

## **MEMORANDUM**

**To:** Water Right File No(s). 63-5387

**From:** Monica Van Bussum

**Date:** January 27, 2011

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

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**PURPOSE/NARRATIVE:** On July 15, 2008, the Department received an application to lease all of water right 63-5387 to the Water Supply Bank.

**AUTHORITY TO FILE:** The application was filed in the name of Avimor LLC on behalf of the owner, First American Title Insurance Co. Trust No. 8562 for Benefit of SunCor LLC. The application was filed with authorization from First American Title Insurance Co. Subsequently, the Department received an assignment of application to on December 14, 2010. The authorization was inadvertently put on an assignment of application to rent water. However, it clearly pertains to the lease.

Therefore, we have an application to lease water from Avimor Partners LLC with authorizations from First American Title Insurance and SunCor.

**WATER RIGHT VALIDITY:** The water right was partially decreed in the SRBA on March 13, 2007.

**INJURY TO OTHER WATER RIGHTS:** No injury is apparent.

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

**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.