

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 18 2021

WATER SUPPLY BANK RENTAL AGREEMENT No. 494

DEPT OF WATER RESOURCES

This is to certify that:

PEDRO GALLEGOS
1841 TAGHEE LN
POCATELLO, ID 83204

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)
35-13340	11/13/1972	GROUND WATER	0.17	32.00	8.00	0.02	4.0
35-13362	11/13/1972	GROUND WATER	0.02	4.00	1.00	0.02	4.0
Combined Limit Totals			0.17	36.00	9.00	0.02	4.0
Combined Rental Totals			0.17	36.00	9.00	0.02	4.0

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2023. 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: \$720.00 annually
2023: \$828.00 annually

The full fee for the rental of the above-described right(s) is \$720.00 per year for years 2021 - 2022 and \$828.00 for 2023. The rental fee includes an administrative fee of \$72.00 per year for years 2021 - 2022 and \$82.80 for 2023.

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

Detailed water right conditions are attached.

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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:

Pedro Gallegos 2/10/21
Signature of Renter Date

Pedro Gallegos Owner
Printed Name Title

*Title required if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By Brian Patton 3/4/21
BRIAN PATTON, Acting Administrator Date
Idaho Water Resource Board

Rental approved by IDWR TP 3/4/21
Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 494

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENE Sec. 2, Twp 06S, Rge 33E, POWER County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.17 CFS

VOLUME
36.00 AF

SEASON OF USE

Water Right No.	From	To
35-13340	4/1	11/01
35-13362	4/1	10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	33E	2				9.0													9.0

Total Acres: 9.0

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. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Right 35-13362 is an enlargement of water right 35-13340 pursuant to Section 42-1426, Idaho Code.
11. Water right 35-13362 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 42-1426, Idaho Code, the earlier priority right is the superior right.

STATE OF IDAHO
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WATER SUPPLY BANK RENTAL AGREEMENT No. 494

12. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
13. This rental does not authorize the drilling of a well.
14. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
15. 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.

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

JAN 11 2021

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Pedro Gallegos

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)

1945

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Pedro Gallegos or Debbie Gallegos

Mailing Address 1841 Taghee Rd Pocatello ID 83204
Street City State Zip Code

Email Address debbgall@yahoo.com Phone Number 208-760-0654

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 _____ Professional Title _____
 Organization _____ Relationship to Applicant _____
 Mailing Address _____
 Email Address _____ Phone Number _____

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**:

I own 10 acres of land. I need the water for yard, pasture,
garden.

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	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?	
<u>4/1/2021</u>	<u>5/1/2021</u>	☐ 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)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

Rental Agreement ID 441
water Rights Rented 35-2604

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental?

If yes, describe:

Yes ☐ No ☒

- 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.

Debbie Gallegos
Signature of Applicant

Debbie Gallegos
Printed Name of Applicant

4/7/07
Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

STATE OF IDAHO
WATER RESOURCE BOARD

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)
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**:

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)

- 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):

- 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

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

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

- 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:

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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

DEPARTMENT OF
WATER RESOURCES

BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 22, 2020

PEDRO GALLEGOS
1841 TAGHEE LN
POCATELLO ID 83204

**RE: EXPIRATION OF WATER SUPPLY BANK RENTAL AGREEMENT FOR WATER RIGHTS:
35-2604**

Dear Renter,

Idaho Department of Water Resources (Department) records show that your rental agreements for the above and below listed water rights will expire at the end of 2020:

Rental Agreement ID	Water Rights Rented	Agreement Start	Agreement End
411	35-2604	05/01/2020	12/31/2020

Once the rental agreements above conclude, any diversion or use of water under these rentals will no longer be authorized. If you wish to rent water in the future, and you have not already done so, you can download and complete an [Application to Rent Water Rights from the Water Supply Bank](#) by visiting the Department's website at from: <http://idwr.idaho.gov>.

Rental applications can be submitted on November 1 of the year prior to the intended use of rental water. **YOU ARE ENCOURAGED TO FILE AN APPLICATION AT LEAST 3 MONTHS PRIOR TO THE DATE YOU DESIRE TO USE RENTAL WATER.**

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

Sincerely,

A handwritten signature in dark ink, appearing to be 'JF'.

