0.00	0.09	3.0	0.02
22-13010		6/1/1903	1.6	NA		0.0057	0.00	0.10	3.1	0.03
22-13011		1/22/1916	173.71	NA		0.6138	0.18	10.74		3.07
Totals			282.99	0	6758.4		0.30	17.50	12.5	5.0

Consumptive volume is 2.5 multiplied by number of acres that would have been at under the rental, which is 5.0 acres. 5.0 times 2.5 equals 12.5 AF.

For this agreement I need 0.3 cfs, 17.5 AF and figure out how many acres for irrigation

0.3	CFS	
17.5	AF	
5	AC	*5 acres according to 2005 rental agreement

WR#	Renumbered?	Priority date	WR CFS	WR AF	WR AC	% CFS CONTRIBUTING TO TOTAL	RENTAL CFS	RENTAL AF	CONSUMPTIVE VOLUME	RENTAL AC
22-223		4/1/1889	3.2	NA	6758.4	0.0114	0.14	11.95	8.5	
22-355		6/1/1889	0.4	NA		0.0014	0.02	1.49	1.1	
22-13000		4/1/1890	11.24	NA		0.0400	0.48	41.98	30.0	
22-13001		7/15/1890	3	NA		0.0107	0.13	11.21	8.0	
22-13002		6/1/1893	4.8	NA		0.0171	0.20	17.93	12.8	
22-13003		7/1/1894	13.62	NA		0.0485	0.58	50.87	36.3	
22-13004		7/15/1895	12.4	NA		0.0441	0.53	46.32	33.1	
22-13005		6/1/1897	31.84	NA		0.1133	1.36	118.93		34.0
22-13006		8/15/1896	8.4	NA		0.0299	0.36	31.38		9.0
22-13007		10/28/1894	7.7	NA		0.0274	0.33	28.76		8.2
22-13008		6/1/1898	7.8	NA		0.0277	0.33	29.13	20.8	
22-13009		6/1/1902	1.4	NA		0.0050	0.06	5.23	3.7	
22-13010		6/1/1903	1.6	NA		0.0057	0.07	5.98	4.3	
22-13011		1/22/1916	173.71	NA		0.6179	7.42	648.84		185.4
Totals			281.11	0	6758.4		12.00	1050.0	158.6	236.5
								827.9	986.5	

Consumptive volume is 1050 AF (total volume to be rented) minus the volume of the rights where there was a change in nature of use and the consumptive volume is added back in. This is 1050 AF minus 827.9 AF plus 158.6 AF, which equals 986.5 AF (cell above).
Rental limited to 986.5 AF.

CFS per beneficial use	
2.08	diversion to storage and aesthetic storage; sum of leases 22-223, 22-355, 22-13000, 22-13001, 22-13002, 22-13003, 22-13004
9.46	irrigation; sum of leases 22-13005, 22-13006, 22-13007 and 22-13011
0.46	commercial; sum of leases 22-13008, 22-13009 and 22-13010

For this agreement I need 12.0 cfs, 1050 AF and 236.5 acres for irrigation

12 CFS
1050 AF
236.5 AC