

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 632

RECEIVED
JUL 18 2022
DEPT OF WATER RESOURCES

This is to certify that:

LCSC ENTERPRISES LLC
433 E LAS COLINAS BLVD STE 1290
IRVING, TX 75039-5058

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
43-13595	5/4/1978	GROUND WATER	0.52	126	31.5	0.017	4.0
43-13597	5/23/1962	GROUND WATER	0.09	60.4	15.1	0.006	4.0
Combined Rental Totals			0.52	186.4	46.6	0.013	4.0

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2022. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2022, whichever occurs last.

Annual Rental Fee:

2022: \$3,728.00

The full fee for the rental of the above-described right(s) is \$3,728.00 for 2022. The rental fee includes an administrative fee of \$372.80 for 2022.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.52	186.4	46.6	0.013	4.00
Combined Total	0.52	186.4	46.6	0.013	4.00

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:



Signature of Renter

7.11.22

Date

Blair Lee Dence, Manager

Printed Name

Manager

Title

*Title required if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.



By
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 7/20/2022

Rental approved by IDWR



Date 7/20/2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec. 18, Twp 09S, Rge 29E,	POWER County
GROUND WATER	NWNE	Sec. 24, Twp 09S, Rge 28E,	POWER County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.52 CFS

VOLUME
186.4 AF

SEASON OF USE

From	To
4/1	10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	28E	24	4.1	4.0			15												23.1
09S	29E	18											3.4				2.7		6.1
09S	29E	19		9.3	5.8			2.3											17.4
				L9				L6											

Total Acres: 46.6

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.

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9. Use of water under this approval may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this rental is within State Water District No. 120.
10. This rental agreement when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
11. This rental does not authorize the construction of a well.



STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO RENT WATER FROM THE BOARD'S WATER SUPPLY BANK

RECEIVED
DEC 03 2021
DEPARTMENT OF
WATER RESOURCES

Applicant Name: LCSC Enterprises, LLC

Is this application being submitted with a lease application as a lease/rental package?

Yes ☐ No ☒

If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST			
Check All Items as Either Attached (Yes) or Not Applicable (N/A)			
Yes ☒ Completed <i>Application to Rent Water from the Board's Water Supply Bank</i> ☒ Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank			
Attachment	N/A	Yes	
2	☒	☐	A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
3A	☒	☐	Detailed information on a proposed use of rental water
3F	☒	☐	Authorization from the owner/operator of the rental point(s) of diversion
3H	☐	☒	Water modeling to account for the impacts of the rental request
3J	☒	☐	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	☒	☐	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	☐	☒	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	☒	☐	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)
43-13595
43-13597

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant LCSC Enterprises, LLC

Mailing Address 433 E LAS COLINAS BLVD STE 1290 IRVING, TX 75039
Street City State Zip Code
 Email Address blair@dbscpa.net Phone Number (972) 989-7330

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☒ No ☐
 If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Jason C. Helms, P.E. Professional Title Engineer
 Organization JCH Engineering & Consulting, PLLC Relationship to Applicant Technical consultant
 Mailing Address 6755 N. Albert Lane Idaho Falls, ID 83401
 Email Address jasoncivil@alumni.nd.edu Phone Number (208) 308-2109

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

Provide irrigation of 46.6 acres diverted from the well associated with existing water right 35-7740.

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.52 CFS	171.2 AF	0.52 CFS	171.2 AF	46.6 AC

* Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
4/1/2022	6/1/2022	☒ 1	☐ 2	☐ 3	☐ 4	☐ 5	☒ Process application as soon as possible	☐ Return application to applicant

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

** Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):

Existing wells, and distribution system associated with water rights 35-7740.

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
Existing well	ground water	35-7740

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☒
If yes, include documented consent as **Attachment 3F**.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☒ No ☐
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- H. Has water modeling been provided with your rental request? Yes ☒ N/A ☐
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

- I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

- ☒ Irrigation 46.6 (number of acres) Duration: Subject to IDWR standard seasons of use
- ☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Other: _____ from: 04/01 (mm/dd) to: 10/31 (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☒
If yes, justify the rate of flow and attach any supporting documents as **Attachment 3J**. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☒ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it **Attachment 3K**.

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:

Existing water rights 35-7740 and 35-2824 will be used in combination.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via [IDWR's website](#).

