

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 537

RECEIVED

JUN 23 2021

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

IDAHO MATERIALS & CONSTRUCTION
10200 N BATISTE RD
POCATELLO, ID 83202-5356

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)
29-8126	1/26/1959	GROUND WATER	1.00	140	Not Stated
Combined Rental Totals			1.00	140	Not Stated

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2021. 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: \$2,800.00

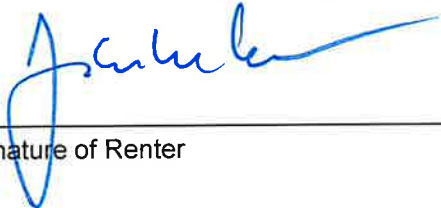
The full fee for the rental of the above-described right(s) is \$2,800.00 for 2021. The rental fee includes an administrative fee of \$280.00 for 2021.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 537

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

6/15/21

Date

John Wilkes

Printed Name

General Manager

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 6/24/21

Rental approved by IDWR 

Date 6/24/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 537

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER 4NWNW Sec. 8, Twp 06S, Rge 34E, BANNOCK County

BENEFICIAL USE
INDUSTRIAL

DIVERSION RATE
1.00 CFS

VOLUME
140.0 AF

SEASON OF USE

From To
4/1 10/31

RENTERS PLACE OF USE: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	34E	8						X	L4										X

Total Acres: X

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. 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. 120.
10. This rental agreement does not authorize the construction of a well.
11. Use of water under this right shall be non-consumptive.
12. Return flow discharged to a subsurface system must be authorized by a separate injection well permit.

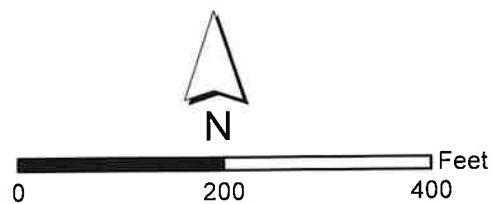
Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 537

Effective until December 31, 2021

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 BANK

RECEIVED

MAR 22 2021

DEPARTMENT OF
WATER RESOURCESApplicant Name: Idaho Materials & Construction

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)

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Idaho Materials & Construction

Mailing Address c/o John Wilkes, 10200 N. Batiste, Pocatello, ID 83205

Street City State Zip Code

Email Address John.wilkes@idahomaterials.com Phone Number (208) 232-5796

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 T.J. Budge Professional Title Attorney

Organization Racine Olson, PLLP Relationship to Applicant Attorney

Mailing Address PO Box 1391, Pocatello, Idaho 83204-1391

Email Address tj@racineolson.com Phone Number 208-232-6101

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**:

Non-consumptive industrial use for washing gravel. The washing process will be shielded to prevent evaporation
Groundwater diverted to wash gravel will be returned to the aquifer through infiltration.

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
1.0 CFS	140 AF	CFS	AF	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?	
04/01/2021	05/01/2021	☒ 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):
Applicant will pump water from a groundwater well, utilize water in a mobile washing facility, and return water to an on-site infiltration pond.

- 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
pump	groundwater	NA

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☒
If yes, include documented consent as **Attachment 3F**.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☒ No ☐
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- H. Has water modeling been provided with your rental request? Yes ☒ N/A ☐
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

- I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

- ☐ Irrigation _____ (number of acres) Duration: Subject to IDWR standard seasons of use
☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
☒ Industrial from: 04/01/21 (mm/dd) to: 10/01/21 (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:

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)
29-8126	industrial	2.68	1940.26	NA		1	140	NA
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	1	140	NA
						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**:

NA

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
Application is for non-consumptive industrial use of water for a temporary water use needed for the year 2021.

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

John Wilkes

Printed Name of Applicant

3/12/21

Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

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.

Idaho Materials & Construction

Latitude 45° 55' 10.32" N
Longitude 112° 30' 51.71" W

- Legend
- Feature 1
 - IMC POD
 - IMC POU

IMC-POD

Google Earth

Earth Point
2000 ft



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:

Gravel

YEAR

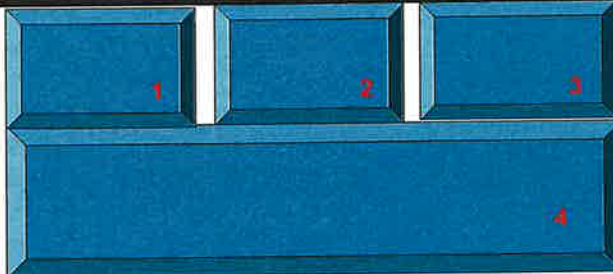
1950

TRANSFER NAME:

SEASON

SPRING

Budge



ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	95	94		
COLUMN	120	99		

29-8126

140

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1959	0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 1959	0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 1959	0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 1960	0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 1960	0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 1960	0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 1961	0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 1961	0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 1961	0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 1962	0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 1962	0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 1962	0.0	46.7	46.7	0.0	0.0	0.0	0.0

[illegible]

[illegible]

[illegible]

[illegible]

WIN 2058		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2059		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2059		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2059		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2060		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2060		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2060		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2061		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2061		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2061		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2062		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2062		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2062		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2063		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2063		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2063		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2064		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2064		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2064		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2065		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2065		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2065		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2066		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2066		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2066		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2067		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2067		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2067		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2068		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2068		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2068		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2069		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2069		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2069		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2070		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2070		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2070		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2071		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2071		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2071		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2072		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2072		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2072		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2073		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2073		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2073		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2074		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2074		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2074		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2075		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SUM 2075		0.0	46.7	46.7	0.0	0.0	0.0	0.0
WIN 2075		0.0	46.7	46.7	0.0	0.0	0.0	0.0
SPR 2076		0.0	46.7	46.7	0.0	0.0	0.0	0.0

[illegible]

Mitigation Analysis Period

Trimester 

One-Way Analysis of Independent Transfers

New Water Right (GModelo):

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
--------	--------------------	--------------------	----------------------	------------------	-----------------	----------------------------	---------------

Transfer 1: Proposed Steady State Impacts following Transfer

Transfer 1: Worst Case Transient State Impacts following Transfer

Pre-SS 100% 140 acre feet annually
 Post-SS 100% 140 acre feet annually

Impact by Reach (AF/Trimester)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
----------------------	---------------------	-------------------------	------------------------	-----------------------	----------------------	-----------------	------	------------------	-------	----------------------

Pre-SS	0.9	2.6	7.9	27.1	2.2	1.7	2.0	0.9	0.5	0.5	0.0
Post-SS	0.9	2.6	7.9	27.1	2.2	1.7	2.0	0.9	0.5	0.5	0.0
Pre-TS	0.9	2.6	7.9	27.1	2.2	1.7	2.0	0.9	0.5	0.5	0.0
Post-TS	0.9	2.6	8.0	28.3	2.2	1.7	2.0	0.9	0.5	0.5	0.0

Steady State Analysis

Mitigation Check 1 - >10% of Historical:	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total:	1.9%	5.6%	17.0%	58.6%	4.7%	3.7%	4.2%	1.9%	1.2%	1.1%	0.1%
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - >10% of Historical:	0.0%	0.5%	2.1%	4.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	0.2	1.19	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.2	1.19	0.0	0.0	0.0	0.0	0.0	0.0	0.0

[Read Me](#)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 15, 2021

IDAHO MATERIALS & CONSTRUCTION
10200 N BATISTE RD
POCATELLO, ID 83220-5356

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 29-8126 AGREEMENTS 537**

Dear Renter:

Please find enclosed a receipt in the amount of **\$2,800.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 140.00 acre-feet of water for industrial use 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.

Pursuant to the Water Supply Bank Rules, 90% or \$2,520.00 of the rental fee will be paid to the lessor(s) and 10% or \$280.00 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,

Jean Hersley

for
Water Supply Bank

Enclosures: Receipt No. C110551
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
T.J. Budge



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 11, 2021

IDAHO MATERIALS & CONSTRUCTION
10200 N BATISTE RD
POCATELLO, ID 83202-5356

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 29-8126 AGREEMENT 537**

*****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 \$2,800.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 140.00 acre-feet.

Please send a check for \$2,800.00 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 \$2,520.00 of the rental fee will be paid to the lessor(s) and 10% or \$280.00 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
TJ Budge

Memorandum

To: Water Right 29-8126

From: Justin Ferguson

Date: May 3, 2021

Re: Water Supply Bank Rental Application 2033

Purpose/Narrative: An application was received by the Department March 22, 2021 from Brockway Engineering on behalf of their client, Idaho Materials and Construction. The application is for a single year and has requested the use of an industrial water right leased to the Bank for industrial purposes this year.

Based on the information provided, it appears the applicant intends to use the water for gravel washing which appears to be largely non-consumptive as the water will return directly to the ground after washing rather than being captured for an additional use. Further, the applicant has affirmed that the area will be covered such that evaporation can be prevented.

Authority to File: The applications were prepared at Brockway Engineering and signed by Mr. John Wilkes. Based on information provided on the company's website, it appears Mr. Wilkes is the site manager for the Pocatello locations. No concerns at this time.

Water Right Validity/Forfeiture Evaluation: The water right being used to facilitate this rental is currently leased to the Bank and available for rent. No concerns at this time.

