

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

WATER SUPPLY BANK RENTAL AGREEMENT No. 533

JUN 01 2021

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

IRENE VANDERVEGT GIBSON
4098 HIDDEN LAKES DR
KIMBERLY, ID 83341

SUPPORT DATA
IN FILE # 36-2087H

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)
36-2684	3/2/1967	GROUND WATER	0.02	4.4	1.1	0.020	4.0
36-7026	6/5/1968	GROUND WATER	0.41	96.4	24.1	0.017	4.0
36-8418	3/16/1989	GROUND WATER	0.13	32.4		∞	∞
36-17152	11/7/1974	GROUND WATER	0.35	70.9	17.7	0.020	4.0
36-7510	11/7/1974	GROUND WATER	0.26	52.9	13.2	0.020	4.0
Combined Limit Totals			0.62	124	30.9	0.200	4.0
36-2087K	1/23/1950	GROUND WATER	0.04	9.6	28.0	0.001	0.3
36-2113K	3/12/1951	GROUND WATER	0.03	3.9	28.0	0.001	0.1
36-2161K	1/11/1952	GROUND WATER	0.02	2.3	28.0	0.001	0.1
36-2289M	12/2/1955	GROUND WATER	0.01	1.3	28.0	0.000	0.1
36-2311K	11/23/1956	GROUND WATER	0.03	4.7	28.0	0.001	0.2
36-2500K	7/18/1961	GROUND WATER	0.01	4.8	28.0	0.000	0.2
36-2614K	6/7/1965	GROUND WATER	0.04	7.3	28.0	0.001	0.3
36-15169K	12/11/1969	GROUND WATER	0.08	40.9	28.0	0.003	1.5
36-7307K	2/26/1973	GROUND WATER	0.03	4.9	28.0	0.001	0.2
36-7362K	8/2/1973	GROUND WATER	0.01	5.5	28.0	0.000	0.2
36-7477K	5/28/1974	GROUND WATER	0.02	2.5	28.0	0.001	0.1
36-7606K	2/4/1976	GROUND WATER	0.01	2.3	28.0	0.000	0.1
36-7779K	2/22/1978	GROUND WATER	0.05	7.6	28.0	0.002	0.3
36-7832K	12/11/1978	GROUND WATER	0.01	1.2	28.0	0.000	0.1
36-10225K	5/1/1985	GROUND WATER	0.02	2.3	28.0	0.001	0.1
Combined Limit Totals			0.40	101	28.0	0.014	3.6
Combined Rental Totals			1.57	358	84.1	0.019	4.3

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: \$7,162.00
The full fee for the rental of the above-described right(s) is \$7,162.00 for 2021. The rental fee includes an administrative fee of \$716.20 for 2021.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 533

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:

Irene Vander Vest Gibson
Signature of Renter

5-26-21
Date

Irene Vander Vest - Gibson
Printed Name

owner
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
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 6/2/21

Rental approved by IDWR FP

Date 6/2/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 533

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec. 27, Twp 08S, Rge 14E,	GOODING County
GROUND WATER	NESW	Sec. 26, Twp 08S, Rge 14E,	GOODING County
GROUND WATER	SWSE	Sec. 26, Twp 08S, Rge 14E,	GOODING County
GROUND WATER	SWSE	Sec. 26, Twp 08S, Rge 14E,	GOODING County

<u>BENEFICIAL USE</u>	<u>DIVERSION RATE</u>	<u>VOLUME</u>
MITIGATION BY NON-USE	1.57 CFS	358 AF

SEASON OF USE

Water Right No.	From	To
36-7510	4/1	10/31
36-8418	4/1	10/31
36-7026	4/1	10/31
36-17152	4/1	10/31
36-2684	4/1	10/31
36-10225 K	4/1	10/31
36-15169 K	4/1	10/31
36-2087 K	4/1	10/31
36-2113 K	4/1	10/31
36-2161 K	4/1	10/31
36-2289 M	4/1	10/31
36-2311 K	4/1	10/31
36-2500 K	4/1	10/31
36-2614 K	4/1	10/31
36-7307 K	4/1	10/31
36-7362 K	4/1	10/31
36-7477 K	4/1	10/31
36-7606 K	4/1	10/31
36-7779 K	4/1	10/31
36-7832 K	4/1	10/31

RENTERS PLACE OF USE: MITIGATION BY NON-USE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	26			X	X			X	X	X	X	X	X	X	X	X	X	X
08S	14E	27			X	X			X	X			X	X	X	X	X	X	X

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

- The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
- 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 533

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 water right may be regulated by the watermaster of State Water District No. 130.
10. A measuring device of a type approved by IDWR shall be maintained as part of the diverting works.
11. Rental does not authorize the construction of a well.

Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 533

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.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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



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

Applicant Name: IRENE GIBBSON VANDERVEGHT

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

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

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

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

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

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

Department Use Only – Proposed Water Right(s)

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant IRENE GIBSON VANDEREVEGHT

Mailing Address 4098 HIDDEN LAKES DR. TWIN FALLS IDAHO 83301

Street City State Zip Code

Email Address _____ Phone Number _____

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 GARY FUNDERBURG Professional Title OWNER/MANAGER

Organization TSK ENTERPRISE LLC Relationship to Applicant CLIENT

Mailing Address 255 BLUR LAKES BLVD NORTH, PMB 617, TWIN FALLS, IDAHO 83301

Email Address tskenterpriseh2o@gmail.com Phone Number 208-320-0897

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**:

This application is for mitigation by non-use rental not an irrigation rental. Applicant has overage use and needs the extras volume to compensate.

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)
CFS	AF	CFS	349.55 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?	
	5/5/2021	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Process application as soon as possible	<input type="checkbox"/> Return application to applicant
		1	2	3	4	5		

* 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):

Well, motor and pump , pivots

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
SESE,SEC.27 T8SR14E	GROUNDWATER	36-7289,36-4037,36-2114,36-7363B
SENW,SEC.26 T8SR14E	GROUNDWATER	SAME
SWSE,SEC.26 T8SR14E	GROUNDWATER	SAME
SWSE SEC.26,T8SR14E	GROUNDWATER	SAME

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: _____ (mm/dd) to: _____ (mm/dd)
- Other: MITIGATION BY NON-USE 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:

not applicable

**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)
						351		
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	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**:

This will allow us to comply with the overage of use for water to our ground.

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:

36-7510, 36-17152

RENTAL WATER HAD BEEN APPROVED FOR A SMALL PORTION OF VOUME AND WILL END THE YEAR 2021. NO WATER RIGHTS AVAILABLE AT THIS TIME.

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.

Signature of Applicant

IRENE GIBSON VANDERVEGT

Printed Name of Applicant

Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

MAR 05 2021

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO WATER RESOURCE BOARD

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

Applicant Name: IRENE GIBSON VANDERVEGT

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. 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)

Table with 3 columns: Attachment, N/A, Yes. Rows include items 2, 3A, 3F, 3H, 3J, 3K, 4B, 4C with checkboxes for completion status.

Department Use Only - Proposed Water Right(s)

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant IRENE GIBSON VANDERVEGT

Mailing Address 4098 HIDDEN LAKES DR. TWIN FALLS IDAHO 83301
Street City State Zip Code

Email Address _____ Phone Number _____

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 GARY FUNDERBURG Professional Title OWNER/MANAGER
 Organization TSK ENTERPRISE LLC Relationship to Applicant CLIENT
 Mailing Address 255 BLUE LAKES BLVD NORTH, PMB 617 TWIN FALLS, IDAHO 83301
 Email Address tskenterpiseh2o@gmail.com Phone Number 208 320-0897

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**:

WATER WILL BE USED FOR IRRIGATION

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)
CFS	20.00 AF	0.56 CFS	227.8 AF	57.2 AC

* Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
		<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> Process application as soon as possible	<input type="checkbox"/> Return application to applicant
4/1/2020	4/15/2020							

* 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):

Well, motor and pump, pivots

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
SESE, SEC. 27 T8SR14E	GROUNDWATER	36-7289, 36-4037, 36-2114, 36-7363B
SENW, SEC. 26 T8SR14E	GROUNDWATER	SAME
SWSE, SEC. 26 T8SR14E	GROUNDWATER	SAME
SWSE SEC. 26, T8SR14E	GROUNDWATER	SAME

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 57.2 (number of acres) Duration: Subject to IDWR standard seasons of use
- Commercial from: _____ (mm/dd) to: _____ (mm/dd)
- Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
- Industrial from: _____ (mm/dd) to: _____ (mm/dd)
- Other: _____ from: 4/1 (mm/dd) to: 10/1 (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:

36-7510, 36-17152

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)
						0.56	227.9	57.2
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	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:**

THIS WILL ALLOW US TO COMPLY WITH THE OVERAGE OF US FOR WATER TO OUR GROUND

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:

36-7510, 36-17152

NO WATER RIGHTS AVAILABLE

- 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.

