

MEMORANDUM

To: Water Right File No(s). 31-11443
From: Sandy Hemenway
Date: June 3, 2010
Re: Review/Analysis for Application to Lease a Water Right to the State Water Supply Bank

PURPOSE/NARRATIVE: Place water right into the Bank, for the purpose of allowing David Sanders to be able to rent this water right.

AUTHORITY TO FILE: Applicant is the owner of the property (verified by government lot information, updated 2/2010), and also the current owner of the water right.

WATER RIGHT VALIDITY:
Decreed 2/22/2002.

INJURY TO OTHER WATER RIGHTS:
None. This application is a duplicate of the 2009 agreement.

ENLARGEMENT OF USE:
None. This application is a duplicate of the 2009 agreement.

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 permit were considered prior to rental.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-11443

WATER RIGHT NUMBER: 31-11443

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	IRVIN L BALL PO BOX 67 SUGAR CITY, ID 83448 (208)356-5684
Original Owner	MARGARITE G BALL PO BOX 67 SUGAR CITY, ID 83448 (208)356-5684
Original Owner	DONNA S BYBEE 2014 E 1800 N TERRETON, ID 83450 (208)662-5526
Original Owner	ROBERT B BYBEE 2014 E 1800 N TERRETON, ID 83450 (208)662-5526
Previous Owner	I M FAMILY LIMITED PARTNERSHIP C/O STEVEN BALL 1600 HUNTLEY COVE COLLIERVILLE, TN 38017
Previous Owner	I M FAMILY LIMITED PARTNERSHIP C/O BALL 8006 BENT OAK LN SPRING, TX 77379
Current Owner	KIRK M JACOBS PO BOX 119 HAMER, ID 83425 (208)662-5414
Current Owner	LINDA JACOBS PO BOX 119 HAMER, ID 83425 (208)662-5415

Priority Date: 05/14/1976

Basis: Decreed

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

<u>From</u>	<u>To</u>
04/01	11/01

Diversion Rate

0.660 CFS

Annual Volume

99.00 AF

Total Diversion:

0.660 CFS

99.00 AF

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4NE1/4

Sec. 7, Twp 07N, Rge 37E, B.M.

JEFFERSON County

Place of Use

2/12/

① tax lot info 2/2010 Sam

② no injury - duplication
of previous lease appl.

③ expiration 11/1/09 last rent

④ 2009 ArcMap shows use
∴ no forfeiture issues

⑤ James Cepalo WM 110

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-11443

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	37E	7	38.0	39.0	40.0	39.0	39.0	30.0	30.0	40.0	39.0	30.0	30.0	40.0	39.0	30.0	30.0	40.0	295.0
								L1	L2										

Total Acres: 295

Conditions of Approval:

1. X35 Rights 31-07014 and 31-11810 when combined shall not exceed a total irrigation of 299 acres.
2. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 131 Prior to the diversion and use of water under Transfer approval 70627, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. X27 This right is limited to the irrigation of 33 acres within the place of use described above in a single irrigation season.
8. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

Remarks:Comments:

1. eretelle 10/29/2004 7:23:53 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 70627
2. eretelle 10/29/2004 7:33:26 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 70627

*changed to 31-11443
6/4/10 per management approval & changed acres
295*

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-11443

Dates and Other Information:

Licensed Date:
 Decreed Date: 2/22/2002
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 110
 Generic Max Rate Per Acre: 0.02
 Generic Max Volume Per Acre: 3.5
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		289
Combined Water Rights: 31-11443 , 31-7014		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:

Lessor Name: KIRK M JACOBS
 Lease Status: Application
 Lease Amount: Part
 Rental Availability: All
 Date Received: 4/1/2008
 Lease Begin Date: 4/1/2010
 Expiration Date: 11/1/2010

 **Check Administrative Area Results**   

Click On Item For More Information

Season Of Use 4/1 - 10/31
Headgate Requirement 3.5
Consumptive Use 2.5
Water Measurement Districts NORTH
Administrative Basin 31
Moratorium Area Eastern Snake River Plain Area
Trust Areas
Water District 110 - Mud Lake Area





