

MEMORANDUM

To: Water Right File No(s). 85-4194

From: Monica Van Bussum

Date: October 8, 2010

Re: Review for Application to Lease 85-4194 to the Water Supply Bank

PURPOSE/NARRATIVE: On December 11, 2009, the Department received an application to lease all of water right 85-4194 to the Bank until August 18, 2015.

AUTHORITY TO FILE: The application was signed by Chris Meyer, attorney for Twin City Foods, who has power of attorney (on file).

WATER RIGHT VALIDITY: The claim was partially decreed on August 18, 2005. An application of time to avoid forfeiture was approved June 4, 2010.

INJURY TO OTHER WATER RIGHTS: There does not appear to be injury to other rights in accepting the lease.

ENLARGEMENT OF USE: Proper review of rentals should ensure 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 a partially decreed right with the State of Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:

None.

RENTAL CONSIDERATIONS:

Conditions of the right should be considered prior to rental (see injury to other water rights). We'll have to determine previous consumptive use under the right when we go to rent it.