

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 25 2022

WATER SUPPLY BANK RENTAL AGREEMENT No. 605

DEPT OF WATER RESOURCES

This is to certify that:

MIKE PRESTON
420 BITTERROOT
BOISE , ID 83709

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)
61-12348	7/10/1972	GROUND WATER	0.22	45.0	11.3	0.019	3.16
61-12349	8/23/1967	GROUND WATER	0.22	54.8	13.7	0.016	3.21
61-12350	1/4/1980	GROUND WATER	0.10	27.2	6.7	0.013	4.01
61-12351	4/30/1974	GROUND WATER	0.04	7.6	2.1	0.014	0.86
61-12352	1/14/1963	GROUND WATER	0.23	46.7	11.7	0.020	4.02
61-12353	1/14/1963	GROUND WATER	0.25	52.5	13.1	0.019	4.00
Combined Limit Totals			0.80	212.8	53.2	0.015	4.00
61-12354	7/10/1972	GROUND WATER	0.16	31.8	7.9	0.004	0.85
61-12355	8/23/1967	GROUND WATER	0.16	38.7	9.7	0.004	1.04
61-12356	1/4/1980	GROUND WATER	0.07	19.1	4.8	0.002	0.51
61-12357	4/30/1974	GROUND WATER	0.03	5.6	1.4	0.001	0.15
61-12358	1/14/1963	GROUND WATER	0.16	33.0	8.2	0.004	0.88
61-12359	1/14/1963	GROUND WATER	0.17	37.1	9.3	0.005	0.99
Combined Limit Totals			0.56	149	37.3	0.015	4.00
Combined Rental Totals			1.36	361.8	90.5	0.015	4.00

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: \$723.60

The full fee for the rental of the above-described right(s) is \$723.60 for 2022. The rental fee includes an administrative fee of \$723.60 for 2022. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 61-12352, 61-12353, 61-12351, 61-12350, 61-12349, 61-12348, 61-12358, 61-12359, 61-12355, 61-12354, 61-12357, 61-12356.

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.

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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	1.36	361.8	90.5	0.015	4.00
Combined Total	1.36	361.8	90.5	0.015	4.00

Detailed water right conditions are attached.

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

D. Michael Preston _____ 4/21/22 _____
Signature of Renter Date

D. MICHAEL PRESTON _____ Pres. _____
Printed Name Title

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

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

By *Brian Patton* _____ Date 5/4/22 _____
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR *HP* _____ Date 5/4/22 _____

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WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec. 14, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NESW	Sec. 14, Twp 01S, Rge 04E,	ELMORE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
1.36 CFS

VOLUME
361.8 AF

SEASON OF USE

From	To
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	
01S	04E	14									0.2								0.2
01S	04E	23		3.0	7.0		18	22	40	40	40	40			40	40	20	40	350
01S	04E	24									12	40	40	37					129

Acre Limit: 90.5
Total Acres: 479.2

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 is limited to the irrigation of 90.5 acres within the authorized place of use in a single irrigation season.

