

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 572

RECEIVED
FEB 23 2022
DEPARTMENT OF
WATER RESOURCES

This is to certify that:

WOOD RIVER LAND TRUST CO
119 E BULLION ST
HAILEY, ID 83333

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)
37-5	3/10/1883	BIG WOOD RIVER	0.07	12.3	3.5	0.02	3.5
Rental Totals			0.07	12.3	3.5	0.02	3.5

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2024. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2022, whichever occurs last.

Annual Rental Fee:

2022: \$246.00 annually
2023 - 2024: \$282.90 annually

The full fee for the rental of the above-described right(s) is \$246.00 per year for year 2022 and \$289.90 per year for years 2023 - 2024. The rental fee includes an administrative fee of \$24.60 per year for year 2022 and \$28.29 per year for years 2023 - 2024.

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

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.07	9.8	1.5	0.05	3.5
Combined Total	0.07	9.8	1.5	0.05	3.5

*** The authorized water usage reflects a reduction from the water right elements rented, to account for high rate of diversion requested.**

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 572

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

2/18/22

Date

Scott Boettger

Printed Name

Executive Director

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 3/10/22

Rental approved by IDWR PT

Date 3/10/22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 572

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER SWNESE Sec. 16, Twp 02N, Rge 18E, BLAINE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.07 CFS

VOLUME
9.8 AF

SEASON OF USE

Water Right No. **From** **To**
37-5 4/15 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	
02N	18E	16													1.5				1.5

Limited to: 1.5

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 does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
10. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

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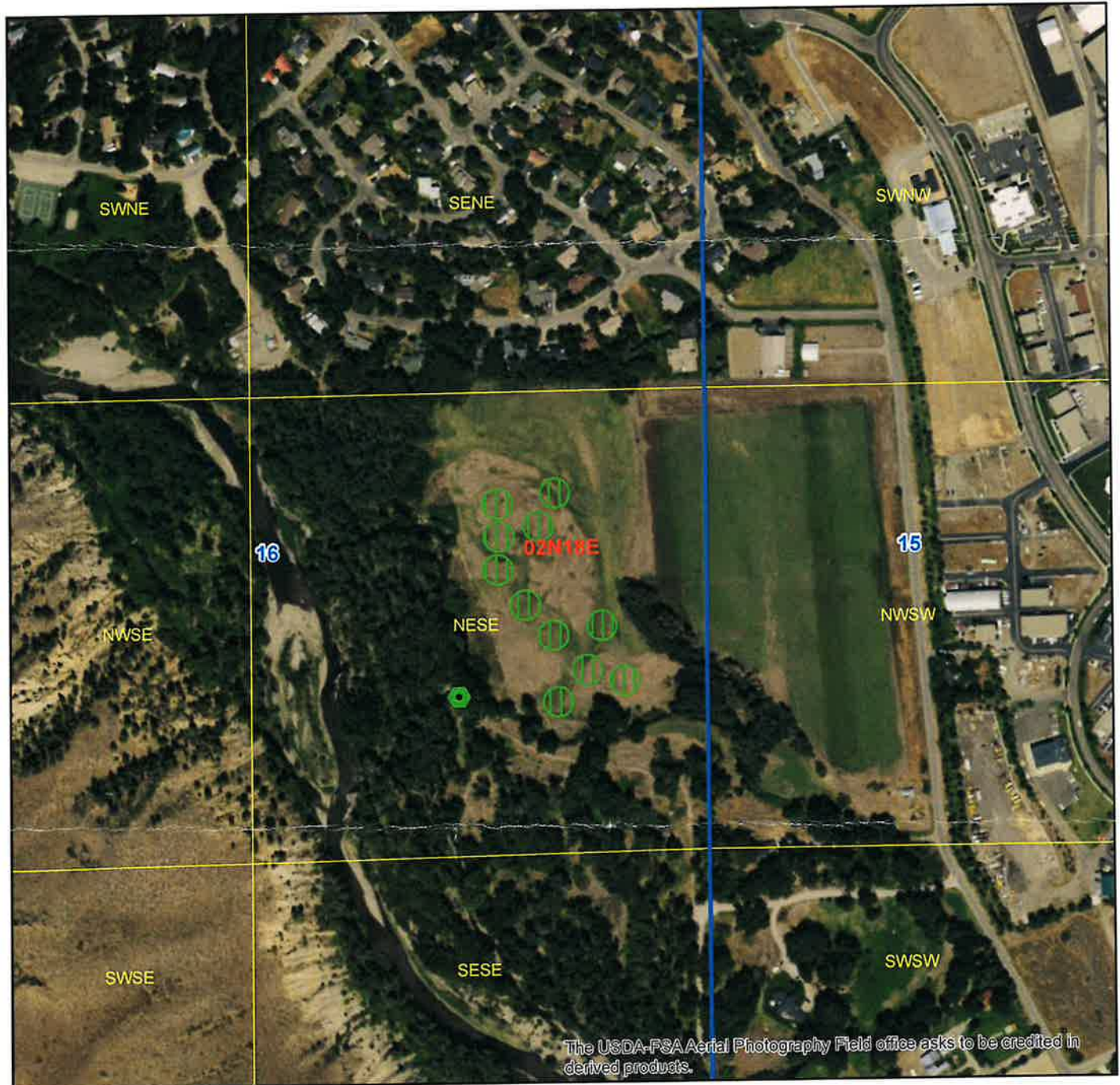
11. The diversion rate for this right shall not exceed 0.07 cfs. Provided further, this right when combined with all other rights shall provide no more than 0.02 cfs, per acre when averaged over a twenty-four hour period based upon the amount of water applied over such twenty-four hour period. However, should the lands authorized to be irrigated under this right ever cease to be irrigated for restoration then this right when combined with all other rights shall provide no more than 0.02 cfs, 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. 572

Effective until December 31, 2024

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

0 500 1,000 1,500 Feet

**STATE OF IDAHO
WATER RESOURCE BOARD**

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

Applicant Name: Wood River Land Trust

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)

37-5

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Wood River Land Trust

Mailing Address 119 E Bullion St Hailey Idaho 83333
Street City State Zip Code

Email Address atrujillo@woodriverlandtrust.org Phone Number 208-788-3947

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 Amy Trujillo Professional Title Deputy Director
 Organization Wood River Land Trust Relationship to Applicant Employee

Mailing Address 119 E. Bullion St. Hailey, ID 83333
 Email Address atrujillo@woodriverlandtrust.org Phone Number 208-788-3947

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**:
Rented water will be used to establish native plants for a restoration project. We will divert either from the Cove Canal or the pump/pond system used by other water right holders. Water will be delivered with a mainline and sprinklers to specific areas within the POU to establish native plants. Continued explanation in Attachment 3A.

