

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 478

RECEIVED

FEB 16 2021

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

SHANE & ESTHER MACHEN

PO BOX 605

RIRIE, ID 83443

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	0.07	11.9	3.4	0.020	3.5
21-12952	6/1/1977	GROUND WATER	0.02	3.8	1.1	0.019	3.5
Combined Rental Totals			0.07	15.7	4.5	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: \$314.00 annually

2023 - 2024: \$361.10 annually

SUPPORT DATA

IN FILE #

21-7089

The full fee for the rental of the above-described right(s) is \$314.00 per year for years 2021 - 2022 and \$361.10 per year for years 2023 - 2024. The rental fee includes an administrative fee of \$31.40 per year for years 2021 - 2022 and \$36.11 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.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 478

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:

Shane Machen / Esther Machen 02-09-2021
Signature of Renter Date

Shane Machen / Esther Machen _____
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 02/17/21
BRIAN PATTON, Acting Administrator Date
Idaho Water Resource Board

Rental approved by IDWR [Signature] 02/17/21
Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 478

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec. 17, Twp 03N, Rge 40E, BONNEVILLE
County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.07 CFS

VOLUME
15.7 AF

SEASON OF USE

From To
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	
03N	40E	17									4.5								4.5

Total Acres: 4.5

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

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

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11. This rental does not authorize the construction of a well.
12. This rental when combined with all other water rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
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. 478

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.



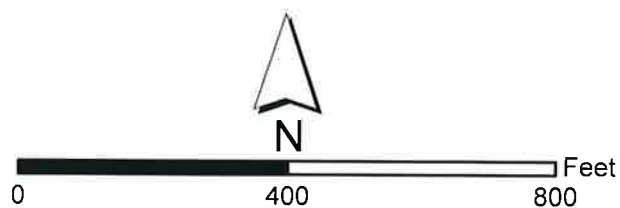
 Authorized Rental Point of Diversion

 Authorized Rental Place of Use

 Township/Range

 Sections

 QQ



STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED
NOV 30 2020
DEPARTMENT OF
WATER RESOURCES

Applicant Name: Esther Machen, Shane Machen

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)

21-12952

21-7089

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Esther Machen, Shane Machen

Mailing Address <u>P.O. Box 605</u>	Ririe	ID	83443
Street	City	State	Zip Code
Email Address <u>estherbmachen@hotmail.com</u>	Phone Number	<u>(208) 313-9908</u>	

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 <u>Jason C. Helms, P.E.</u>	Professional Title _____
Organization <u>JCH Engineering & Consulting, PLLC</u>	Relationship to Applicant <u>Consultant</u>
Mailing Address <u>6755 N. Albert Lane Idaho Falls, ID 83401</u>	
Email Address <u>jasoncivil@alumni.nd.edu</u>	Phone Number <u>(208) 308-2109</u>

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**:

Irrigation of pasture.

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.07 CFS	15.7 AF	0.07 CFS	15.7 AF	4.5 AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
04/01/2021	06/01/2021	☐ 1	☐ 2	☐ 3	☒ 4	☐ 5	☒ Process application as soon as possible	☐ Return application to applicant

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

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

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

Existing well with open discharge into small pond with booster into mainline and sprinkler system

- 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
Existing Well	Ground Water	25-14420, 14421, 14422, 14423, 14429, 14430

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 4.5 (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:

Existing water rights 25-14420, 14421, 14422, 14423, 14429, 14430 authorize irrigation of 7.8 acres within the parcel. This rental will be used in addition to the existing water right for irrigation of the entire pasture.

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)
21-12952	Irrigation	0.60	107.0	31.0		0.02	3.8	1.1
21-7089	Irrigation	1.92	336.0	96.0		0.07	11.9	3.4
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.07	15.7	4.5
						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 rental will be added to existing water rights to provide additional authorized acres and volume.

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:
Previous application in 2019 and 2020. Continuing to seek permanent water rights.

- 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 ☐

Permanent water rights are being sought for transfer but will not be completed while this rental is active.

- 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

ESPA impact analysis indicates rental of indicated rights through 2024 results in acceptable reach impacts. See attachment 3H for details.

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.

