

MEMORANDUM

To: Files 74-2320

From: Cynthia Bridge Clark

Date: November 9, 2005

Re: Lease/Rental of Water Rights to the State Water Supply Bank

The Department of Water Resources Planning Division initiated an agreement with Ellsworth Angus Ranch to lease irrigation water for instream flow use on the Eighteenmile Creek under the Columbia River Basin Water Transaction Program. According to department staff, the intent of the program is to enhance tributary flows for flow augmentation.

An application was filed with the Water Supply Bank (bank) to lease water associated with the irrigation of 25.6 acres from water right 74-2320 from March 15 to November 15, 2005. A companion rental application was filed in the name of the Idaho Water Resource Board to rent the same right for instream flow use under the Federal Reserve Wild and Scenic River water right no. 75-13316. The right identifies a beneficial use of "Wild and Scenic River" on the Salmon River. The rental application was filed to ensure that the water associated with the right remains in the Eighteenmile Creek rather than being diverted by the holders of junior water rights.

The application proposes a change in nature of use from irrigation to instream flow. To avoid enlargement of the rights, the volume available for rent was limited to the consumptive use. Evidence of historical beneficial use was not required for the determination of the consumptive volume for the short-term rental lease/rental. The consumptive use recognized in the rental was calculated based on the number of acres leased times the standard consumptive irrigation requirement (2.5 afa per acre) is 64 acre-feet. The diversion rate is also a consideration given that the new use will require continuous flow. The continuous flow rate is limited to 0.13 cfs (total consumptive volume/(1.984 x 246 days)).

Portions of the right leased and rented through the are identified below:

<u>Right No.</u>	<u>Acres (ac)</u>	<u>Diversion Rate (cubic ft per sec., cfs)</u>	<u>Diversion Volume (acre-feet, af)</u>
Leased: 74-2320	25.6 ac	0.51 cfs	89.6 af

<u>Right No.</u>	<u>Acres (ac)</u>	<u>Continuous Div Rate (cubic ft per sec., cfs)</u>	<u>Consumptive Diversion Volume (acre-feet, af)</u>
Rented: 74-2320	25.6 ac	0.13 cfs	64 af

Acceptance in the bank was based on preliminary recommendation issued for the right in the Snake River Basin Adjudication (SRBA). The payment of \$2000 to the lessor was negotiated between the water right owner and the department's planning division in conjunction with the Columbia River Basin Water Transaction Program. The total rental fee including the administrative fee is \$2222.22.

11/08/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-2320

NAME AND ADDRESS: ELLSWORTH ANGUS RANCH
PO BOX 60
LEADORE ID 83464

SOURCE: EIGHTEENMILE CREEK
TEXAS CREEK

TRIBUTARY: LEMHI RIVER
TRIBUTARY: LEMHI RIVER

QUANTITY: 2.300 CFS

PRIORITY DATE: 11/08/1957

POINT OF DIVERSION:

T15N R26E S1 NESW Within LEMHI County
T15N R26E S11 SWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	2.300 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

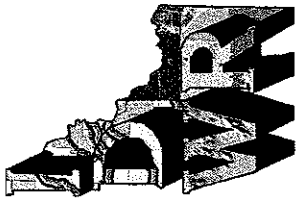
T16N R26E S34	SENE	4.2	T16N R26E S34	NESE	0.1
T16N R26E S35	SWNE	14.0	T16N R26E S35	SWNW	35.0
T16N R26E S35	SENE	34.0	T16N R26E S35	NESW	2.6
T16N R26E S35	NWSW	4.4	T16N R26E S35	NESE	7.7
T16N R26E S35	NWSE	13.0			

