

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 573

RECEIVED

SEP 03 2021

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

RICHARD F SMITH
PO BOX 8
REXBURG, ID 83440

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

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
22-2175B	2/23/1960	GROUND WATER	0.34	73.5	21.0	0.016	3.50
Combined Rental Totals			0.34	73.5	21.0	0.016	3.50

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 2021, whichever occurs last.

Annual Rental Fee:

2021 - 2022: \$147.00 annually
2023 - 2025: \$169.05 annually

The full fee for the rental of the above-described right(s) is \$147.00 per year for years 2021 - 2022 and \$169.05 per year for years 2023 - 2025. The rental fee includes an administrative fee of \$147.00 per year for years 2021 - 2022 and \$169.05 per year for years 2023 - 2025. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 22-2175 B.

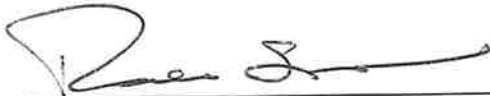
An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 573

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

8/20/21

Date



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, Acting Administrator
Idaho Water Resource Board

Date 9/9/21

Rental approved by IDWR 

Date 9/9/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 573

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE Sec. 28, Twp 06N, Rge 40E, MADISON County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.34 CFS

VOLUME
73.5

SEASON OF USE

Water Right No. **From** **To**
22-2175 B 4/1 10/31

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	
06N	40E	20																1	1
06N	40E	29	20																20

Total Acres: 21

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. Rental does not authorize the construction of a well.
10. Use of water under this 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 water right is within State Water District No. 100.
11. 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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 573

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.

12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 573

Effective until December 31, 2025

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
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKRECEIVED
JUN 02 2021
DEPARTMENT OF
WATER RESOURCES

Applicant Name: Richard F Smith

Is this application being submitted with a lease application as a lease/rental package?

Yes ☒ No ☐

If yes, specify companion water rights in Section 4

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

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

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

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

MINIMUM REQUIREMENT CHECKLIST

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

Yes

- ☒ Completed *Application to Rent Water from the Board's Water Supply Bank*
- ☒ Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank

Attachment N/A Yes

- 2 ☒ A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
- 3A ☒ ☐ Detailed information on a proposed use of rental water
- 3F ☒ ☐ Authorization from the owner/operator of the rental point(s) of diversion
- 3H ☐ ☒ Water modeling to account for the impacts of the rental request
- 3J ☒ ☐ Documents justifying a rate of flow greater than 0.02 cfs/acre
- 3K ☒ ☐ Authorization from the owner/operator of the property at the proposed rental place(s) of use
- 4B ☒ ☐ Explanation of how the rental water will sufficiently accomplish your rental purposes
- 4C ☒ ☐ Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

22-2175B

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Richard F. Smith

Mailing Address <u>PO Box 8</u>	<u>Rexburg</u>	ID	<u>83440</u>
Street	City	State	Zip Code
Email Address <u>rsmith727@gmail.com</u>	Phone Number <u>208-390-7000</u>		

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 <u>Kristin Moore</u>	Professional Title <u>Sen. Water Rights Analyst</u>
Organization <u>Rocky Mountain Water Exchange, LLC</u>	Relationship to Applicant _____
Mailing Address <u>482 Constitution Way Ste 303, Idaho Falls, ID 83402</u>	
Email Address <u>kristin.rmea@gmail.com</u>	Phone Number <u>2085242353</u>

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**:
Rental water will be used for land that currently has no water right.

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.42 CFS	73.5 AF	0.33 CFS	52.5 AF	21 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?	
6/15/2021	7/1/2021	☐ 1	☐ 2	☐ 3	☐ 4	☒ 5	☒ Process application as soon as possible	☐ Return application to applicant

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

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):
Existing well and pump that delivers water to an existing pivot sprinkler 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
SWNE	Groundwater	22-7509, 22-7510, 22-7538, 22-7054B, 22-7054A

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 21 (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:
No other water rights at the proposed place of use.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via [IDWR's website](#).

