

MEMORANDUM

To: Water Right File No(s). 65-23370, 65-23371, 65-23372 AND 65-23373
From: Monica Van Bussum
Date: December 10, 2010
Re: Review of Application to Lease a Water Right to the State Water Supply Bank

PURPOSE/NARRATIVE: On December 15, 2008, the Department received applications to lease all of water rights 65-2399 and 65-3185 to the Water Supply Bank. These rights were subsequently split into 65-23370 (Timberline), 65-23371 (KDB), 65-23372 (Timberline) and 65-23373 (KDB) by change of ownership. SPF Engineering represents both Timberline and KDB. I contacted Roxanne Brown from SPF Engineering and she said Timberline wanted to pursue leasing all of its rights to the Bank and KDB wanted to lease all except the mitigation portions of its rights.

AUTHORITY TO FILE: The applications were signed by Michael Mailhot, a representative of Timberline.

WATER RIGHT VALIDITY: A review of aerial photography indicates these acres were irrigated in 2004. Since we received the applications in 2008, five years had not elapsed.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: Proper rental review should protect against enlargement. 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.