Shane Machen / Esther Machen Shane Machen / Esther Machen

Signature of Applicant

Printed Name of Applicant

11/25/2020
Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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



- ⊙ Existing Well
- ▨ Proposed Rental Irrigation (4.5 ac)
- ▭ Existing Authorized Irrigation (7.8 ac)
25-14420, 14421, 14422, 14423, 14429, 14430
- ▭ 0.50 ac (Domestic Irrigation)
- ▭ Township & Range
- ▭ Sections
- ▭ Bonneville County 40's
- ▭ ESPA Model Grid

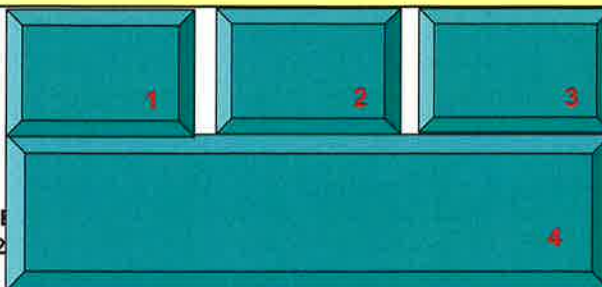
ENHANCED GROUND-WATER RIGHTS TR

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUT | IDAHO DEF

Cells this color are
set up for user entries

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

TRANSFER NO:
WSB 2021-2024
YEAR 1948
SEASON WINTER
TRANSFER NAME
Machen:21-12952



4.50

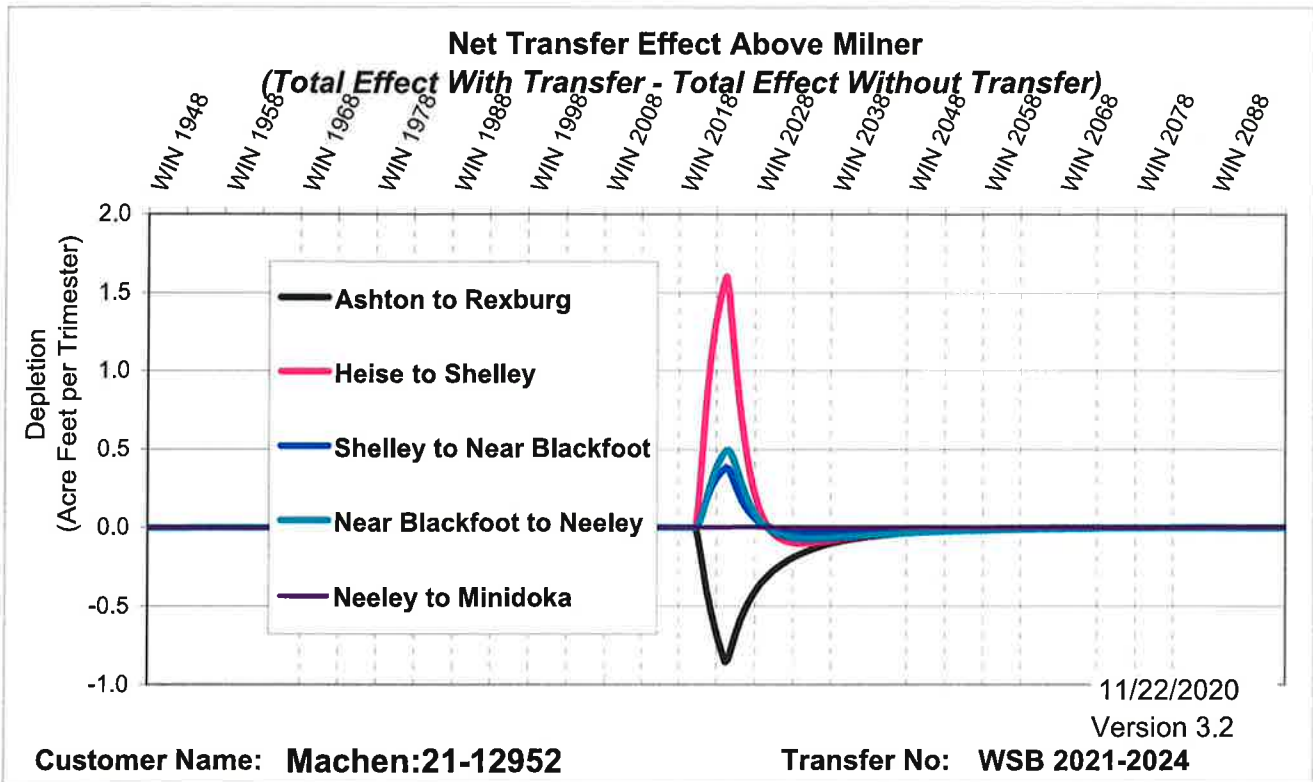
ENTER CELL LOCATIONS				21-12952	6/1/1977	11.9
'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL	21-7089	5/13/1976	3.8
74	50					
175	187					