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)
0.07 CFS	0.5 AF	0.07 CFS	0.5 AF	1.5 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?	
05/24/2021	07/01/2021	☐ 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):

We will install an irrigation system going from the POD to specific areas within the POU. We will either use the pond/pump system used for other water rights diverted from this POD or pump directly from the Cove Canal.

- 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
Cove Canal	Big Wood River	37-22249;37-23149;37-22248;37-11382B;37-577

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 1.5 (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.

Attachment 3J

- 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:

N/A

**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)
37-5	Irrigation	1.16		116		0.07	0.5	1.5
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	0.07 CFS	0.5 AF	1.5 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**:
We are trying to establish drought tolerant forbs and shrubs for a habitat restoration project. We plan to irrigate at a higher diversion rate but low frequency until the plants get successfully established.

C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☐ No ☒

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

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

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

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

- D. Additional Information

DECLARATION

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

Amy Trujillo
Signature of Applicant

Amy Trujillo, Land Trust
Printed Name of Applicant

5/28/2021
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.

Wood River Land Trust
 Water Supply Bank Application
 Attachment 2
 T02N R18E S16 NE1/4SE1/4

Proposed Point Of Diversion

Sprinklerhead

1.5 inch Line

Proposed Place of Use

Colorado Gulch Preserve

Sprinklerheads will each cover
 13 sq. meters

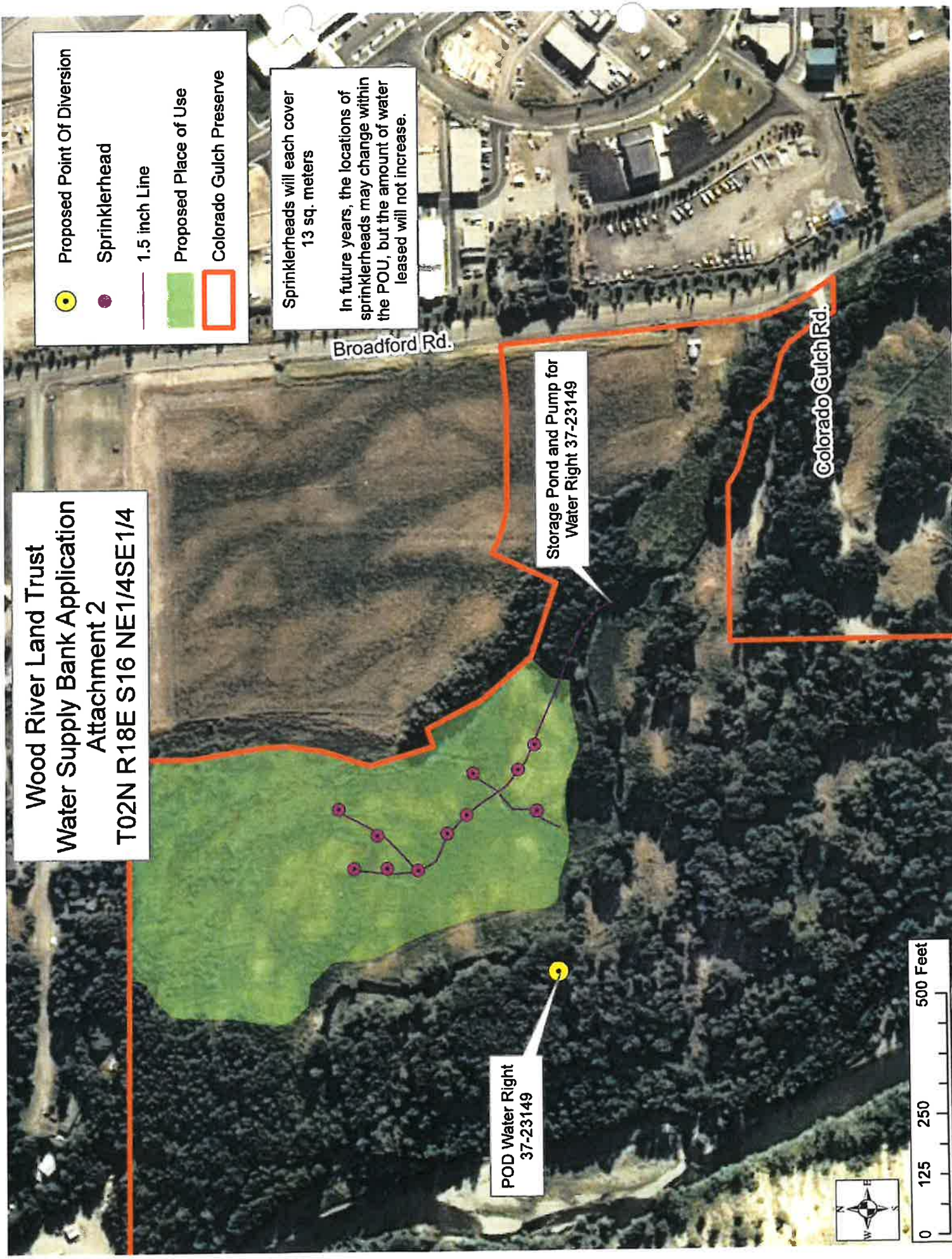
In future years, the locations of
 sprinklerheads may change within
 the POU, but the amount of water
 leased will not increase.

