

MEMORANDUM

To: File(s) 43-2009, 43-2325, 43-4112

From: Monica Van Bussum

Date: December 13, 2010

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

PURPOSE/NARRATIVE: On November 10, 2010, the Department received an application from Cleft of the Rock Farms (hand delivered) to renew this rental for a 5-year period (2011, 2012, 2013, 2014 and 2015). At that time, the lease was only active through December 31, 2010.

On December 13, 2010, the Department received a request from the lessors to extend the lease through 2011, allowing us to extend this rental through 2011.

43-2009: Per Aaron Marshall's memo of March 12, 2010 (in file), right 43-2009 is not to be rented during its tenure in the Bank. It would be helpful to more fully explain 43-2009 and why it is not rented. 43-2009 is a late priority date (1928) on the Raft River and is probably not available very late into the year. There is a question as to whether renting only 43-2325 and 43-4112 would enlarge the use of ground water. There is no evidence to suggest this because the Raft River right is not used very often and not renting it from the Bank allows for its protection while not enlarging the use.

The proposed pivot was developed, according to 2010 imagery.