Injury Evaluation: Based on the water right used and the largely non-consumptive nature of the proposed rental, no injury is apparent through this applications. Additionally, because the rental place of use falls within the Eastern Snake River Plane Aquifer (ESPA) modeling boundary, sufficient modeling was provided in the application package affirming that there are no impacts to any reach greater than 2 af/trimester during the year. No concerns at this time

Enlargement of Use: No enlargement is evident as the water right being used for this rental was decreed for industrial use and will be used in the same way during the term of this rental. Because the applicant has indicated that the area will be covered during the washing process to prevent evaporation, no additional volume will need to be rented to account for the potential loss. No concerns at this time.

Local Public Interest: Staff are unaware of any local public interests that are averse to the rental.

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

Department/Watermaster Comments: Watermaster and IDWR Easter Regional Office comments were requested May 3, 2021

Water Supply Bank Evaluation: Bank staff recommend the approval of this application for Idaho Materials & Construction for a single year for the purpose of gravel washing.

Veibell, Amanda

From: Ferguson, Justin
Sent: Monday, May 3, 2021 9:15 AM
To: Cefalo, James; Jordan, Blake
Subject: WSB Leases & Rentals
Attachments: Draft agreement - Alan Parks.docx; Rental Map - Alan Parks.pdf; Rental Review Mem1.docx; Rental Review Mem1.docx; Draft Rental Agreement - Lee Sutton.docx; Rental Map - Lee Sutton.pdf; Rental Map - Idaho Materials.pdf; Rental Review Memo.docx; Draft Rental Agreement - Idaho Construction.docx; Rental Review Memo.docx; Draft Rental Agreement - PEP LLC - 86 ac.docx; Rental PEP LLC - 86 ac.pdf

James, Blake,

Attached are the draft approval documents for PEP, Idaho Construction, Lee Sutton, and Alan Parks. Please let me know if you have any comments or concerns in the next several days

Thank you!

RE: Idaho Materials and Construction



TJ Budge <tj@racineolson.com>

Today, 11:08 AM

Tracy, Ryan; Cefalo, James; Buyer, Remington ▾

Reply all | ▾

Inbox



Action Items



Ryan: Per our phone call yesterday, please proceed with issuing the drilling permit with 8" casing. Either Vollmer or IMC will pay the fee today.

Remington: Please proceed with approval of the rental as soon as possible.

Thank you all for your assistance and cooperation with this.

Best,

T.J. Budge

RACINE OLSON

201 E. Center St. | P.O. Box 1391 | Pocatello, Idaho 83204

Office: (208) 232-6101 | Direct: (208) 478-3467 | Cell: (208) 705-0826 | www.racineolson.com

Assistant: Tessa Sparrow | Direct: (208) 478-3444 | tessa@racineolson.com

CONFIDENTIALITY NOTICE - This email and its attachments may contain information that is confidential, privileged, or otherwise protected from disclosure. If you believe this email may have been sent to you in error, please notify me immediately.

From: TJ Budge

Sent: Friday, April 23, 2021 9:32 AM

To: ryan.tracy@idwr.idaho.gov; Cefalo, James <James.Cefalo@idwr.idaho.gov>; remington.buyer@idwr.idaho.gov

Subject: Idaho Materials and Construction

Good morning Ryan, James, and Remington,

On April 9 I spoke with Ryan about a well drilling permit application submitted for Idaho Materials and Construction (IMC) for an exempt domestic well. The application requested a 10" casing which gave Ryan concern that the well may be used to exceed the 2,500 GPD limit. I spoke with Ryan by phone and explained that IMC is drilling the new well at a dormant gravel pit that is being put into service in 2021 to supply gravel to a large project at the INL this summer. IMC is installing a mobile washing facility at the gravel pit for 2021 and anticipates diverting up to 140 AF as part of this project. IMC has submitted an application to the water supply bank to rent 140 AF for this purpose. There is a nearby water right in the bank that can be rented for this purpose. Ryan and I spoke with Remington Buyer about this project and he agreed that a rental could be used to supply this short-term water use.

Reply all | ▾ Delete Junk | ▾ ...



install a meter or provide other reporting to IDWR if needed to verify that water use stays within the 2,500 GPD limit long-term.

The well drilling permit has not been issued because the application requests a 10" casing. Ryan asked that I visit with IMC to see if they can get by with an 8" casing. IMC has had that conversation and the well driller believes a 10" casing is necessary. Therefore, attached for filing is a request for a waiver to allow a 10" casing. Please confirm that email submission of this request is acceptable.

Please process the exemption request and the water supply bank as soon as possible.