115 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



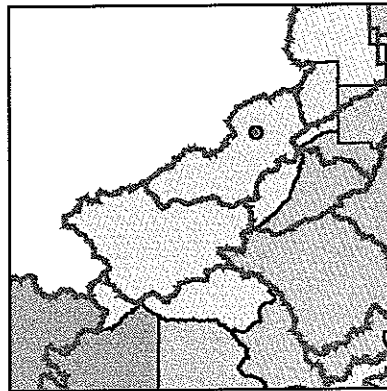
Idaho Department of Water Resources

Ellsworth lease/water bank transaction

T15N R26E
T16N R26E

Legend

-  land under lease
-  Township/Range
-  Sections
-  GCDB16N26E GCDB



Lemhi County
IDWR Basin 74



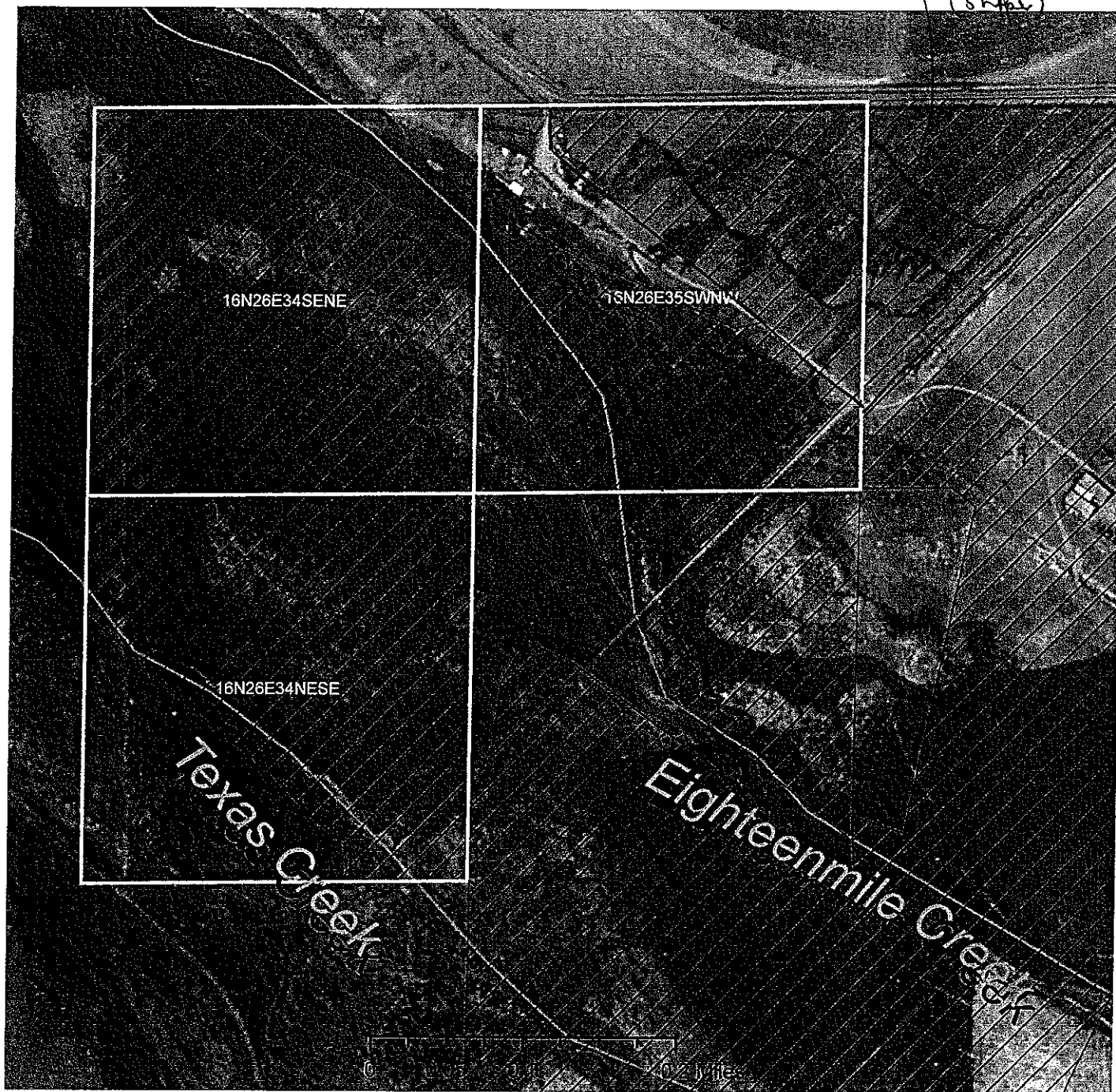
0 0.6 1.2 Miles

Prepared by R. Brown
On Tuesday, November 8, 2005
1993/94 Aerial Photography

\$2.00 = \$69.20/acre

Lower Eighteen Mile Creek

28.9 ac.
(shape)

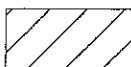


prepared by:

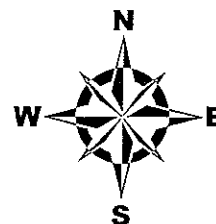
GIS/Remote Sensing

Idaho Department of Water Resources
322 East Front Street
Boise Idaho 83702
- 208 327 4800 -

Quarter Quarters



Ellsworth Recommended Place of Use



Prepared by: Morgan Case

Date: February 17, 2005

File: D:\Projects\NezPerce\Lemhi Section 6\EllsworthFields.mxd

Image: 2004 NAIP natural color, digital ortho imagery