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.** For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
43-13595	Irrigation	5.00	1209.6	302.4		0.52	126.0	31.5
43-13597	Irrigation	0.89	433.6	145.1		0.09	60.4	15.1
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.52	171.2	46.6
						CFS	AF	AC

**Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.*

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

This additional rate will be combined with existing right 35-7740 and 35-2824 which together provides adequate delivery.

C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☐ No ☒

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒

If no, list previous rental requests agreements and explain why you have not secured a permanent water right for your needs.
Similar rental was approved in 2021. Transfer 84488 is pending resolution of protests for full permanent water rights. Protestants did not oppose this temporary rental for 2021 and the rental is requested for continuance as the issues are examined.

- B Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☒ No ☐
If yes, describe

Application for transfer 84488 is pending but will not interfere with this rental

- C Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒
If yes, describe the date and location of the NOV

- D Additional Information

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.



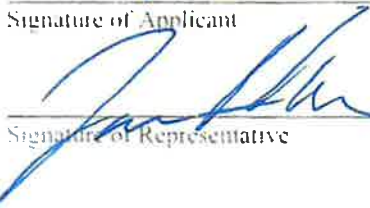
Signature of Applicant



Printed Name of Applicant

11/3/21

Date



Signature of Representative



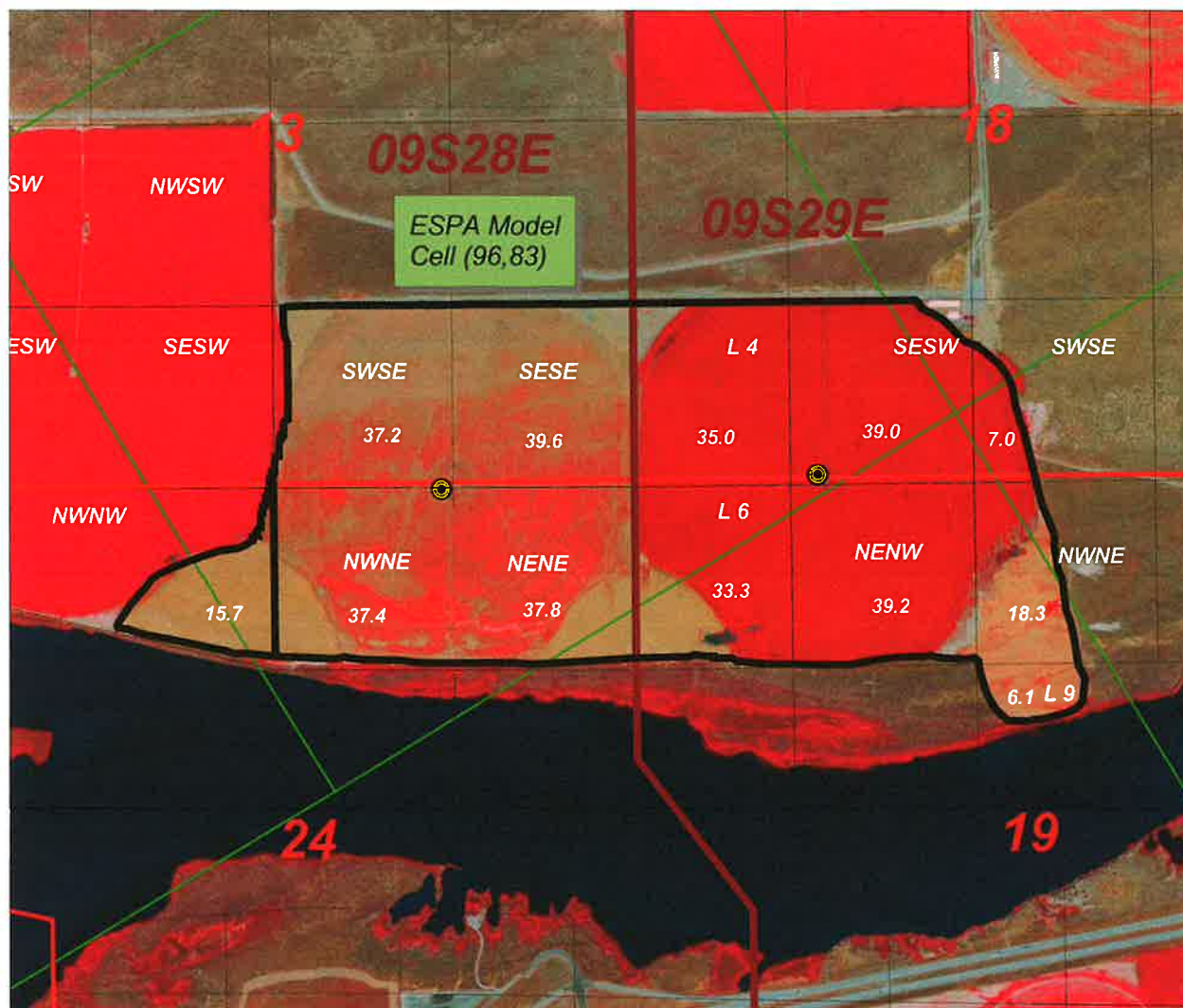
Printed Name of Representative

11/4/21

Date

Mail to:

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098



JCH - 9/29/2020

NAIP 2019 IR Aerial Photo



- Existing Authorized Wells
 - 35-7740 (8/15/1977) 3.66 cfs, 1,160.0 afa, 290.0 ac.
 - 35-2824 (8/28/1961) 0.16 cfs, 32.7 afa, 9.0 ac.

Rental requested: 46.6 ac.

Total Irrigation 345.6 Acres

Township & Range

Sections

Power County 40's

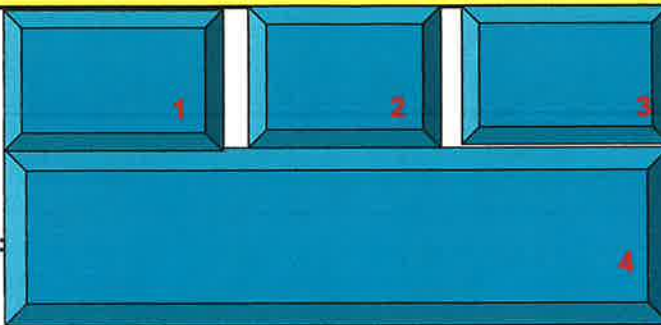
