

MEMORANDUM

To: Water Right File No(s). 37-496F

From: Monica Van Bussum

Date: September 27, 2010

Re: Review of Application to Lease a Water Right to the State Water Supply Bank

PURPOSE/NARRATIVE: On September 24, 2010, the Department received an application to lease water right 37-496F for an indefinite period. 37-496F was partially decreed on June 29, 2010, for 0.59 cfs (28.00 AFY) for the irrigation of 8 acres and included fire protection and aesthetic use.

AUTHORITY TO FILE: The application was filed by Deborah Barr and Myer Berlow, the right holders of record.

WATER RIGHT VALIDITY: The right was decreed on June 29, 2010, so the forfeiture clock only started in 2010. The decree is considered a validation of the water right.

INJURY TO OTHER WATER RIGHTS: There does not appear to be injury to other rights. The source of this right is the Big Wood River, which is an area where water shortage can be an issue.

ENLARGEMENT OF USE: The right is not stacked with others and there does not appear to be risk of enlargement when renting it, provided the rental analysis is done appropriately.

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: I spoke with Kevin Lakey, watermaster for Water District 37, on September 27, 2010, and he had no objection to the lease.

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