Irene Gibson VanderVeegt
Signature of Applicant

IRENE GIBSON VANDERVEGT
Printed Name of Applicant

3-2-21
Date

Signature of Representative

Printed Name of Representative

3-2-21
Date

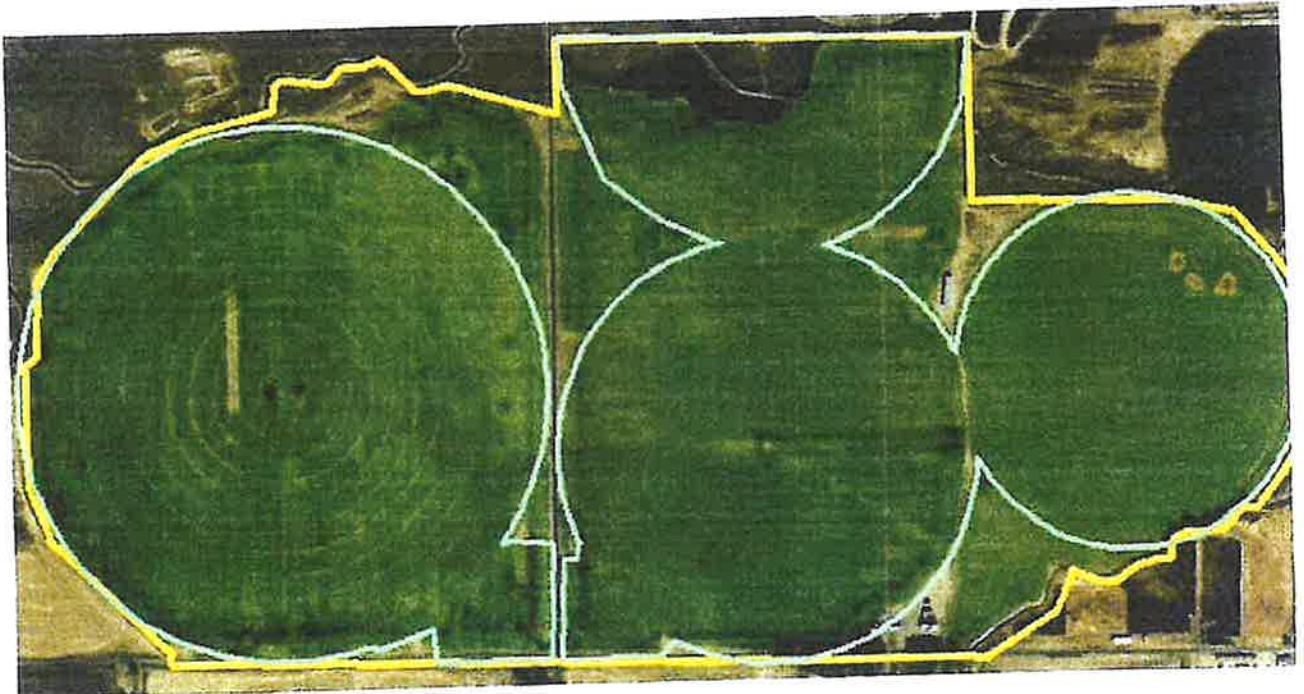
Mail to:

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



It is unclear where the remaining 2.5 acres requested are to be located.