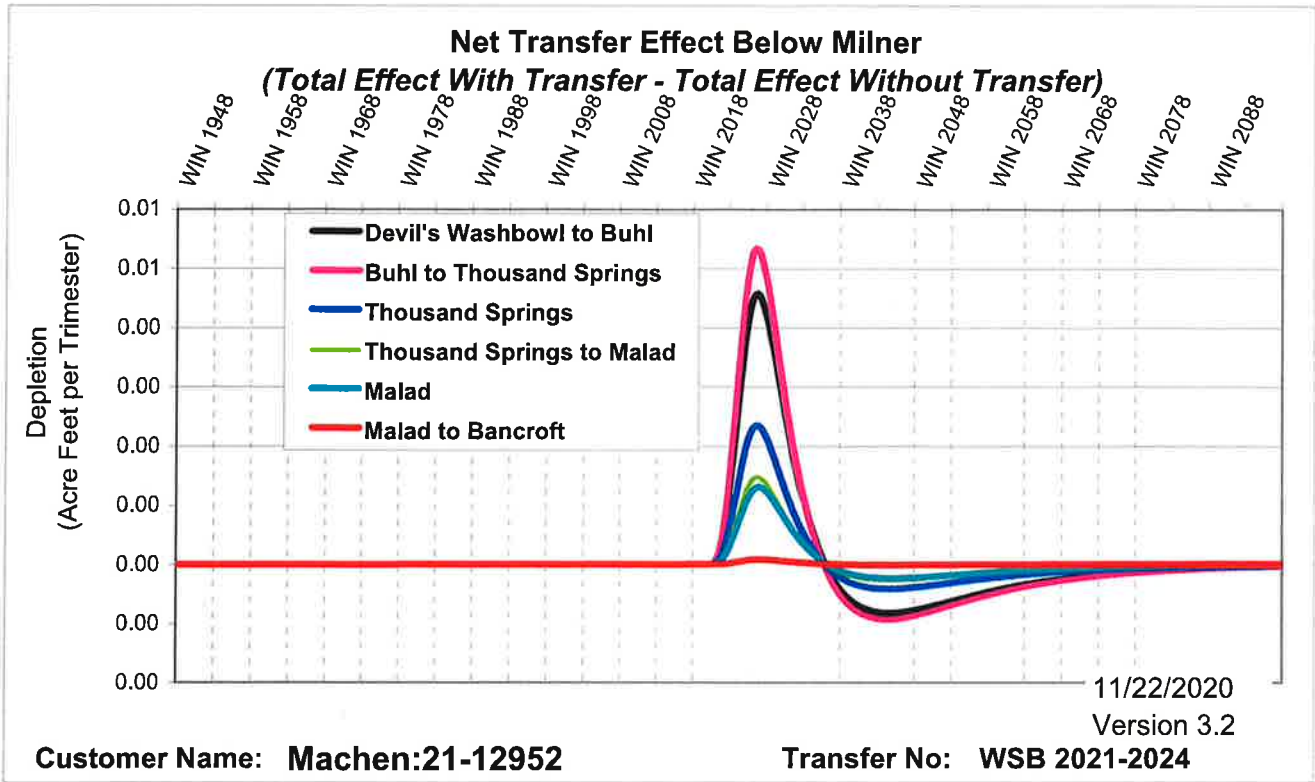
Machen 21-12952 Total rental: 15.7

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfe AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfe AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfe AF/TRIMESTER
WIN 1948	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1975	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 1976	0.00	1.26	1.26	0.00	0.00	0.00	0.00
SUM 1976	0.00	1.26	1.26	0.00	0.00	0.00	0.00
WIN 1976	0.00	1.26	1.26	0.00	0.00	0.00	0.00
SPR 1977	0.00	1.26	1.26	0.00	0.00	0.00	0.00
SUM 1977	0.00	5.23	5.23	0.00	0.00	0.00	0.00
WIN 1977	0.00	5.23	5.23	0.00	0.00	0.00	0.00
SPR 1978	0.00	5.23	5.23	0.00	0.00	0.00	0.00
WIN 2020	0.00	5.23	5.23	0.00	0.00	0.00	0.00
SPR 2021	5.23	0.00	5.23	0.00	0.00	0.00	0.00
SUM 2021	5.23	0.00	5.23	0.00	0.00	0.00	0.00
WIN 2021	5.23	0.00	5.23	0.00	0.00	0.00	0.00
SPR 2022	5.23	0.00	5.23	0.00	0.00	0.00	0.00
SUM 2022	5.23	0.00	5.23	0.00	0.00	0.00	0.00
WIN 2022	5.23	0.00	5.23	0.00	0.00	0.00	0.00
SPR 2023	5.23	0.00	5.23	0.00	0.00	0.00	0.00
SUM 2023	5.23	0.00	5.23	0.00	0.00	0.00	0.00
WIN 2023	5.23	0.00	5.23	0.00	0.00	0.00	0.00
SPR 2024	5.23	0.00	5.23	0.00	0.00	0.00	0.00
SUM 2024	5.23	0.00	5.23	0.00	0.00	0.00	0.00
WIN 2024	5.23	0.00	5.23	0.00	0.00	0.00	0.00
SPR 2025	0.00	5.23	5.23	0.00	0.00	0.00	0.00
SUM 2025	0.00	5.23	5.23	0.00	0.00	0.00	0.00
WIN 2025	0.00	5.23	5.23	0.00	0.00	0.00	0.00
SPR 2026	0.00	5.23	5.23	0.00	0.00	0.00	0.00
WIN 2096	0.00	5.23	5.23	0.00	0.00	0.00	0.00
SPR 2097	0.00	5.23	5.23	0.00	0.00	0.00	0.00
SUM 2097	0.00	5.23	5.23	0.00	0.00	0.00	0.00
WIN 2097	0.00	5.23	5.23	0.00	0.00	0.00	0.00
SPR 2098	0.00	5.23	5.23	0.00	0.00	0.00	0.00
SUM 2098	0.00	5.23	5.23	0.00	0.00	0.00	0.00

One-Way Analysis of Independent Transfers																			
New Water Right (GModelo):																			
WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node	Impact by Reach (AF/Trimester)											
								Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr to Malad	Malad to Bancroft			
Transfer 1: Proposed Steady State Impacts following Transfer																			
see attached for details								Pre-SS	1.97	1.64	0.42	1.10	0.01	0.02	0.02	0.01	0.01	0.01	0.00
