

MEMORANDUM

To: File 37-2627D

From: Monica Van Bussum

Date: October 14, 2010

Re: Review of Application to Rent a Water Right from the Water Supply Bank

PURPOSE/NARRATIVE: On September 8, 2010, the Department received an application to rent 0.5 acres of irrigation water for 2011 and 2012 from Paul Brainerd. Mr. Brainerd has rented water for his POU before and has rented 37-2627D before.

AUTHORITY TO FILE: Mr. Brainerd signed the application.

WATER RIGHT VALIDITY: 37-2627D was accepted into the Bank in 2002 and was partially decreed by the SRBA Court on February 3, 2010.

INJURY TO OTHER WATER RIGHTS: This is a very small quantity of water. There has been some concern with injury to rights in the Big Wood with rentals. However, this is a small rental, in proximity to the lease location and has been rented to this individual before. Potential for injury is small.

ENLARGEMENT OF USE: The volume and acre limit 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: I put a condition on that the renter should seek a permanent water right for this use. Mr. Brainerd has been renting water for this purpose since at least 2006.