

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 477

RECEIVED

MAR 08 2021

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

SANDERS FAMILY LLLP
PO BOX 205
HAMER, ID 83425-0205

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)
21-7089	5/13/1976	GROUND WATER	0.68	119	33.9	0.02	3.5
21-12952	6/1/1977	GROUND WATER	0.21	37.8	11	0.02	3.4
Combined Rental Totals			0.68	157	44.9	0.015	3.5

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2024. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2021, whichever occurs last.

Annual Rental Fee:

2021 - 2022: \$3,132.00 annually
2023 - 2024: \$3,601.80 annually

The full fee for the rental of the above-described right(s) is \$3,132.00 per year for years 2021 - 2022 and \$3,601.80 per year for years 2023 - 2024. The rental fee includes an administrative fee of \$313.20 per year for years 2021 - 2022 and \$360.18 per year for years 2023 - 2024.

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

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.68	120	34.3	0.02	3.5
Combined Total	0.68	120	34.3	0.02	3.5

** The authorized water usage reflects a reduction from the water right elements rented, to account for combined limits and enlargement concerns*

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 477

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:

David Sanders
Signature of Renter

3-2-21
Date

David Sanders
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 3/12/21

Rental approved by IDWR TPH

Date 3/12/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 477

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec. 15, Twp 07N, Rge 36E,	JEFFERSON County
GROUND WATER	SWNW	Sec. 14, Twp 07N, Rge 36E,	JEFFERSON County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.68 CFS

VOLUME
120 AF

SEASON OF USE

From	To
4/15	10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	36E	14								19									19
07N	36E	15		1.5	9.9											3.9			15.3

Total Acres: 34.3

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. The use of water for irrigation under this right may begin as early as April 1, provided other elements of the right are not exceeded. The use of water before May 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 477