Storage Pond and Pump for
 Water Right 37-23149

POD Water Right
 37-23149

Broadford Rd.

Colorado Gulch Rd.



Attachment 3A.

Irrigation will be used for the establishment of native, drought-tolerant plants for a restoration project that will enhance biodiversity and provide habitat for native pollinating insects. We will use the POD for water rights 37-22249;37-23149;37-22248;37-11382B; and 37-577. Water will be diverted into the Cove Canal and delivered to the POU one of two ways. Our preferred method is to utilize the pond and pump system established for the Colorado Gulch HOA, and we are awaiting permission for that use. If permission is not granted, we will pump directly from the Cove Canal using a solar-powered pump system.

The water will be delivered through 1.5 inch pipelines to sprinklers installed in the precise areas where plants will be established. This summer we will have seven pollinator "islands" (circular areas with a 3 - 4 meter diameter where we planted forbs for the restoration project.) In 2022, we will add two more pollinator islands for a total of nine. All islands are approximately the same size. We estimate that each pollinator island will require an irrigation area of 450 sq. ft., for a total of 4,050 sq. ft. with nine islands. We also plan to irrigate an area where we are planting native shrubs, and this area is estimated at 2,000 sq. ft. The total area to be irrigated is 6,050 square feet or 1.5 acres. In the future, if more islands are added, we will relocate sprinklers but not add any additional area.

Attachment 3J.

The system will divert at a rate greater than 0.03 cfs/acre while running, but will only run for a maximum of 1 hour a day, 3 days a week at most. Our irrigation needs may be less than that because we are establishing native, drought tolerant forbs and shrubs. Although the diversion rate will be high, the total volume diverted will be well below what is permitted by the rental rights.

Attachment 4B.

The proposed water rental is 'unconventional' because we will be establishing native plants for a restoration project. We are proposing to divert at a rate greater than 0.03 cfs/acre while running, but will only run for a maximum of 1 hour per day, 3 days per week at most. The water will be delivered through 1.5 inch pipelines to sprinklers installed in the precise areas where plants will be established.

Irrigation will be concentrated in circular areas "islands" with high densities of forbs for establishment, rather than irrigating the entire POU. In 2021, we will have seven pollinator islands (circular areas with a 3 - 4 m diameter where we planted forbs for the restoration project). In 2022, we will add two more pollinator islands for a total of nine. All islands are approximately the same size.

We estimate that each pollinator island will require an irrigation area of 450 sq. ft., for a total of 4,050 sq. ft. with all nine islands. We also plan to irrigate an area where we are planting native shrubs, which is estimated at 2,000 square feet. The total irrigated area would be no more than 6,050 square feet or 1.5 acres irrigated with sprinklers.

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RE: Transfer or Application No.

Water Right No(s):

Transfer Applicant's Name:

Wood River Land Trust

Rental of 37-5

Watermaster's Recommendation:

- a) X I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this 25 day of May, 2021

Water District 37

Kevin Lakey

Watermaster's Signature

Kevin Lakey

Printed Name



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

March 11, 2022

WOOD RIVER LAND TRUST CO
119 E BULLION ST
HAILEY, ID 83333

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-5 AGREEMENT 572**

Dear Renter:

Please find enclosed a receipt in the amount of **\$246.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 12.3 acre-feet of water for irrigation of 1.5 acres during 2022. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$221.40 of the rental fee will be paid to the lessor(s) and 10% or \$24.60 will be retained by the Department to offset administrative costs.

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

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosures: Receipt No. C111999
Rental Agreement (copy)

c: Sascha Marston – Fiscal



IDAHO DEPARTMENT
WATER RESOURCES

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

Governor Brad Little

Director Gary Spackman

February 2, 2022

WOOD RIVER LAND TRUST
119 E BULLION ST
HAILEY, ID 83333

**RE: REQUEST FOR RETURN OF SIGNED RENTAL AGREEMENT 572 AND PAYMENT
FOR WATER RIGHT(S) 37-5**

*****TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

The Department of Water Resources ("Department") mailed a **Water Supply Bank Rental Agreement ("Agreement")** for your review and signature on August 20, 2021. The signed agreement and annual rental fee has not been returned to the Department.

Please sign the rental agreement and return it with the rental payment in the amount of \$246.00 within ten (10) days of this letter to complete processing. Diversion and use of the water right(s) is not authorized under the proposed agreement until it has been signed by both the renter and the Department. Any use associated with your proposed rental request before it has been executed is considered unauthorized and, if occurring, will be subject to any necessary enforcement action.

If the signed rental agreement and fee is not received by the department within the 10-day period, the rental application will be returned, and the proposed rental right(s) made available for other rental applicants. You can reapply to rent water from the Bank again in the future by submitting a new rental application form that will be processed in turn with other pending applications.

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Gary Spackman

August 20, 2021

WOOD RIVER LAND TRUST
119 E BULLION ST
HAILEY, ID 83333

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-5 AGREEMENT 572**

*****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 \$246.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 12.3 acre-feet.

Please send a check for \$246.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

Pursuant to the Water Supply Bank Rules, 90% or \$221.40 of the rental fee will be paid to the lessor(s) and 10% or \$24.60 will be retained by the Department to offset administrative costs.

