

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 606**

**RECEIVED**

**MAY 25 2022**

**DEPARTMENT OF  
WATER RESOURCES**

This is to certify that:

WICKEL LAND COMPANY, LLP  
PO BOX 219  
DECLO, ID 83323

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<br>Right No.   | Priority<br>Date | Source       | Diversion<br>Rate (CFS) | Diversion<br>Volume (AF) |
|----------------------|------------------|--------------|-------------------------|--------------------------|
| 36-4179              | 8/9/1959         | GROUND WATER | 2.22                    | 896                      |
| <b>Rental Totals</b> |                  |              | <b>2.22</b>             | <b>896</b>               |

**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: \$17,920.00 annually

The full fee for the rental of the above-described right(s) is \$17,920.00 per year for year 2022. The rental fee includes an administrative fee of \$1,792.00 per year for years 2022 – 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<br>Rate<br>(CFS) | Diversion<br>Volume<br>(AF) | Acres<br>(AC) | Rate/Acre<br>(CFS/AC) | Volume/Acre<br>(AF/AC) |
|-----------------------|----------------------------|-----------------------------|---------------|-----------------------|------------------------|
| IRRIGATION            | 2.22                       | 592                         | 148           | 0.015                 | 4.00                   |
| <b>Combined Total</b> | <b>2.22</b>                | <b>592</b>                  | <b>148</b>    | <b>0.015</b>          | <b>4.00</b>            |

*\* The authorized water usage reflects a reduction from the water right elements rented, to account for consolidation of the rate and a change in the nature of use.*

Detailed water right conditions are attached.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 606**

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

*Wickel Land Company LLP*

*Ardel Wickel*

Printed Name

*5/19/22*

Date

*President - Partner*

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 *5/25/22*

Rental approved by IDWR 

Date *5/25/22*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 606**

**WATER USE DETAILS**

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                            |               |
|--------------|------|----------------------------|---------------|
| GROUND WATER | NWNE | Sec. 20, Twp 10S, Rge 25E, | CASSIA County |
| GROUND WATER | SWNE | Sec. 30, Twp 10S, Rge 25E, | CASSIA County |
| GROUND WATER | SWNE | Sec. 30, Twp 10S, Rge 25E, | CASSIA County |
| GROUND WATER | NWNW | Sec. 30, Twp 10S, Rge 25E, | CASSIA County |
| GROUND WATER | NWNW | Sec. 30, Twp 10S, Rge 25E, | CASSIA County |

**BENEFICIAL USE**  
IRRIGATION

**DIVERSION RATE**  
2.22 CFS

**VOLUME**  
592 AF

**SEASON OF USE**

|                        |             |           |
|------------------------|-------------|-----------|
| <b>Water Right No.</b> | <b>From</b> | <b>To</b> |
| 36-4179                | 3/15        | 11/15     |

**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 |        |
| 10S | 25E | 19  |     |     |    |    |     |    |     |    |    |     |    |    | 38 | 33 | 17 | 38 | 126    |
| 10S | 25E | 20  | 4.2 | 4.6 |    |    | 5.6 |    | 4.5 |    |    | 3.4 |    |    |    |    |    |    | 22     |

Total Acres: 148

**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 right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 606**

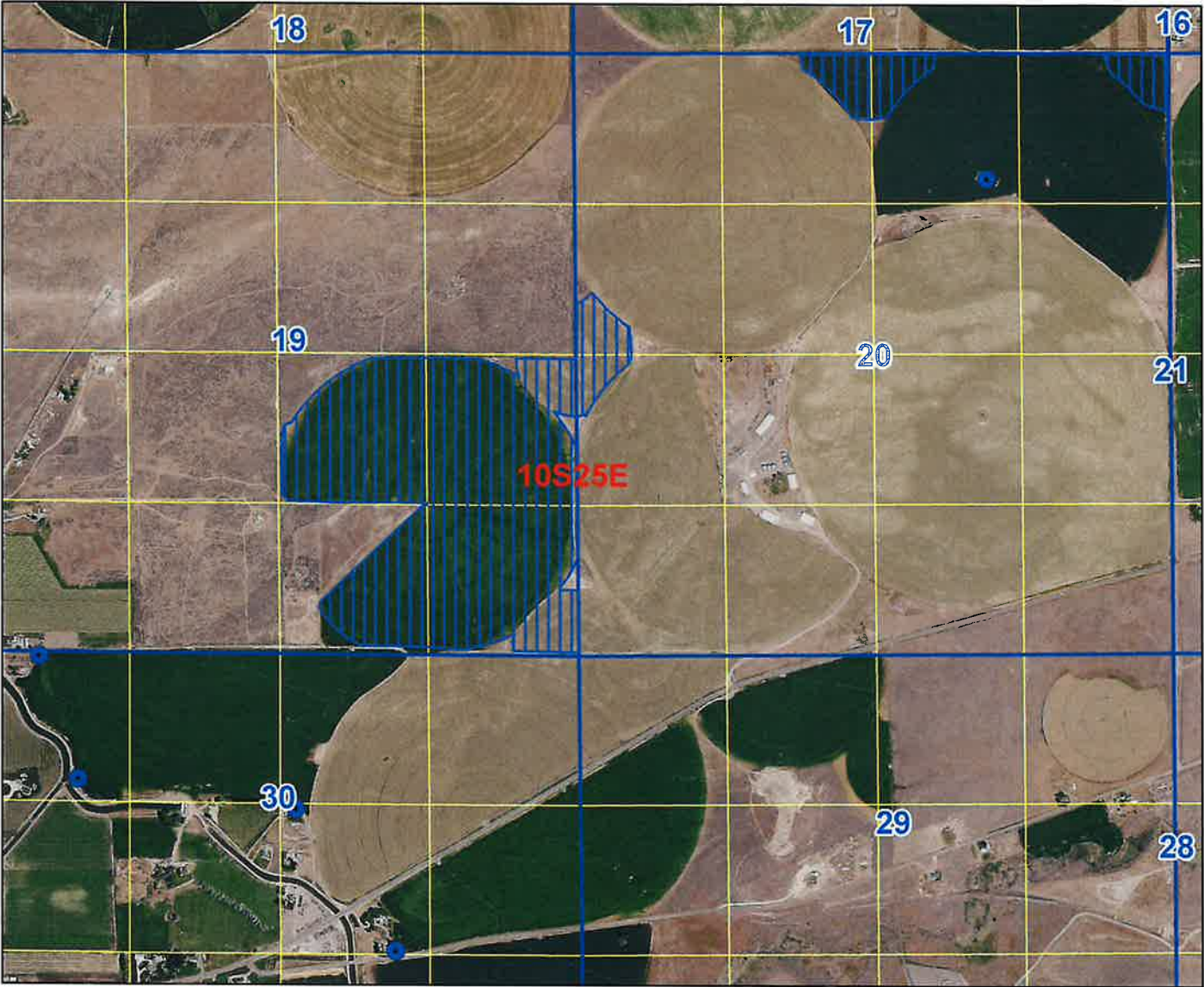
10. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.
11. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
12. This rental agreement does not authorize the construction of a well.