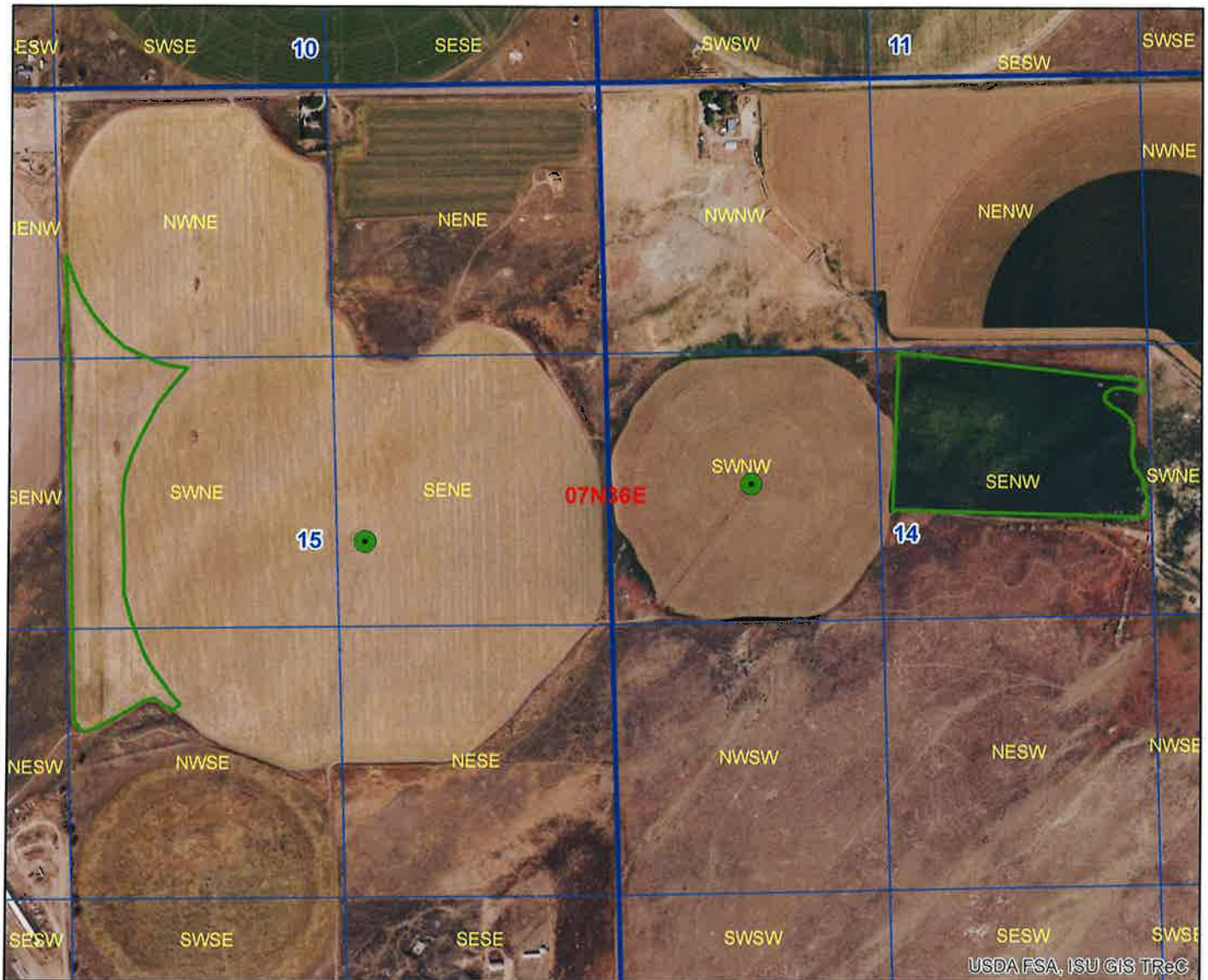
10. Water right 21-12952 is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
11. 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 110.
12. This rental does not authorize the construction of a well.
13. Prior to December 31 of each year, the Board may review this rental agreement to determine whether it is consistent with the management plan that may be approved for the Eastern Snake Plain Aquifer Ground Water Management Area ("ESPA GWMA Plan") pursuant to Idaho Code § 42-233b. The Board may cancel this rental agreement if the Board determines it is not consistent with the ESPA GWMA plan. If this rental agreement is canceled, the cancellation shall not take effect until December 31 of the year in which the rental agreement is canceled.

Idaho Water Resource Board

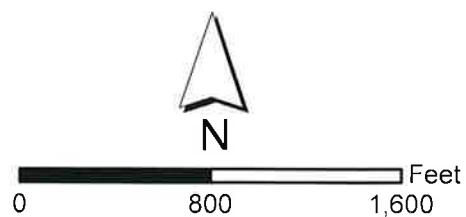
Attachment to Water Supply Bank Rental Agreement No.

Effective until December 31, 2024

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



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



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

JUL 31 2020

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Sanders Family LLLP

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)

21-7089

21-12952

1758

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Sanders Family LLLP c/o David Sanders

Mailing Address 2473 E 2100 N Hamer Idaho 83425
Street City State Zip Code
 Email Address sanders@mudlake.net Phone Number 208-662-5437

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 Kristin Moore Professional Title Senior Water Rights Analyst
 Organization Rocky Mountain Environmental Assoc. Inc. Relationship to Applicant Consultant
 Mailing Address 482 Constitution Way, Suite 303, Idaho Falls, ID 83402
 Email Address kristin.rmea@gmail.com Phone Number 208-524-2353

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**:

For the irrigation of additional fields not covered under water rights.