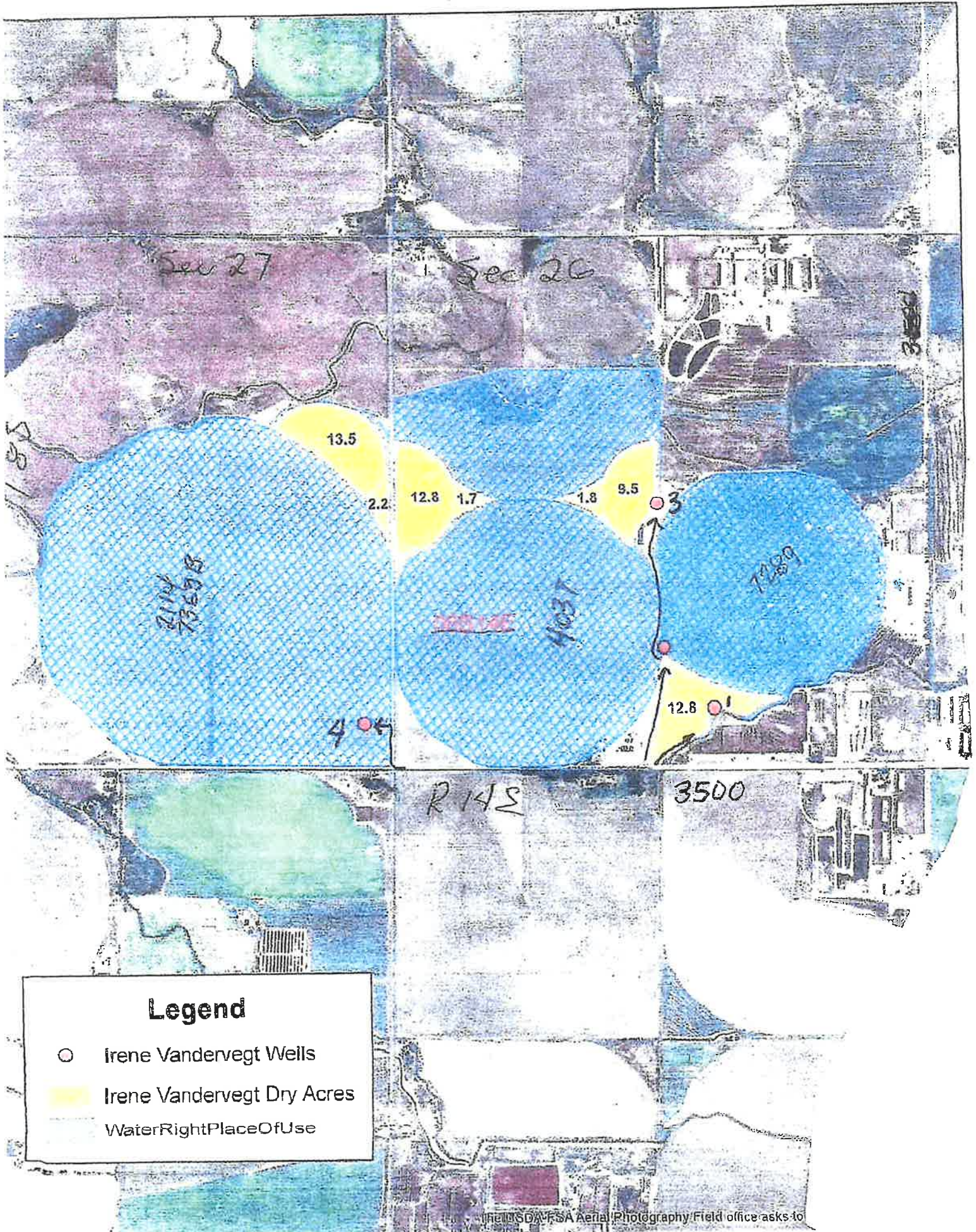
Based on 2019 Sentinel satellite imagery, it appears approximately 511.3 acres were irrigated during May through July 2019, within the boundaries of the teal polygons in the image below:



Incorporating the 54.7 acres proposed to be irrigated via rental application 1431 with the 511.3 acres, provides for a possible irrigable area of 565.4 acres, as follows:

Irene Vandervegt Farm (WenJell)

Early



If you have any questions, please contact me at (208) 287-4936.

Regards,

A handwritten signature in black ink, appearing to be 'JF', written in a cursive style.

Justin Ferguson
Water Supply Bank Specialist

CC: Gary Funderburg – TSK Enterprises



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 8, 2021

IRENE VANDERVEGT GIBSON
4098 HIDDEN LAKES DR
KIMBERLY, ID 83340

RE: **RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 36-2687, 36-7026, 36-8418, 36-17152, 36-7510, 36-2087K, 36-
2113K, 36-2161K, 36-2289M, 36-2311K, 36-2500K, 36-2614K, 36-15169K, 36-3707K, 36-
7362K, 36-7477K, 36-7606K, 36-7779K, 36-7832K & 36-10225K AGREEMENT 533**

Dear Renter:

Please find enclosed a receipt in the amount of **\$7,162.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 358.0 acre-feet of water for mitigation by non-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 \$6,445.80 of the rental fee will be paid to the lessor(s) and 10% or \$716.20 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. C110465
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
Gary Funderburg – TKS Enterprises LLC



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

May 19, 2021

IRENE VANDERVEGT GIBSON
4098 HIDDEN LAKES DR
KIMBERLY, ID 83340

RE: **APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 36-2687, 36-7026, 36-8418, 36-17152, 36-7510, 36-2087K, 36-
2113K, 36-2161K, 36-2289M, 36-2311K, 36-2500K, 36-2614K, 36-15169K, 36-3707K, 36-
7362K, 36-7477K, 36-7606K, 36-7779K, 36-7832K & 36-10225K AGREEMENT 533**

*****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 \$7,162.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 358 acre-feet.

Please send a check for \$7,162.00 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 \$XXX of the rental fee will be paid to the lessor(s) and 10% or \$716.20 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
Gary Funderburg – TSK Enterprise LLC

RE: WD 130 Mitigation by Non-Use Rentals for 2021



Erickson, Nathan

Today, 10:01 AM

Buyer, Remington; Skinner, Corey

Reply all |

Inbox

Remington,
I don't see any problems with these rentals.
Thanks,
Nathan

From: Buyer, Remington

Sent: Thursday, April 29, 2021 2:28 PM

To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; Erickson, Nathan <Nathan.Erickson@idwr.idaho.gov>

Subject: WD 130 Mitigation by Non-Use Rentals for 2021

Nathan, Corey,

Perry Van Tassell and Irene Vandervegt-Gibson are basin 36 ground water users who are requesting to rent ESPA water rights from the Water Supply Bank to partially accomplish/offset their diversion volume reduction obligations, required by the Magic Valley Ground Water District and North Snake Ground Water District, respectively.

