

MEMORANDUM

To: Water Right File No(s). 36-196, 36-15536, 36-16555
From: Monica Van Bussum
Date: November 22, 2010
Re: Review of Application to Lease a Water Right to the State Water Supply Bank

PURPOSE/NARRATIVE: On October 18, 2010, the Department received applications to lease the above-mentioned water rights into the Bank, for a total of 69.7 acres within the 1201-acre POU.

AUTHORITY TO FILE: The applications were signed by Zach Latham of Brockway Engineering, who has a power of attorney.

WATER RIGHT VALIDITY: These rights were originally offered to the Bank on December 24, 2008. They were returned to the applicant for more information and were returned to the Department on October 18, 2010. The rights were decreed on July 10, 2002. Because of this original application date, we need to look at beneficial use between July 2002 and December 2008, which is when the lease start date will be. In her email, watermaster Cindy Yenter expressed some concern about the acres in Section 33 under these rights. A review of imagery suggests the acres were irrigated in 2003 and 2004, so there are not five years of non-use before the application date.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident. 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:

Watermaster Cindy Yenter expressed some concern with there being more dry acres (149) than are being offered to the bank (69.7). I have passed her email (attached to this memo) to the consultant to see if they want to offer more acres to the Bank. This should not delay processing, however.