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.51 CFS	120.1 AF	0.51 CFS	86 AF	34.3 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?	
April 15, 2021	June 1, 2021	☐ 1	☐ 2	☐ 3	☒ 4	☐ 5	☒ Process application as soon as possible	☐ Return application to applicant

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

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):

Two wells mainlines to laterals with sprinklers

- 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
7N 36E Sec 14 SWNW	Groundwater	31-12196, 31-12198
7N 36E Sec 15 SENE	Groundwater	31-7318, 31-12193, 31-12195, 31-12197, 31-12199

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 34.3 (number of acres) Duration: Subject to IDWR standard seasons of use
☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☒
If yes, justify the rate of flow and attach any supporting documents as **Attachment 3J**. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☒ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it **Attachment 3K**.

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:

No other water rights at rental place of use.

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

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

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

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

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
21-7089	Irrigation	1.92	336	96		0.52	90.7	25.9
21-12952	Irrigation	0.60	107	31		0.16	29.4	8.4
		1.92	443	127				
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.52	120.1	34.3
						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**:

N/A

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:

Applicant has also rented water for 2016-2020. Applicant is seeking water rights to purchase that can be

reasonably transferred to the proposed location.

- 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

David Sanders

Printed Name of Applicant

7-21-20

Date

Signature of Representative

Printed Name of Representative

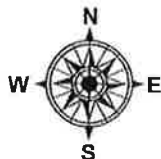
Date

Mail to:

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

**Legend**

- Rental POD
- Proposed Rental POU
- Twp & Rng
- Section
- QQ



Application to Rent Water Rights

Sanders Family LLLP

RMEA #15-0024

by: KM

Date: 7/20/2020



Eastern Snake Plain Aquifer Modeling Analysis

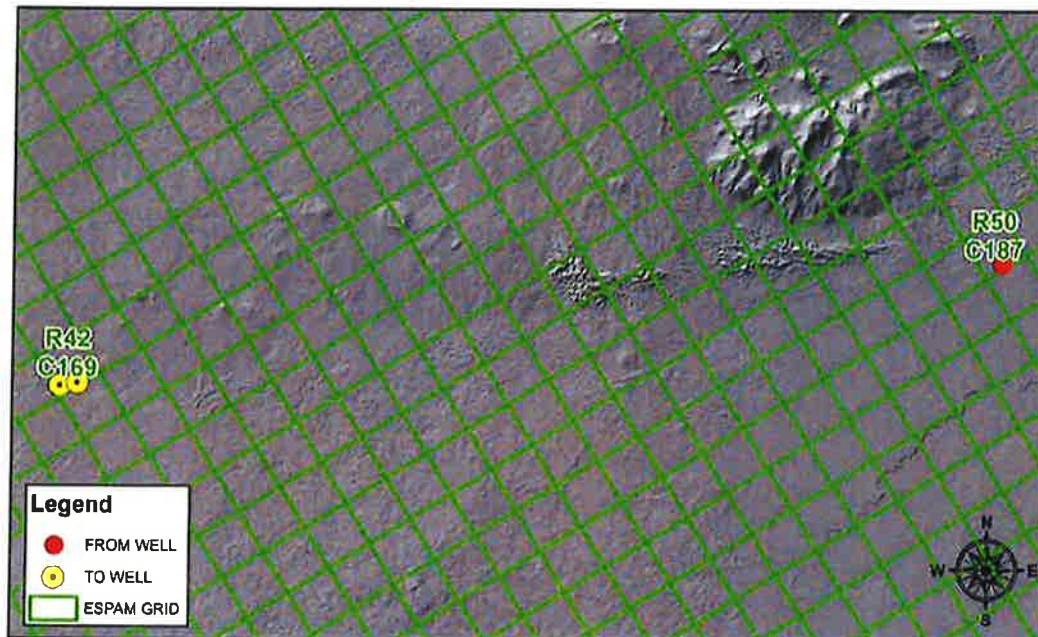
Sanders Family LLLP

The Applicant proposes to rent 34.3 acres for the proposed place of use to irrigate additional acres for the 2021-2024 seasons. Using ETRAN 3.3 to simulate the depletions of transferring 34.3 acres to the proposed points of diversion, the affects do not exceed the threshold of 2.0 af/trimester. No mitigation is required.

