STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 625

RECEIVED
JUN 03 2022
DEPARTMENT OF
WATER RESOURCES

This is to certify that:

PACIFICORP
ATTN BUFFI MORRIS
1407 W NORTH TEMPLE STE 110
SALT LAKE CITY, UT 84116

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 Volume (AF)
13-963	3/28/1916	BEAR RIVER, tributary to GREAT SALT LAKE	2.0
Combined Rental Totals			**2.0**

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2026. 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: $4.00 annually
2023 - 2026: $4.60 annually

The full fee for the rental of the above-described right(s) is $4.00 per year for year 2022 and $4.60 per year for years 2023 - 2026. The rental fee includes an administrative fee of $4.00 per year for years 2022 and $4.60 per year for years 2023 - 2026. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 13-963.

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.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 625

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

June 1, 2022
Date

Buffi Morris
Printed Name

Water Rights Administrator
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 6/9/22
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date 6/9/22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 625

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

UNNAMED SPRING SWSW Sec. 28, Twp 10S, Rge 40E, CARIBOU County

BENEFICIAL USE	DIVERSION RATE	VOLUME
FISH PROPAGATION STORAGE	Not Stated	2.0 AF

SEASON OF USE

From	To
1/1	12/31

RENTERS PLACE OF USE: FISH PROPAGATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
10S	40E	33					X	X										

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 water rights 13-7996 & 13-7998 is limited to a total diversion rate of 1.0 cfs.
10. The two (2) ponds established by the storage of water under this right and right 13-7998 shall not exceed a total capacity of 5.9 acre-feet or a total surface area of 0.9 acres.
11. Use of water under this rental agreement 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 agreement is within State Water District No. 11.

12. This rental agreement does not grant any right-of-way or easement across the land of another.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 625

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

0 500 Feet

N

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
DEC 06 2021
DEPARTMENT OF
WATER RESOURCES

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant PacifiCorp, an Oregon corporation

Mailing Address 1407 W. North Temple, Suite 110, Salt Lake City, UT 84116
Street City State Zip Code

Email Address buffi.morris@pacificorp.com Phone Number 801-220-7803

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 Buffi Morris Professional Title Water Rights Administrator

Organization PacifiCorp Relationship to Applicant Employee

Mailing Address 1407 W. North Temple, Suite 110, Salt Lake City, UT 84116

Email Address buffi.morris@pacificorp.com Phone Number 801-220-7803

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**:

The ponds at the proposed place of use were developed larger than the anticipated and permitted capacity. Rental of this water will provide authorization for the increased capacity as a short-term solution. (see Attachment 3a for additional information regarding the purpose of the ponds.)

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)
CFS	2.0 AF	N/A CFS	2.0 AF	N/A 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?	
		☐ 1	☐ 2	☐ 3	☐ 4	☑ 5	☑ Process application as soon as possible	☐ Return application to applicant
1/1/2022	1/1/2022							

* ***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.***

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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):
see attachment labeled "Question 3.D"

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
wood-topped spring box	unnamed spring	13-7996, 13-7998
NESWSW S28 T10S R40E		

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: fish propagation storage from: Jan 1 (mm/dd) to: Dec 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:
13-7998 and 13-7996 diverted from an unnamed spring. Additional water is to satisfy the increased capacity above the permitted size.

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)
13-963	Power / storage		3997.20	0.0			2.0	0.0
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		2.0	
						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**:

N/A

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**:

13-963 is a non-consumptive water right, which inherently includes evaporation from storage at the Cove Dam.
The proposed use will be similar in that it will provide storage water for a non-consumptive purpose.

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:
PacifiCorp will request a transfer for this water to the Cove Ponds.

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	PacifiCorp, an Oregon corporation Printed Name of Applicant	11/15/2021 Date
Signature of Representative	Buffi Morris, Water Rights Administrator Printed Name of Representative	11/15/2021 Date

Mail to:

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

STATE OF IDAHO
WATER RESOURCE BOARD

Water Modeling Requirement Information Sheet

Information on water modeling requirements for rental requests within special administrative areas

Important information on requesting rental water within special administrative areas: Refer to the information below to determine whether the modeling of potential impacts from your rental request is necessary. Use Section 4 of the rental application to identify selected water rights. **If you submit an application to rent water from within a special administrative area and water modeling is required, your rental request will be returned if water modeling is not provided.**

Water modeling may be required when an application to rent water involves one of two scenarios:

Scenario 1: The rental request proposes to divert water from a regulated water source and/or within a special administrative area AND the distance between the rental point(s) of diversion (POD) and the POD(s) for the leased water right(s) is greater than the administratively established, acceptable distance.

Regulated water sources may areas include:

A. Ground water resources within the modeled area of the Eastern Snake Plain Aquifer (ESPA) and tributary aquifers;
B. Ground water within Ground Water Management Areas (GWMAs) or Critical Ground Water Areas (CGWAs);
C. Water resources within other specified administrative areas, as established by the Idaho Water Resource Board (IWRB) or the Idaho Department of Water Resources.