Thank you,

T.J. Budge

RACINE OLSON

[201 E. Center St.](#) | [P.O. Box 1391](#) | [Pocatello, Idaho 83204](#)

Office: (208) 232-6101 | Direct: (208) 478-3467 | Cell: (208) 705-0826 | www.racineolson.com

Assistant: Tessa Sparrow | Direct: (208) 478-3444 | tessa@racineolson.com

CONFIDENTIALITY NOTICE - This email and its attachments may contain information that is confidential, privileged, or otherwise protected from disclosure. If you believe this email may have been sent to you in error, please notify me immediately.

Buyer, Remington

From: TJ Budge <tj@racineolson.com>
Sent: Friday, April 23, 2021 9:32 AM
To: Tracy, Ryan; Cefalo, James; Buyer, Remington
Subject: Idaho Materials and Construction
Attachments: 20210409 Request for 8 inch casing exemption.pdf

Good morning Ryan, James, and Remington,

On April 9 I spoke with Ryan about a well drilling permit application submitted for Idaho Materials and Construction (IMC) for an exempt domestic well. The application requested a 10" casing which gave Ryan concern that the well may be used to exceed the 2,500 GPD limit. I spoke with Ryan by phone and explained that IMC is drilling the new well at a dormant gravel pit that is being put into service in 2021 to supply gravel to a large project at the INL this summer. IMC is installing a mobile washing facility at the gravel pit for 2021 and anticipates diverting up to 140 AF as part of this project. IMC has submitted an application to the water supply bank to rent 140 AF for this purpose. There is a nearby water right in the bank that can be rented for this purpose. Ryan and I spoke with Remington Buyer about this project and he agreed that a rental could be used to supply this short-term water use.

IMC does not have plans to extract gravel after 2021 but it may utilize the well for other purposes. IMC understands that the diversion rate must be limited to 2,500 GPD once the water bank rental expires. IMC would be happy to install a meter or provide other reporting to IDWR if needed to verify that water use stays within the 2,500 GPD limit long-term.

The well drilling permit has not been issued because the application requests a 10" casing. Ryan asked that I visit with IMC to see if they can get by with an 8" casing. IMC has had that conversation and the well driller believes a 10" casing is necessary. Therefore, attached for filing is a request for a waiver to allow a 10" casing. Please confirm that email submission of this request is acceptable.

Please process the exemption request and the water supply bank as soon as possible.

Thank you,

T.J. Budge
RACINE OLSON
201 E. Center St. | P.O. Box 1391 | Pocatello, Idaho 83204
Office: (208) 232-6101 | Direct: (208) 478-3467 | Cell: (208) 705-0826 | www.racineolson.com

Assistant: Tessa Sparrow | Direct: (208) 478-3444 | tessa@racineolson.com

CONFIDENTIALITY NOTICE - This email and its attachments may contain information that is confidential, privileged, or otherwise protected from disclosure. If you believe this email may have been sent to you in error, please notify me immediately.

Drilling Permit Tag No. _____

Water Right No. (if applicable) _____

**REQUEST FOR ISSUANCE OF A DOMESTIC WELL DRILLING PERMIT
ALLOWING A PRODUCTION CASING SIZE EXCEEDING EIGHT (8) INCHES**

Staker Parson Companies O.B.A.

Idaho Materials Construction will be the Well Owner and requests approval of a Drilling Permit for "domestic" purposes. If approved, the associated drilling permit authorizes construction of a well with production casing size exceeding eight (8) inches in diameter. Domestic use is defined by Section 42-111, Idaho Code.

"Domestic purposes" or "domestic use" means:

- A. *The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or*
- B. *Any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day.*

Domestic purposes or domestic use does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use meets the diversion rate and volume limitations set forth in subsection B above.

This request is made for the construction of a 10" inch diameter well for the following reason(s):

- ☐ A larger casing diameter is necessary due to the limited productivity of water bearing formations expected to be encountered.
- ☒ The pump or diverting works to be installed requires a larger production casing diameter.
- ☐ Other: _____

I attest that I will be the owner of the well as I own the property on which the well is to be constructed and will be responsible for the lawful use and maintenance of this well.

I understand that use of this well for any purpose other than "domestic" may constitute a violation of both State Law and Administrative Rules.

John Wilkes
Well Owner (Print Name)

[Signature]
Signature

4/9/21
Date

RECEIVED

MAR 22 2021

DEPARTMENT OF
WATER RESOURCES

March 16, 2021

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

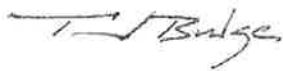
Re: Application to Rent Water from the Water Supply Bank

To whom it may concern:

Enclosed please find the original and one copy of a Application to Rent Water from the Water Supply Bank. Please file and process the original and conform stamp and return the copy to me in the enclosed stamped and addressed return envelope.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely,



T. J. BUDGE

2033