Idaho Water Resource Board

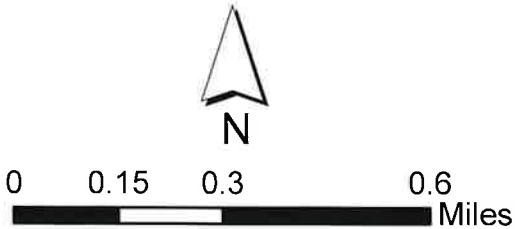
# Attachment to Water Supply Bank Rental Agreement No. 606

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.



-  Authorized Rental Point of Diversion
-  Authorized Rental Place of Use
-  Township/Range
-  Sections
-  QQ



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 606

RECEIVED  
APR 11 2022  
DEPARTMENT OF  
WATER RESOURCES

This is to certify that:

WICKEL LAND COMPANY, LLP  
PO BOX 219  
DECLO, ID 83323

**SUPERCEDED**

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

**Summary of Water Rights or Portions Rented from the Bank**

| Water Right No.               | Priority Date | Source       | Diversion Rate (CFS) | Diversion Volume (AF) | Acres (AC) | Rate Per Acre (CFS/AC) | Volume Per Acre (AF/AC) |
|-------------------------------|---------------|--------------|----------------------|-----------------------|------------|------------------------|-------------------------|
| 43-13595                      | 5/4/1978      | GROUND WATER | 1.66                 | 401                   | 100        | 0.017                  | 4.00                    |
| 43-13597                      | 5/23/1962     | GROUND WATER | 0.29                 | 192                   | 48         | 0.006                  | 4.00                    |
| <b>Combined Rental Totals</b> |               |              | <b>1.95</b>          | <b>593</b>            | <b>148</b> | <b>0.011</b>           | <b>4.00</b>             |

**Term of Rental:** This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2025. 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: \$11,856.00 annually  
2023 - 2025: \$13,634.40 annually

The full fee for the rental of the above-described right(s) is \$11,856.00 per year for years 2022 - 2022 and \$13,634.40 per year for years 2023 - 2025. The rental fee includes an administrative fee of \$1,185.60 per year for years 2022 - 2022 and \$1,363.44 per year for years 2023 - 2025. The full fee and administrative fee required for this rental are calculated using more decimals than the rounded amounts recorded on this agreement.

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            | 1.66                 | 593                   | 148        | 0.011              | 4.00                |
| <b>Combined Total</b> | <b>1.66</b>          | <b>593</b>            | <b>148</b> | <b>0.011</b>       | <b>4.00</b>         |

\* The authorized water usage reflects a reduction from the water right elements rented, to account for combined limits.

Detailed water right conditions are attached.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 606

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:

*Ardel W Wickel*  
Signature of Renter

4/8/22  
Date

Wickel Land LLP

Ardel W Wickel  
Printed Name

President  
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 \_\_\_\_\_

Rental approved by IDWR \_\_\_\_\_

Date \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 606**

**WATER USE DETAILS**

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                            |               |
|--------------|------|----------------------------|---------------|
| GROUND WATER | NWNE | Sec. 20, Twp 10S, Rge 25E, | CASSIA County |
| GROUND WATER | SWNE | Sec. 30, Twp 10S, Rge 25E, | CASSIA County |
| GROUND WATER | SWNE | Sec. 30, Twp 10S, Rge 25E, | CASSIA County |
| GROUND WATER | NWNW | Sec. 30, Twp 10S, Rge 25E, | CASSIA County |
| GROUND WATER | NWNW | Sec. 30, Twp 10S, Rge 25E, | CASSIA County |

**BENEFICIAL USE**  
IRRIGATION

**DIVERSION RATE**  
1.66 CFS

**VOLUME**  
593 AF

**SEASON OF USE**

| Water Right No. | From | To    |
|-----------------|------|-------|
| 43-13597        | 3/15 | 11/15 |
| 43-13595        | 3/15 | 11/15 |

**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 |        |
| 10S | 25E | 19  |     |     |    |    |     |    |     |    |    |     |    |    | 38 | 33 | 17 | 38 | 126    |
| 10S | 25E | 20  | 4.2 | 4.6 |    |    | 5.6 |    | 4.5 |    |    | 3.4 |    |    |    |    |    |    | 22     |

Total Acres: 148

**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.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 606**

9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
10. Use of water under this right 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 water right is within State Water District No. 140.
11. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
12. Prior to December 31 of each year, the Board may review this rental agreement to determine whether it is consistent with the management plan that may be approved for the Eastern Snake Plain Aquifer Ground Water Management Area ("ESPA GWMA Plan") pursuant to Idaho Code § 42-233b. The Board may cancel this rental agreement if the Board determines it is not consistent with the ESPA GWMA plan. If this rental agreement is canceled, the cancellation shall not take effect until December 31 of the year in which the rental agreement is canceled.
13. This rental agreement does not authorize the construction of a well.

STATE OF IDAHO  
WATER RESOURCE BOARD

RECEIVED

APPLICATION TO RENT WATER  
FROM THE BOARD'S WATER SUPPLY BANKOCT 25 2021  
DEPARTMENT OF  
WATER RESOURCESApplicant Name: Wickel Land Company

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](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)

36-4179

STATE OF IDAHO  
WATER RESOURCE BOARD

**Application to Rent Water (Continued)**

**1. CONTACT INFORMATION**

- A. Applicant Wickel Land Company
- Mailing Address P.O. Box 219 Declo, Idaho 83323
- Street City State Zip Code
- Email Address \_\_\_\_\_ Phone Number 208-654-2341
- 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 Greg Sullivan Professional Title Engineer
- Organization Brockway Engineering Relationship to Applicant \_\_\_\_\_
- Mailing Address 2016 North Washington Street, Suite 4 Twin Falls, Idaho 83301
- Email Address greg.sullivan@brockwayeng.com Phone Number 208-736-8543

**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**:
- Irrigation water will be diverted from existing PODs and applied on the farm with existing pivots.