ESPA Model Grid

Attachment 2

ENHANCED GROUND-WATER RIGHTS 1

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTIDAHO I

Cells this color are
set up for user entries



ENTER STARTING DATE FOR
SIMULATION. THEN PUT
"UPDATE DATES" BUT
YEAR 1961
SEASON SPRING

TRANSFER NO:
WSB2022

TRANSFER NAME:
9S,29E-17,18

C.U.

ac
46.60

[acre-ft]

ENTER CELL LOCATIONS:

ROW	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
COLUMN	96	91		
	83	69		

43-13595 5/4/1978 126.0

43-13597 5/23/1962 45.2

Total Rental: 171.20

C.U. Fraction (3.5/4): 0.875

Total Rental: 149.8

TRIMESTER	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
OF	Projected Use	With Transfer	Without Transfer	With Transfer	Without Transfer	With Transfer	Without Transfer
ACTIVITY	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER
SPR 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1962	0.0	13.2	13.2	0.0	0.0	0.0	0.0
WIN 1977	0.0	13.2	13.2	0.0	0.0	0.0	0.0
SPR 1978	0.0	49.9	49.9	0.0	0.0	0.0	0.0
WIN 1994	0.0	49.9	49.9	0.0	0.0	0.0	0.0
SPR 1995	0.0	0.0	49.9	0.0	0.0	0.0	0.0
SUM 1995	0.0	0.0	49.9	0.0	0.0	0.0	0.0
WIN 1995	0.0	0.0	49.9	0.0	0.0	0.0	0.0
SPR 1996	0.0	0.0	49.9	0.0	0.0	0.0	0.0
WIN 2010	0.0	0.0	49.9	0.0	0.0	0.0	0.0
SPR 2011	0.0	49.9	49.9	0.0	0.0	0.0	0.0
SUM 2011	0.0	49.9	49.9	0.0	0.0	0.0	0.0
WIN 2011	0.0	49.9	49.9	0.0	0.0	0.0	0.0
SPR 2012	0.0	49.9	49.9	0.0	0.0	0.0	0.0
WIN 2019	0.0	49.9	49.9	0.0	0.0	0.0	0.0
SPR 2020	49.9	0.0	49.9	0.0	0.0	0.0	0.0
SUM 2020	49.9	0.0	49.9	0.0	0.0	0.0	0.0
WIN 2020	49.9	0.0	49.9	0.0	0.0	0.0	0.0
SPR 2021	49.9	0.0	49.9	0.0	0.0	0.0	0.0
SUM 2021	49.9	0.0	49.9	0.0	0.0	0.0	0.0
WIN 2021	49.9	0.0	49.9	0.0	0.0	0.0	0.0
SPR 2022	49.9	0.0	49.9	0.0	0.0	0.0	0.0
SUM 2022	49.9	0.0	49.9	0.0	0.0	0.0	0.0
WIN 2022	49.9	0.0	49.9	0.0	0.0	0.0	0.0
SPR 2023	0.0	49.9	49.9	0.0	0.0	0.0	0.0
SUM 2023	0.0	49.9	49.9	0.0	0.0	0.0	0.0
WIN 2023	0.0	49.9	49.9	0.0	0.0	0.0	0.0
SPR 2024	0.0	49.9	49.9	0.0	0.0	0.0	0.0
SPR 2110	0.0	49.9	49.9	0.0	0.0	0.0	0.0
SUM 2110	0.0	49.9	49.9	0.0	0.0	0.0	0.0
WIN 2110	0.0	49.9	49.9	0.0	0.0	0.0	0.0

