

## **MEMORANDUM**

**To:** Water Right File No(s). 75-4063

**From:** Monica Van Bussum

**Date:** October 8, 2010

**Re:** Review/Analysis for Application to Lease 75-4063 to the Water Supply Bank

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**PURPOSE/NARRATIVE:** On September 14, 2006, the Department received an application to sell water right 75-4063 to the Bank. It appears a number of meetings were held and the Idaho Water Resource Board (IWRB) was involved. There were difficulties in actually conveying the right to the Board. In conversation with John Homan on October 1, 2010, we determined it is best to process this as a lease until the ownership problems can be ironed out. A lease application is limited to five years, and since this application was received, four years have passed, so we are allowing the lease until 2011 to allow the full five-year period and hopefully get this water right on track.

**WATER RIGHT VALIDITY:** The right was partially decreed on November 17, 2008, tolling forfeiture. Only two years have passed, so forfeiture is not an issue.

**INJURY TO OTHER WATER RIGHTS:** It does not appear leasing this right will cause injury to others.

**ENLARGEMENT OF USE:** 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:**

None.

**RENTAL CONSIDERATIONS:**

Conditions of the right should be considered prior to rental (see injury to other water rights).