

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 634

RECEIVED

JUL 11 2022

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

THE SUNNYSIDE RANCH
REVOCABLE TRUST
420 LEXINGTON AVE RM 1756
NEW YORK, NY 10170-0008

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)
22-2175B	2/23/1960	GROUND WATER	0.03	5.3	1.5	0.02	3.5
Combined Rental Totals			0.03	5.3	1.5	0.02	3.5

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: \$106.00

The full fee for the rental of the above-described right(s) is \$106.00 for 2022. The rental fee includes an administrative fee of \$10.60 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 Volume (AF)	Acres (AC)
AESTHETIC STORAGE	3.8	1.5
Combined Total	3.8	1.5

** The authorized water usage reflects a reduction from the water right elements rented, to account for the consumptive use of the historical irrigation practice of water right 22-2175B*

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 634

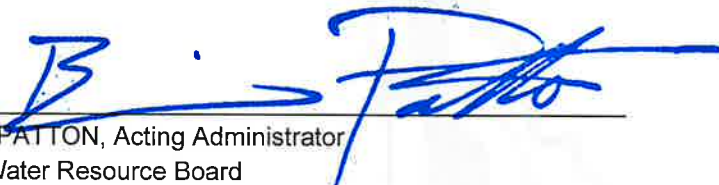
The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:

 _____ June 28, 2022 _____
Signature of Renter Date

Daniel Wayne Sermon _____
Printed Name 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  _____ Date 7/12/22 _____
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR  _____ Date 7/12/22 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 634

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L6 (SWSE) Sec. 33, Twp 02N, Rge 43E, BONNEVILLE
County

BENEFICIAL USE
AESTHETIC STORAGE

VOLUME
3.8 AF

SEASON OF USE

From To
1/1 12/31

Twp	Rng	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
02N	43E	33															X L6	

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.
9. Use of water under this rental agreement shall be non-consumptive.
10. Right 23-11515 when combined with this rental agreement authorize total annual storage volume of 4.8 acre-feet, 3.8 acre-feet to be used for the initial filling or carryover storage of the pond and 1.0 acre-feet for the replacement of losses caused by evaporation.
11. The pond established by the storage of water under this rental agreement and right 23-11515 shall not exceed a total capacity of 3.8 acre-feet or a total surface area of 0.8 acre(s).
12. This rental agreement does not authorize the construction of a well.

Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 634

Effective until December 31, 2022

This map depicts the **rental place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



- Water Supply Bank Rental POD
- ▨ Water Supply Bank Rental POU
- ▭ Township/Range
- ▭ Sections
- QQ

0 0.025 0.05 0.1 Miles



STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK

RECEIVED

JAN 28 2022

DEPARTMENT OF
WATER RESOURCESApplicant Name: The Sunnyside Ranch Revocable Trust

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 *Application to Rent Water from the Board's Water Supply Bank*
- ☒ 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)

22-2175B

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant The Sunnyside Ranch Revocable Trust

Mailing Address 420 Lexington Avenue Suite 1756, New York, NY 10170

Street

City

State

Zip Code

Email Address jlserson@gmail.com

Phone Number _____

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 Kristin Moore

Professional Title Senior Water Rights Analyst

Organization Rocky Mountain Water Exchange, LLC

Relationship to Applicant Consultant

Mailing Address 482 Constitution Way, Suite 303, Idaho Falls, Idaho 83402

Email Address kristin.rmea@gmail.com

Phone Number 208-524-2353

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**:

Applicant proposes to develop a new 0.8 ac pond up to 12' deep. Volume of the pond is estimated at 3.8 acre-feet (0.8 ac x 12' * 0.4=3.8 af). First-time fill of the pond will be mitigated through water rented from the Water Supply Bank for Spring of 2022. Water rented based upon standard consumptive use (3.8 af / 2.5 afa/ac = 1.5 ac).