ESPA Impacts
Data Entry

One-Way Analysis of Independent Transfers

New Water Right:

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer 1: Proposed Steady State Impacts following Transfer							
Refer to Transfer Application							
Transfer 1: Worst Case Transient State Impacts following Transfer							

Impact by Reach (AFT/Trimester)

Ashton to Rexburg		Heise to Shelley		Shelley to N. Bickft		N. Bickft to Neeley		Neeley to Minidoka		Dev. Wbl. To Buhl		Buhl to Kspr		Kspr to Maled		Maled to Bancroft	
Reburch		Shelley		Nr Bickft		Neeley		Minidoka		Buhl		Kspr		Maled		Bancroft	
0.66		1.96		5.89		18.85		7.16		4.48		5.03		1.41		1.29	
0.66		1.95		5.88		18.83		7.16		4.47		5.03		1.41		1.29	
0.66		1.96		5.89		18.85		7.16		4.48		5.03		1.41		1.29	
0.66		1.95		5.88		18.83		9.16		4.47		5.03		1.41		1.29	
Pre-SS		Post-SS		Pre-TS		Post-TS											
Mitigation Check 1 - >10% of Historical:		Mitigation Check 2: > 2 AFT:		Mitigation Check 3 - >10% of Total:		Mitigation Required?:		Mitigation Vol. Req'd (ac-ft):									
-0.4%		0.0		1.3%		NO		0.0		-0.1%		-0.1%		-0.1%		-0.1%	
0.0		0.0		12.0%		NO		0.0		0.0		0.0		0.0		0.0	
NO		NO		NO		NO		NO		NO		NO		NO		NO	
0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0	
Mitigation Check 1 - >10% of Historical:		Mitigation Check 2: > 2.01 AFT:		Mitigation Required?:		Mitigation Vol. Req'd (ac-ft):											
-0.4%		0.0		0.0		0.0		27.9%		-0.1%		-0.1%		-0.1%		-0.1%	
0.0		0.0		0.0		0.0		2.0		0.0		0.0		0.0		0.0	
NO		NO		NO		NO		NO		NO		NO		NO		NO	
0.0		0.0		0.0		0.0		2.0		0.0		0.0		0.0		0.0	

Read Me



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 21, 2022

LCSC ENTERPRISES LLC
433 E LAS COLINAS BLVD, STE 1290
IRVING, TX 75039-5058

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 43-13595 & 43-13597 AGREEMENT 632**

Dear Renter:

Please find enclosed a receipt in the amount of **\$3,728.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 186.4 acre-feet of water for irrigation of 46.6 acres 2022. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Please note that small changes have been to pages 1 and 3 of the agreement to correct typographical errors in the original document.

Pursuant to the Water Supply Bank Rules, 90% or \$3,355.20 of the rental fee will be paid to the lessor(s) and 10% or \$372.80 will be retained by the Department to offset administrative costs.