I've completed a review of their applications and drafted rental approvals for both applicants. Attached to this email are memos, maps and draft approvals for the applicants.

Could you please advise if you have any questions, comments or concerns about this draft approvals?

Thank you,

Remington

MEMORANDUM FOR AGREEMENT # 533

To: Water Supply Bank Rental Application 2045
From: Remington Buyer
Date: April 29, 2021
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: An application to rent water from the Water Supply Bank (Bank) was received by the Department of Water Resources (Department) on March 5th, 2021 from Gary Funderburg, who submitted it on behalf of Irene Vandervegt-Gibson. Ms. Vandervegt-Gibson owns a farm in Gooding County which is irrigated with ground water. As a member of the North Snake Ground Water District (NSGWD), Ms. Vandervegt-Gibson is required to reduce her overall diversion of Eastern Snake Plain Aquifer (ESPA) ground water, for mitigation by non-use purposes. This rental will help Ms. Vandervegt-Gibson partially meet her mitigation obligation.

The origin of rental application 2045 is somewhat complicated. Mr. Funderburg has submitted three irrigation rental requests on behalf of Ms. Vandervegt-Gibson in the past year; in 2020, Mr. Funderburg submitted irrigation rental application 1650, which was approved by IDWR as rental agreement 428 and Mr. Funderburg resubmitted another version of application 1650 in November of 2020. This second version of rental application 1650 was assigned rental application ID number 1801.

Application 1801 was reviewed by IDWR staff who determined that it was a replicate of rental application 1650, and it did not propose any additional beneficial use beyond the use already approved by IDWR through 2021 under rental agreement 428. Accordingly, IDWR returned to Mr. Funderburg rental application 1801 in December 2020.

In March of 2021, Mr. Funderburg resubmitted for a third time a version of rental application 1650, signed by Irene Vandervegt-Gibson with an updated date of March 2, 2021. This rental request was assigned rental application ID number 2045.

On April 13th, 2021, an information request letter was sent to Ms. Vandervegt-Gibson, requesting information on how IDWR should process rental application 2045. Following this issuance of the information request letter, and through correspondence with Mr. Funderburg, it was determined Irene Vandervegt-Gibson in fact required a mitigation by non-use rental, not an additional irrigation rental.

On April 26th, 2021, Mr. Funderburg submitted an amended version of rental application 2045, in which he requested a mitigation by non-use rental for approximately 350 af, for 2021. Through numerous exchanges with Mr. Funderburg, it was determined that Ms. Vandervegt-Gibson desired a multi-year mitigation by non-use rental of 358.1 af. However, there were insufficient deposits of basin 36 water rights to the Bank to satisfy a multi-year rental by Ms. Vandervegt-Gibson and a one year rental is being approved.

Ms Vandervegt-Gibson holds five ESPA ground water rights (36-2114, 7363B, 4037, 7283 and 7289) which authorize an annual combined diversion volume of 2,216.0 af, for the irrigation of 554 acres of her 606 acre farm. Ms. Vandervegt-Gibson is also authorized to irrigate a further 11.0 acres under rental agreement 428.

The NSGWD is a party to a negotiated settlement agreement with an entity called the Surface Water Coalition (SWC). The settlement agreement between NSGWD and the SWC calls for members of the NSGWD to reduce their overall ground water diversions of ESPA ground water under their water rights, in order to provide mitigation to surface water users who are members of the SWC.

During 2020, Mr. Vandervegt-Gibson was required to divert no more than 1,303.4 af, to meet ground water diversion volume reduction targets required of her by the NSGWD under both her water rights and rental agreement 428. Based on two different 2020 Water Measurement Reports from the NSGWD, it appears Ms. Vandervegt-Gibson is authorized to divert 1,281.4 af under her five water rights, and 11 acres under rental agreement 428. In 2020, Ms. Vandervegt-Gibson actually diverted 1,639.5 af, a difference of 336.1 af, from her 1,303.4 af authorization.

Through her representative, Ms Vandervegt-Gibson has requested a 2021 rental mitigation by non-use volume of 358.1 af. This is the sum of what Ms. Vandervegt-Gibson's diversion volume overage would have been in 2020, without rental agreement 428 (calculates as 1,281.4 af authorized diversion volume – 1,639.5 af diverted = 358.1 af over-diverted). There are presently 358.1 af of basin 36 ESPA ground water rights available for rental to Mr. Van Tassell in 2021. As such, a rental for 358.1 af will be drafted for consideration by Mr. Vandervegt-Gibson.

