

MEMORANDUM

To: Water Right File No(s). 29-51 and 29-11277
From: Monica Van Bussum
Date: January 24, 2011
Re: Review of Application to Lease a Water Right to the State Water Supply Bank

PURPOSE/NARRATIVE: On December 30, 2010, I received an email copy of Portneuf Irrigating Co's application to lease 600 acres of 29-51 and 29-11277 to the Water Supply Bank.

It is important to note the unique seasons of use on these water rights. 29-51 was partially decreed for 4/16 to 9/30. 29-11277 was partially decreed for 4/1 to 10/31 with a condition saying its administration was governed by a settlement agreement filed with the SRBA court in 2005. The settlement agreement indicates 29-11277 is an extended season right for 4/1 to 4/15 and 10/1 to 10/31. The lease acceptance reflects the season of use being for the extended season because the acceptance should be for what water is available. A copy of the settlement agreement is titled "Portneuf River Settlement Agreement Basin 29: Portneuf River" and is in the backfile for 29-11277. An email from Chris Robinson of Portneuf Irrigating Co regarding my question about this is attached to this memo.

AUTHORITY TO FILE: The applications were signed by Chris Robinson, who is listed as president on the Secretary of State's business entities search.

WATER RIGHT VALIDITY: Partial decrees were issued in the SRBA for these rights on January 6, 2006.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident from 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. The watermaster did say that extra flow in this area has been used to satisfy junior rights