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

| Desired Rate<br>(Cubic Feet/Second) | Desired Volume<br>(Acre-Foot) | Minimum Rate*<br>(Cubic Feet/Second) | Minimum Volume*<br>(Acre-Foot) | Desired Acres<br>(if applicable) |
|-------------------------------------|-------------------------------|--------------------------------------|--------------------------------|----------------------------------|
| 2.22 CFS                            | 591 AF                        | 2.22 CFS                             | 591 AF                         | 148.2 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<br>(month/day/year) | Latest Possible Start Date<br>(month/day/year) | *Mark Desired Rental Duration<br>(Calendar Years) |                            |                            |                            |                                       | **Applicant's preference if rental application cannot be processed prior to the latest possible start? |                                                          |
|----------------------------------------|------------------------------------------------|---------------------------------------------------|----------------------------|----------------------------|----------------------------|---------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| 5/1/2022                               | 10/1/2026                                      | <input type="checkbox"/> 1                        | <input type="checkbox"/> 2 | <input type="checkbox"/> 3 | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 5 | <input checked="" type="checkbox"/> Process application as soon as possible                            | <input type="checkbox"/> Return application to applicant |

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

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

STATE OF IDAHO  
WATER RESOURCE BOARD

**Application to Rent Water (Continued)**

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

Existing wells, mainlines and delivery system.

- 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  |
|---------------------|--------------|--------------------------------------------|
| 10S 25E Sec 20 NWNE | Ground Water | 45-2468, 45-7336, 45-7449, 45-7471, et al. |
|                     |              |                                            |
|                     |              |                                            |
|                     |              |                                            |

*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 148.2 (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? 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:

45-2468, 45-7336, 45-7449, 45-7471, 45-13773, 45-14453, 45-14454, et al.

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<br>(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) |
| 36-4179                                                                                                                                                                                  | Industrial    | 4.27                 |             |            |                                                                                                                                | 2.22                             | 896.0       | 148.2      |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
| <b>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</b> |               |                      |             |            | TOTAL                                                                                                                          | 2.22                             | 896.0       | 148.2      |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                | 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**:

No unconventional duty expected.

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**:

An amount of 0.015 cfs/acre will be rented from 36-4179 because 36-4179 is a fully consumptive water right.

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:

Water was rented in 2014 through 2021 for this farm.

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental?

If yes, describe:

Yes ☐ No ☒

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒

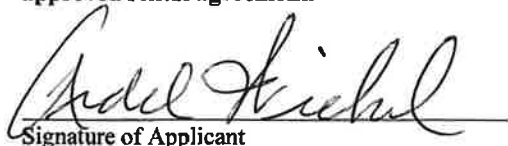
If yes, describe the date and location of the NOV.

- D. Additional Information

N/A

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

Ardel Wickel  
Printed Name of Applicant

9/30/21  
Date

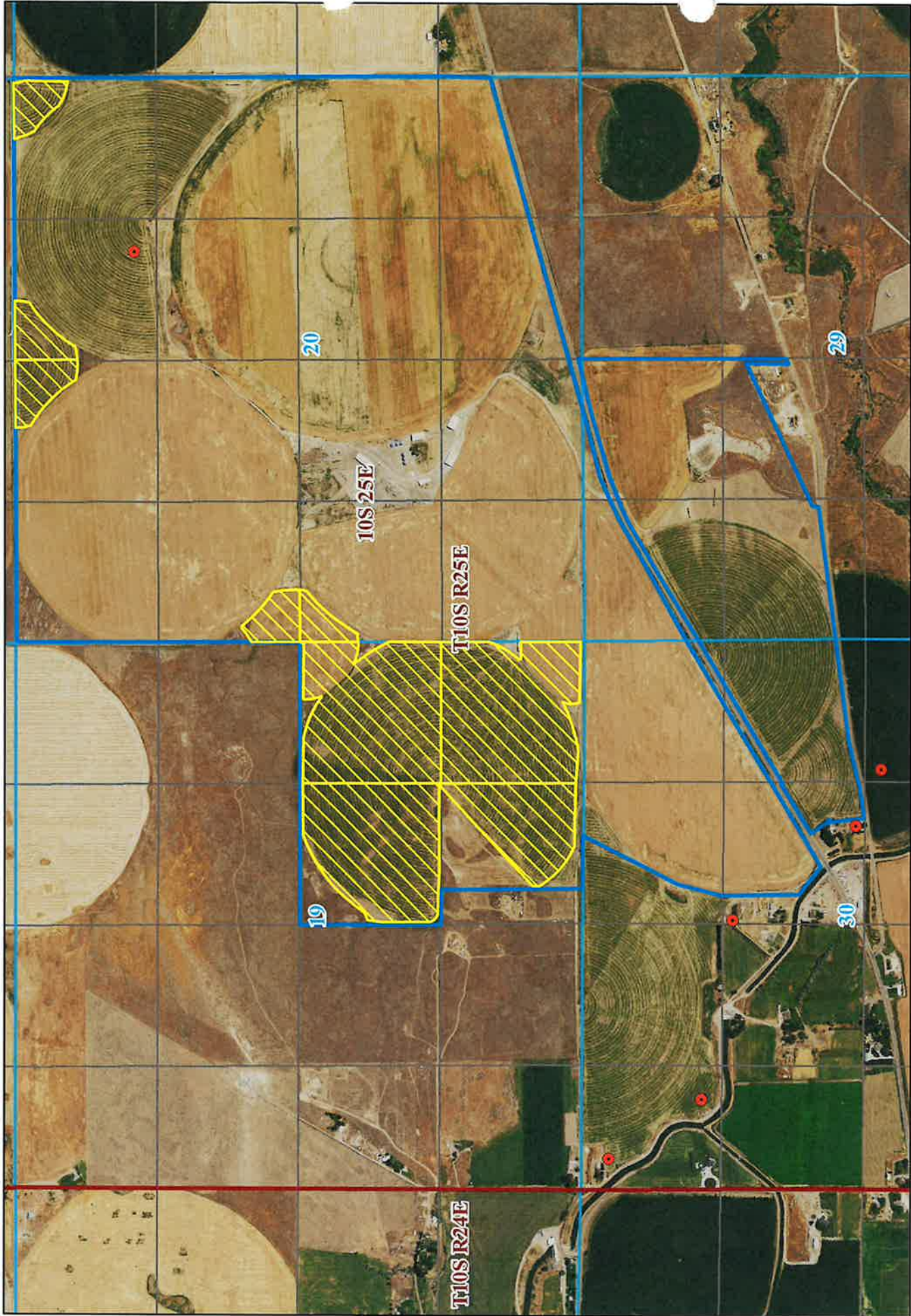
\_\_\_\_\_  
Signature of Representative

