

MEMORANDUM

To: File 36-7026

From: Jeff Peppersack

Date: May 17, 2004 (Draft)

Re: Lease of Water Right to the State Water Supply Bank

| <u>Water Right</u> | <u>SRBA Claims</u> | <u>Lease/Rental:</u> | | |
|--------------------|--------------------|----------------------|---------------|--------------|
| | | <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
| 36-7026 | Decreed | 0.76 cfs | 180 af | 45 ac |

The applicant, Daryl Serr, has offered a portion of the right for lease to the bank. Right 36-7026 is an SRBA decreed right decreed in 1997 with irrigation season amendment in 2001. The application proposes to lease 45 acres to the bank. No forfeiture or other issues have been identified (see attached e-mail from watermaster), the right should be accepted into the bank as proposed in the application.

The balance of this right is limited to irrigation of 246 acres with a diversion rate of 4.14 cfs and a diversion volume of 984 afa.

Peppersack, Jeff

From: Yenter, Cindy (Hodges)
Sent: Wednesday, May 19, 2004 8:47 AM
To: Peppersack, Jeff
Subject: RE: applications to lease water rights to the bank

Jeff-

I wanted to verify or confirm the actual use under these rights. All pivot corners were idled under 36-7026 during 2002-2003; in 2001 the entire farm was idled due to the power buyout. Prior to that, all was irrigated. There is no problem with this right.

Neither 36-2267 or 2730 have any documented or reported use since 1995. The pod for 2730 is shown as unused in WMIS; pod for 2267 shows a flowmeter installed but no use reported in the late 1990's and no data shown for the past 5 years. How is the value of these rights going to be determined? Last year, lands appear to be irrigated with the supplemental source. Are the lands to be dried up this year? If irrigation continues, I feel that an expansion of the ground water rights would occur if the rights are rented from the water bank. I am not really comfortable with the acceptance of these rights into the bank.

thanks
Cindy

-----Original Message-----

From: Peppersack, Jeff
Sent: Tuesday, May 18, 2004 3:58 PM
To: Yenter, Cindy (Hodges)
Subject: RE: applications to lease water rights to the bank

OK, I'll wait for the results of your research.

-----Original Message-----

From: Yenter, Cindy (Hodges)
Sent: Tuesday, May 18, 2004 3:30 PM
To: Peppersack, Jeff
Subject: RE: applications to lease water rights to the bank

Jeff - I would like to do some diversion research on the supplemental rights but I've not had time yet today. Will try and get to it very soon.

cindy

-----Original Message-----

From: Peppersack, Jeff
Sent: Tuesday, May 18, 2004 8:34 AM
To: Merritt, Allen; Yenter, Cindy (Hodges)
Subject: applications to lease water rights to the bank

We have applications to lease the following rights to the bank:

Daryl Serr - 36-2267, the right is supplemental gw to Minidoka ID, probably not used in last several years but since it is supplemental forfeiture would not be an issue unless the sw has not been used.

Daryl Serr - 36-7026, partial lease of primary right in the amount of 45 acres representing pivot corners (dry since 2001)

Dallas Serr - 36-2730, the right is supplemental to Minidoka ID, probably not used in last ten years but since it is supplemental forfeiture wouldn't be an issue unless the sw has not been used.

Any comments regarding lease to the bank?