If you have any questions, please contact this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosures: Receipt No. C113469
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
Jason Helms
Water District 120 & 01



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June 23, 2022

LCSC ENTERPRISES LLC
433 E LAS COLINAS BLVD STE 1290
IRVING, TX 75039

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 43-13595 & 43-13597 AGREEMENT 632**

*****TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, together with the rental fee described below, the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

A rental fee of \$3,728.00 per year was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 186.4 acre-feet.

Please send a check for \$3,728.00 for 2022 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Pursuant to the Water Supply Bank Rules, 90% or \$3,355.20 of the rental fee will be paid to the lessor(s) and 10% or \$372.80 will be retained by the Department to offset administrative costs for **2022**.

If you have any questions, please contact this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure

c: IDWR Front Desk
Jason Helms

Memorandum

To: Water Right 43-13595 & 43-13597 files
From: Cody Parker
Re: Evaluation of WSB Application 2218
Date: May 5th, 2022

Purpose

This application proposes to rent 46.6 acres of irrigation from groundwater to provide additional authorization to the irrigation under water rights 35-7740 and 35-2824. A similar rental was approved in 2021. Transfer 84488 proposes a permanent solution to the rental request but has been held up due to protests during the protest period. As those protests have not been resolved, the applicant chose to pursue this temporary solution.

A hearing was set to resolve the protests for transfer 84488. The hearing order was vacated in March of 2022 to give the parties an opportunity to settle the protests outside of a hearing. The transfer appears to have been protested based on Trust Water questions and the issue of unmitigated injury in the ESPA. There is nothing from the protests that should apply in the case of this rental application, provided that the rental is properly evaluated for injury and enlargement.

The applicant requested the rental of water rights 43-13595 and 43-13597. This is consistent with previously-approved rentals. However in the current evaluation, I noticed that the proposed change would move the rights into the ESPA GWMA. Further discussion of this point is found in the injury section below.

Authority to File

The rental applicant is LCSC Enterprises, LLC. The application was signed by Blair Lee Dance. Dance is listed as the president of the company according to the most current information with the Idaho Secretary of State. The land proposed to be irrigated is owned by LCSC Enterprises. No concerns

Water Right Validity

Validity of the water rights proposed for rent was evaluated separately as part of WSB lease contract 1293. No concerns

Injury to Other Water Rights

Administrative Area	Lease POD	Rental POD
Raft River GWD	X	
Magic Valley GWD	X	
AAF GWD		X
ESPA Moratorium	X	X
Non-Trust Water		X
Trust Water	X	
ESPA GWMA		X

The proposed rental would move groundwater diversions from outside of the ESPA Groundwater Management Area to within the area. At face value it seems that this change would cause injury to existing groundwater users within the GWMA. However, the leased PODs are less than 1/2 mile outside of the GWMA boundary. Analysis of groundwater contour maps of the aquifer, produced by IDWR, indicate that water left undiverted at the lease location would flow northward into the GWMA. Therefore, no injury of this type is anticipated.

The rental proposes to move diversions from the Trust Water area to the Non-Trust Water area. This will not cause injury.

ESPA modeling using ETRAN v3.3 was provided with the application. Model results indicate that no mitigation is required. The application was submitted in 2021 so the results of the v3.3 model will be accepted for this rental request. It does not appear that the same proposal will pass v3.4 moving forward.

No concerns related to injury.

Enlargement of Use

The applicant proposes to use a groundwater irrigation water right to develop additional irrigation from an existing groundwater system. Enlargement of the rented water rights is not likely if used in accordance with the rental agreement.

Local Public Interest

The proposed rental appears consistent with the local public interest.

Beneficial Use/Conservation of Water Resources

The application proposes an irrigation use that is within accepted standards and is consistent with the conservation of water resources.

Department Staff or Watermaster Comments

Comments were requested from IDWR Eastern Region and the watermaster for Water District 120. Correspondence is included in the file.

Parker, Cody

From: Parker, Cody
Sent: Thursday, June 16, 2022 10:57 AM
To: Jordan, Blake; Cefalo, James
Subject: WSB Rental Agreement 632
Attachments: Rental 632 Map.pdf; MoveMap.pdf; Rental Agreement 632.docx; WSB Rental Application # 2218 WR # 43-13595 & 13597.pdf; Review Memo.docx

Hello,

Attached is the relevant information for WSB rental agreement 632. Please let me know if you have any comments

Thank you

Cody Parker
Water Rights Supervisor
Idaho Dept. of Water Resources