

MEMORANDUM

To: Water Right File No(s). 37-5, 37-833R AND 37-466

From: Monica Van Bussum

Date: February 14, 2011

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

PURPOSE/NARRATIVE: On June 3, 2008, the Department received applications to lease all of 37-5 and 37-833R to the Water Supply Bank.

Accompanying the lease applications was a lease/rental combination application for 37-466 for 2009 and 2010. That application was not processed and a phone conversation with the applicant's attorney Paul Arrington on February 14, 2011, indicates they no longer need the lease/rental because Transfer 74856 was approved on February 12, 2010.

This approval memo only concerns leases for 37-5 and 37-833R.

AUTHORITY TO FILE: The applications were signed by John Flynn. A check of the Idaho Secretary of State's business listing indicates John Flynn is both Treasurer and Secretary of Deer Creek Ranch.

WATER RIGHT VALIDITY: 37-5 was partially decreed in the SRBA on June 29, 2010, and 37-833R was partially decreed on May 13, 2009.

INJURY TO OTHER WATER RIGHTS: No injury is apparent through the lease.

ENLARGEMENT OF USE: No enlargement is evident through the lease alone. Proper rental review will protect against enlargement.

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. A phone conversation with Kevin Lakey, Water District 37 watermaster, indicates no concerns.