

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 636

RECEIVED
JUL 06 2022
DEPT OF WATER RESOURCES

This is to certify that:

JEDD MUMM
2175 S HWY 33
DRIGGS, ID 83422

KATHERYN MUMM
2175 S HWY 33
DRIGGS, ID 83422

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)
22-7266	12/28/1977	GROUND WATER	0.08	18.0	5.0	0.016	3.6
Combined Rental Totals			0.08	18.0	5.0	0.016	3.6

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2024. 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: \$360.00 annually
2023 - 2024: \$414.00 annually

The full fee for the rental of the above-described right(s) is \$360.00 per year for years 2022 - 2022 and \$414.00 per year for years 2023 - 2024. The rental fee includes an administrative fee of \$36.00 per year for years 2022 - 2022 and \$41.40 per year for years 2023 - 2024.

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	0.08	17.5	5.0	0.016	3.5
Combined Total	0.08	17.5	5.0	0.016	3.5

** The authorized water usage reflects a reduction from the water right elements rented, to account for headgate volume standards for irrigation*

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

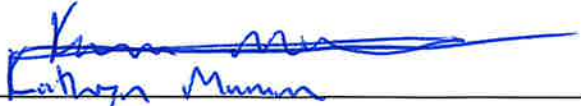
WATER SUPPLY BANK RENTAL AGREEMENT No. 636

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JUL 06 2022

DEPARTMENT OF
WATER RESOURCES

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

7/28/22
Date

Katelyn Munson
Printed Name

Land owner NA
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 7/8/22

Rental approved by IDWR 

Date 7/8/22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 636

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec. 36, Twp 05N, Rge 45E, TETON County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.08 CFS

VOLUME
17.5 AF

SEASON OF USE

From To
4/15 10/15

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	
05N	45E	36	5.0																5.0

Total Acres: 5.0

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. This rental agreement when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
10. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 636

Effective until December 31, 2026

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 0.03 0.06 0.12 Miles



**STATE OF IDAHO
WATER RESOURCE BOARD**

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

RECEIVED

FEB 02 2022

DEPARTMENT OF
WATER RESOURCESApplicant Name: By Kathryn + Todd MunsonIs this application being submitted with a lease application as a lease/rental package?
If yes, specify companion water rights in Section 4Yes ☐ No ☐

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 <i>well & rainwater + pipe</i>
3A	☐	☒ Detailed information on a proposed use of rental water <i>irrigating landscape + pipe</i>
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 <i>- what is the size pump</i>
4C	☒	☐ Explanation of consumptive use amounts for water rights experiencing a change in nature of use <i>unknown</i>

Department Use Only - Proposed Water Right(s)

2302

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Katrina + Todd Munson
 Mailing Address 2175 S Highway 33 Driggs ID 83422
Street City State Zip Code
 Email Address Katcannmunson@gmail.com Phone Number 208 463 5411

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 _____ Professional Title _____
 Organization _____ Relationship to Applicant _____
 Mailing Address _____
 Email Address _____ Phone Number _____

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**:

I want to beautify our property by planting trees around
the lot as well as wildflowers & natural grasses.
Irrigating, Landscaping, & Ornp

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)
<u>.08</u> CFS	<u>18</u> AF	CFS	AF	<u>45</u> 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?	
<u>07/01/2022</u>	<u>10/01/2022</u>	☐ 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):

A drip system will be used for all trees. An in ground
sprinkler system will be used for wild grasses & wildflowers.

- 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
~~well (Arroyo)~~	Private well	
Pump ↑		
5N45E		
Section 36		

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?

If yes, include documented consent as Attachment 3F.

Yes ☐ N/A ☒

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling?

Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

Yes ☐ No ☒

- H. Has water modeling been provided with your rental request?

If yes, label modeling Attachment 3 H.

Rental applications that require modeling will be returned if modeling is not provided.

Yes ☐ N/A ☒

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

☒ Irrigation 4 (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: (mm/dd) to: (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre?