\_\_\_\_\_  
Printed Name of Representative

\_\_\_\_\_  
Date

Mail to:

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



0 1,000 2,000 Feet

**WICKEL - DECLO FARM  
WATER BANK RENTAL 148.2 ACRES  
NAIP 2019 AERIAL PHOTOGRAPH**

**Legend**

- Points of Diversion
- Declo\_Rental\_Acres
- PPU



# 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

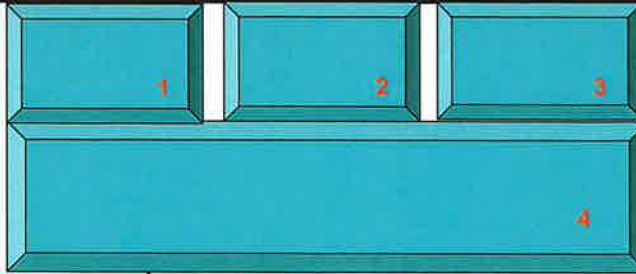
TRANSFER NO:

YEAR 1959

TRANSFER NAME:

SEASON SPRING

Wickel



ENTER CELL LOCATIONS:

|        | TO' CELL | 'FROM1' CELL | 'FROM2' CELL | 'FROM3' CELL |
|--------|----------|--------------|--------------|--------------|
| ROW    | 90       | 84           |              |              |
| COLUMN | 61       | 52           |              |              |

148.2

444.6

| TRIMESTER OF ACTIVITY | TO WELL                       | FROM1 WELL                    |                                  | FROM2 WELL                    |                                  | FROM3 WELL                    |                                  |
|-----------------------|-------------------------------|-------------------------------|----------------------------------|-------------------------------|----------------------------------|-------------------------------|----------------------------------|
|                       | Projected Use<br>AF/TRIMESTER | With Transfer<br>AF/TRIMESTER | Without Transfer<br>AF/TRIMESTER | With Transfer<br>AF/TRIMESTER | Without Transfer<br>AF/TRIMESTER | With Transfer<br>AF/TRIMESTER | Without Transfer<br>AF/TRIMESTER |
| SPR 1949              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1949              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1949              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1950              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1950              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1950              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1951              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1951              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1951              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1952              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1952              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1952              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1953              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1953              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1953              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1954              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1954              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1954              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1955              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1955              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1955              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1956              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1956              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1956              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1957              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1957              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1957              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1958              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1958              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1958              | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1959              | 0.0                           | 148.2                         | 148.2                            | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1959              | 0.0                           | 148.2                         | 148.2                            | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1959              | 0.0                           | 148.2                         | 148.2                            | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1960              | 0.0                           | 148.2                         | 148.2                            | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1960              | 0.0                           | 148.2                         | 148.2                            | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1960              | 0.0                           | 148.2                         | 148.2                            | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1961              | 0.0                           | 148.2                         | 148.2                            | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1961              | 0.0                           | 148.2                         | 148.2                            | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1961              | 0.0                           | 148.2                         | 148.2                            | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1962              | 0.0                           | 148.2                         | 148.2                            | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1962              | 0.0                           | 148.2                         | 148.2                            | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1962              | 0.0                           | 148.2                         | 148.2                            | 0.0                           | 0.0                              | 0.0                           | 0.0                              |

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

|          |     |       |       |     |     |     |     |
|----------|-----|-------|-------|-----|-----|-----|-----|
| SPR 2088 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2088 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2088 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2089 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2089 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2089 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2090 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2090 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2090 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2091 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2091 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2091 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2092 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2092 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2092 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2093 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2093 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2093 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2094 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2094 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2094 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2095 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2095 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2095 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2096 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2096 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2096 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2097 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2097 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2097 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2098 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2098 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2098 | 0.0 | 148.2 | 148.2 | 0.0 | 0.0 | 0.0 | 0.0 |



0004089538

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0004089538

Date Filed: 12/5/2020 7:40:44 AM

B0559-1699 12/05/2020 7:40 AM Received by ID Secretary of State Lawrence Denney

## Entity Name and Mailing Address:

Entity Name:

WICKEL LAND COMPANY, LLP

The file number of this entity on the records of the Idaho Secretary of State is:

0000015134

Address

PO BOX 219  
DECLO, ID 83323-0219

## Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:

J2236

## The registered agent on record is:

Registered Agent

ARDEL W WICKEL

Registered Agent

Physical Address

574 TERRACE DRIVE

DECLO, ID 83323

Mailing Address

## Limited Liability Partnership Partners

| Name                                               | Business Address                      |
|----------------------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> JESSE D WICKEL | 230 N 500 E<br>RUPERT, ID 83350       |
| <input checked="" type="checkbox"/> JUDY WICKEL    | 574 TERRACE DRIVE<br>BURLEY, ID 83318 |

The annual report must be signed by an authorized signer of the entity.

JESSE WICKEL

Sign Here

12/05/2020

Date

Job Title: SECRETARY

STATE OF IDAHO  
WATER RESOURCE BOARD

Application to Rent Water (Continued)

RECEIVED  
JAN 19 2022  
DEPT OF WATER RESOURCES

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

- 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  |
|-----------------|--------------|--------------------------------------------|
| See Exhibit A   | Ground Water | 45-2468, 45-7336, 45-7449, 45-7471, et al. |
|                 |              |                                            |
|                 |              |                                            |
|                 |              |                                            |

*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 II.  
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 148.2 (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? 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:  
45-2468, 45-7336, 45-7449, 45-7471, 45-13773, 45-14453, 45-14454, et al.