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

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure

c: IDWR Front Desk

MEMORANDUM FOR AGREEMENT # 572

To: Water Right(s) 37-5

From: Mary Condon & Remington Buyer

Date: July 29, 2021

Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: New application to rent from 2021 thru 2025, was received from the Wood River Land Trust (WRLT) on June 1, 2021. The rental use is for the irrigation of 1.5 acres within a 33 acre area known as the Colorado Gulch Preserve, which is a nature preserved managed by the WRLT, situated on lands owned by the WRLT. The requested water right is only in the bank through 2024. On August 27, 2021, the renter notified us that the water was no longer available for the 2021 season and they had just received the agreement for signature. They would like to start the rental in 2022 instead. Comments were requested from the watermaster and region for the change, and there were no concerns. The agreement has been updated to begin in 2022.

The point of diversion (POD) for this rental will be the Cove Canal and, perhaps, a pond situated along the canal. Per information provided in the rental application, water right 37-23149, belonging to the Colorado Gulch Homeowners Association (CGHOA), is used to divert water from the pond, to irrigate residential properties being developed immediately adjacent the preserve. The WRLT stated in their rental application that would be investigating whether they could use the diversion and irrigation delivery system established for water right 37-23149 to divert water for irrigation practices under this rental. However, no letter from the owners of water right 37-23149 accompanied the rental application and as of this date, it is unclear whether the renter has been able to secure an authorization to use the subdivisions water diversion and irrigation system. The pond is not visible in satellite imagery, and it is unknown whether the pond is manmade or natural. If the pond is onstream of the Cove Canal, and if water is not stored in the pond for more than 24 hours, then it might not be necessary to require diversion to storage and irrigation storage as an authorized use on water right 37-23149.

AUTHORITY TO FILE: Application to rent is submitted by Amy Trujillo, on behalf of Wood River Land Trust. Amy is listed as the Deputy Director for Wood River Land Trust on the 2021 Annual Report or the Secretary of State Idaho. Blaine County Assessor information indicates the PODs and place of use (POU) for this rental are on lands owned by the Wood River Land Trust. A letter of no opposition of the rental was signed by Kevin Lakey, the watermaster, and submitted with the application. No concerns with authority to file.

WATER RIGHT VALIDITY: The entirety of leased right 37-5 has been in the bank since 2008 and was decreed in 2010. Uses are for irrigation, wildlife and recreation. There is historical use of irrigation prior to being placed into the bank per supplied watermaster records submitted with the 2008 lease application, and the water has been rented for irrigation annually from the bank since 2012.

INJURY TO OTHER WATER RIGHTS: This rental proposes to relocate water right 37-5 downstream on the Big Wood River, approximately four miles, from its currently authorized location, which is north of the City of Hailey, at the confluence of Deer Creek and the Big Wood River, to the rental location, which can be served with water diverted from the Big Wood River via the Cove Canal headgate. There are 55 water rights with Big Wood River points of diversion situated between the lease and rental locations (see Appendix A for the list of water rights), and

there are an additional seven water rights that divert water at the rental location (via the Cove Canal). To avoid injury, all 62 water rights diverting downstream of the leased location of water right 37-5, which divert Big Wood River water above or through the Cove Canal, should not be deprived of in-priority Big Wood River water through diversions of water under this rental. Particularly, a sum total 50.66 cfs can be diverted from the Big Wood River downstream of the lease location of water right 37-5 and above the Cove Canal. Historical rentals of this right since 2012 have not been known to cause any injury.

The seven water rights 37-113 G, 37-577 BY & 37-577 CB, 37-11382 B, 37-22248, 37-22249, 37-23017 and 37-23149 divert water via the Cove Canal. Provided these water rights receive their allocated diversions during the term of this rental, no injury should occur under this rental.

The rental is for a higher than normal rate for short interval high intensity watering, at 0.07 cfs for 1.5 acres. The higher rate will require a rental of 3.5 acres and 12.3 AF to keep the proportional amount rented, but limited to the 1.5 acres and 9.8 AF requested.

ENLARGEMENT OF USE: The entirety of leased right 37-5 has been in the bank since 2008 and was decreed in 2010. Uses are for irrigation, wildlife and recreation. Shape files of POU for the recreation and wildlife uses are islands and/or ponds within the Deer Creek channel, with water right 37-8748 for recreation storage overlapping. Because the wildlife and recreation uses authorized under water right 37-5 are presumed to be occurring, or could occur, under water right 37-8748, the wildlife and recreation portion of water right 37-5 should not be rented and this rental will be limited to the irrigation portion of 37-5. A portion of 37-5 irrigation is in the NW of Sec 32, capable of receiving water, but does not appear to be irrigated over the last 15 years. There are no overlapping irrigation rights for the leased POUs.

Water right 37-22249 for irrigation covering the rental place of use is currently leased to the bank, from 2017 through 2021, under Stevens Family Ranch, LLC. Stevens Family withheld the water right from the sale of the land to Wood River Land Trust. This rental for irrigation does not appear to pose an enlargement of use.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is subject to Water District # 37. A letter of recommendation marked No Objection from the watermaster was received with the application for rental. A separate request for comment to the Southern region was sent on 8/3/2021. Another request for comment was sent on 8/27/2021, to change the agreement to begin instead in 2022 due to late season approval and no water availability, and there were no objections.