Modeling inputs were based upon the consumptive irrigation requirement of 2.5 af/trimester for the existing and proposed locations, as displayed in the table below. Well locations are illustrated in Figure 1.

WR#	WATER RIGHT QUANTITIES				MODELING QUANTITIES		
	acres	AF/acre	AFA	AF/tri	AF/acre	AFA	AF/tri
21-7089	25.9	3.5	90.65	30.2	2.5	64.75	21.6
21-12952	8.4	3.5	29.4	9.8	2.5	21	7.0
TOTAL	34.3	3.5	120.1	40.0	2.5	85.75	28.6

Figure 1. ESPA Model Grid



Figures 2-4 include excerpts from the ETRAN 3.3 simulation.

Figure 2. Data Entry

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

Cells this color are set up for user entries

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

TRANSFER NO: 21-7089, 21-1295

YEAR: 1976

SEASON: SPRING

TRANSFER NAME: Sanders

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	TO CELL	FROM1 CELL	FROM2 CELL	FROM3 CELL
ROW	42	50	27	45
COLUMN	169	187	157	30

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1976	0	29	29	0	0	0	0
SUM 1976	0	29	29	0	0	0	0
WIN 1976	0	29	29	0	0	0	0
SPR 1977	0	29	29	0	0	0	0
SUM 1977	0	29	29	0	0	0	0
WIN 1977	0	29	29	0	0	0	0
SPR 1978	0	29	29	0	0	0	0
SUM 1978	0	29	29	0	0	0	0
WIN 1978	0	29	29	0	0	0	0
SPR 2020	0	29	29	0	0	0	0
SUM 2020	0	29	29	0	0	0	0
WIN 2020	0	29	29	0	0	0	0
SPR 2021	29	0	29	0	0	0	0
SUM 2021	29	0	29	0	0	0	0
WIN 2021	29	0	29	0	0	0	0
SPR 2022	29	0	29	0	0	0	0
SUM 2022	29	0	29	0	0	0	0
WIN 2022	29	0	29	0	0	0	0
SPR 2023	29	0	29	0	0	0	0
SUM 2023	29	0	29	0	0	0	0
WIN 2023	29	0	29	0	0	0	0
SPR 2024	29	0	29	0	0	0	0
SUM 2024	29	0	29	0	0	0	0
WIN 2024	29	0	29	0	0	0	0
SPR 2025	0	29	29	0	0	0	0
SUM 2025	0	29	29	0	0	0	0
WIN 2025	0	29	29	0	0	0	0
SPR 2026	0	29	29	0	0	0	0
SUM 2026	0	29	29	0	0	0	0
WIN 2026	0	29	29	0	0	0	0
SPR 2123	0	29	29	0	0	0	0
SUM 2123	0	29	29	0	0	0	0
WIN 2123	0	29	29	0	0	0	0
SPR 2124	0	29	29	0	0	0	0
SUM 2124	0	29	29	0	0	0	0
WIN 2124	0	29	29	0	0	0	0
SPR 2125	0	29	29	0	0	0	0
SUM 2125	0	29	29	0	0	0	0
WIN 2125	0	29	29	0	0	0	0