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)
0.02 CFS	3.8 AF	0.02 CFS	3.8 AF	1.5 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?	
4/15/2022	5/15/2022	☒ 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):

The pond will be excavated in a high ground water area and is expected to fill naturally. In addition, a well will be installed adjacent to the pond (upon approval of a pending transfer) that can deliver water directly if needed.

- 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
New Well	Groundwater	A portion of 35-7720 (pending transfer)
T2N R43E Sec 33 SWSE		

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 _____ (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: Storage - pond fill from: 4/15 (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:

No other water rights for pond fill. However, a pending transfer of 35-7720 will provide water rights for pond maintenance for evaporation.

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)
22-2175B	Irrigation	0.5	136.5	39		0.03	5.3	1.5
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	0.03	5.3	1.5
						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**:

NA

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**:

Actual consumptive use amounts for the rental water rights are not known and were assumed to be 2.5 afa per acre according to the standard consumptive irrigation requirement. $1.5 \text{ acres} \times 2.5 \text{ afa/acre} = 3.8 \text{ afa}$

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:

- 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:

Yes. Applicant is also transferring 2.0 acres from WR 35-7720 for storage and irrigation use. The storage component will be used to replace evaporative losses. This rental is still required to provide the first-time fill.

- 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

Daniel Wayne Sermon, Trustee

Printed Name of Applicant

12-28-21

Date

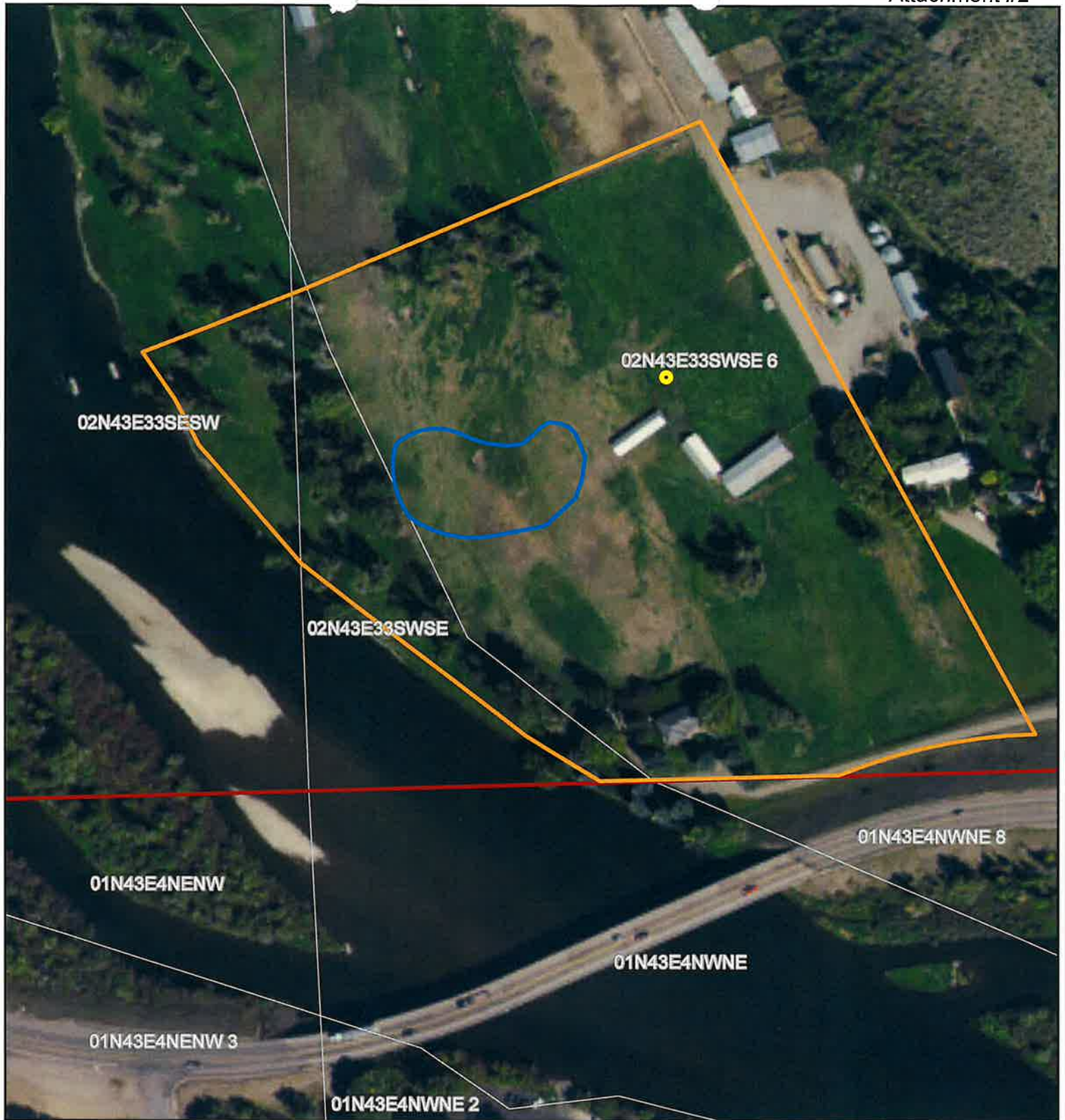
Signature of Representative

Printed Name of Representative

Date

Mail to:

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

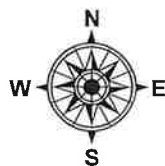


0 185 370 740 Feet

2021 NAIP

Legend

-  Proposed POD
-  Proposed Pond
-  Approx Deeded Parcel
-  Twp & Rng
-  Section
-  QQ



WSB Rental Location

The Sunnyside Ranch Revocable Trust

RMEA # 21-0256

by: KM

Date: 1/25/2022



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

Eastern Snake Plain Aquifer Modeling Analysis and Narrative

Water Supply Bank Rental Application of WR# 22-2175B

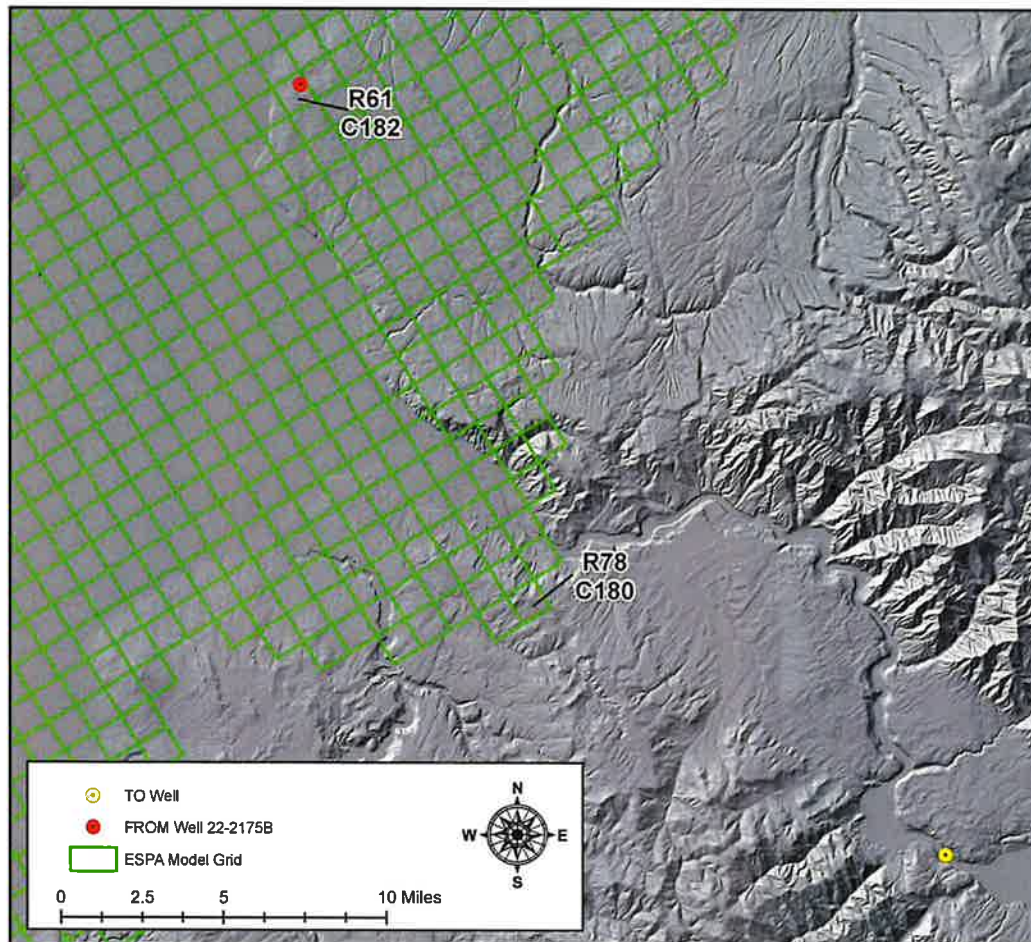
The Applicant requires rental water for the first-time fill of a new 3.8 af pond. This application proposes to rent water from water right 22-2175B for the required volume.