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10. This rental agreement when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
11. This rental agreement when combined with rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284, and 61-12285 shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 1,380 af at the field headgate, a total annual maximum consumptive use volume of 1,023 af, and the irrigation of 345.5 acres.
12. Portions of rights 61-12348, 61-12350, 61-12351, and 61-12352 included in this rental agreement when combined shall not exceed a total diversion rate of 0.35 cfs and the irrigation of 26.7 acres.
13. Portions of rights 61-12348, 61-12349, 61-12350, 61-12351, and 61-12352 included in this rental agreement when combined shall not exceed a total diversion rate of 0.56 cfs, a total annual maximum diversion volume of 162 af at the field headgate, and the irrigation of 40.6 acres.
14. Portions of rights 61-12348, 61-12349, 61-12350, 61-12351, 61-12352 and 61-12353 included in this rental agreement when combined shall not exceed a total diversion rate of 0.81 cfs, a total annual maximum diversion volume of 215 af, a total annual maximum consumptive use volume of 159 af, and the irrigation of 53.8 acres in a single irrigation season.
15. Portions of rights 61-12349, 61-12350, 61-12351, and 61-12352 included in this rental agreement when combined shall not exceed a total diversion rate of 0.56 cfs, a total annual maximum diversion volume of 137 af at the field headgate, and the irrigation of 34.3 acres.
16. Portions of rights 61-12351 and 61-12352 included in this rental agreement when combined shall not exceed a total diversion rate of 0.23 cfs, a total annual maximum diversion volume of 55.0 af at the field headgate, and the irrigation of 13.7 acres.
17. Portions of rights 61-12354, 61-12356, 61-12357, and 61-12358 included in this rental agreement when combined shall not exceed a total diversion rate of 0.24 cfs, and the irrigation of 18.4 acres.
18. Portions of rights 61-12354, 61-12355, 61-12356, 61-12357, and 61-12358 included in this rental agreement when combined shall not exceed a total diversion rate of 0.38 cfs, a total annual maximum diversion volume of 111 af at the field headgate, and the irrigation of 28.0 acres.
19. Portions of rights 61-12354, 61-12355, 61-12356, 61-12357, 61-12358, 61-12359 included in this rental agreement when combined shall not exceed a total diversion rate of 0.56 cfs, a total annual maximum diversion volume of 148 af, a total annual maximum consumptive use volume of 109 af, and the irrigation of 37.1 acres in a single irrigation season.
20. Portions of rights 61-12355, 61-12356, 61-12357, and 61-12358 included in this rental agreement when combined shall not exceed a total diversion rate of 0.38 cfs, a total annual maximum diversion volume of 96 af at the field headgate, and the irrigation of 24 acres.
21. Portions of rights 61-12357 and 61-12358 included in this rental agreement when combined shall not exceed a total diversion rate of 0.16 cfs, a total annual maximum diversion volume of 38.1 af at the field headgate, and the irrigation of 9.5 acres.
22. 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 is within State Water District No. 161.
23. Prior to diversion and use of water under this right, the right holder shall install a flow measurement and volume totalizing device of a type approved by the Department on each point of diversion to measure flow and volume of water diverted.
24. The renter shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.