RECEIVED

JAN 19 2022

DEPT OF WATER RESOURCES

- Legend**
- Points of Diversion
  - Declo Rental Acres
  - PPU

**WICKEL - DECLO FARM  
WATER BANK RENTAL 148.2 ACRES  
NAIP 2019 AERIAL PHOTOGRAPH**

0 1,000 2,000 Feet  
**BROCKWAY ENGINEERING PLLC**  
GWS - Date: 1/19/2022

Path: F:\Project\Wickel, Arden\ArcView 9.0\Declo Farm WSB RENTAL 2021.mxd

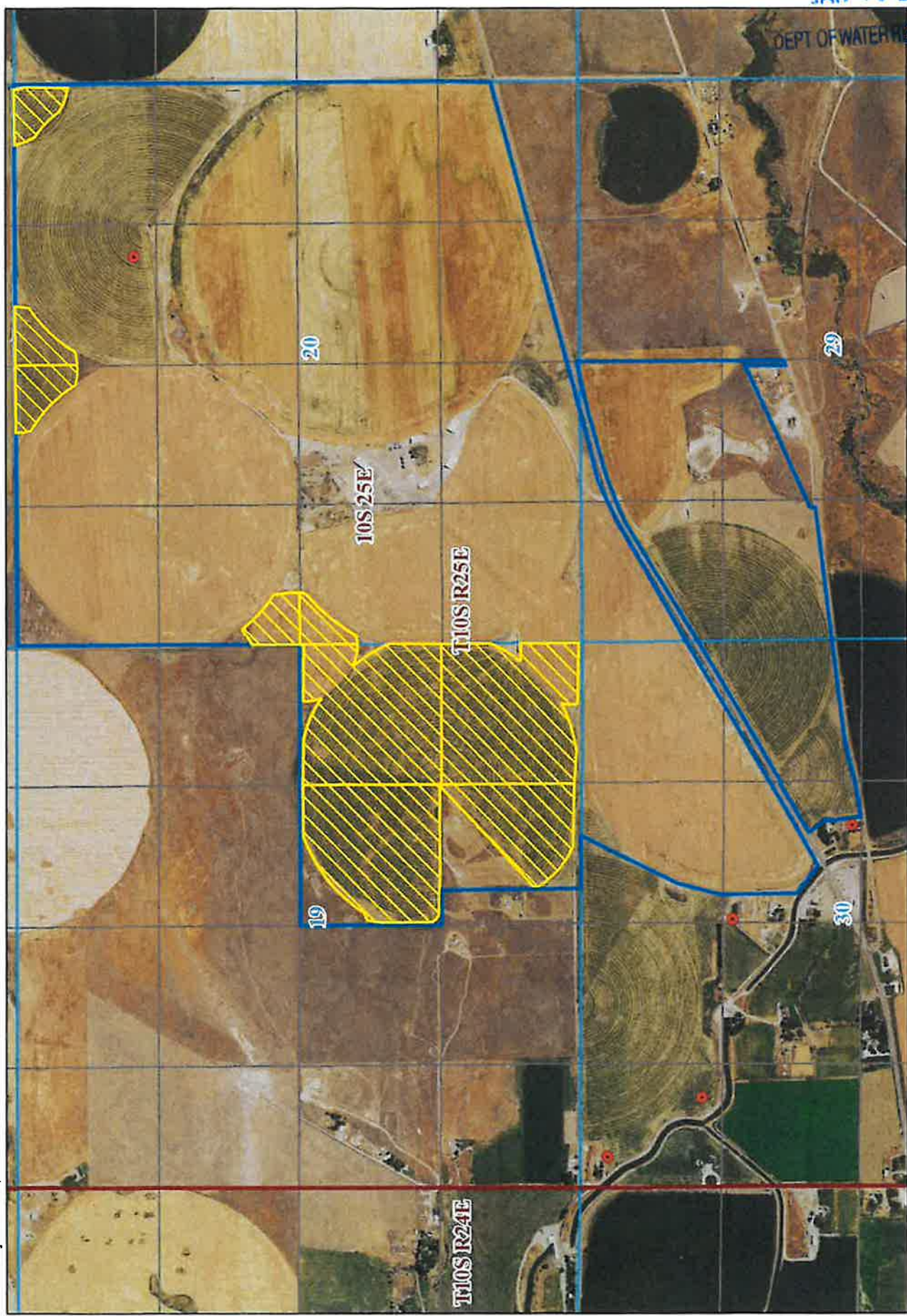


Exhibit A  
Wickel Land Company  
Brockway Engineering  
Points of diversion

RECEIVED  
JAN 19 2022  
DEPT OF WATER RESOURCES

| Twp. | Rge. | Sec. | Lot | 1/4 | 1/4 | 1/4 | County |
|------|------|------|-----|-----|-----|-----|--------|
| 10S  | 25E  | 20   |     |     | NW  | NE  | Cassia |
| 10S  | 25E  | 30   |     |     | SW  | NE  | Cassia |
| 10S  | 25E  | 30   |     |     | SW  | NE  | Cassia |
| 10S  | 25E  | 30   |     |     | NW  | NW  | Cassia |
| 10S  | 25E  | 30   |     |     | NW  | NW  | Cassia |
|      |      |      |     |     |     |     |        |
|      |      |      |     |     |     |     |        |



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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

May 27, 2020

WICKEL LAND COMPANY LLP  
PO BOX 219  
DELCO, ID 83323

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO(S). 36-4179 AGREEMENT 606**

Dear Renter:

Please find enclosed a receipt in the amount of **\$6,064.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 896 acre-feet of water for irrigation of 148 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 \$5,457.60 of the rental fee will be paid to the lessor(s) and 10% or \$606.40 will be retained by the Department to offset administrative costs.

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

Sincerely,

*Amanda Johnson-Veibell*

for  
Water Supply Bank

Enclosures: Receipt No. C112880  
Rental Agreement (copy)

c: Sascha Marston – Fiscal  
IDWR Southern Regional Office  
Greg Sullivan  
Water District 140



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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

May 16, 2022

WICKEL LAND COMPANY LLP  
PO BOX 219  
DECLO, ID 83323

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO(S). 36-4179 AGREEMENT 606**

**\*\*\*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 total rental fee of \$17,920.00 per year was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 896 acre-feet. A previous version of agreement 606 was received with a payment of \$11,856.00 on April 11, 2022. After the payment was received, the renter requested the rental of a different water right in place of the original two water rights. The difference in payment between the two versions of rental 606 is \$6,064.00.