Data Input Values

The TO Well location is the pond location, through which ground water will rise naturally to fill the pond. In addition, a well will be located adjacent to the pond that will have the ability to contribute water for filling, if needed. Since the proposed POU is outside of the ESPAM grid, the closest model cell was used, which is identified as R78 C180.

The FROM Well location is a single point of diversion located within the model cell R61 C182. Figure 1 shows the locations of the points of diversion used in the modeling scenario.

Figure 1. ESPA Model Grid



The standard consumptive use volume of 2.5 afa/acre for a total of 3.8 afa, or 1.3 af/trimester, was used to calculate a volume for modeling.

Results

Using ESPAM 2.2 to simulate the depletions of transferring 3.8 af to the proposed place of use, the affects do not exceed the threshold of 2.0 af/trimester. No mitigation is required. Figures 2-4 include excerpts from the model simulation.

Figure 2. Data Entry

ENHANCED GROUND-WATER RIGHTS TRANSFER
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO: 0

YEAR: 1960

SEASON: SPRING

TRANSFER NAME: test

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	78	61	0	0
COLUMN	180	182	0	0

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1960	0.00	1.30	1.30	0.00	0.00	0.00	0.00
SUM 1960	0.00	1.30	1.30	0.00	0.00	0.00	0.00
WIN 1960	0.00	1.30	1.30	0.00	0.00	0.00	0.00
SPR 1961	0.00	1.30	1.30	0.00	0.00	0.00	0.00
SPR 2020	0.00	1.30	1.30	0.00	0.00	0.00	0.00
SUM 2020	0.00	1.30	1.30	0.00	0.00	0.00	0.00
WIN 2020	0.00	1.30	1.30	0.00	0.00	0.00	0.00
SPR 2021	0.00	1.30	1.30	0.00	0.00	0.00	0.00
SUM 2021	0.00	1.30	1.30	0.00	0.00	0.00	0.00
WIN 2021	0.00	1.30	1.30	0.00	0.00	0.00	0.00
SPR 2022	1.30	0.00	1.30	0.00	0.00	0.00	0.00
SUM 2022	1.30	0.00	1.30	0.00	0.00	0.00	0.00
WIN 2022	1.30	0.00	1.30	0.00	0.00	0.00	0.00
SPR 2023	0.00	1.30	1.30	0.00	0.00	0.00	0.00
SUM 2023	0.00	1.30	1.30	0.00	0.00	0.00	0.00
WIN 2023	0.00	1.30	1.30	0.00	0.00	0.00	0.00
SPR 2024	0.00	1.30	1.30	0.00	0.00	0.00	0.00
SUM 2024	0.00	1.30	1.30	0.00	0.00	0.00	0.00
WIN 2024	0.00	1.30	1.30	0.00	0.00	0.00	0.00
SPR 2025	0.00	1.30	1.30	0.00	0.00	0.00	0.00
SUM 2025	0.00	1.30	1.30	0.00	0.00	0.00	0.00
WIN 2025	0.00	1.30	1.30	0.00	0.00	0.00	0.00

