

MEMORANDUM

To: Water Right File No(s). 37-7465A

From: Monica Van Bussum

Date: November 26, 2010

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

PURPOSE/NARRATIVE: On November 28, 2008, and again on November 4, 2010, the Department received applications to lease a portion of 37-7465A to the Bank. The November 4, 2010, application was to put 31 acres of irrigated acres into the Bank.

AUTHORITY TO FILE: The application was signed by Wallace Neal Bowman, one of the right holders. Mr. Bowman also included a quitclaim deed showing he owns the whole water right. No change of ownership accompanied the application, but I have been in contact with the watermaster over the change of ownership and that should be taken care of in time. This does not effect the Water Supply Bank application, as we only needed one right holder to sign and clearly Mr. Bowman is one of the right holders.

WATER RIGHT VALIDITY: An application for extension of time to avoid forfeiture was signed by Gary Spackman on November 7, 2003, and stated the right holder needed to resume beneficial use on or before December 1, 2008. The Department received the lease application on November 26, 2008.

INJURY TO OTHER WATER RIGHTS: No injury is evident.

ENLARGEMENT OF USE: Proper rental review should protect against enlargement. No enlargement is apparent from the lease.

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. I have been in consultation with Watermaster Cindy Yenter (Water District 130) multiple times over this and she greatly advocates the lease. Her emails are attached.