Appendix A

Water Right Number	Priority Date	Decreed Date	Owner	Overall Max Diversion Rate	Overall Max Diversion Volume	Uses	Source	Diversion Name
37-22841	11/12/1936	9/5/2012	2007 TERENCE J CREIGHTON REVOCABLE TRUST	0.04	<Null>	IRRIGATION, AESTHETIC STORAGE, MITIGATION	BIG WOOD RIVER	
37-22838	8/14/2013	<Null>	2007 TERENCE J CREIGHTON REVOCABLE TRUST	0	0.6	AESTHETIC STORAGE	BIG WOOD RIVER	
combined			2007 TERENCE J CREIGHTON REVOCABLE TRUST	0.04				
37-7196	1/17/1973	11/27/2000	ANDREW, MEGAN; BOBBIO, EMMANUELE	0.02	<Null>	DOMESTIC	BIG WOOD RIVER	<Null>
37-557	5/15/1884	5/2/2011	ASPEN LAKES CANAL CO	1	<Null>	IRRIGATION	BIG WOOD RIVER	Aspen 27? Big Wood River (best guess)
37-558	6/1/1886	5/2/2011	ASPEN LAKES CANAL CO	2	<Null>	IRRIGATION	BIG WOOD RIVER	Aspen 27? Big Wood River (best guess)
37-559	6/1/1888	5/2/2011	ASPEN LAKES CANAL CO	3.6	<Null>	IRRIGATION	BIG WOOD RIVER	Aspen 27? Big Wood River (best guess)
combined			ASPEN LAKES CANAL CO	6.6				
37-577AQ	3/24/1883	9/24/2010	BURKE, JANE; BURKE, WAYNE L	0.02	<Null>	DOMESTIC	BIG WOOD RIVER	Cove Canal
37-23109	5/1/1883	8/30/2011	CIMINO, ROBERT	0.35	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-481D	8/1/1882	9/24/2010	ECCLES FLYING HAT RANCH LLC	3	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-483D	8/1/1902	9/24/2010	ECCLES FLYING HAT RANCH LLC	3	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-482J	8/1/1884	9/24/2010	ECCLES FLYING HAT RANCH LLC	3	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-917	4/1/1940	9/24/2010	ECCLES FLYING HAT RANCH LLC	2.54	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-11975	6/15/1891	9/24/2010	ECCLES FLYING HAT RANCH LLC	3.2	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-11976	6/1/1884	9/24/2010	ECCLES FLYING HAT RANCH LLC	0.7	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-11977	6/15/1891	9/24/2010	ECCLES FLYING HAT RANCH LLC	0.8	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-11978	3/24/1883	9/24/2010	ECCLES FLYING HAT RANCH LLC	3.5	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-577BP	3/24/1883	8/30/2011	ECCLES FLYING HAT RANCH LLC	7	<Null>	IRRIGATION, MITIGATION	BIG WOOD RIVER	Cove Canal
combined			ECCLES FLYING HAT RANCH LLC	26.74				
37-22676	5/1/1883	8/30/2011	FAIRMAN MD, DAN S; FAIRMAN, MELYNDA KIM STANDLEE	0.06	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-23001	5/1/1883	8/30/2011	FENN, DOUGLAS B; FENN, NANCY W	0.4	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-154C	12/13/1887	6/29/2012	GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC	3	128.8	RECREATION, AESTHETIC	BIG WOOD RIVER	<Null>
37-562F	5/10/1887	12/1/2010	GRUVER, CAROLYN; GRUVER, GARY B; GRUVER, MEGAN	0.48	49	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-22600	6/1/1886	9/24/2010	HARRY S RINKER TRUST	0.15	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-22602	5/4/1889	9/24/2010	HARRY S RINKER TRUST	0.13	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-22604	5/21/1890	9/24/2010	HARRY S RINKER TRUST	0.1	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-22604			HARRY S RINKER TRUST	0.38				
37-562G	5/10/1887	12/1/2010	L N A LC	0.2	15.8	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-28C	3/24/1883	9/24/2010	MARTIN, KARIN T	0.02	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-363G	4/12/1883	6/29/2010	MC ILHENNY, JEANETTE	0.22	<Null>	MITIGATION	BIG WOOD RIVER	Cove Canal
37-364G	5/1/1887	6/29/2010	MC ILHENNY, JEANETTE	0.16	<Null>	MITIGATION	BIG WOOD RIVER	Cove Canal
combined			MC ILHENNY, JEANETTE	0.38				
37-22535	3/24/1883	6/3/2010	MICHAEL & HOLLY CLAYVILLE LIVING TRUST	0.1	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-23160	5/1/1883	<Null>	MOONDOGGIE TRUST	0.09	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-577CH	3/24/1883	8/30/2011	MOORE, DEMI	1.2	180	RECREATION, AESTHETIC	BIG WOOD RIVER	Aspen 27? Big Wood River (best guess)
37-707	7/10/1884	9/24/2010	NICK VANOFF PRESENTS INC	1.6	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-22934	6/1/1886	9/24/2010	PABARCIUS, ALGIS	0.35	<Null>	MITIGATION BY NON-USE	BIG WOOD RIVER	<Null>
37-22935	5/4/1889	9/24/2010	PABARCIUS, ALGIS	0.31	<Null>	MITIGATION BY NON-USE	BIG WOOD RIVER	<Null>
37-22936	5/21/1890	9/24/2010	PABARCIUS, ALGIS	0.24	<Null>	MITIGATION BY NON-USE	BIG WOOD RIVER	<Null>
combined			PABARCIUS, ALGIS	0.9				
37-22255	5/1/1883	8/30/2011	PETER TRUST LP	0.22	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-22536	3/24/1883	6/3/2010	RINKER, RODRICK H	0.1	<Null>	IRRIGATION, RECREATION STORAGE, AESTHETIC STORAGE, DIVERSION TO STORAGE	BIG WOOD RIVER	<Null>
37-20842	6/1/1886	9/24/2010	RIVERVIEW CLOVERLY IRRIGATION INC	0.34	<Null>		BIG WOOD RIVER	<Null>
37-21239	5/4/1889	9/24/2010	RIVERVIEW CLOVERLY IRRIGATION INC	0.28	<Null>		BIG WOOD RIVER	<Null>
37-21241	5/21/1890	9/24/2010	RIVERVIEW CLOVERLY IRRIGATION INC	0.34	<Null>	IRRIGATION, MITIGATION BY NON-USE	BIG WOOD RIVER	<Null>
37-22601	6/1/1886	9/24/2010	RIVERVIEW CLOVERLY IRRIGATION INC	0.99	<Null>		BIG WOOD RIVER	<Null>
37-22603	5/4/1889	9/24/2010	RIVERVIEW CLOVERLY IRRIGATION INC	0.88	<Null>		BIG WOOD RIVER	<Null>
37-22605	5/21/1890	9/24/2010	RIVERVIEW CLOVERLY IRRIGATION INC	0.68	<Null>		BIG WOOD RIVER	<Null>
combined			RIVERVIEW CLOVERLY IRRIGATION INC	1.87				
37-10725	7/10/1884	11/29/2012	SCOFIELD, C L; SCOFIELD, ELLEN M	0.1	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-833P	11/12/1936	9/24/2010	SUN VALLEY TRUST	0.08	<Null>	MITIGATION	BIG WOOD RIVER	Cove Canal
37-562D	5/10/1887	12/29/2010	THE 1992 GRASSI FAMILY TRUST	1.14	85.4	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-4420	8/9/1969	8/30/2011	THOMAS T TIERNEY & ELIZABETH C TIERNEY FAMILY TRUST	3.2	3.1	RECREATION STORAGE, AESTHETIC STORAGE, DIVERSION TO STORAGE	BIG WOOD RIVER	<Null>
37-22969	5/1/1883	8/30/2011	THOMAS T TIERNEY & ELIZABETH C TIERNEY FAMILY TRUST	1.29	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
combined			THOMAS T TIERNEY & ELIZABETH C TIERNEY FAMILY TRUST	4.49				
37-16893	6/28/1934	2/11/2003	UNITED STATES OF AMERICA ACTING THROUGH	0.02	<Null>	STOCKWATER	BIG WOOD RIVER	<Null>
37-16893	6/28/1934	2/11/2003	UNITED STATES OF AMERICA ACTING THROUGH	0.02	<Null>	STOCKWATER	BIG WOOD RIVER	<Null>
37-16949	6/28/1934	2/11/2003	UNITED STATES OF AMERICA ACTING THROUGH	0.02	<Null>	STOCKWATER	BIG WOOD RIVER	<Null>
37-16949	6/28/1934	2/11/2003	UNITED STATES OF AMERICA ACTING THROUGH	0.02	<Null>	STOCKWATER	BIG WOOD RIVER	<Null>
37-16950	6/28/1934	2/11/2003	UNITED STATES OF AMERICA ACTING THROUGH	0.02	<Null>	STOCKWATER	BIG WOOD RIVER	<Null>
37-16950	6/28/1934	2/11/2003	UNITED STATES OF AMERICA ACTING THROUGH	0.02	<Null>	STOCKWATER	BIG WOOD RIVER	<Null>
combined			UNITED STATES OF AMERICA ACTING THROUGH					
37-23095	5/1/1883	8/30/2011	WELDON & MARILYN J WANKIER LIVING TRUST	0.08	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
Sum Total				50.66				