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request. For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
22-2175B	Irrigation	0.62	136.5	39		0.33	73.5	21
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.33	73.5	21
						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:

Rental agreement No. 1017 for 2019-2020. No permanent water right has been obtained as of yet.

- 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.

Unauthorized Use letter dated February 2019, Case Number E2019-1374

- D. Additional Information

The proposed POU is owned by the applicant and leased to DS & S Inc., who owns the proposed POD and will use for irrigation of the leased property (proposed POU).

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

5/27/21
Date

Date

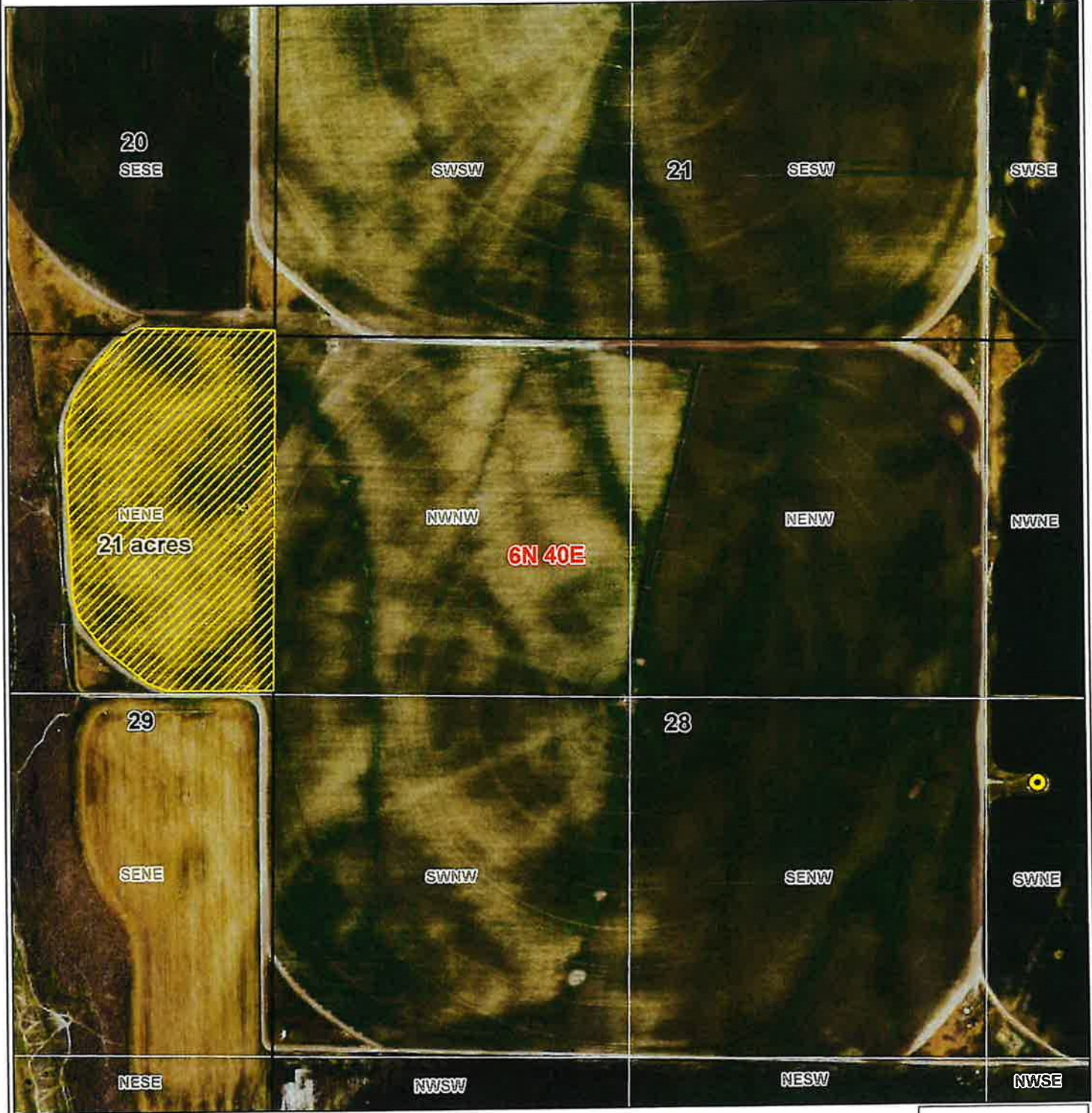
Signature of Representative

Printed Name of Representative

Date

Mail to:

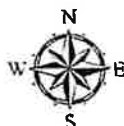
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098



0 0.05 0.1 0.2 Miles

2019 NAIP

- Proposed Rental POD
- Proposed Rental POU
- Township & Range
- Sections
- QQ



WSB Rental Application

Richard Smith

Project #: 15-0014

Drawn by: AD

Date: 5/20/2021



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

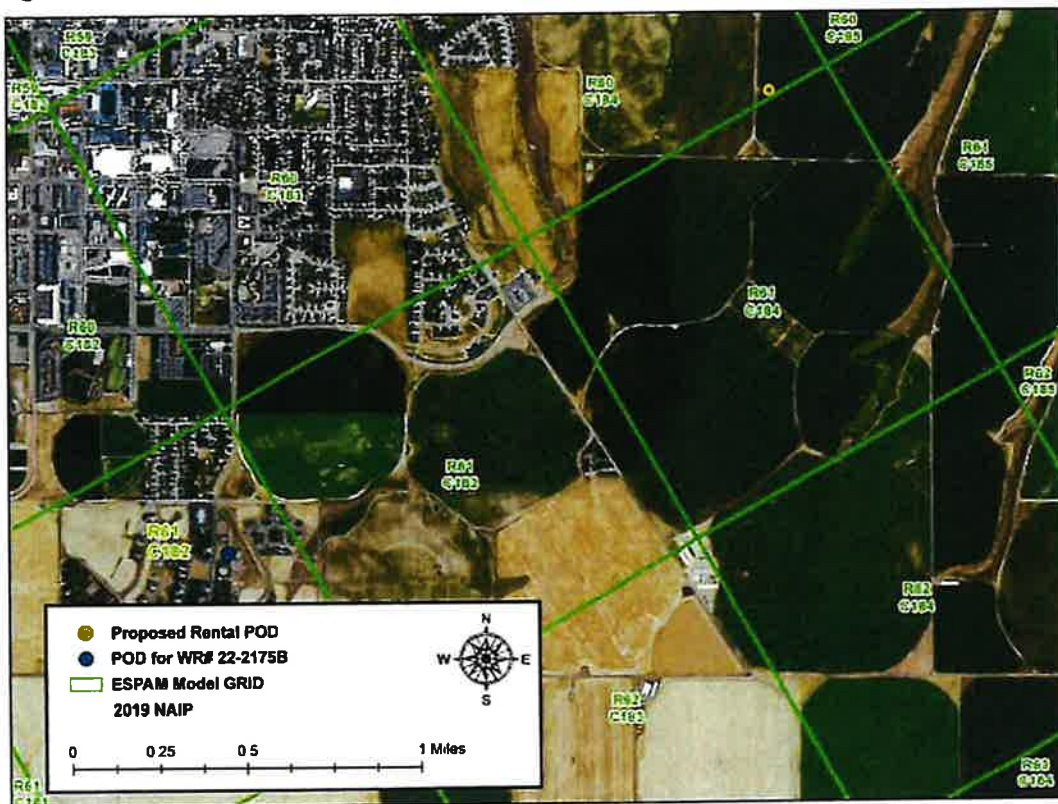
Eastern Snake Plain Aquifer Modeling Analysis

The applicant proposes to rent his own water rights to be used on a nearby property. This application proposes to rent water from water right number 22-2175B for the 2021-2025 seasons that will cover the acres required.

The TO Well location is located in the model cell identified as R60 C184.

The FROM Well location is located in the model cell identified as R61 C182. Figure 1 shows the locations of the points of diversion used in the modeling scenario.

Figure 1. ESPA Model Grid



The standard consumptive use volume of 2.5 afa/acre was used to calculate a volume for modeling. Both the TO and the FROM wells share the same standard volume. For 21 acres of rental, a total annual volume of 52.5 af, or 17.5 af/trimester was used in the modeling simulation.

