

MEMORANDUM

Date: November 15, 2010
To: 43-13595 & 43-13597 file
From: Nick Van Dyke
Re: Analysis of Application to Rent Water from Water Supply Bank; Cleft of the Rock Farms

Narrative: On March 12, 2010 Ken Woodworth filed an application to rent 132 acres of irrigation from the water supply bank. The rights providing the 132 acres will be 43-13595 and 43-13597, leased fully to the bank. The irrigation will be for proposed pivots located around 30 miles east of Burley and 6 miles south of Interstate 86. The rented water will be pumped from existing wells that currently serve ground under rights 43-13513 and 43-13515. Applicant wishes to rent this water on a 5 year renewal basis until such time 43-13595 and 43-13597 are removed from the bank.

Note Part A.4. of the application lists specific legal descriptions for the 132 acres to be rented. The map submitted with the application shows several proposed pivots that appear to conflict with Part A.4. On Monday November 15, 2010 I spoke with Ken Woodworth (applicant) who informed me the map was created for several rental applications. He further informed me the eastern most proposed pivot is what this rental is for. The location of this pivot pretty much matches Part A.4. of this rental application. This is no longer an issue.

Authority to File: Ken Woodworth is a partner in Cleft of the Rock Farms per the Idaho Secretary of State website.

Water Right Validity: Both rights were decreed in the SRBA 7/26/2002. On July 20, 1995 rights 43-4037 and 43-7126 were accepted into the water supply bank and the lease was later renewed in 1996 extending the lease period indefinitely. Subsequent transfers split and renumbered these rights into the following active water rights:

43-4037 → 35-13898, 35-13900, 35-13906, 35-13916, 36-16211, **43-13597**, 45-13947, 45-13982, 45-14103, 45-14251, 45-14258.

43-7126 → 35-13897, 35-13899, 35-13905, 35-13915, 36-16210, **43-13595**, 43-13595, 45-13981, 45-14102, 45-14250, 45-14257.

The rights involved in this rental application, 43-13595 and 43-13597, have been in the bank since 1995. Forfeiture is not an issue.

Injury to Other Water Rights: None anticipated. At first an ESPA model run was thought to be required because both the "To" and "From" well locations are within the model grid. However both the "To" and "From" locations are outside the smooth model boundary (the grid extends beyond the smooth model boundary). A map is attached. No ESPA model analysis required.

Review Memo – Cleft of the Rock Farms water supply bank rental application
Page 2

Enlargement of Use: None anticipated. Rate per acre and acre-feet per acre will remain the same as historically applied on the leased rights authorized place of use. The rental application listed 1.72 cfs/415.79 acre-feet for the 132 acres to be rented. Review of the rights and combined limits between them show that 1.32 cfs and 528 acre-feet is the amount of water that should be allowed for the 132 acres requested. Note both rights have a mitigation component. The numbers below reflect only the irrigation amounts. A quick breakdown of the math:

- **43-13595:** 5 cfs/1209.6 acre-feet/302.4 acres. This provides 0.017 inch per acre and 4 acre-feet per acre.
- **43-13597:** 0.89 cfs/580.4 acre-feet/145.1 acres. This provides 0.006 inch per acre and 4 acre-feet per acre.
- **Individual Acre Limits:** 43-13595 limited to 302.4 acres; 43-13597 limited to 145.1 acres.
- **Combined Limits:** Both rights are limited to 5 cfs and 447.5 acres. Note the actual rate limit is 5.84 cfs however 0.84 cfs is for mitigation. The 447.5 acres is not actually a limit (302.4 + 145.1 = 447.5). This provides 0.01 inch per acre and 4 acre-feet per acre.
- **Contribution Percentage:** 43-13595's 302.4 acres/447.5 acre ppu = 68% or 89.8 acres. 43-13597's 145.1 acres/447.5 acre ppu = 32% or 42.2 acres.
- **Rented Water Amounts:** 43-13595's 0.017 inch per acre and 4 acre-feet per acre * 89.8 acres = 1.53 cfs/359.2 acre feet per acre. 43-13597's 0.006 inch per acre and 4 acre-feet per acre * 42.2 acres = 0.25 cfs and 168.8 acre-feet per acre. With the combined limit applied the amounts are 132 acres * 0.01 inch per acre = **1.32 cfs and 528 acre-feet per acre.**

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: This rental appears to be consistent with conservation of water resources in Idaho.