MEMORANDUM FOR AGREEMENT # 572

To: Water Right(s) 37-5

From: Mary Condon & Remington Buyer

Date: July 29, 2021

Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: New application to rent from 2021 thru 2025, was received from the Wood River Land Trust (WRLT) on June 1, 2021. The rental use is for the irrigation of 1.5 acres within a 33 acre area known as the Colorado Gulch Preserve, which is a nature preserved managed by the WRLT, situated on lands owned by the WRLT. The requested water right is only in the bank through 2024.

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AUTHORITY TO FILE: Application to rent is submitted by Amy Trujillo, on behalf of Wood River Land Trust. Amy is listed as the Deputy Director for Wood River Land Trust on the 2021 Annual Report or the Secretary of State Idaho. Blaine County Assessor information indicates the PODs and place of use (POU) for this rental are on lands owned by the Wood River Land Trust. A letter of no opposition of the rental was signed by Kevin Lakey, the watermaster, and submitted with the application. No concerns with authority to file.

WATER RIGHT VALIDITY: The entirety of leased right 37-5 has been in the bank since 2008 and was decreed in 2010. Uses are for irrigation, wildlife and recreation. There is historical use of irrigation prior to being placed into the bank per supplied watermaster records submitted with the 2008 lease application, and the water has been rented for irrigation annually from the bank since 2012.

INJURY TO OTHER WATER RIGHTS: This rental proposes to relocate water right 37-5 downstream on the Big Wood River, approximately four miles, from its currently authorized location, which is north of the City of Hailey, at the confluence of Deer Creek and the Big Wood River, to the rental location, which can be served with water diverted from the Big Wood River via the Cove Canal headgate. There are 55 water rights with Big Wood River points of diversion situated between the lease and rental locations (see Appendix A for the list of water rights), and there are an additional seven water rights that divert water at the rental location (via the Cove Canal). To avoid injury, all 62 water rights diverting downstream of the leased location of water right 37-5, which divert Big Wood River water above or through the Cove Canal, should not be deprived of in-priority Big Wood River water through diversions of water under this rental.

Particularly, a sum total 50.66 cfs can be diverted from the Big Wood River downstream of the lease location of water right 37-5 and above the Cove Canal. Historical rentals of this right since 2012 have not been known to cause any injury.

The seven water rights 37-113 G, 37-577 BY & 37-577 CB, 37-11382 B, 37-22248, 37-22249, 37-23017 and 37-23149 divert water via the Cove Canal. Provided these water rights receive their allocated diversions during the term of this rental, no injury should occur under this rental.

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LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is subject to Water District # 37. A letter of recommendation marked No Objection from the watermaster was received with the application for rental. A separate request for comment to the Southern region was sent on 8/3/2021.