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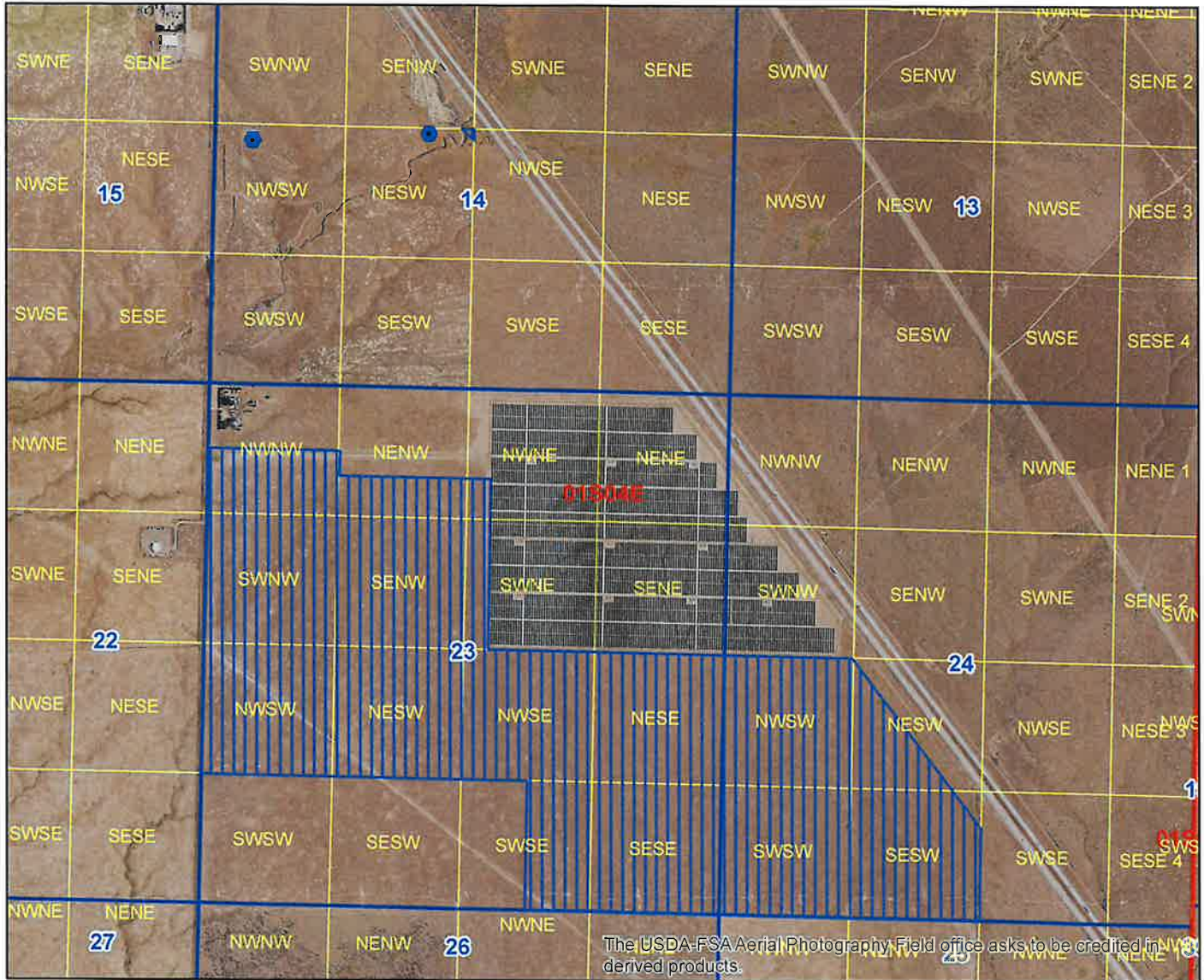
25. Diversion and use of water in connection with this right is subject to a Monitoring-Reporting Plan. The right holder shall provide the Department with a plan for monitoring-reporting aquifer levels, diversion flow rates, and volumes. The monitoring-reporting should occur in parallel with land development and production and should include identification of non-production wells and timelines for measuring and reporting. The right holder shall not divert water in connection with this right until the plan is approved by the Department. Failure to comply with the plan once it is accepted shall be cause for the Department to cancel or revoke the right.
26. Water rights 61-12348, 61-12349, 61-12350, 61-12351, 61-12352 and 61-12353 shall be subordinated to 61-12090 in the event of priority administration of water rights with points of diversion within administrative Basin 61.
27. Water rights 61-12354, 61-12355, 61-12356, 61-12357, 61-12358 and 61-12359 shall be subordinated to 61-12090 in the event of priority administration of water rights with points of diversion within administrative Basin 61.
28. Water rights 61-12354, 61-12355, 61-12356, 61-12357, 61-12358 and 61-12359 shall be subordinated to 63-32499 in the event of priority administration of water rights with points of diversion within administrative Basin 63.
29. This rental agreement does not authorize the construction of a well.
30. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.

Idaho Water Resource Board






Attachment to Water Supply Bank Rental Agreement No. 605

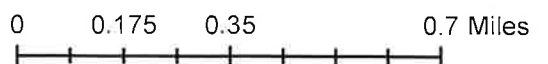
Effective until December 31, 2022

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



The USDA-FSA Aerial Photography Field office asks to be credited in any derived products.

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



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

Applicant Name: Michael Preston

Is this application being submitted with a lease application as a lease/rental package? Yes No
If yes, specify companion water rights in Section 4

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

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

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

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

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

Department Use Only – Proposed Water Right(s)
Attach A

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Michael Preston

Mailing Address 420 Bitterroot Dr. Boise ID 83709
Street City State Zip Code
 Email Address dmp3669@icloud.com Phone Number (208) 859-3669

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 Hal N. Anderson Professional Title Managing Partner
 Organization Idaho Water Engineering Relationship to Applicant Consultant
 Mailing Address 2918 N. El Rancho Pl. , Boise ID. 83704
 Email Address hal@idahowaterengineering.com Phone Number (208) 830-5525

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**:

Center Pivot was moved from J&M Solid Rock and Amyx Trust (Duane Amyx) a business partners property, to Mr. Prestons property

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)
1.81 CFS	361.81 AF	1.81 CFS	361.81 AF	90.44 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?	
03/15/2022	03/30/2022	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input 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.