Figure 2. Net Transfer Graphs

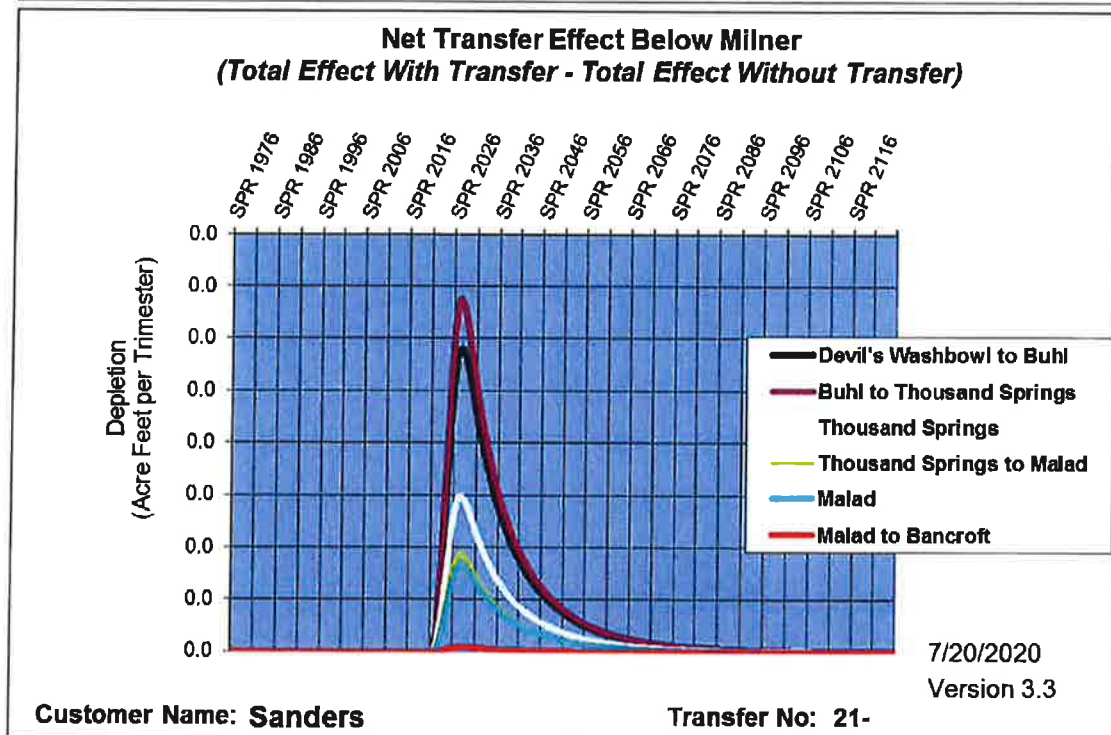
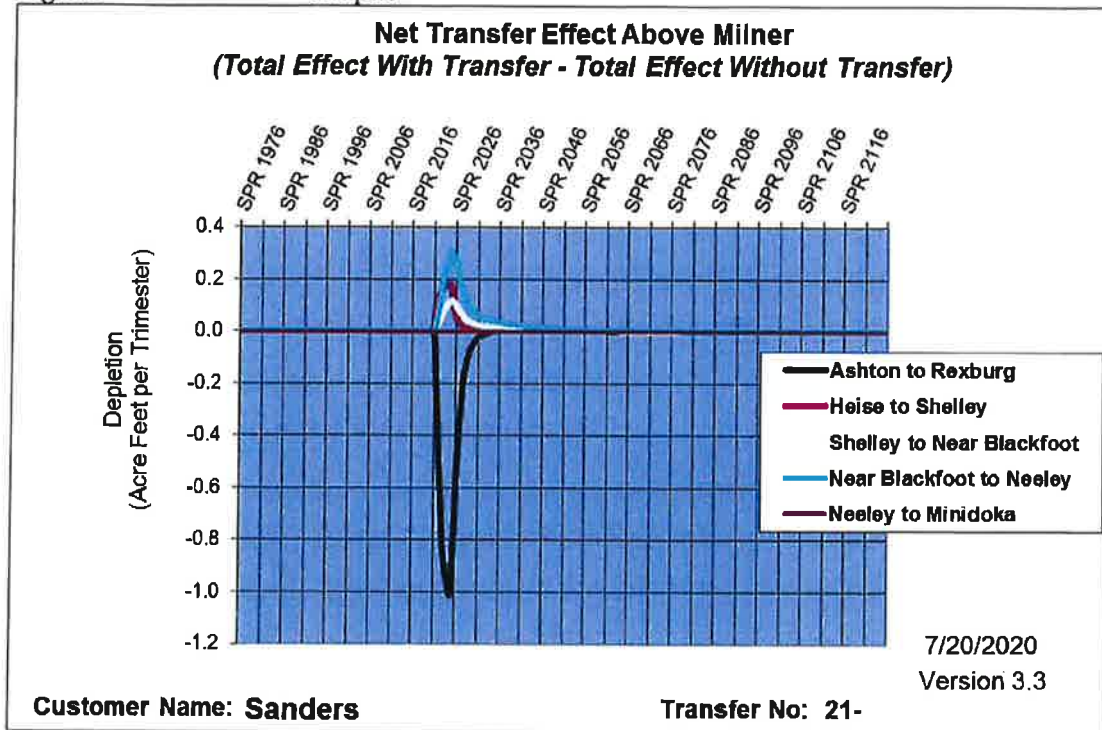