Justin Ferguson
Water Supply Bank Specialist

Idaho Department of Water Resources Receipt
Receipt ID: C109755

Payment Amount	\$760.00	Date Received	12/31/2020	Region	STATE
Payment Type	Check	Check Number	43252690		
Payer	GALLEGOS, PEDRO				

Comments WATER SUPPLY BANK RENTAL
FOR WR # 35-2604
RENTER NAME: PEDRO GALLEGOS
RENTAL # 3411
FOR 2021
RENTAL EXPIRED IN 2020
PAYMENT NEEDS TO BE REFUNDED

Payment refunded 1/7/21

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$76.00	WATER BANK-DEPARTMENT SHARE	55113	0229	21		1205
\$684.00	WATER BANK-OWNER SHARE	29512	0490	1		1205

Ku

Signature Line (Department Representative)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 12, 2021

PEDRO GALLEGOS
1841 TAGHEE LN
POCATELLO, ID 83240

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 35-13340 & 35-13362, AGREEMENT 494**

Dear Renter:

Please find enclosed a receipt in the amount of \$ 720.00 and a copy of a fully executed Water Supply Bank Rental Agreement of 36.0 acre-feet of water for irrigation of 9.0 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 \$648.00 of the rental fee will be paid to the lessor(s) and 10% or \$72.00 will be retained by the Department to offset administrative costs.

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

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosures: Receipt No. C109970
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office



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

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 10, 2021

PEDRO GALLEGOS
1841 TAGHEE LN
POCATELLO, ID 83204

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FEB 18 2021

DEPT OF WATER RESOURCES

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 35-13340 & 35-13362 AGREEMENT 494

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 \$720.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 36.0 acre-feet. The payment received by the department on December 31, 2020 was refunded on January 7, 2021.

Please send a check for \$720.00 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 \$648.00 of the rental fee will be paid to the lessor(s) and 10% or \$72.00 will be retained by the Department to offset administrative costs.

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

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure

c: IDWR Front Desk

Amanda,

The bank is sending the
check for the payment of
\$720.00. You should get
it next week.

Thank you.

Debbie Gallegos



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 10, 2021

PEDRO GALLEGOS
1841 TAGHEE LN
POCATELLO, ID 83204

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 35-13340 & 35-13362 AGREEMENT 494

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

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure

c: IDWR Front Desk

Memorandum

To: Water Supply Bank Rental Application 1945
From: Remington Buyer
Date: January 28, 2021
Re: Water Supply Bank Rental Application 1945

Purpose/Narrative: An application was received by the Department January 11, 2021 from Pedro and Debbie Gallegos, who are requesting a rental of Eastern Snake River Plain Aquifer (ESPA) ground water rights, to authorize the irrigation of 9.5 acres of a property owned by them, located north of Pocatello. The Gallegos have requested approval of a five year rental. The Gallegos' property is 10 acres in size, and a domestic well exists on the property, from which ESPA ground water is being diverted for domestic purposes, which includes irrigation of up to 0.5 acres.

A review of satellite imagery indicates that approximately 0.5 acres of the property is covered with a house, hardscape, and area that has not recently been irrigated. Accordingly, it would seem that this rental might more accurately be a request for the irrigation of 9.0 acres (9.5 irrigated acres – 0.5 acres irrigable under a domestic ground water right = 9.0 acres to be irrigated under a rental).

The applicant did not provide ESPA ground water modeling with the rental request. They were contacted on January 24th and provided with a list of basin 29 and 35 ESPA ground water rights available for rental that they could request and model for their rental. The January 24th letter also asked them to confirm the extent of irrigation desired for 2021. The applicant responded to the letter and requested a rental of water rights 35-13340 and 35-13362, sufficient to authorize irrigation of 9.0 acres of their property during 2021. The water rights are under lease through 2023, and so a three year rental will be drafted for their consideration.

Authority to File: The application was completed by Pedro and Debbie Gallegos and signed by Debbie. Pedro and Debbie Gallegos are listed as the owners of the property where the rental will occur. No concerns about authority to file.