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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):

Wells, Mainlines and Center Pivot

- 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
01SR04ES14SWNW	Groundwater	See Attachment B
01SR04ES14SWNE	Groundwater	See Attachments B

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 90.44 (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: 03/15 (mm/dd) to: 11/15 (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:

See Attachment B. Center Pivot was moved from Business Partners property to Mr. Preston's property

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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

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)
Attach A								
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	1.81	361.81	90.44
						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**:

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**:

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Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes No
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

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

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

- D. Additional Information

This rental needed to accomodate moving Center Pivot from business partners J&M Solid Rock and Hudson properties (Duane Amyx and Paul Hudson) to Mr. Preson's property.

DECLARATION

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

Signature of Applicant

Printed Name of Applicant

Date

Signature of Representative

Printed Name of Representative

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.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes No
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

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

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

D. Additional Information

This rental needed to accomodate moving Center Pivot from business partners J&M Solid Rock and Hudson properties (Duane Amyx and Paul Hudson) to Mr. Preson's property.

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] SHEKINAH INDUSTRIES INC 9/10/21
Signature of Applicant Printed Name of Applicant Date
[Signature] Hudson, Anderson 10/4/21
Signature of Representative Printed Name of Representative Date

Mail to:

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

Attachment A

Shekinah Rental from J&M			
Water Right	Div. Rate	Volume AF	Acre Limit
61-12348	0.22	42.32	10.23
61-12349	0.22	51.56	12.40
61-12350	0.09	25.54	6.16
61-12351	0.03	0.00	1.83
61-12352	0.23	43.93	10.62
61-12353	0.25	49.39	11.94
Total	1.05	212.74	53.18

Shekinah Rental from Hudson			
Water Right	Div. Rate	Volume AF	Acre Limit
61-12354	0.16	29.64	7.16
61-12355	0.16	36.15	8.71
61-12356	0.07	17.85	4.32
61-12357	0.03	0.00	1.28
61-12358	0.16	30.80	7.44
61-12359	0.17	34.63	8.35
Total	0.76	149.07	37.26