Figure 3. Calculated Affects.

	Net Transfer Effect (AF/four months)										
	Ashlon to Rexburg	Heise to Shelley	Shalley to Nr Bickft	Neeley to Neeley	Dev. Wbl. Minidoka	Buhl to Buhl	Kspr Kspr	Kspr to Malad	Malad Malad	Malad to Bancroft	
SPR 1976	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1976	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1976	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1977	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1977	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1977	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	-0.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	-0.3	0.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	-0.5	0.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	-0.6	0.2	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	-0.7	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	-0.8	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	-0.9	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	-0.9	0.2	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	-1.0	0.2	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	-1.0	0.2	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	-1.0	0.2	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	-1.0	0.1	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	-0.9	0.1	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	-0.7	0.1	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	-0.6	0.0	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	-0.4	0.0	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	-0.4	0.0	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	-0.3	0.0	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	-0.2	0.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	-0.2	0.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2028	-0.1	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2028	-0.1	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2028	-0.1	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2029	-0.1	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2029	-0.1	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2029	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2030	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2030	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2030	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: SPR 2021

Match: 136

Match: 456

	AIR	HIS	SINB	NBIN	NIM	DWIB	BITB	TS	TSIM	M	MB	Total	
Preexisting Effects @ SS (Last Time Step):	10.79	8.96	2.31	6.02	0.04	0.12	0.13	0.05	0.04	0.03	0.00	28.49	Total Effects without Transfer
rdy State - Value of Dep. @ Last Time Step:	10.79	8.96	2.31	6.02	0.04	0.12	0.13	0.06	0.04	0.03	0.00	28.49	Total Effects with Transfer
ts @ Transient State (Max Value Time Step):	10.79	8.96	2.31	6.02	0.04	0.12	0.13	0.05	0.04	0.03	0.00	28.49	Total Effects without Transfer
nt State - Max. Value of Dep. After Transfer:	10.79	9.00	2.36	6.13	0.04	0.12	0.13	0.05	0.04	0.03	0.00	28.69	Total Effects with Transfer
Steady State Change:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	0.00	0.04	0.05	0.11	0.00	0.00	0.00	0.00	0.00	0.00	0.00		



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

March 18, 2021

SANDERS FAMILY LLLP
PO BOX 205
HAMER, ID 83425-0205

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 21-7089 & 21-12952, AGREEMENT 477**

Dear Renter:

Please find enclosed a receipt in the amount of **\$2,132.00** and a copy of a fully executed Water Supply Bank Rental Agreement of 157.0 acre-feet of water for irrigation of 34.3 acres. 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 \$2,818.80 of the rental fee will be paid to the lessor(s) and 10% or \$313.20 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. C110010
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
State Water District No. 100
Kristin Moore – Rocky Mountain Environmental



State of Idaho

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 25, 2021

SANDERS FAMILY LLLP
PO BOX 205
HAMER, ID 83425-0205

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 21-7089 & 21-12952 AGREEMENT 477

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 \$3,132.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 157.0 acre-feet.