Results

Using ESPAM 2.1 to simulate the depletions of transferring 21 acres to the proposed place of use, the affects do not exceed the threshold of 2.0 af/trimester. No mitigation is required. Figures 2-4 include excerpts from the modeling simulation.

Figure 2. Data Entry

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

Cells this color are set up for user entries

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

TRANSFER NO: 22-2175B

YEAR: 1960

SEASON: WINTER

TRANSFER NAME: Richard Smith

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	TO CELL	FROM1' CELL	FROM2' CELL	FROM3' CELL
ROW	60	61	75	45
COLUMN	184	182	105	30

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
WIN 1960	0	18	18	0	0	0	0
SPR 1961	0	18	18	0	0	0	0
SUM 1961	0	18	18	0	0	0	0
SPR 2020	0	18	18	0	0	0	0
SUM 2020	0	18	18	0	0	0	0
WIN 2020	0	18	18	0	0	0	0
SPR 2021	18	0	18	0	0	0	0
SUM 2021	18	0	18	0	0	0	0
WIN 2021	18	0	18	0	0	0	0
SPR 2022	18	0	18	0	0	0	0
SUM 2022	18	0	18	0	0	0	0
WIN 2022	18	0	18	0	0	0	0
SPR 2023	18	0	18	0	0	0	0
SUM 2023	18	0	18	0	0	0	0
WIN 2023	18	0	18	0	0	0	0
SPR 2024	18	0	18	0	0	0	0
SUM 2024	18	0	18	0	0	0	0
WIN 2024	18	0	18	0	0	0	0
SPR 2025	18	0	18	0	0	0	0
SUM 2025	18	0	18	0	0	0	0
WIN 2025	18	0	18	0	0	0	0
SPR 2026	0	18	18	0	0	0	0
SUM 2026	0	18	18	0	0	0	0
WIN 2026	0	18	18	0	0	0	0
SPR 2027	0	18	18	0	0	0	0
SUM 2027	0	18	18	0	0	0	0
WIN 2027	0	18	18	0	0	0	0
SPR 2028	0	18	18	0	0	0	0
SUM 2028	0	18	18	0	0	0	0
WIN 2028	0	18	18	0	0	0	0
SPR 2029	0	18	18	0	0	0	0
SUM 2029	0	18	18	0	0	0	0
WIN 2029	0	18	18	0	0	0	0
SPR 2030	0	18	18	0	0	0	0
SUM 2030	0	18	18	0	0	0	0
WIN 2030	0	18	18	0	0	0	0