Combined			
Total	1.81	361.81	90.44

Attachment B

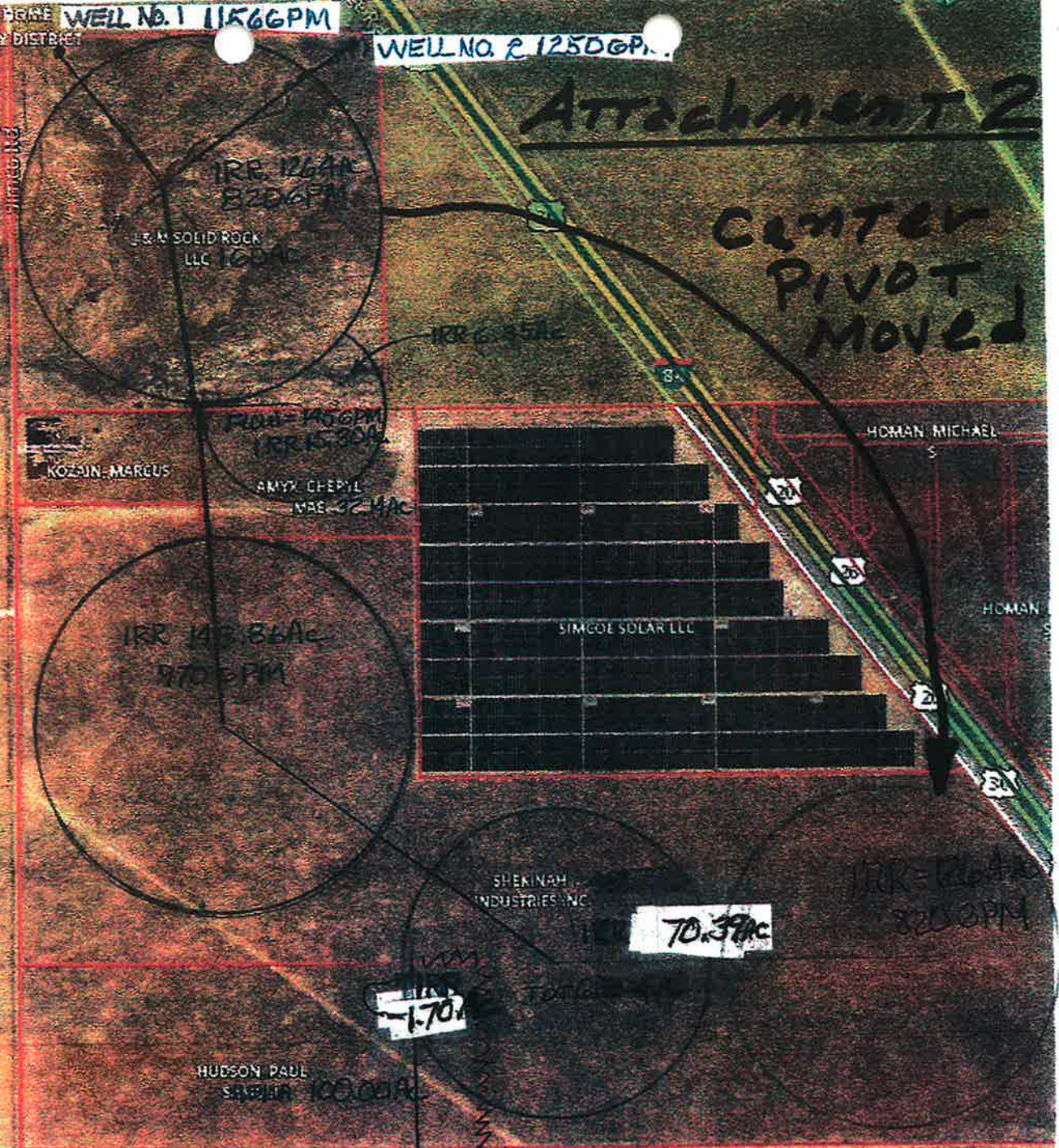
Water Rights that Divert from POD's:	
Water Right	01NR04ES14SWNW
J&M Solid Rock	01NR04ES14SWNE
61-12348	
61-12349	
61-12350	
61-12351	
61-12352	
61-12353	
Cheryl Amyx	
61-12342	
61-12343	
61-12344	
61-12345	
61-12346	
61-12347	
Paul Hudson	
61-12354	
61-12355	
61-12356	
61-12357	
61-12358	
61-12358	
Shekinah	
61-12280	
61-12281	
61-12282	
61-12283	
61-12284	
61-12285	

WELL NO. 1 11566PM
HIGHWAY DISTRICT

WELL NO. 2 12506PM

Attachment 2

CENTER PIVOT MOVED



SIMCO WATER PROVE UP

LAND OWNER	Number Of Acres Owned By Entity	Acres Feet Of Water Channel	Percentage Of Water Channel	Acres Available To Farm Water Bank Donor	Acres Of Irrigated Land Located To Water Bank	Acres Of Irrigated Land Excluded From Water Bank	Acres Feet Located In Water Bank	Acres Feet Excluded From Water Bank
Shenning	481	1020,8016	89.16%	258.20 Acres	44.25 Acres		177.00 Acre Feet	
JEM Solid Rock LLC	160	249,2954	16.89%	62.32 Acres		70.43 Acres		261.72 Acre Feet
Hudson Family Trust	100	155,8556	10.56%	38.97 Acres	29.97 Acres		115.86 Acre Feet	
Amyx Trust	32.14	50,0364	3.39%	12.51 Acres		2.79 Acres		11.16 Acre Feet
Total	773.14 Acres	1476 Acre Feet	100%	369.96	73.22 Acres	73.22 Acres	292.86 Acre Feet	292.88 Acre Feet

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

Applicant Name: Michael Preston

Is this application being submitted with a lease application as a lease/rental package? Yes No
If yes, specify companion water rights in Section 4

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

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

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

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

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

		Yes	
		<input checked="" type="checkbox"/>	Completed <i>Application to Rent Water from the Board's Water Supply Bank</i>
		<input checked="" type="checkbox"/>	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
Attachment	N/A	Yes	
2		<input checked="" type="checkbox"/>	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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Detailed information on a proposed use of rental water
3F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Authorization from the owner/operator of the rental point(s) of diversion
3H	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water modeling to account for the impacts of the rental request
3J	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Michael Preston

