

MEMORANDUM

TO: Water Right File 63-33363
FROM: Daniel A. Nelson
DATE: February 17, 2011
SUBJECT: Pat Thacker Water Supply Bank Lease Application

SUMMARY

Roxanne Brown of SPF Water Engineering L.L.C. has filed a water bank lease application for water right 34-33363 for Pat Thacker. The lease application requests to place all of water right 63-33363 into the water Bank. The application to lease to the water bank for water right 63-33363 was filed on February 5, 2010, for an indefinite period of time.

The ownership trail for this water right was very difficult to track, but I am confident that this water right is legally owned by Pat Thacker and/or Judi Thacker. There was not a shape file created for water right 63-33363. I was able to find 1 acre of ground that was not irrigated in 2004, that was not covered by a possible overlapping water right 63-31214. Please see the attached map for the 1 acre without an overlapping water right. The acre described, should be used as the place of use for 63-33363.

AUTHORITY TO FILE

The application was signed by Pat Thacker who is one of the co-owners of this water right. The water right in the name of Pat Thacker and/or Judi Thacker, so Mr. Thacker does have the authority to sign the application.

SUFFICIENCY OF SUPPLY

There is no evidence to suggest that there is a lack of ground water in this area, and there has been no rental to move the water right to a separate area. If the water is moved, that will need to be addressed at that time.

INJURY

If the 1 acre shown on the attached map is used, I cannot find any issues of possible injury.

ENLARGEMENT

No enlargement has been proposed. There could be an enlargement if lands under water right 63-31214 is used, but if the 1 acre shown on the attached map is used, enlargement should not be an issue.

BENEFICIAL USE

The proposed use is a beneficial use of ground water.

LOCAL PUBLIC INTEREST

There is no evidence that this application is not within the local public interest.

WATER DISTRICT

There is no water district involved with this ground water right.

RECOMMENDATION

I recommend that all of water right 63-33363 be lease to water bank from 2/5/2010 to 2/5/2015. This water right is based on a license, so there has not been any protection from the Snake River Basin Adjudication. The land hasn't been irrigated after 2006, therefore, it would be in client's best interest to place the water right into the bank as of the date of the water bank filling to avoid any forfeiture issues.



T5N R2W S5 SESW

Water Right 63-31214

**Acres Retired
for Board Lease
under Water Right
63-33363**