**Please send a check for \$6,064.00 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 \$5457.60 of the rental fee will be paid to the lessor(s) and 10% or \$606.40 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](mailto:bank@idwr.idaho.gov) or (208) 287-4800.

Sincerely,

*Amanda Johnson-Veibell*

for  
Water Supply Bank

Enclosure

c: IDWR Front Desk  
Greg Sullivan

## MEMORANDUM

**Date:** May 12, 2022  
**To:** Kris Margheim, Amanda Veibell  
**From:** Mary Condon, WSB Program Coordinator  
**RE:** Incoming Rental Fees for Water Right(s) 36-4179, Wickel Land Co

---

A previous version of Rental Agreement 606 authorizing rental of water right numbers 43-13595 & 43-13597 for 2022 was sent for signature and request for payment in the amount of \$11,856.00. An amendment to the rental agreement, per the renter, requested water right 36-4179 in place of the two other water rights. The amendment increased the fees due to a total of \$17,920.00.

Since \$11,856.00 has already been received by the Department (receipt C112436) the remaining fees due are described below:

|                    |                    |
|--------------------|--------------------|
| \$ 606.40          | Department Share   |
| <u>\$ 5,457.60</u> | <u>Owner Share</u> |
| <b>\$ 6,064.00</b> | <b>Total</b>       |

## Condon, Mary

---

**From:** Condon, Mary  
**Sent:** Thursday, May 12, 2022 11:31 AM  
**To:** IdwrPayable  
**Cc:** Veibell, Amanda; Bank  
**Subject:** Receipt C112436

Good morning,

Please update receipt C112436 as:

Water Supply Rental Agreement  
Renter Name: Wickel Land Co  
Rental Agreement #606  
For WR # 36-4179  
For Year 2022 partial payment

The other water rights were removed from the rental and this one was added, which also increased the fee due. Additional payment from renter will be requested.

Thank you,  
Mary

Mary Condon  
Water Supply Bank Coordinator



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Planning & Projects

[mary.condon@idwr.idaho.gov](mailto:mary.condon@idwr.idaho.gov)

Direct: (208) 287-4936

Fax: (208) 287-6700, Attn. Mary C.



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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

April 6, 2022

WICKEL LAND COMPANY LLP  
PO BOX 219  
DECLO, ID 83323

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO(S). 43-13595, 43-13597 AGREEMENT 606**

**\*\*\*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 \$11,856.00 per year was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 593 acre-feet.

**Please send a check for \$11,856.00 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 \$10,670.40 of the rental fee will be paid to the lessor(s) and 10% or \$1,185.60 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](mailto:bank@idwr.idaho.gov) or (208) 287-4800.

Sincerely,

*Amanda Johnson-Veibell*

for  
Water Supply Bank

Enclosure

c: IDWR Front Desk  
Greg Sullivan – Brockway Engineering

## **Condon, Mary**

---

**From:** Jaxon Higgs <jaxon@waterwellconsultants.com>  
**Sent:** Tuesday, March 22, 2022 3:09 PM  
**To:** Smith, Tyler; Skinner, Corey; Adam McCoy  
**Cc:** Bank; Stevenson, Dean (IWRB Member); Ryan Shurtliff  
**Subject:** RE: WSB Rental WRs 43-13595 & 43-13597 (Wickel)

Tyler,

In my conversations with Magic Valley Ground Water District, the board is ok with water being rented from within the district boundary to other locations within the district boundary but are not ok with water coming from outside of the district because of their Settlement Agreement Reduction Plan. The previous rental request was not an issue for them, but this one will likely be a problem.

I included their chairman Dean Stevenson on this reply. We will review and get back with you.

Thanks,

Jaxon Higgs

**From:** Smith, Tyler <Tyler.Smith@idwr.idaho.gov>  
**Sent:** Monday, March 21, 2022 3:06 PM  
**To:** Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; adam@waterwellconsultants.com  
**Cc:** Bank <Bank@idwr.idaho.gov>; jaxonhiggs@icloud.com  
**Subject:** WSB Rental WRs 43-13595 & 43-13597 (Wickel)

Adam and Corey,

We received an application to rent water right 36-4179 from the water supply bank that is within Water District 140 that I sent to you both on 2/3. After further review, the ESPA modeling that was provided with the application was inaccurate and required mitigation for the Neeley to Minidoka reach. The applicant was made aware of this, and water rights 43-13595 & 43-13597 were chosen to replace 36-4179 for this rental.

Attached is a copy of the new draft rental agreement with map and review memo with rights 43-13595 & 43-13597 for your consideration. Please provide any comments or concerns you have with the proposed rental within the next 7 days. If no comments are received in the next 7 days, I will assume there are no issues with this rental and proceed with processing.

Best,

**Tyler Smith**  
Senior Water Resource Agent  
State Office, IDWR  
(208)287-4913  
[tyler.smith@idwr.idaho.gov](mailto:tyler.smith@idwr.idaho.gov)

## MEMORANDUM FOR AGREEMENT # 606

**To:** Water Rights 43-13595 & 43-13597  
**From:** Tyler Smith  
**Date:** 3/21/2022  
**Re:** Water Supply Bank Rental Application 2177

---

**Purpose/Narrative:** The Department received an application on October 25, 2021 from Greg Sullivan of Brockway Engineering (Representative) on behalf of their client Wickel Land Company (Applicant) requesting a rental from the Water Supply Bank (Bank) of an Eastern Snake Plain Aquifer (ESPA) groundwater right for irrigation of 148.2 acres. The rental is requested for 5 years and is a renewal of rental agreement #137 for the same use which was active from 2017-2021. The application requests the rental of 36-4179, the same right that was rented under agreement #137.

The Applicant provided ESPA groundwater modeling with their rental request for water right 36-4179, however, it included zeros in the "from well" location for the duration of the lease of 36-4179 starting in 2005 through the rental period, 2026. According to the modeling instructions for the Bank, this is allowed only if the right has not been used *or rented*. Since this right has been rented during this time, this method of modeling isn't appropriate. When modeling with zeros in the "from well" location was done for only the rental period (2022-2026), it indicated that mitigation was required for the Neeley to Minidoka reach. The volume of mitigation that was required was more volume than 36-4179 is authorized and therefore this rental could not be approved with 36-4179.

Water rights 43-13595 & 43-13597 were identified as rights available for rental from the Bank for this application, although they are only leased to the Bank until 2025, not 2026 as requested. When the modeling was run on these rights it indicated that no mitigation was required. This was brought to the attention of the Representative on 3/18/22, and he confirmed that the applicant would like to proceed with the rental of water rights 43-13595 & 43-13597 on 3/21/22.