Mailing Address 420 Bitterroot Dr. Boise ID 83709
Street City State Zip Code

Email Address dmp3669@icloud.com Phone Number (208) 859-3669

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 Hal N. Anderson Professional Title Managing Partner

Organization Idaho Water Engineering Relationship to Applicant Consultant

Mailing Address 2918 N. El Rancho Pl. , Boise ID. 83704

Email Address hal@idahowaterengineering.com Phone Number (208) 830-5525

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**:

Center Pivot was moved from J&M Solid Rock and Amyz Trust (Duane Amyx) a business partners property, to Mr. Prestons property

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)
1.81 CFS	574.55 AF	1.81 CFS	574.55 AF	143.62 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?	
		<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input type="checkbox"/> Process application as soon as possible	<input type="checkbox"/> Return application to applicant
03/15/2022	03/30/2022	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* *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):

Wells, Mainlines and Center Pivot

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
01SR04ES14SWNW	Groundwater	See Attachment B
01SR04ES14SWNE	Groundwater	See Attachments B

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 143.62 (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: 03/15 (mm/dd) to: 11/15 (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:

See Attachment B. Center Pivot was moved from Business Partners property to Mr. Preston's property

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)
<i>See ATTACHMENT A</i>								
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	1.81	574.55	143.62
						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**:

C. Does your rental request propose to change the nature of use for any water right(s) being rented? Yes No

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes No
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

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

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

- D. Additional Information

This rental needed to accomodate moving Center Pivot from business partners J&M Solid Rock and Hudson properties (Duane Amyx and Paul Hudson) to Mr. Preson's property.

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] SHEKINAH INDUSTRIES, INC 9/10/21
Signature of Applicant Printed Name of Applicant Date
[Signature] Hal N. Anderson 10/4/21
Signature of Representative Printed Name of Representative Date

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

Attachment A

Shekinah 2022 Rental from J&M Solid Rock and Hudson

Shekinah Rental from J&M			
Water Right	Div. Rate	Volume AF	Acre Limit
61-12348	0.22	42.32	10.23
61-12349	0.22	51.56	12.40
61-12350	0.09	25.54	6.16
61-12351	0.03	0.00	1.83
61-12352	0.23	43.93	10.62
61-12353	0.25	49.39	11.94
Total	1.05	212.74	53.18
Shekinah Rental from Hudson			
Water Right	Div. Rate	Volume AF	Acre Limit
61-12354	0.16	29.64	7.16
61-12355	0.16	36.15	8.71
61-12356	0.07	17.85	4.32
61-12357	0.03	0.00	1.28
61-12358	0.16	30.80	7.44
61-12359	0.17	34.63	8.35
Total	0.76	361.81	90.44
Combined			
Total	1.81	574.54	143.62