								Post-SS	1.97	1.64	0.42	1.10	0.01	0.02	0.02	0.01	0.01	0.01	0.00
Transfer 1: Worst Case Transient State Impacts following Transfer																			
see attached for details								Pre-TS	1.97	1.64	0.42	1.10	0.01	0.02	0.02	0.01	0.01	0.01	0.00
								Post-TS	1.97	3.21	0.79	1.56	0.01	0.02	0.03	0.01	0.01	0.01	0.00
Steady State Analysis								Mitigation Check 1 - >10% of Historical:	-0.1%	-0.1%	-0.1%	-0.1%	-0.2%	-0.2%	-0.2%	-0.2%	-0.2%	-0.2%	-0.2%
								Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
								Mitigation Check 3 - >10% of Total:	37.9%	31.5%	8.1%	21.1%	0.1%	0.4%	0.5%	0.2%	0.1%	0.1%	0.0%
								Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
								Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Transient State Analysis								Mitigation Check 1 - >10% of Historical:	-0.1%	96.2%	88.1%	41.8%	12.0%	15.9%	16.4%	16.3%	16.1%	15.5%	14.8%
								Mitigation Check 2: > 2.01 AF/T:	0.0	1.6	0.4	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
								Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
								Mitigation Vol. Req'd (ac-ft):	0.0	1.6	0.4	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Read Me																			

[Read Me](#)







State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 23, 2021

SHANE & ESTER MACHEN
PO BOX 605
RIRIE, ID 83443

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 21-7089 & 21-12952, AGREEMENT 478**

Dear Renter:

Please find enclosed a receipt in the amount of \$314.00 and a copy of a fully executed Water Supply Bank Rental Agreement of 15.7 acre-feet of water for irrigation of 4.5 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 \$282.60 of the rental fee will be paid to the lessor(s) and 10% or \$31.40 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. C109924
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
Jason Helms – JCH Engineering



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 3, 2021

SHANE & ESTER MACHEN
PO BOX 605
RIRIE, ID 83443

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 21-7089 & 21-12952 AGREEMENT 478**

*****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 \$314.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 15.7 acre-feet.