Figure 2. Graphs

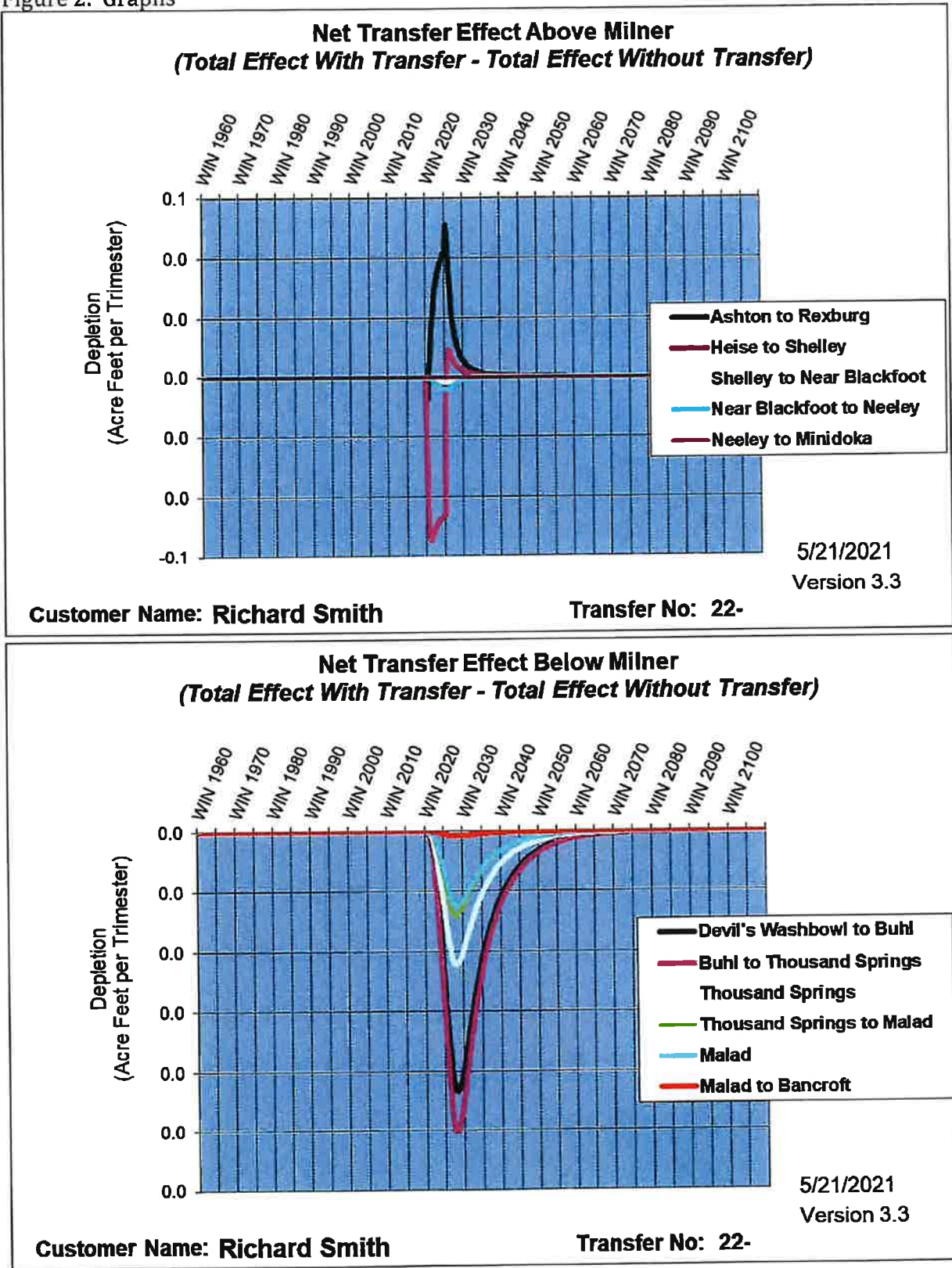


Figure 4. Calculated Effects

Net Transfer Effect (AF/four months)											
	Ashton to	Heise to	Shelley to	Nr Bickft	Neeley to	Dev. Wbl.	Buhl to	Kspr	Kspr to	Malad	Malad to
	Rexburg	Shelley	Nr Bickft	Neeley	Minidoka	Buhl	Kspr		Malad		Bancroft
WIN 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: **SPR 2010**

Match: 149

Match: 456

	AIR	HIS	SINB	NBIN	NIM	DWIB	BIT5	TS	TSUM	M	MIB	Total	
Preexisting Effects @ SS (Last Time Step):	6.92	6.86	0.97	2.52	0.02	0.05	0.06	0.02	0.02	0.01	0.00	17.45	Total Effects without Tra
dy State - Value of Dep. @ Last Time Step:	6.92	6.86	0.97	2.52	0.02	0.05	0.06	0.02	0.02	0.01	0.00	17.45	Total Effects with Trans
Is @ Transient State (Max Value Timestep):	6.92	6.86	0.97	2.52	0.02	0.05	0.06	0.02	0.02	0.01	0.00	17.45	Total Effects without Tra
nt State - Max. Value of Dep. After Transfer:	6.94	6.86	0.97	2.52	0.02	0.05	0.06	0.02	0.02	0.01	0.00	17.47	Total Effects with Trans
Steady State Change:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 13, 2021

RICHARD F SMITH
PO BOX 8
REXBURG, ID 83440

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 22-2175B AGREEMENTS 573**

Dear Renter:

Please find enclosed a receipt in the amount of **\$147.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 73.5 acre-feet of water for irrigation of 21.0 acres during 2021. 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 \$147.00**

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. C110838
Rental Agreement (copy)

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

August 13, 2021

RICHARD F SMITH
PO BOX 8
REXBURG, ID 83440

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 22-2475B, AGREEMENT 573

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 **\$147.00** was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 73.5 acre-feet. Since you are both the lessor and the renter of the right(s), **you are only obligated to pay the 10% administrative fee or \$147.00.** An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for \$147.00 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
Kristin Moore

MEMORANDUM FOR AGREEMENT # 573

To: Water Supply Bank Rental Application 2086
From: Remington Buyer
Date: August 5, 2021
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: On June 2, 2021, Richard Smith submitted a Water Supply Bank rental application to the Department, through Kristin Moore of Rocky Mountain Environmental Associates (RMEA), requesting the rental of 39 acres of water right 22-2175B, as the basis for the irrigation of 21 acres of land owned by him which do not presently have any water rights coverage. Water right 22-2175B belongs to the applicant and was recently leased into the Bank to accommodate this rental request.

AUTHORITY TO FILE: The property where rental water will be used is owned by the applicant. The property where rental water rights will be diverted is owned by DS & S Inc. Per information previously provided by the applicant (through rental application 1449) it is understood Mr. Smith subleases his land to DS & S Inc, who is the actual entity that will irrigate the property under the authorities of the rental. No concerns about authority to file.

WATER RIGHT VALIDITY: Water right 22-2175B is valid and available for rental from the Bank.

INJURY TO OTHER WATER RIGHTS: ESPA Transfer Tool (ETRAN) modeling indicates no injury is apparent through this rental. As such, insofar as water is available to irrigate the rental place of use, and Mr. Smith's use of ESPA ground water does not deprive other water rights of the quantity of water to which they are entitled, this rental may be permissible.

ENLARGEMENT OF USE: Provided that the maximum instantaneous rate, overall and consumptive use of water diverted through this rental is less than the maximum diversion rate, and overall and consumptive use of water associated with the leased extent of the water rights being rented, then no enlargement of the water rights being rented should occur through this rental. Also, provided that the diversion rates and volumes authorized under this rental are proportionate to the diversion rates and volumes of the water rights which are also diverted and used via wells and on lands associated with this rental, then no enlargement of those other water rights should occur.

This rental will authorize irrigation of lands, adjacent to lands irrigated under water rights 22-7054A, 7054B, 7509 and 7510, which authorize irrigation at a rate of approximately 0.016 cfs/ac and 3.5 afa/ac. Water right 22-2175B authorizes irrigation at this same duty of water. No enlargement should not occur to rights 22-7054A, 7054B, 7509 and 7510 through this rental.

LOCAL PUBLIC INTEREST: Staff are not aware of any information that indicates this rental is directly contrary to or inconsistent with any local public interests. However, in the event this rental is not found to be inconsistent with the terms of the ground water management plan that will eventually be adopted for management of the ESPA GWMA, this rental will be conditioned with language authorizing the IWRB to cancel the rental before the end of the agreement, if such action is warranted.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: Irrigation is a beneficial use. The irrigation practices authorized under this rental are consistent with the conservation of water resources in Idaho.

Department Staff or Watermaster Comments: Comments were requested from Water District 100 and IDWR Eastern Region offices on August 5, 2021.

WATER SUPPLY BANK RECOMMENDATION: Staff recommend this rental be approved.

Buyer, Remington

From: Buyer, Remington
Sent: Thursday, August 5, 2021 12:33 PM
To: Jordan, Blake; Cefalo, James
Subject: WSB Rental Application 2086 for Richard Smith
Attachments: Draft Rental Agreement 573.docx; Rental Map - Agreement 573.pdf; Rental Review Memo Application 2086.docx

Blake, James,

Attached are my review memo, map and draft approval for Richard Smith, who is renting a portion of his own water right 22-2175B to authorize the irrigation of lands owned by him which are not presently serviced with water rights.

Please advise if you have any questions, comments or concerns.

Thanks,

Remington