Attachment B

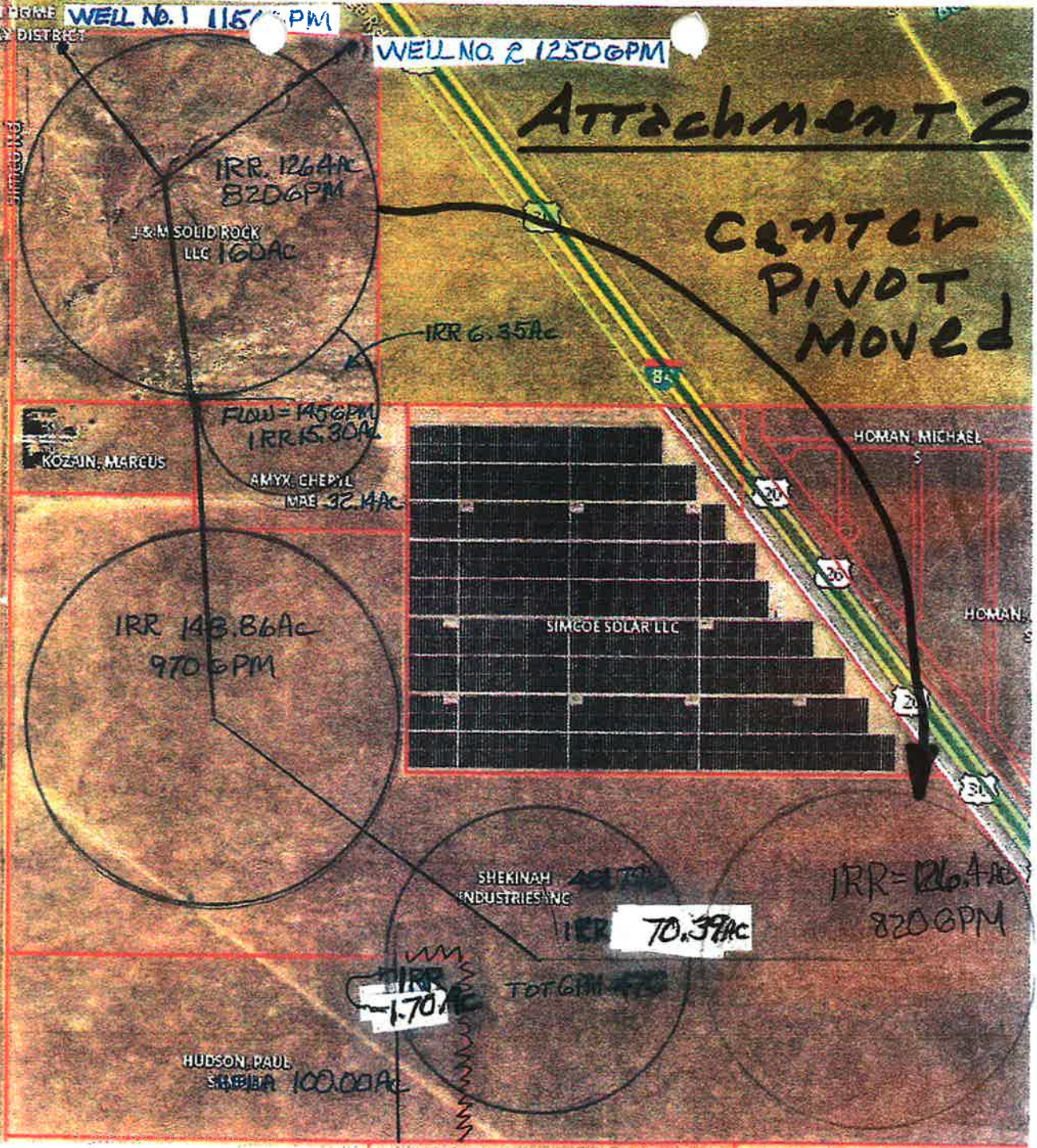
Water Rights that Divert from POD's:	
Water Right	01NR04ES14SWNW
J&M Solid Rock	01NR04ES14SWNE
61-12348	
61-12349	
61-12350	
61-12351	
61-12352	
61-12353	
Cheryl Amyx	
61-12342	
61-12343	
61-12344	
61-12345	
61-12346	
61-12347	
Paul Hudson	
61-12354	
61-12355	
61-12356	
61-12357	
61-12358	
61-12358	
Shekinah	
61-12280	
61-12281	
61-12282	
61-12283	
61-12284	
61-12285	

MUNICIPAL HIGHWAY DISTRICT
WELL NO. 1 1157 GPM

WELL NO. 2 1250 GPM

Attachment 2

CENTER PIVOT MOVED



SIMCO WATER PROVE UP

LAND OWNER	Number Of Acres Owned By Entity	Acres Feet Of Water Owned By Entity	Percentage Of Water Owned By Entity	Acres Allowable To Farm Before Water Bank Leases	Acres Of Irrigated Land Leased To Water Bank	Acres Of Irrigated Land Leased From Water Bank	Acres Feet Leased To Water Bank	Acres Feet Leased From Water Bank
Shekinah	481	1020,8015	69.16%	253.20 Acres	44.25 Acres		177.00 Acres Feet	
J&M Solid Rock LLC	160	249,2354	16.88%	62.32 Acres		70.43 Acres		281.72 Acres Feet
Hudson Family Trust	100	155,3959	10.66%	35.97 Acres	28.97 Acres		115.68 Acres Feet	
Amyx Trust	32.14	50,0354	3.39%	12.51 Acres		2.79 Acres		11.16 Acres Feet
Total	773.14 Acres	1476 Acres Feet	100%	366.95	73.22 Acres	73.22 Acres	292.68 Acres Feet	292.88 Acres Feet



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 4, 2022

MIKE PRESTON
420 BITTERROOT
BOISE, ID 83709

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 61-12348, 61-12349, 61-12350, 61-12351, 61-12352, 61-12353, 61-12354, 61-12355, 61-12356, 61-12357, 61-12358 & 61-12359 AGREEMENT 605**

Dear Renter:

Please find enclosed a receipt in the amount of **\$748.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 3.9 acre-feet of water for irrigation of 1.1 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.