The distance between any rental POD(s) and the POD(s) for a leased water right to be rented is important. On the ESPA, distance is measured in terms of model cells that cover an area of one square mile. Ground water modeling is not required if lease POD(s) and rental POD(s) are located within the same model cell or within adjacent model cells. If the lease and rental PODs are separated by more than one model cell groundwater modeling must be completed using the IDWR ESPA Transfer Tool and modeling results must be submitted with the rental application. ESPA modeling tools can be accessed and freely downloaded from IDWR's website by visiting: www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.

Ground water modeling may be required within GWMAs, CGWAs or other regulated administrative areas. Applicants who desire to rent water within an established GWMA, CGWA or other regulated administrative area should consult IDWR's website before submitting their application to review the current status of administrative orders related to regulated administrative areas. Consult www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated_areas.htm for information on GWMAs or CGWAs, visit https://idwr.maps.arcgis.com/home/ to use mapping tools to find other regulated areas.

Applicants interested in renting water within a GWMA, CGWA or other regulated administrative areas should request water rights that have been leased into the Bank from within the same administrative area. Generally, the Bank will not permit a rental of water within a regulated administrative area if the leased water rights are not located within that same administrative area.

Scenario 2: A rental request proposes to divert water from a different but hydraulically connected water source.

Modeling situations may include:

A. Rental requests that propose to divert surface water rights via ground water POD(s) (wells); and
B. Rental requests that propose to divert ground water from one aquifer when the right being rented authorizes the diversion of ground water from a hydraulically connected, tributary aquifer.

Rental requests that propose to divert surface water rights from ground water points of diversion may be considered if ground water modeling establishes that the surface and ground water resources are directly and immediately hydraulically connected. An acceptable hydraulic connection occurs when at least 50 percent of the total depletions from a well are detectable from the original water source within a 24 hour period. The existing (leased) POD and proposed (rental) POD must be proximate such that diversion and use of water from the proposed POD would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original POD.

Requests to rent ground water across tributary aquifer sources may be considered if ground water modeling is provided to demonstrate that two aquifers are hydraulically connected and the anticipated impacts of diverting ground water from one source through the other is modeled accordingly.

For more information about rental application requirements, contact IDWR at (208) 287-4800.

Attachment 3A

PacifiCorp's Cove Broodstock Ponds are used exclusively for holding of captured wild Bonneville Cutthroat Trout (BCT) until they are ready to spawn. PacifiCorp, in cooperation with the Idaho Department of Fish and Game (IDFG), manages the ponds for holding BCT broodstock under a Conservation Hatchery Agreement. Every fall, IDFG collects wild BCT from local tributaries of the Bear River. Once collected, the BCT are tagged, fin clipped for genetic testing and temporarily held in tanks until genetic tests are complete. After testing, they are placed in one of the Cove Broodstock Ponds. In the ponds the BCT grow and mature until they are ready to spawn. Depending on their age class when collected, they could be held in the ponds for one or more years before they move up the fish collection ladders in the ponds, to be spawned by IDFG personnel. After spawning the males are returned to the Bear River and the females are sacrificed for bacterial kidney disease testing. The fertilized eggs are moved to the IDFG Grace fish hatchery where they are incubated and the fry raised until ready to be released into tributaries to the Bear River.. The holding ponds were designed to discourage opportunistic spawning while fish are within the ponds as they have a synthetic liner and eight inch to four inch cobble rock on top of the liner. The ponds were designed to replicate natural food source production. The cobble provides suitable substrate for macro-invertebrate production. No supplemental feeding is performed in the ponds. The average water temperature is 48° F.

Question 3.D – Water Distribution System

Originating at a spring on PacifiCorp land, the water enters a wood-topped concrete spring box that is connected to an 8-inch diameter PVC conveyance pipe. This pipe goes a short distance to a concrete control box with a wood lid. The control box allows entrained air to exit the pipe. The 8-inch diameter PVC pipe then conveys flow southward across BLM land until it re-enters PacifiCorp land. PacifiCorp has a Right of Way from BLM for this conveyance pipe. The PVC pipe extends into the fenced pond enclosure at which point two ductile iron valve assemblies control the flow of water from the PVC pipe into each of the two ponds. To maintain bio-security between the ponds, no water is shared between them. Water flow is measured at concrete weirs at the fish collection location in each pond. Each pond has a screened concrete outflow box. The water that flows through these is combined in a pipe that transitions to a ditch that goes a short distance to the Bear River.

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

June 14, 2022

PACIFICORP
1407 W NORTH TEMPLE STE 100
SALT LAKE CITY, UT 84116

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 13-963 AGREEMENT 625

Dear Renter:

Please find enclosed a receipt in the amount of **$22.40** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 2.0 acre-feet of water for fish propagation during 2022-2025. 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.

Since you are both the lessor and the renter of the right(s), you are only obligated to pay the 10% administrative fee or $22.40 for 2022-2025.