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.

N/A ☐ Yes ☐ No ☒

- K. Do you own the land at the proposed rental place of use (POU)?

If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it Attachment 3K.

Yes ☒ No ☐

- 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:

1.5 acres, granted with well on the lot, per Teton County
Idaho's Policy

**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)
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	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**:

The size of the pump is 2 1/2 horse power.

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:

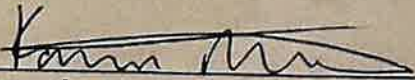
- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☒
If yes, describe:

- 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

Kathryn Munn
Printed Name of Applicant

04/14/2021
Date

Signature of Representative

Printed Name of Representative

Date

Print Form

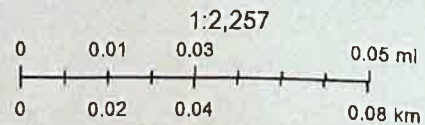
Mail to:

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

Water Right Rental Application



1/31/2022, 6:41:55 PM



Green Line borders property
Green pin marks well which will
be point of diversion.

Distribution System - Rainbird + Pipe

Maxar, Microsoft, Esri, HERE, IPC, Esri, HERE, Garmin, IPC



IDAHO DEPARTMENT
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

JEDD & KATHERYN MUMM
2175 S HWY 33
DRIGGS, ID 83422

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 22-7266 AGREEMENT 636**

Dear Renter:

Please find enclosed a receipt in the amount of **\$360.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 18 acre-feet of water for irrigation of 5 acres 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 \$324.00 of the rental fee will be paid to the lessor(s) and 10% or \$36.00 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. C113397
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office

June 24, 2022

JEDD & KATHERYN MUMM
2175 S HWY 33
DRIGGS, ID 83422

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 22-7266 AGREEMENT 636**

*****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 \$360.00 per year was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 18 acre-feet.

Please send a check for \$360.00 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 \$324.00 of the rental fee will be paid to the lessor(s) and 10% or \$36.00 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

Memorandum

TO: Water right 22-7266 file
FROM: Cody Parker
RE: Evaluation of Rental Application 2302
DATE: June 22, 2022

Purpose

The applicant proposes to irrigate 5 acres of land using groundwater from a well. The applicant did not identify a water right to rent, but water right 22-7266 appears to be sufficient for this purpose.

Authority to File

The applicants are Kathryn and Jedd Mumm. Kathryn signed the application. The land proposed for irrigation is owned by Jedd Mumm. No concerns.

Water Right Validity

Validity of water right 22-7266 was evaluated during processing of lease contract 1177. No concerns.

Injury to Other Water Rights

Administrative Area	Lease	Rental
4/15 to 10/31	x	x
3.5 (headgate)/2.5 (consumptive) afa/ac	x	x
Non-trust area	x	x

The applicant proposes to use an existing well to irrigate 5 acres of land. The rental diversion is not in an area where groundwater is in short supply. No concerns.

Enlargement of Use

Water right 22-7266 is a primary groundwater irrigation right with no overlapping water rights. 5 acres, 0.08 cfs, and 15 afa will be moved to the rental location to irrigate new land. The leased acres appear to have been idled. No concerns.

Local Public Interest

I am not aware of any information that suggests this rental application conflicts with the local public interest. No concerns.

Beneficial Use/Conservation of Water Resources

The application proposes an irrigation use within the acceptable standards. No concerns

Department Staff or Watermaster Comments

IDWR eastern region comments were requested. Correspondence is in the backfile.

Parker, Cody

From: Parker, Cody
Sent: Thursday, June 23, 2022 2:37 PM
To: Cefalo, James
Subject: Rental Application 2302
Attachments: moveMap.pdf; RA2302_Agreement.docx; RA2302_Map.pdf; RA2302_Memo.docx

James,

Attached are the documents for rental application 2302. The lease and rental are not in any area of concern or water district. Let me know if you have any comments.

Thanks

Cody Parker
Water Rights Supervisor
Idaho Dept. of Water Resources