Since you have a private agreement with the lessor, you are only obligated to pay the 10% administrative fee or \$748.40

During the administrative review, it was discovered the rental fee noted on page 1 of the agreement was incorrect. Page 1 has been corrected and replaced. The overpayment has been refunded and will arrive under a separate cover.

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. C112596
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Western Regional Office
Hal Anderson
Water District 161

MEMORANDUM

To: Sascha Marston
From: Mary Condon
Date: May 4, 2022
Re: Water Supply Bank Refund

Please issue a Refund in the amount of **\$24.80 for overpayment of Rental fees** for Water Rights 61-12348, et al, and 61-12354, et al, on behalf of Mike Preston.

Receipt: C112596

Issue Refund to:

SHEKINAH INDUSTRIES
C/O MIKE PRESTON
420 BITTERROOT
BOISE ID 83709



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

April 18, 2022

MIKE PRESTON
420 BITTERROOT
BOISE, ID 83709

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 61-12348, 61-12349, 61-12350, 61-12351, 61-12352, 61-12353, 61-12354, 61-12355, 61-12356, 61-12357, 61-12358, 61-12359, AGREEMENT 605**

*****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 **\$748.40** was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 361.8 acre-feet. Since you have a private agreement with the lessor, **you are only obligated to pay the 10% administrative fee or \$748.40.** 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 \$748.40 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
Hal Anderson

Parker, Cody

From: Parker, Cody
Sent: Monday, January 31, 2022 4:05 PM
To: Miller, Nick; Storms, Scott
Subject: WSB Apps for Review

Hey guys,

Here are 2 leases and 2 rentals for the WSB. The leases are two separate suites of splits from the same parents. The rentals propose to use some of the same PODs as the water rights authorize and the irrigation is essentially being moved to parcels adjacent to the water right POU so I don't really see much cause for concern. But, if there is something you guys are concerned about please let me know.

Thanks

Cody Parker

MEMORANDUM

TO: Water rights 61-12348 through 61-12359
FROM: Cody Parker
RE: Evaluation of WSB Rental Application 2158
DATE: January 31, 2022

WSB Application 2158 was received by the Dept. on October 5, 2021. The application proposed to rent 143.6 acres of irrigation water rights from the Bank for the 2022 season. After some confusion, the application was later amended (January 28, 2022) to request 90.5 acres of irrigation.

Authority to File

The applicant is Michael Preston who is listed as the President of Shekinah Industries. Shekinah is the owner of the land proposed to be irrigated. No concerns regarding the authority to file.

Water Right Validity

Validity of the water rights to be rented was discussed separately in the evaluation of lease applications 2155 and 2156.

Injury to Other Water Rights

The original POUs for the water rights included in the rental agreement are located on adjacent properties to the rental POU. The rental proposes to use 2 of the same points of diversion as authorized by the original rights. No concerns regarding injury to other water users.

Enlargement of Use

The rights existing at the rental place of use authorize irrigation of 255 acres of irrigation. The total actual irrigation is estimated to be 345.5. This rental is meant to cover the difference of 90.5 acres that are not authorized under the existing rights. The rate per acre and volume per acre values rented match the irrigation authorized under existing rights. The total consumptive use for the two groups of rented rights and the group of existing rights are defined by condition. The conditions have been updated on the rental agreement to reflect portions of the water rights rented.

Local Public Interest

There is no information to suggest that this rental conflicts with the local public interest.

Beneficial Use/Conservation of Water Resources

The rental proposes an irrigation use which is consistent with statutory and other commonly-accepted standards for irrigation water requirements.

Department/Watermaster Comments

Water District 161 and IDWR Western Region comments were requested.