AUTHORITY TO FILE: The application was submitted and signed by Irene Vandervegt-Gibson, who owns the land that will be associated with the mitigation by non-use rental. No concerns about authority to file.

WATER RIGHT VALIDITY: The lands associated with this rental are irrigated under water rights belonging to the applicant. No concerns about the validity of those water rights specific to this rental.

INJURY TO OTHER WATER RIGHTS: Through this rental, ESPA ground water rights will remain un-diverted, to provide mitigation by non-use. As such, no injury is apparent under this rental.

ENLARGEMENT OF USE: Mitigation by non-use is a fully non-consumptive water use. As such, there are no enlargement concerns associated with this rental.

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: It is assumed Ms. Vandervegt-Gibson's 2021 ground water diversion volume limit will be similar to that from 2020. Per NSGWD's 2020 Water Measurement Reports provided with the rental application, it appears the applicant will have a diversion volume target of 1,281.4 af under her water rights. Rental agreement 428 is still in effect for 2021, so Ms. Vandervegt-Gibson might also be granted a 2021 diversion volume limit of 1,303.4 af.

As stated above, Ms. Vandervegt-Gibson is authorized to divert 2,216.0 af under her water rights, meaning that a diversion volume limit of either 1,281.4 af would equate to a real diversion volume reduction under her water rights of 934.6 af in 2021. Accordingly, Ms. Vandervegt-Gibson's mitigation by non-use rental of 358.1 af in 2021 accomplishes a real beneficial use, by partially offsetting the ground water diversion volume reduction required of her, by the NSGWD, under her water rights.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: Review comments were requested from IDWR's Southern Region and Water District 120 on April 29, 2021. No concerns were received.

From: Gary Funderburg [mailto:tskenterpriseh2o@gmail.com]
Sent: Wednesday, April 28, 2021 9:21 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: Re: THE CORRECTE APP. IRENE VANDERVEGHT

#2-358.1 at

On Wed, Apr 28, 2021 at 9:06 AM Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

The State of Idaho requires that you, or Larry, tell us how much water you would like to rent for mitigation by non-use in 2021.

Your options are:

- 1) 125.7 af;
- 2) 358.1 af;
- 3) 483.8 af.

How much would you like to rent for mitigation by non-use purposes?

We cannot process the rental application until you confirm a rental volume amount.

From: Gary Funderburg [mailto:tskenterpriseh2o@gmail.com]
Sent: Wednesday, April 28, 2021 8:45 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: Re: THE CORRECTE APP. IRENE VANDERVEGHT

YES-Go ahead and rent the amount of water we discussed . He will send you a check as soon as you approve the application. again thank you for your help.

Gary

On Wed, Apr 28, 2021 at 8:20 AM Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

Gary,

The State of Idaho requires that you, or Larry, tell us how much water you would like to rent for mitigation by non-use in 2021. There is no carry-over of rented water, so it is important that you only rent the volume that can be beneficially used. How much would you like to rent for mitigation by non-use purposes?

Remington

From: Gary Funderburg [mailto:tskenterprish2o@gmail.com]
Sent: Wednesday, April 28, 2021 7:40 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: Re: THE CORRECTE APP. IRENE VANDERVEGHT

Remington,

Larry Boss is the farmer who is farming Vandervegte property. He said to go ahead and rent the water rights in question. If he doesn't use all the rented water can he use it as a carry over for the next year?? Let me know what you think? Also thank you for all your special help for me on this application.

Gary

On Wed, Apr 28, 2021 at 7:35 AM Gary Funderburg <tskenterprish2o@gmail.com> wrote:

Carry over

On Wed, Apr 28, 2021 at 7:22 AM Gary Funderburg <tskenterprish2o@gmail.com> wrote:

If the owner doesn't use what he rents, does it vary over to next year??

Gary

On Wed, Apr 28, 2021 at 7:21 AM Gary Funderburg <tskenterprish2o@gmail.com> wrote:

Thank You, I'm meeting the farmer this morning. Will let you know Whitehall direction he wants to go.

On Wed, Apr 28, 2021 at 6:46 AM Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

The rental rate is currently \$20/af. So, for a rental of 125.7 af, the rental is \$2,514.00/year, while for a rental of 483.8, the annual rental payment af is \$9,676.00.

Please advise what the requested mitigation by non-use rental volume should be for 2021.

From: Gary Funderburg [mailto:tskenterprish2o@gmail.com]
Sent: Tuesday, April 27, 2021 4:57 PM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: Re: THE CORRECTE APP. IRENE VANDERVEGHT

Remington, could you tell me the cost / year for rental water??

Gary

On Tue, Apr 27, 2021 at 10:45 AM Gary Funderburg <tskenterpriseh2o@gmail.com> wrote:

Ok I will meet the farmer today to confirm.

