

MEMORANDUM

To: Water Right File No(s). 63-31833
From: Monica Van Bussum
Date: January 19, 2011
Re: Review of Application to Lease a Water Right to the State Water Supply Bank

PURPOSE/NARRATIVE: On March 26, 2010, the Department received an application from the Idaho Shakespeare Festival to lease 9.5 acres of 63-31833 to the Water Supply Bank for an indefinite period.

It is important to note the right is for an irrigation company with a large POU. The original right was for 10 acres and ISF seeks to lease 9.5 acres. Therefore, the quantities leased are those that would be associated with 9.5 acres. 9.5 acres of irrigated ground leased at 4.5 AF/ac gives 42.75 AF with the associated 0.19 cfs.

AUTHORITY TO FILE: Idaho Shakespeare Festival is not the right holder, but I received a letter on January 13, 2011, from the right holder, Boise Valley Irrigation Ditch Company, stating they allow ISF to lease the right to the Bank.

The letter from BVIDC does not indicate who payment should go to if this right is rented. I informed their attorney, Michael Creamer of Givens Pursley, by email on January 19, 2011, that we would need additional correspondence regarding payment recipient if this right is rented.

WATER RIGHT VALIDITY: The right was partially decreed on February 19, 2009.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident and proper rental review should 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.