Water Right Validity/Forfeiture Evaluation: The water rights requested to be rented are valid and available for rental. No concerns about the validity of the water rights requested for rental.

Injury Evaluation: Because this rental request is for ESPA ground water, ESPA modeling must be evaluated to ascertain whether injury is apparent under the proposed rental. A review of ETRAN modeling for the rental of 9.0 acres of water rights 35-13340 and 13362 at the rental location does not indicate that injury should occur.

Enlargement of Use: Water rights 35-13340 and 13362 are irrigation water rights and no enlargement is apparent under this rental.

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: Water district 120 and IDWR Eastern Region comments were requested on January 28, 2021.

Water Supply Bank Evaluation: Bank staff recommend the approval of this application.

Buyer, Remington

From: Buyer, Remington
Sent: Thursday, January 28, 2021 1:58 PM
To: Jordan, Blake; Cefalo, James
Subject: WSB Rental Agreement 494 - Pedro Gallegos
Attachments: Draft Rental Agreement 494.docx; Rental Map - Gallegos.pdf; Rental Review Memo.docx

Blake, James,

Rental agreement 494 has been drafted for Pedro Gallegos, to authorize irrigation of 9 acres with ESPA ground water, near Pocatello. The draft approval document, map and review memo are attached to this email. Please advise if you have any questions, comments or concerns.

Thank you,

Remington

Buyer, Remington

From: Buyer, Remington
Sent: Monday, January 25, 2021 3:17 PM
To: 'debbie gallegos'
Cc: Bank
Subject: RE: Water rental

Hi Debbie,

OK, great, we'll proceed with drafting a rental agreement for you, for irrigation of nine acres of your property, through a rental of water rights 35-13340 and 35-13362. The rental payment is estimated to be \$760/year for this year and next year, and it would be \$874 in 2023. We'll contact you again once we have a finalized rental agreement ready for your review.

Regards,

Remington

From: debbie gallegos [mailto:debbgall@yahoo.com]
Sent: Monday, January 25, 2021 11:27 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: Re: Water rental

Hi Remington,

I would like to rent the water rights of 35-13340 and 35-13362 for 9 acres. What would the cost of that be?

Thank you sorry for being such a bother this is all new to me.

Debbie Gallegos

On Monday, January 25, 2021, 10:30:21 AM MST, Buyer, Remington <remington.buyer@idwr.idaho.gov> wrote:

Hi Debbie,

Rental agreements can be approved for a number of years, but the rental duration is limited by the length of time that the water rights you would rent are leased to the Water Supply Bank. Last year, you requested a five year rental. However, the water right that was the identified for rental to you (35-2604) was only leased into the Bank for a single year, hence, your rental was only approved for a single year.

Because your rental proposes a diversion and use of ground water from the Eastern Snake River Plain Aquifer (ESPA), ground water modeling must be submitted to ensure there is no injury to the ESPA. ESPA ground water modeling should be done using the ESPA Transfer Tool (ETRAN), which is [available for download from our website](#). As described in my last email, you can request a rental of water rights 35-13340 and 35-13362, and preliminary ETRAN modeling for these water rights indicates no injury should occur through a rental of these water rights to your property. These two water rights are leased into the Bank until 2023, so our office can process for you a three year rental of these water rights.

Finally, our office needs to determine how many acres you will irrigate under a rental, and how many acres you may already be irrigating under a domestic water right. Are you irrigating 9.5 acres of your property, or less? Are you already irrigating 0.5 acres under a domestic water right? If that is the case, you can subtract 0.5 acres from the total number of acres that you desire to irrigate under a rental.

Regards,

Remington Buyer

From: debbie gallegos [<mailto:debbgall@yahoo.com>]

Sent: Monday, January 25, 2021 10:04 AM

To: Bank <Bank@idwr.idaho.gov>

Subject: Water rental

Good morning,

I recieved a letter on January 24th regarding Action Required on WSB Rental Application 1945. My question is what exactly do I need to do. This is the 2nd year that we have to rent water but im still not fully understanding the process. Last year when I applied I though that we were ok for three years and all I had to do was make the payment. Please help me try to figure this all out.

Thank you,

Debbie Gallegos