Figure 3. Net Transfer Graphs

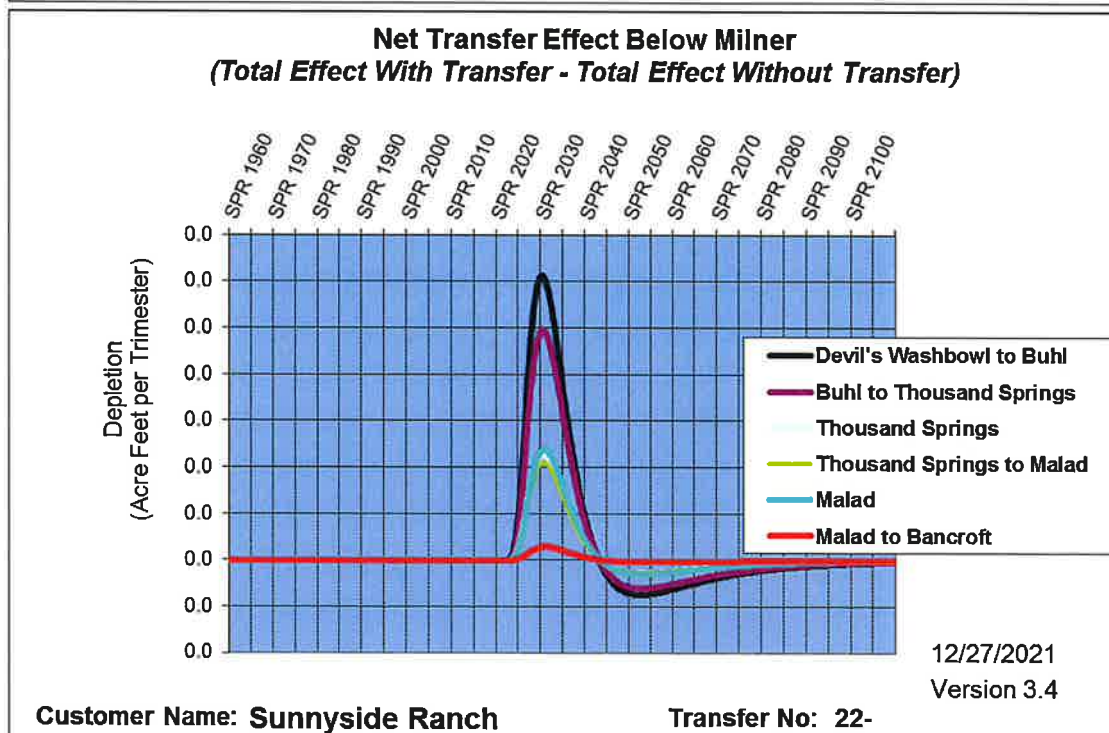
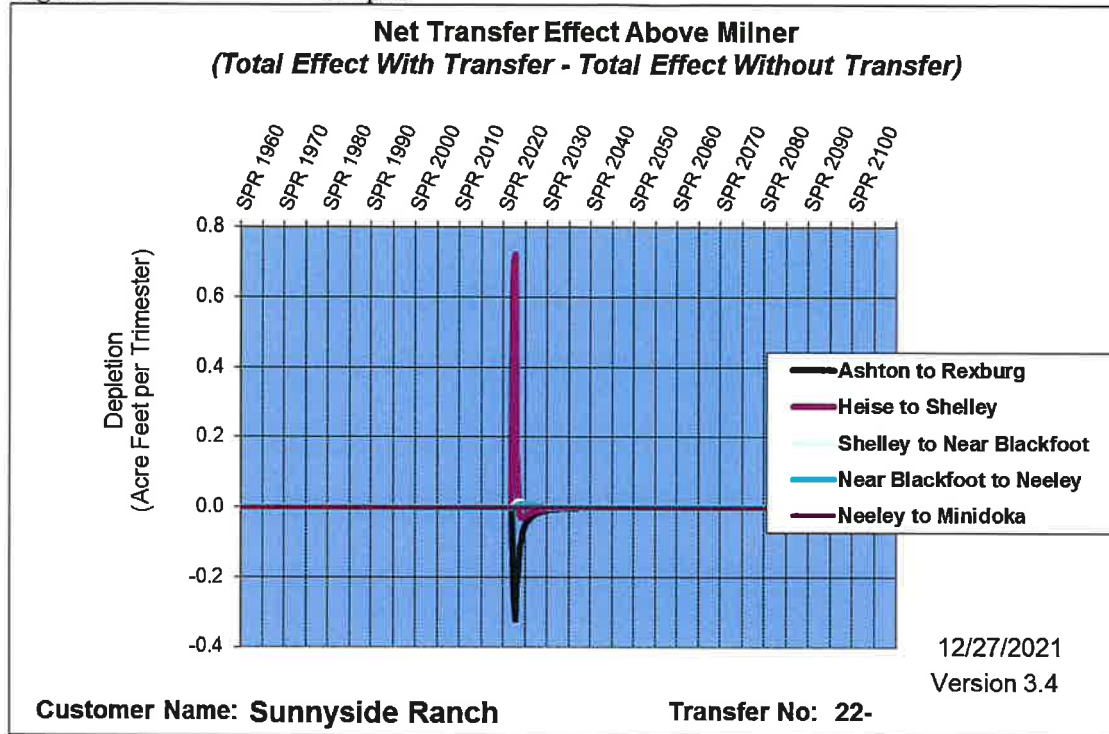