Appendix A

Water Right Number	Priority Date	Decreed Date	Owner	Overall Max Diversion Rate	Overall Max Diversion Volume	Uses	Source	Diversion Name
37-22841	11/12/1936	9/5/2012	2007 TERENCE J CREIGHTON REVOCABLE TRUST	0.04	<Null>	IRRIGATION, AESTHETIC STORAGE, MITIGATION	BIG WOOD RIVER	
37-22838 combined	8/14/2013	<Null>	2007 TERENCE J CREIGHTON REVOCABLE TRUST 2007 TERENCE J CREIGHTON REVOCABLE TRUST	0 0.04	0.6	AESTHETIC STORAGE	BIG WOOD RIVER	
37-7196	1/17/1973	11/27/2000	ANDREW, MEGAN; BOBBIO, EMMANUELE	0.02	<Null>	DOMESTIC	BIG WOOD RIVER	<Null>
37-557	5/15/1884	5/2/2011	ASPEN LAKES CANAL CO	1	<Null>	IRRIGATION	BIG WOOD RIVER	Aspen 277 Big Wood River (best guess)
37-558	6/1/1886	5/2/2011	ASPEN LAKES CANAL CO	2	<Null>	IRRIGATION	BIG WOOD RIVER	Aspen 277 Big Wood River (best guess)
37-559 combined	6/1/1888	5/2/2011	ASPEN LAKES CANAL CO ASPEN LAKES CANAL CO	3.6 6.6	<Null>	IRRIGATION	BIG WOOD RIVER	Aspen 277 Big Wood River (best guess)
37-577AQ	3/24/1883	9/24/2010	BURKE, JANE; BURKE, WAYNE L	0.02	<Null>	DOMESTIC	BIG WOOD RIVER	Cove Canal
37-23109	5/1/1883	8/30/2011	CIMINO, ROBERT	0.35	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-481D	8/1/1882	9/24/2010	ECCLES FLYING HAT RANCH LLC	3	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-483D	8/1/1902	9/24/2010	ECCLES FLYING HAT RANCH LLC	3	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-482J	8/1/1884	9/24/2010	ECCLES FLYING HAT RANCH LLC	3	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-917	4/1/1940	9/24/2010	ECCLES FLYING HAT RANCH LLC	2.54	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-11975	6/15/1891	9/24/2010	ECCLES FLYING HAT RANCH LLC	3.2	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-11976	6/1/1884	9/24/2010	ECCLES FLYING HAT RANCH LLC	0.7	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-11977	6/15/1891	9/24/2010	ECCLES FLYING HAT RANCH LLC	0.8	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-11978	3/24/1883	9/24/2010	ECCLES FLYING HAT RANCH LLC	3.5	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-577BP combined	3/24/1883	8/30/2011	ECCLES FLYING HAT RANCH LLC ECCLES FLYING HAT RANCH LLC	7 26.74	<Null>	IRRIGATION, MITIGATION	BIG WOOD RIVER	Cove Canal
37-22676	5/1/1883	8/30/2011	FAIRMAN MD, DAN S; FAIRMAN, MELYNDA KIM STANDLEE	0.06	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-23001	5/1/1883	8/30/2011	FENN, DOUGLAS B; FENN, NANCY W	0.4	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-154C	12/13/1887	6/29/2012	GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC	3	128.8	RECREATION, AESTHETIC	BIG WOOD RIVER	<Null>
37-562F	5/10/1887	12/1/2010	GRUVER, CAROLYN; GRUVER, GARY B; GRUVER, MEGAN	0.48	49	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-22600	6/1/1886	9/24/2010	HARRY S RINKER TRUST	0.15	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-22602	5/4/1889	9/24/2010	HARRY S RINKER TRUST	0.13	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-22604	5/21/1890	9/24/2010	HARRY S RINKER TRUST	0.1	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-22604 combined			HARRY S RINKER TRUST	0.38				
37-562G	5/10/1887	12/1/2010	L N A LC	0.2	15.8	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-28C	3/24/1883	9/24/2010	MARTIN, KARIN T	0.02	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-363G	4/12/1883	6/29/2010	MC ILHENNY, JEANETTE	0.22	<Null>	MITIGATION	BIG WOOD RIVER	Cove Canal
37-364G combined	5/1/1887	6/29/2010	MC ILHENNY, JEANETTE MC ILHENNY, JEANETTE	0.16 0.38	<Null>	MITIGATION	BIG WOOD RIVER	Cove Canal
37-22535	3/24/1883	6/3/2010	MICHAEL & HOLLY CLAYVILLE LIVING TRUST	0.1	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-23160	5/1/1883	<Null>	MOONDOGGIE TRUST	0.09	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-577CH	3/24/1883	8/30/2011	MOORE, DEMI	1.2	180	RECREATION, AESTHETIC	BIG WOOD RIVER	Aspen 277 Big Wood River (best guess)
37-707	7/10/1884	9/24/2010	NICK VANOFF PRESENTS INC	1.6	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-22934	6/1/1886	9/24/2010	PABARCIUS, ALGIS	0.35	<Null>	MITIGATION BY NON-USE	BIG WOOD RIVER	<Null>
37-22935	5/4/1889	9/24/2010	PABARCIUS, ALGIS	0.31	<Null>	MITIGATION BY NON-USE	BIG WOOD RIVER	<Null>
37-22936 combined	5/21/1890	9/24/2010	PABARCIUS, ALGIS PABARCIUS, ALGIS	0.24 0.9	<Null>	MITIGATION BY NON-USE	BIG WOOD RIVER	<Null>
37-22255	5/1/1883	8/30/2011	PETER TRUST LP	0.22	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-22536	3/24/1883	6/3/2010	RINKER, RODRICK H	0.1	<Null>	IRRIGATION, RECREATION STORAGE, AESTHETIC STORAGE, DIVERSION TO STORAGE	BIG WOOD RIVER	<Null>
37-20842	6/1/1886	9/24/2010	RIVERVIEW CLOVERLY IRRIGATION INC	0.34	<Null>		BIG WOOD RIVER	<Null>
37-21239	5/4/1889	9/24/2010	RIVERVIEW CLOVERLY IRRIGATION INC	0.28	<Null>		BIG WOOD RIVER	<Null>
37-21241	5/21/1890	9/24/2010	RIVERVIEW CLOVERLY IRRIGATION INC	0.34	<Null>	IRRIGATION, MITIGATION BY NON-USE	BIG WOOD RIVER	<Null>
37-22601	6/1/1886	9/24/2010	RIVERVIEW CLOVERLY IRRIGATION INC	0.99	<Null>		BIG WOOD RIVER	<Null>
37-22603	5/4/1889	9/24/2010	RIVERVIEW CLOVERLY IRRIGATION INC	0.88	<Null>		BIG WOOD RIVER	<Null>
37-22605 combined	5/21/1890	9/24/2010	RIVERVIEW CLOVERLY IRRIGATION INC RIVERVIEW CLOVERLY IRRIGATION INC	0.68 1.87	<Null>		BIG WOOD RIVER	<Null>
37-10725	7/10/1884	11/29/2012	SCOFIELD, C L; SCOFIELD, ELLEN M	0.1	<Null>	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-833P	11/12/1936	9/24/2010	SUN VALLEY TRUST	0.08	<Null>	MITIGATION	BIG WOOD RIVER	Cove Canal
37-562D	5/10/1887	12/29/2010	THE 1992 GRASSI FAMILY TRUST	1.14	85.4	IRRIGATION	BIG WOOD RIVER	Cove Canal
37-4420	8/9/1969	8/30/2011	THOMAS T TIERNEY & ELIZABETH C TIERNEY FAMILY TRUST	3.2	3.1	RECREATION STORAGE, AESTHETIC STORAGE, DIVERSION TO STORAGE	BIG WOOD RIVER	<Null>
37-22969 combined	5/1/1883	8/30/2011	THOMAS T TIERNEY & ELIZABETH C TIERNEY FAMILY TRUST THOMAS T TIERNEY & ELIZABETH C TIERNEY FAMILY TRUST	1.29 4.49	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
37-16893	6/28/1934	2/11/2003	UNITED STATES OF AMERICA ACTING THROUGH	0.02	<Null>	STOCKWATER	BIG WOOD RIVER	<Null>
37-16893	6/28/1934	2/11/2003	UNITED STATES OF AMERICA ACTING THROUGH	0.02	<Null>	STOCKWATER	BIG WOOD RIVER	<Null>
37-16949	6/28/1934	2/11/2003	UNITED STATES OF AMERICA ACTING THROUGH	0.02	<Null>	STOCKWATER	BIG WOOD RIVER	<Null>
37-16949	6/28/1934	2/11/2003	UNITED STATES OF AMERICA ACTING THROUGH	0.02	<Null>	STOCKWATER	BIG WOOD RIVER	<Null>
37-16950	6/28/1934	2/11/2003	UNITED STATES OF AMERICA ACTING THROUGH	0.02	<Null>	STOCKWATER	BIG WOOD RIVER	<Null>
37-16950 combined	6/28/1934	2/11/2003	UNITED STATES OF AMERICA ACTING THROUGH UNITED STATES OF AMERICA ACTING THROUGH	0.02 0.02	<Null>	STOCKWATER	BIG WOOD RIVER	<Null>
37-23095	5/1/1883	8/30/2011	WELDON & MARILYN J WANKIER LIVING TRUST	0.08	<Null>	IRRIGATION	BIG WOOD RIVER	<Null>
Sum Total				50.66				

