

MEMORANDUM

To: File 65-7884

From: Cynthia Bridge Clark

Date: June 4, 2005

Re: Rental of Water from the State Water Supply Bank

Tamarack Resort, LLC filed an application to rent ground water to irrigate a temporary tree nursery on approximately 2 acres of land. Water right 65-2502 currently authorizes irrigation of the land from Mud Creek, and permit 65-13925 authorizes irrigation from ground water. Ed Squires, consultant for the applicant, had several conversations with department staff from the western region and state offices. He stated that the applicant is willing to use surface water from Mud Creek, but would like to have a back up source if water from the creek is not available throughout the irrigation season.

Though permit 65-13925 authorizes diversion of ground water, the owner has not satisfied the conditions under which water can be diverted. John Westra and Steve Lester expressed concerns about the lack of progress in addressing these requirements. They also noted that use of alternative surface water sources might be more appropriate given the concerns surrounding the original approval of the permit.

Ed Squires researched the possibility of renting water from the Little Payette Lake storage. However, there wasn't any water available and he had concerns about potential complications delivering the water to the property.

Ed Squires stated that the applicant will use Mud creek as long as it is available, and this was documented on the application. He also offered to make one payment for the two-year rental.

The water right rented from the bank authorizes a diversion rate of 1.0 cfs and diversion volume of 19.8 ac for industrial use through the entire year. Information in the file from the original licensing exam documents the basis for the volume limitation and states that the pump was used from April to September for log sprinkling and for use in the boiler works. Ed Squires made an attempt to quantify the potential consumptive portion of the right in the rental application, and requested rental of the entire rate to accommodate the application method (pumping water into trucks to deliver to the trees). Though the applicant will rent the entire rate and volume authorized under the right, the authorized diversion volume for the rental will be limited to the standard field headgate requirement (3.0 afa/yr) times two acres, and use is limited to the irrigation season.

The applicant is required to provide a signature on the application prior to approval of the rental.