Figure 4. Calculated Affects

	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft Neeley	Neeley to Minidoka	Dev. Wbl. Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
SPR 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1961	0.0	0.0	0.0	0.0	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	0.0	0.0	0.0	0.0
WIN 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	-0.1	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	-0.3	0.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	-0.3	0.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	-0.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2028	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2028	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2028	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2029	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2029	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2029	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

	AtR	HIS	StNB	NBtN	NtM	DWtB	BtTS	TS	TSIM	M	MtB	Total	
Effects @ SS (Last Time Step):	0.66	0.56	0.02	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.30	Total Effect
Value of Dep. @ Last Time Step:	0.66	0.56	0.02	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.30	Total Effect
ient State (Max Value Timestep):	0.66	0.56	0.02	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.30	Total Effect
Max. Value of Dep. After Transfer:	0.66	1.29	0.04	0.06	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.05	Total Effect
Steady State Change:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	0.00	0.72	0.02	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00		



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 12, 2022

THE SUNNYSIDE RANCH REVOCABLE TRUST
420 LEXINGTON AVE RM 1756
NEW YORK, NY 10170-0008

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 22-2175B AGREEMENT 634**

Dear Renter:

Please find enclosed a receipt in the amount of **\$106.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 5.3 acre-feet of water for aesthetic storage during 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.

Pursuant to the Water Supply Bank Rules, 90% or \$95.40 of the rental fee will be paid to the lessor(s) and 10% or \$10.60 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. C113422
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
Kristin Moore
Water District 100



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Gary Spackman

June 24, 2022

THE SUNNYSIDE RANCH REVOCABLE TRUST
420 LEXINGTON AVE RM 175
NEW YORK, NY 10170-0008

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 22-2175B AGREEMENT 634**

*****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 \$106.00 per year was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 5.3 acre-feet.

Please send a check for \$106.00 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 \$95.40 of the rental fee will be paid to the lessor(s) and 10% or \$10.60 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
Kristin Moore

Memorandum

TO: Water right 22-2175B file
FROM: Cody Parker
RE: Evaluation of WSB rental application 2294
DATE: June 22, 2022

Purpose

In April of 2022, transfer 85767 was approved authorizing, in part, 1 acre-foot for aesthetic storage use. The 1 acre-foot was meant to cover the annual evaporative losses from the 0.8-acre pond, whose total volume is 3.8 acre-feet. Per condition 5 (23-11515) of the transfer approval

"Subsequent refills of the pond will require acquisition of water from...[the] Water Supply Bank"

This rental application is meant to provide the initial-fill volume for the same pond for 2022. According to the rental application:

"The pond will be excavated in a high ground water area and is expected to fill naturally..."