Buyer, Remington

To: Buyer, Remington
Subject: RE: water supply bank application

From: Buyer, Remington
Sent: Tuesday, June 1, 2021 2:18 PM
To: 'Keri York' <keri@woodriverlandtrust.org>
Subject: RE: water supply bank application

Hi Keri,

It makes sense to go with 37-5 since you're looking to secure a five year rental. We'll proceed in evaluating the rental of water right 37-5. Keep me posted on the outcome of conversations with the HOA. I'll proceed with evaluating the rental with a direct diversion out of the canal if I don't hear from you.

Remington

From: Keri York [<mailto:keri@woodriverlandtrust.org>]
Sent: Tuesday, June 1, 2021 1:20 PM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: Re: water supply bank application

Hi Remington,

Thanks for the reply. I am hoping to get approval to use the HOA pump/pond system, but we would otherwise would pump out of the Cove Canal. I attached the form from Kevin Lakey and have talked to the Cove Canal watermaster that works under Kevin. Do you need that detail in order to process the application?

We are hoping to rent this water for more than one year, and Justin Ferguson had indicated that water right 37-5 might be available for longer than one year. As far as I can tell, water right 37-22249 is only available for this calendar year. What would you recommend?

Thanks,
Keri

On Tue, Jun 1, 2021 at 1:04 PM Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

Thanks for submitting this Keri.

I've uploaded the application into our system and it has been assigned application ID number 2081.

Please provide the consent from the Colorado Gulch HOA if this rental will use the HOA's irrigation system. Else, let me know if this rental will divert direct from the Cove Canal.

This applications specifically requests a rental of water right 37-5 (from contract 1261), however, water right 37-22249 (contract 625) is a Big Wood River irrigation water right presently leased to the Bank, available for rental, and already located at the property proposed to be irrigated by the WRLT through this rental. Are there any particular reasons why a rental of 37-5 is being requested over 37-22249?

The application appears to be in order. I hope I can get to processing it by next week, or the week thereafter.

- Remington

From: Keri York [mailto:keri@woodriverlandtrust.org]

Sent: Friday, May 28, 2021 6:04 PM

To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>; Bank <Bank@idwr.idaho.gov>; Ferguson, Justin <Justin.Ferguson@idwr.idaho.gov>

Subject: water supply bank application

Hello Remington and Justin,

I'm attaching a water supply bank application to rent water out of the Cove Canal in Hailey for a native plant restoration project. Justin, thanks for your help in completing the application. We are hoping to irrigate this season, knowing that it may be short. Please let me know if you have any questions.

Thanks,

Keri

--
Keri York
Lands Program Director

Wood River Land Trust
119 E Bullion Street
Hailey ID 83333
Ph: 208-788-3947
www.WoodRiverLandTrust.org