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. C112933
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
Buffi Morris
Water District 11
Bear River Ground Water District

PACIFICORP
A MIDAMERICAN ENERGY HOLDINGS COMPANY

Buffi Morris
Sr. Property Agent / Water Rights Administrator

1407 West North Temple, Suite 110, Salt Lake City, Utah 84116
Office: (801) 220-7803 Cell: (801) 989-8817

RECEIVED
JUN 03 2022
DEPARTMENT OF
WATER RESOURCES

June 1, 2022

Idaho Department of Water Resources
Water Supply Bank
322 E Front Street, Suite 600
Boise, Idaho 83720

RE: WSB Contract 1528 (13-962 & 13-963 / WSB Rental Agreement 625 (13-963)

Amanda:

Enclosed are two WSB Lease Contracts (1528) and one Rental Agreement (625) for water rights 13-962 and 13-963. Also included is a check in the amount of $22.40 which is the rental amount paid in full for the term of the agreement. There is a bank fee associated with each company check that would exceed the amount of the annual rental payment so PacifiCorp is paying in full.

I appreciate your help. Please let me know if you have questions.

Sincerely,

Buffi Morris
Water Rights Administrator

Enclosures

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

May 25, 2022

PACIFICORP
1407 W NORTH TEMPLE STE 101
SALT LAKE CITY, UT 84116

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 13-963, AGREEMENT 625

*****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 **$4.00** for 2022 was calculated based on the current rental rate of $20.00 per acre-foot times a diversion volume of 2.0 acre-feet. Since you are both the lessor and the renter of the right(s), **you are only obligated to pay the 10% administrative fee or $4.00.** 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.

Please send a check for $4.00 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.

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(s)

c: IDWR Front Desk

Parker, Cody

From: Parker, Cody
Sent: Thursday, May 5, 2022 10:25 AM
To: watermasterdist11@gmail.com; Cefalo, James; Holliday, Michael
Subject: WSB Lease Contract 1528 and Rental Agreement 625
Attachments: LC1528_ReviewMemo.docx; RA625_MoveMap.pdf; RA625_RentalAgreement.docx; RA625_ReviewMemo.docx; LC1528_LeaseContract.docx

Good morning,

Attached are the documents for a lease (WRs 13-962 & 13-963) and rental (13-963) for Pacificorp. They are leasing the entirety of water rights and renting 2 acre-feet storage from right 13-963 to use for fish propagation storage ~1.2 miles south of the original storage location from an unnamed spring. This is a renewal of the same transaction authorized in 2020. Please let me know if you have any comments.

Thank you

Cody Parker
Water Rights Supervisor
Idaho Dept. of Water Resources

Memorandum

To: Water right 13-962 & 13-963 files

From: Cody Parker

Re: Evaluation of WSB Application 2222

Date: May 4th, 2022

Purpose

This rental application proposes to rent 2.0 afa storage volume from water right 13-963 to be used for fish propagation storage. The requested rental duration is for the full five years that the right is leased into the Bank. This rental application is essentially a repeat of WSB application 1761 (rental agreement 470).

The volume requested by this rental application is meant to be added to existing water rights 13-7996 (fish propagation) and 13-7998 (diversion to storage, fish propagation storage). The additional volume proposed by this rental is meant to cover additional storage that is not authorized by the other two water rights.

Authority to File

The applicant is Pacificorp, an Oregon corporation. Buffi Morris, the water rights administrator for he company signed the application.

The land proposed for fish propagation storage is owned by Utah Power according to the available parcel information.

Water Right Validity

Validity of the water rights to be rented is addressed separately in the lease evaluation for lease contract 1528. No concerns with water right validity at this time.

Injury to Other Water Rights

In 2017, a 2.8 afa portion was split from 13-963 and moved to the same location as this rental, and for the same purposes (fish propagation storage) proposed by this rental. That split portion of the original right is numbered 13-7998. The evaluation for that transfer noted that their are no other users of this spring. No issues were identified in the evaluation. There is no information in the backfile to indicate that the change accomplished in the transfer was problematic or injurious. So similarly, I do not find any reason why the change proposed under this rental agreement would cause injury. No concerns.

Enlargement of Use

Right 13-963 authorizes the storage of water for power purposes approximately 1.2 miles north of the rental place of use. Both the original use and the proposed use are for storage

in roughly the same location. Therefore, we would expect that the consumption associated with evaporation at both locations would be the same. The rented water will not be reduced to its historical consumptive use because the end use of the water (i.e. its storage) is not changing. No anticipated enlargement.

Local Public Interest

There is no information to suggest that the proposed change conflicts with the local public interest. Protests resulting from the advertisement of related transfer no. 81756 were resolved. No concerns.

Beneficial Use/Conservation of Water Resources

This rental proposes a beneficial use that is consistent with the conservation of water resources in Idaho.

Department Staff or Watermaster Comments

IDWR Eastern Region and WD 11 comments were requested. Complete correspondence is in the backfile and included with this review memo.