To provide the initial fill volume, the applicant proposes to rent 1.5 acres of irrigation use from water right 22-2175B and convert the nature of use to aesthetic storage.

Authority to File

The applicant is listed as The Sunnyside Ranch Revocable Trust. Daniel Wayne Sermon signed the application and is listed as a Trustee. According to the Bonneville County assessor website, the pond will be developed on land owned by the same Trust. No concerns.

Water Right Validity

The validity of water right 22-2175B was evaluated separately while processing lease application 2102. No concerns.

Injury to Other Water Rights

Administrative Area	Lease	Rental
3.5 / 2.5 afa/ac	x	x
Non-Trust Area	x	x
WD 100	x	
ESPA GWMA	x	
Madison GWD	x	

The rental proposed by this application moves water from the ESPA Groundwater Management Area to a location outside. There are no injury concerns raised from administrative areas.

The rental location is not within the ESPA. However, the WSB ETRAN guidance states:

“Ground water rentals from within the ESPA to locations outside the ESPA may be allowable as long as the rental point of diversion is within an aquifer tributary to the ESPA.”

In this case, the rental POD appears to be located within an aquifer tributary to the ESPA. The ETRAN guidance goes on to say:

“To move a diversion from within the ESPA to a tributary aquifer, the modeler should select the model grid cell nearest the rental location as the To Well location. At some locations, the grid cells extend beyond the model boundary. If the To Well location is farther than a distance of two grid cells from the ESPA boundary, the modeler will need to employ additional modeling tools or methods in conjunction with the ESPA modeling tool to calculate the timing and quantity of the impacts to the Snake River.”

The applicant used the closest model grid cell which is ~13 grid cells away. They did not “employ additional modeling tools or methods in conjunction with the ESPA modeling tool to calculate the timing and quantity of the impacts to the Snake River.”

However, the consumptive use of the pond (evaporation) is provided by water right 23-11515. The portion of the pond covered by this rental is for initial fill. The water rented should be used in a nonconsumptive manner and will be left in place (the pond fills with shallow groundwater). The effect of the rental is essentially idling the irrigation at the lease place of use and leaving it unused. Therefore, the modeling concerns identified above are not an issue.

No other concerns.

Enlargement of Use

The applicant proposes to change the nature of use from irrigation to aesthetic storage. The applicant used the 2.5 afa/ac consumptive use standard for the lease area. Absent any specific crop data, this seems to be a reasonable estimate. The applicant will rent 1.5 acres and 5.3 afa which will be cut to 3.8 afa due to the change in nature of use.

No concerns.

Local Public Interest

There is no information I am aware of to suggest that this rental application conflicts with the local public interest.

Beneficial Use/Conservation of Water Resources

The application proposes a nonconsumptive use of water for a recognized beneficial use. No concerns.

Department Staff or Watermaster Comments

Comment was requested from IDWR eastern region and the watermaster for Water District 100. Correspondence is included in the file.

Parker, Cody

From: Parker, Cody
Sent: Wednesday, June 22, 2022 1:46 PM
To: Jordan, Blake; Cefalo, James
Subject: WSB Rental Application 2294
Attachments: RA2294_Agreement.docx; RA2294_ApprovalMap.pdf; RA2294_Memo.docx; RA2294_MoveMap.pdf

Good afternoon,

Attached are the documents for water supply bank rental application 2294. The rental moves 1.5 acres of groundwater irrigation from the ESPA to an ESPA tributary aquifer. The end-use of the rental is aesthetic storage. The rental provides a one-time fill for the pond (shallow groundwater infiltrates the pond). Evaporation associated with the pond is covered by 23-11515. Please let me know if you have any comments.

Thanks

Cody Parker
Water Rights Supervisor
Idaho Dept. of Water Resources