The rental indicated one point of diversion on the application but showed 6 existing well points of diversion (POD's) on the map included with the application. When this was brought to the attention of the Applicant, they submitted a new attachment to the application to list 5 of the wells as POD's for this rental.

**Authority To File:** The application was filed in the name of Wickel Land Company and was signed by Ardel Wickel. The application included an annual report from the Idaho Secretary of State indicating that Ardel is a registered agent of Wickel Land Company and therefore has the authority to file on behalf of the company.

The proposed rental place of use (POU) and points of diversion (POD's) are owned by Wickel Land Company. No concerns with authority to file.

**Water Right Validity/Forfeiture Evaluation:** Water rights 43-13595 & 43-13597 were recently leased into the Bank for 2021-2025 under lease contract #1293. The lease review found the water right to be valid. No concerns with validity.

**Injury To Other Water Rights:** ESPA modeling is required for this rental application. The modeling provided with the application was for water right 36-4179. As mentioned above, this modeling indicated that mitigation was required for the Neeley to Minidoka reach, and the mitigation volume exceeded the volume available for rent under 36-4179.

Water rights 43-13595 & 43-13597 were identified as alternative water rights available for this rental, and modeling done in-house indicates that the rental does not require mitigation (see both model memos for specifics). No injury concerns at this time.

**Enlargement Of Use:** 43-13595 & 43-13597 are irrigation rights, so no nature of use change is necessary. The rights are stacked, and they will be rented proportionally to ensure there is no enlargement of the rights.

**Local Public Interest:** Review staff has no information to suggest this application is inconsistent with the local public interest.

**Beneficial Use/Conservation of Water Resources:** The rental appears consistent with the conservation of water resources in Idaho.

**Department Staff or Watermaster Comments:** The location for the rental is subject to Water District #140. Comments were sought from the Watermaster and IDWR Southern Region on March 21, 2022. Assistant WM Jaxon Higgs commented that the Magic Valley Ground Water District (MVGWD) does not want water coming from outside of the district to inside of the district. According to the Departments records, the rental POD and POU are located outside of the MVGWD. Jaxon commented that the MVGWD boundary is not accurate, and that he would provide documents showing the current boundary and consult with the Chairman of the district for comment. No boundary documents were received, and no comment was received from the Chairman.

**Veibell, Amanda**

---

**From:** Greg Sullivan <greg.sullivan@brockwayeng.com>  
**Sent:** Monday, March 21, 2022 10:16 AM  
**To:** Smith, Tyler  
**Subject:** RE: Water Supply Bank Rental Application #2177

Tyler,

I was able to talk with the Wickel's and they agreed to your proposed changes.

Greg Sullivan  
Brockway Engineering  
2016 North Washington Street, Suite 4  
Twin Falls, Idaho 83301  
208-736-8543

*All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.*

---

**From:** Smith, Tyler [mailto:Tyler.Smith@idwr.idaho.gov]  
**Sent:** Friday, March 18, 2022 9:54 AM  
**To:** Greg Sullivan <greg.sullivan@brockwayeng.com>  
**Subject:** Water Supply Bank Rental Application #2177

Hi Greg,

I am currently processing Water Supply Bank rental application #2177 for Wickel Land Company, for whom you are the representative. During my review, I found that the modeling provided was for the number of acres applied for, not the trimester acre-feet volume as required. When I ran the ESPA model ETRAN Version 3.4 using the trimester volumes provided in the application, it indicated that mitigation was needed for the Minidoka to Neeley reach of the Snake River. After talking with our staff hydrologist, the amount of mitigation volume required for the rental request of 591 acre-feet would be 5.85 times the amount to be diverted, or 3,457 acre-feet. The rights requested for this rental do not have enough water leased to the Bank to rent and account for the mitigation, and therefore would not work for this rental. I have attached a memo with more details for your reference.

I have identified water rights 43-13595 & 43-13597 (proof reports attached) that passed the ESPA model without requiring mitigation volume when I ran it, and therefore may work for this rental. Please let me know if you would like me to proceed with this rental using 43-13595 & 43-13597, or if you wish to proceed in a different manner.

Feel free to reach out with any questions or concerns regarding this information.

Best,

**Tyler Smith**  
Senior Water Resource Agent  
State Office, IDWR  
(208)287-4913



## **Veibell, Amanda**

---

**From:** jaxonhiggs@icloud.com  
**Sent:** Monday, February 7, 2022 12:28 PM  
**To:** Smith, Tyler; Skinner, Corey; adam@waterwellconsultants.com  
**Cc:** Bank  
**Subject:** RE: WSB Rental WR 36-4179

I don't have an issue with this rental. This rental has been in place for a long time and is part of the user's SWC Agreement reduction plan. It is a relatively short distance from the original point of diversion so the surrounding GWD's have said they are ok with it.

Thanks,

Jaxon

---

**From:** Smith, Tyler <Tyler.Smith@idwr.idaho.gov>  
**Sent:** Thursday, February 03, 2022 3:03 PM  
**To:** Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; adam@waterwellconsultants.com  
**Cc:** Bank <Bank@idwr.idaho.gov>; jaxonhiggs@icloud.com  
**Subject:** WSB Rental WR 36-4179

Adam and Corey,

We received an application to rent water right 36-4179 from the water supply bank that is within Water District 140. Attached is a copy of the draft rental agreement with map and review memo for your consideration. Please provide any comments or concerns you have with the proposed rental within the next 7 days. If no comments are received in the next 7 days, I will assume there are no issues with this rental and proceed with processing.

Best,

**Tyler Smith**

Senior Water Resource Agent  
State Office, IDWR  
(208)287-4913 .  
[tyler.smith@idwr.idaho.gov](mailto:tyler.smith@idwr.idaho.gov)

## Veibell, Amanda

---

**From:** Greg Sullivan <greg.sullivan@brockwayeng.com>  
**Sent:** Wednesday, January 19, 2022 11:10 AM  
**To:** Smith, Tyler  
**Cc:** 'Jesse Wickel'  
**Subject:** RE: Wickel Land Company WSB Rental Application  
**Attachments:** 2022 Rental for Wickel Adjustment.pdf

Tyler,

I talked with the Wickel's about the PODs. There are actually 5 ground water PODs on the farm. Some of them get shut off when soft water conversions are available. However, it would be best if we listed all 5 authorized PODs on the rental. See the attached scanned pages.

