

MEMORANDUM

To: Water Right File Nos. 36-2552, 36-8191 and 36-10024

From: Monica Van Bussum

Date: October 20, 2010

Re: Review of Application to Lease water rights to the Water Supply Bank

PURPOSE/NARRATIVE: On November 2, 2009, the Department received applications to lease part of the above-mentioned water rights to the Bank for an indefinite period. Telford, the right holder, sought to put 2.5 acres of water into the Bank.

AUTHORITY TO FILE: Mike Telford is the right holder.

WATER RIGHT VALIDITY: Aerial imagery indicates continued use after the partial decrees for 36-2552 and 36-10024, and also for 36-8191.

INJURY TO OTHER WATER RIGHTS: Proper rental review should protect other rights from injury.

ENLARGEMENT OF USE: 36-2552 and 36-10024 are a base right and an enlargement, respectively. 36-8191 also overlaps with 36-2552 and 36-10024. 36-2552 and 36-10024 will be leased in accordance with IDWR policy, that is to say that proportions of each will be brought in. 36-8191 will also be leased in accordance with IDWR policy. Limiting conditions should be assigned to all the rights, and are in the lease documents, of 2.5 acres, 10 AF and 0.05 cfs. These limiting conditions, and enforcing them on the subsequent rentals, should protect from 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:

None.