Gary

On Tue, Apr 27, 2021 at 10:44 AM Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

Thanks for resending the ground water district summary Gary.

Based on the cumulative overage to date of -125.7 af, we could rent 125.7 af of ground water for mitigation by non-use purposes in 2021.

Further, last year's diversion volume limit from the ground water district is the same as this year's (1,281.4 af). Last year, Irene Vandervegt-Gibson exceeded this limit by 358.1 af. Will the diversion volume again be exceeded this year? If so, we could rent the overage from last year together with the cumulative overage from all past years, which would be a 2021 rental of 438.1 af (125.7 + 358.1).

Please confirm whether this is the desired rental volume for mitigation by non-use in 2021?

Thanks,

Remington

From: Gary Funderburg [mailto:tskenterpriseh2o@gmail.com]
Sent: Tuesday, April 27, 2021 9:08 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: Re: THE CORRECTE APP. IRENE VANDERVEGHT

Remington, I'm assuming the water measurement report is what you are.?

Gary

NORTH SNAKE GROUNDWATER DISTRICT
2020 WATER MEASUREMENT REPORT
 SUMMARY SHEET

IRENE VANDER VEGT

WaterRight	PRIORITY DATE	OWNER	CFS	Total Acres	Acre Limit	WaterUse	WMIS #	POD	DIVERSION NAME	5 yr Avg	2020 Usage
36-7289	1/22/1973	IRENE VANDER VEGT	2.10	105	0	IRRIGATION	100453	08S 14E S26 NWSWSE	2	346.0	396.2
36-4037	8/1/1961		2.56	128	0	IRRIGATION	100455	08S 14E S26 SWSWSE	1	377.8	373.6
36-7283	1/5/1973	IRENE VANDER VEGT	1.16	76	0	IRRIGATION	100452	08S 14E S26 NENESW	3	317.5	199.1
36-2114	3/10/1951	IRENE VANDER VEGT	3.05	245	185	IRRIGATION	100457	08S 14E S27 SESESE	4	819.7	670.5
36-7363B	8/7/1973	IRENE VANDER VEGT	2.56	245	60	IRRIGATION					
Totals										1861.0	1639.5

X The water rights listed on this report are for the 2020 water year. Accuracy is based on the 2020 water year.

Total WR Acres	Total 5 yr Avg (AF)	Allowed (AF)	2020 Pumped (AF)	2020 Over/Under (AF)	2018/19/20 Cumulative Over/Under (AF)	2021 Target (AF)
554.0	1861.0	1281.4	1639.5			1281.4

X The Water Bank water rights have been removed for 2020. If you still have Water Bank Rights leased, please contact us with the Water Rights and lease agreement information.

Handwritten: Now water bank is...
Stamp: (569) 761111

On Tue, Apr 27, 2021 at 9:00 AM Gary Funderburg <tskenterpriseh2o@gmail.com> wrote:

Remington,

I spoke with Northsnake Groundwater District and they said only obligation that exist is the overage and I have sent that to you. I can send it again if you do't find it. Also I sent to you a copy of the water rights for you to review and request if the water rights could be used for one year or if they can be use for 5 years. I can resend this also.

Gary

On Mon, Apr 26, 2021 at 1:20 PM Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

Gary,

We're getting closer. As outlined in our April 13th letter to you, we need confirmation as to what Irene Vandervegt-Gibson's mitigation obligation will be for 2021. Please provide us with the requested mitigation report from the North Snake Ground Water District, so that we may validate that a mitigation obligation exists for 2021. Additionally, for question 3C, we need you to confirm how long you would like to rent water for mitigation by non-use; will this be a one year rental, or a multi-year rental?

Once we get the above from you, we should have what we need to continue processing the rental application.

Regards,

Remington

From: Gary Funderburg [mailto:tskenterpriseh2o@gmail.com]

Sent: Monday, April 26, 2021 1:13 PM

To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>

Subject: THE CORRECTE APP. IRENE VANDERVEGHT

Remington, see if this is what you are looking for>

Gary Funderburg



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

April 13, 2021

IRENE VANDERVEGT-GIBSON
4098 HIDDEN LAKES DR.
TWIN FALLS, ID 83301

RESPONSE DEADLINE:
May 11, 2021

RE: Action Required on WSB Rental Application 2045

Dear Applicant,

On March 5, 2021, the Department of Water Resources (Department) received from you a request to rent water rights from the Water Supply, to authorize irrigation of 57.2 acres in 2020, for a period of four years. This rental application (application number 2045) is a replica of rental applications 1801 and 1650, which were both submitted in 2020. Rental application 1650 was approved in 2020 as rental agreement 428, and your representative was notified in 2020 that rental application 1801 could not be processed, as proposed, since it was a copy of an already approved rental agreement.