Let me know if there is anything else we need to discuss for this rental.

Thank you,

Greg Sullivan  
Brockway Engineering  
2016 North Washington Street, Suite 4  
Twin Falls, Idaho 83301  
208-736-8543

*All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.*

---

**From:** Smith, Tyler [mailto:Tyler.Smith@idwr.idaho.gov]  
**Sent:** Wednesday, January 19, 2022 10:17 AM  
**To:** greg.sullivan@brockwayeng.com  
**Subject:** Wickel Land Company WSB Rental Application

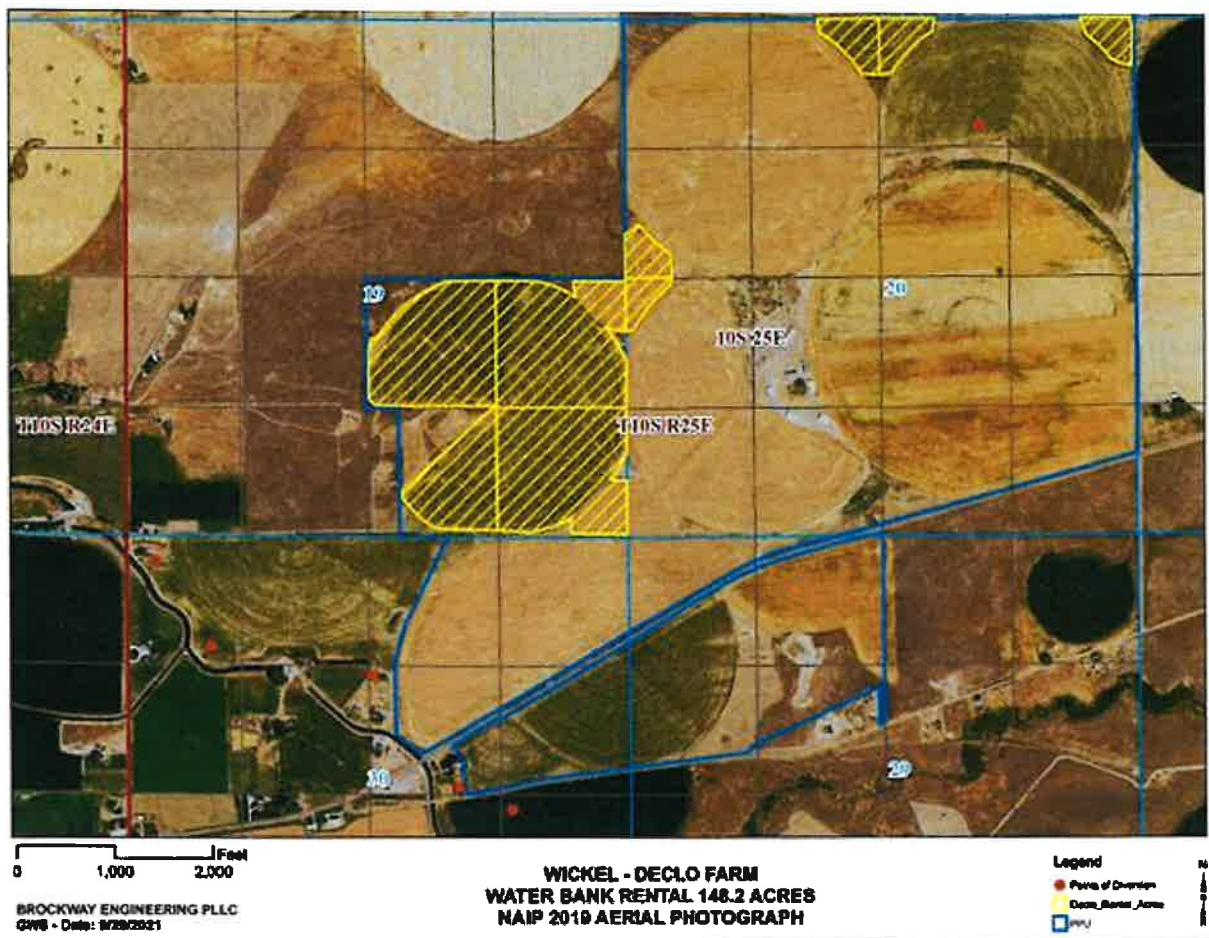
Hi Greg,

I am processing Wickel Land Company's Water Supply Bank rental application and noticed something that would benefit from clarification. The point of diversion (POD) description given in the rental application only lists one POD as shown here

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  |
|---------------------|--------------|--------------------------------------------|
| 10S 25E Sec 20 NWNE | Ground Water | 45-2468, 45-7336, 45-7449, 45-7471, et al. |
|                     |              |                                            |
|                     |              |                                            |
|                     |              |                                            |

However, the map provided with the application shows 6 points of diversion



In looking at the previous rental from 2017 for the same use, it appears that only the one POD given in the application description was used. Please let me know if the application is correct, and the only proposed POD is the POD listed in the application, or if all 6 PODs are being proposed for use under the rental.

Thanks for your attention to this matter,

**Tyler Smith**

Senior Water Resource Agent

State Office, IDWR

(208)287-4913

[tyler.smith@idwr.idaho.gov](mailto:tyler.smith@idwr.idaho.gov)



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

OCT 25 2021

DEPARTMENT OF  
WATER RESOURCES

October 21, 2021

Mary Condon  
Idaho Department of Water Resources  
Idaho Water Supply Bank  
P.O. Box 83720  
Boise, ID 83720-0098

Re: Wickel Water Rental

Dear Ms. Condon:

Wickel Land Company has rented a 591.0 acre foot portion of industrial water right 36-4179 from the Idaho Water Supply Bank for the years 2017 through 2021. The 591.0 acre feet of industrial water was used for irrigation on 148.2 acres.

Wickel Land Company desires to continue to rent water 591.0 acres from water right 36-4179 for the years 2022-2026. It is anticipated that, JR Simplot Company will lease water right 36-4179 into the Idaho Water Supply Bank again. This particular right has been leased into the Idaho Water Supply Bank since 2005.

The ESPA Model analysis indicates that no mitigation is required to approve this rental.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Ardel Wickel

Enc: Rental Application, Aerial Map, ESPA Model Analysis, Annual Report

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

2177