Please send a check for \$314.00 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 \$282.60 of the rental fee will be paid to the lessor(s) and 10% or \$31.40 will be retained by the Department to offset administrative costs.

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

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure

c: IDWR Front Desk

Memorandum

To: Water Rights 21-7089 & 21-12952
From: Justin Ferguson
Date: January 25, 2021
Re: Water Supply Bank Rental Application 1811

Purpose/Narrative: An application was received November 23, 2020 on behalf of Esther and Shane Machen requesting a rental of Eastern Snake River Plain Aquifer (ESPA) water for 2021 through 2024. The Machens own a 15 acre residential property immediately west of Ririe Reservoir, south of Willow Creek, approximately 13 miles northeast of Idaho Falls, of which 7.8 acres can be irrigated from ground water under water rights 25-14420, 14421, 14422, 14423, 14429 and 14430. The Machens have submitted this rental application to supplement their existing irrigation, so that they might irrigate an additional 4.5 acres.

Authority to File: As with their prior application, Mr. and Ms. Machen have retained the services of JCH Engineering to prepare and file the application on behalf of the Machens. Review of IDWR data indicates they are the current water right holder for the water rights being supplemented and Bonneville County parcel data indicates they are also the current land owners. No concerns at about authority to file.

Water Right Validity/Forfeiture Evaluation: The water rights being requested are leased to the Bank and there are no concerns about their validity.

Injury Evaluation: Because the rental point of diversion falls within the ESPA boundaries, evaluation of ESPA ground water right modeling using the ESPA Transfer Tool (ETRAN) is required to ensure impacts attributable to ground water pumping under the rental do not cause injury to junior ESPA ground water rights. Included in the application package was modeling provided by Mr. Helms, who modeled overall diversion volumes per trimester rather than the recommended consumptive use diversion volume per trimester. Evaluation of ETRAN modeling indicates no mitigation is required to offset impacts to the ESPA, attributable to the pumping of ground water rights 21-7089 and 21-12952 at the rental location. No concerns about injury at this time.

Enlargement of Use: The applicants are renting water rights 21-7089 and 21-12952 to supplement their existing irrigation water rights. Because all water will be diverted through the same point, the rate and volume per acre should be calibrated to ensure no enlargement occurs to the water rights being rented, as well as the water rights being supplemented.

The applicant's existing water rights provide for irrigation of 7.8 acres with a per-acre diversion rate and volume of 0.14 cfs/ac and 3.5 afa/ac, respectively and conditions on the applicant's water rights limit them to no more than 0.02 cfs/ac 4.0 afa/ac, when used with other water rights. The Machens have requested a rental of 0.07 cfs and 15.7 af for the irrigation of 4.5 acres which provides 0.016 cfs/ac and 3.5 af/ac, which is approximately the diversion rate and volume that is proportionate to 4.5 acres under water rights 21-7089 and 21-12952 (the actual diversion rate and volume proportionate to the irrigation of 4.5 acres under 21-7089 and 21-12952 would be 0.068 cfs and 15.7 af). Therefore, it does not appear that a rental of 0.068 (0.07) cfs and 15.7 af under 21-7089 and 21-12952 would be an enlargement of those water rights.

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

Beneficial Use/Conservation of Water Resources: Irrigation is a beneficial use. A review of irrigation during 2020 does not indicate that more than 7.8 acres is currently being irrigated at the Machen's property, despite a rental agreement being in place last year to allow for the irrigation of more than 7.8 acres. It is

unclear whether irrigation of more than 7.8 acres will occur during this rental. If irrigation of 7.8 or fewer acres occurs during the term of this rental, it seems that no beneficial use will occur under this rental. The rental appears consistent with the conservation of water resources in Idaho.

Department/Watermaster Comments: IDWR Eastern Region comments were requested on January 25, 2021

Water Supply Bank Evaluation: Bank staff recommend the approval of this application for Mr. and Ms. Machen through the end of 2024.

Parker, Cody

From: Ferguson, Justin
Sent: Monday, January 25, 2021 4:09 PM
To: Cefalo, James
Subject: WSB Rental - Shane Machen
Attachments: Rental Review Mem1.docx; Draft Agreement - Shane Machen.docx; Rental Map Machen.pdf

James,

Attached is the draft rental documents for Shane Machen through the end of 2024. Please let me know if you have any comments or questions within the next several days

Thank you!