Please send a check for \$3,132.00 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 \$2,818.80 of the rental fee will be paid to the lessor(s) and 10% or \$313.20 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
Kristin Moore – Rocky Mountain Environmental

Parker, Cody

From: Ferguson, Justin
Sent: Friday, February 19, 2021 11:02 AM
To: Cefalo, James; Jordan, Blake
Cc: Parker, Cody
Subject: WSB Rental - Sanders Family
Attachments: Rental Map - Sanders Family LLLP.PDF; Draft Rental Agreement - Sanders Family LLLP.DOCX; Rental Review Memo.docx

James, Blake,

Attached are the draft rental documents for Sanders Family LLP, please let me know if you have any comments or concerns in the next several days

Thank you!

Memorandum

To: Water Rights 21-7089 & 21-12952

From: Justin Ferguson

Date: December 24, 2020

Re: Water Supply Bank Rental Application 1758

Purpose/Narrative: An application on behalf of Sanders Family LLLP was received by the Department July 31, 2020 from their representative at Rocky Mountain Environmental. The proposal is requesting the use of water rights 21-7089 & 21-12952 to irrigate 34.4 acres adjacent to two of their pivots that do not feature a permanent water right. The application is intended to allow them to continue irrigation practices allowed under the prior agreements, numbers 171 & 282 beginning in 2017 through 2020.

During the review it was determined that the amounts requested on the rental application were insufficient such that there may be an issue of enlargement. Because the proposal is intended to supplement acreage held by Sanders Family LLLP and delivered from the same points of diversion with the same diversion works, the rental amounts had to be adjusted from the 0.015 cfs per acre up to 0.02 cfs per acre in line with the water rights held by Sanders Family LLLP. Additional amounts will be rented from the requested water rights and the agreement limited to the total acreage irrigable as outlined.

Authority to File: The applications were prepared at Rocky Mountain Environmental and signed by Mr. David Sanders. Idaho Secretary of State Business information from July 3, 2020 designates Mr. Sanders as a limited partnership general partner and manager for Sanders Family LLLP. No concerns at this time.

Water Right Validity/Forfeiture Evaluation: The water rights being used are valid and currently leased to the Bank through 2024. No concerns at this time.

Injury Evaluation: Because the applicant's proposed rental place of use falls within the Eastern Snake River Plane Aquifer (ESPA), sufficient modeling is required such that mitigation is not necessary and there are no measureable impacts to any single reach greater than 2 af/trimester.

ESPA modeling was provided by their representative and verified by the review staff, based on a consumptive use (CU) of 2.5 afa and a headgate standard (HG) of 3.5 afa ($2.5 \text{ afa} / 3.5 \text{ afa} = 0.714\%$). A total consumptive volume of 112.5 af/year was modeled as 37.5 af per trimester and then divided by the CU/HG for a total of 157.5 af/year for the rental. No mitigation is required and no injury is foreseeable.

Enlargement of Use: The pivots adjacent to the proposed rental place of use are covered by water rights 31-12196 and 31-12198 for the eastern pivot and water rights 31-7318, 31-12193, 31-12195, 31-12197 and 31-12199 for the western pivot. Both sets feature a combined limit and, when used together, are limited to 0.02 cfs per acre and 3.5 af per acre.

The rental request of 0.52 cfs and 120.1 af for the irrigation of 34.3 acres will be adjusted to match both the rate and volume per acre such that both the water allocated under the Sanders Family LLLP water rights and the water allocated under the rental agreement can be delivered through the same system as they will share points of diversion and delivery infrastructure.

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: Comments from watermasters for water districts 31 and 110 as well as IDWR Eastern region were requested

Water Supply Bank Evaluation: Bank staff recommend the approval of this application for Sanders Family LLLP through the end of 2024