Like rental application 1801, rental application 2045 cannot be approved, as proposed, since it requests an authorization for irrigation, which is already approved under rental agreement 428. However, in light of the 2020 Water Measurement Report from the North Snake Ground Water District (NSGWD) submitted with rental application 2045, the Department believes that you may have intended to submit a mitigation by non-use rental, and not an irrigation rental. If your rental request is for mitigation by non-use purposes, we can review rental application 2045, to see what approvals might be granted to you for 2021.

In addition to requesting authorization of an irrigation rental, rental application 2045 also requested a start date of April 1, 2020, which cannot be approved, since it is in the past. We can however review rental application 2045 and consider a 2021 start date. You also requested a four year rental be approved. Is this still the case?

Finally, in question 3B of the rental application, you requested a rental volume of 227.8 af for irrigation of 57.2 acres. However, per the 2020 Water Measurement Report from the NSGWD, it appears that you exceeded the NSGWD's ground water pumping limit in 2020 by 336.1 af, and you have a three year overage, from 2018-2020, of 313.2 af. In order to approve for you a mitigation by non-use rental in 2021, we will need you to provide us with the specific mitigation by non-use diversion volume required under your rental. Is it 227.8 AF, 336.1 af, 313.2 af, or an altogether different number?

In light of the above, the Department is requesting that you please provide us with the following information so that we may continue processing your rental application:

- confirmation that rental application 2045 is a mitigation by non-use rental, not an irrigation rental;
- confirmation of the exact number of years for which you desire to rent water rights; and
- confirmation of the exact rental volume required for mitigation by non-use purposes in 2021;

To continue processing of your application, our office requires the above information related to your rental. Please provide the requested information within 30 days (deadline of May 11, 2021), so that we can continue processing of your application. If we do not hear from you prior to the established deadline, your application will be found incomplete and returned to you.

RECEIVED

MAR 05 2021

DEPARTMENT OF
WATER RESOURCES



**255 Blue Lakes Blvd N
PMB 617
Twin Falls, ID 83301
Cell: 208-320-0897**

March 2, 2021

IDAHO DEPARTMENT OF WATER RES.
322 East Front Street
P.O. Box 83720-0098

Att: Buyer, Remington, Justin Ferguson.

Gentlemen:

Please find enclosed the information you requested.

- 1) 2020 water measurement report,
- 2) Aerial Photo of ground for the lease application

Our intent is to lease water for the same purpose as last year. If the water rights are available for two year that would be great to tie them up.

Please confirm you have received this information.

If you have any question feel free to contact me at the above phone number or address. All correspondence should go to me.

Sincerely,

Gary Funderburg
Tskenterpriseh2o@gmail.com
255 Blue Lakes Blvd N
PMB 617
Twin Falls, ID 83301
Cell: 208-320-0897



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

November 12, 2020

IRENE VANDERVEGT-GIBSON
4098 HIDDEN LAKES DR.
TWIN FALLS, ID 83301

RESPONSE DEADLINE:
December 14, 2020

RE: Action Required on WSB Rental Application 1650

Dear Applicant,

On November 9, 2020, the Department of Water Resources (Department) received from you a request to rent water rights from the Water Supply, to authorize irrigation of 57.2 acres in 2020, for a period of four years. This recently received rental application (application number 1801) in fact appears to be an exact replica of the rental application that was submitted on your behalf by Mr. Gary Funderburg earlier this year, on February 27, 2020. That rental application (application 1650) was ultimately approved as rental agreement 428, and it authorizes irrigation by you for the years 2020 and 2021. It does not appear that any additional beneficial use is proposed by rental application 1801 which is not already authorized under rental agreement 428.

Further, rental application 1801 did not request a rental of any specific water rights. Because your rental request is for ESPA ground water, your rental application must identify the water rights to be rented, and ground water modeling must be provided with your application.

In light of the above, the Department is requesting that you please provide us with the following information so that we may continue processing your rental application:

- confirmation of the additional, incremental beneficial use of water that will be provided through rental application 1801, which is not already being provided through rental agreement 428;
- ESPA modeling for water rights that will be requested for rental through rental application 1801;
- a map outlining the specific location where the additional beneficial use of water will occur.

To continue processing of your application, our office requires the above information related to your rental. Please provide the requested information within 30 days (deadline of December 14th, 2020), so that we can continue processing of your application. If we do not hear from you prior to the established deadline, your application will be found incomplete and returned to you. Further, for your convenience, included with this letter is the rental payment invoice for rental agreement 428, which is due on December 31, 2020.

If you have any questions, please contact me at (208) 287-4936.

Regards,

Justin Ferguson
Water Supply Bank Specialist

CC: Gary Funderburg – TSK Enterprises
Enclosures: Invoice for Rental Agreement 428, for calendar year 2021.