

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 475

RECEIVED

JAN 12 2021

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

KIRK S EGBERT
PO BOX 87
TERRETON, ID 83450

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)
21-7154	6/29/1978	GROUND WATER	0.31	59.2	16.9	0.02	3.5
21-7155	6/29/1978	SAND CREEK	0.27	59.2	16.9	0.02	3.5
Combined LimitTotals			0.34	59.2	16.9	0.02	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, 2022. 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: \$1184.00 annually

SUPPORT DATA

IN FILE # 21-7154

The full fee for the rental of the above-described right(s) is \$1184.00 per year for years 2021 - 2022. The rental fee includes an administrative fee of \$118.40 per year for years 2021 - 2022.

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	0.31	52.4	16.9	0.02	3.1
Combined Total	0.31	52.4	16.9	0.02	3.1

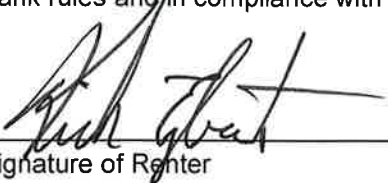
* The authorized water usage reflects a reduction from the water right elements rented, to account for enlargement concerns.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 475

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:


Signature of Renter

1/2/21
Date

Kirk Egbert
Printed Name

President
Title

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

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

By 
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 1/13/21

Rental approved by IDWR 

Date 1/13/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 475

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec. 1, Twp 07N, Rge 37E,	JEFFERSON County
GROUND WATER	NWNE	Sec. 2, Twp 07N, Rge 37E,	JEFFERSON County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.31 CFS

VOLUME
52.4 AF

SEASON OF USE

Water Right No.	From	To
21-7154	4/1	10/31
21-7155	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	
07N	37E	2	4.3 L1	4.3 L2	4.2	4.1													16.9

Total Acres: 16.9

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 110.

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10. 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.
11. Under this rental agreement, rights 21-7154 and 21-7155 when combined shall not exceed a total diversion rate of 0.31 cfs and the irrigation of 16.9 acres.
12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
13. This rental agreement does no authorize the construction of a well.



Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 475

Effective until December 31, 2022

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



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

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



0 500 Feet

STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED

NOV 30 2020

DEPARTMENT OF
WATER RESOURCESApplicant Name: Kirk S Egbert

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)

21-7154

21-7155

1814

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Kirk S Egbert

Mailing Address <u>1410 E 1300 N, P.O. Box 87</u>	Terreton	ID	83450
Street	City	State	Zip Code
Email Address <u>kkegbert1985@yahoo.com</u>	Phone Number <u>208-663-4505</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>Kristin Moore</u>	Professional Title <u>Senior Water Rights Analyst</u>
Organization <u>Rocky Mountain Environmental Assoc. Inc</u>	Relationship to Applicant <u>Consultant</u>
Mailing Address <u>482 Constitution Way, Suite 303, Idaho Falls, ID 83402</u>	
Email Address <u>kristin.rmea@gmail.com</u>	Phone Number <u>208-524-2353</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**:

Applicant requires additional rental water to cover existing pivots with endguns. The mitigation plan of the
appurtenant water rights allows gradual increase in irrigation until the full rights are available in 2035. Existing
rights allow for irrigation of 230 acres in 2021. RA 395 adds an additional 33.1 acres of irrigation. More is needed

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)
0.31 CFS	59 AF	0.25 CFS	42 AF	16.9 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?	
4/15/2021	6/01/2021	☒ 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):

Two connected wells that divert to two pivot irrigation systems already installed with 80' endguns.

- 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
Wells in NWNW Sec 1 and	Ground Water	31-11410, 31-11414, 31-11428,
NWNE Sec 2, T7N R37E		31-11947, 31-11954

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 16.9 (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:

Water rights 31-11410, 31-11414, 31-11428, 31-11947, 31-11954 share the same place of use. Rental water supplements the existing rights to allow additional irrigation.

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)
21-7154	Irrigation	0.92	-	50		0.31	59.2	16.9
21-7155	Irrigation	0.81	175	50		0.27	59.2	16.9
		1.0	175	50				
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	0.31	59.2	16.9
						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:

Water is also rented under RA No. 395. Additional water is required for this pivot and requested under this application. The mitigation plan for the appurtenant water rights allows gradual increase in irrigation. Rental water will be required until the mitigation obligation is met and/or water rights are identified for purchase.

- 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.

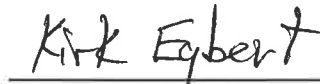
- D. Additional Information

DECLARATION

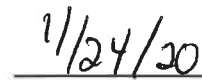
I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is 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



Printed Name of Applicant



Date

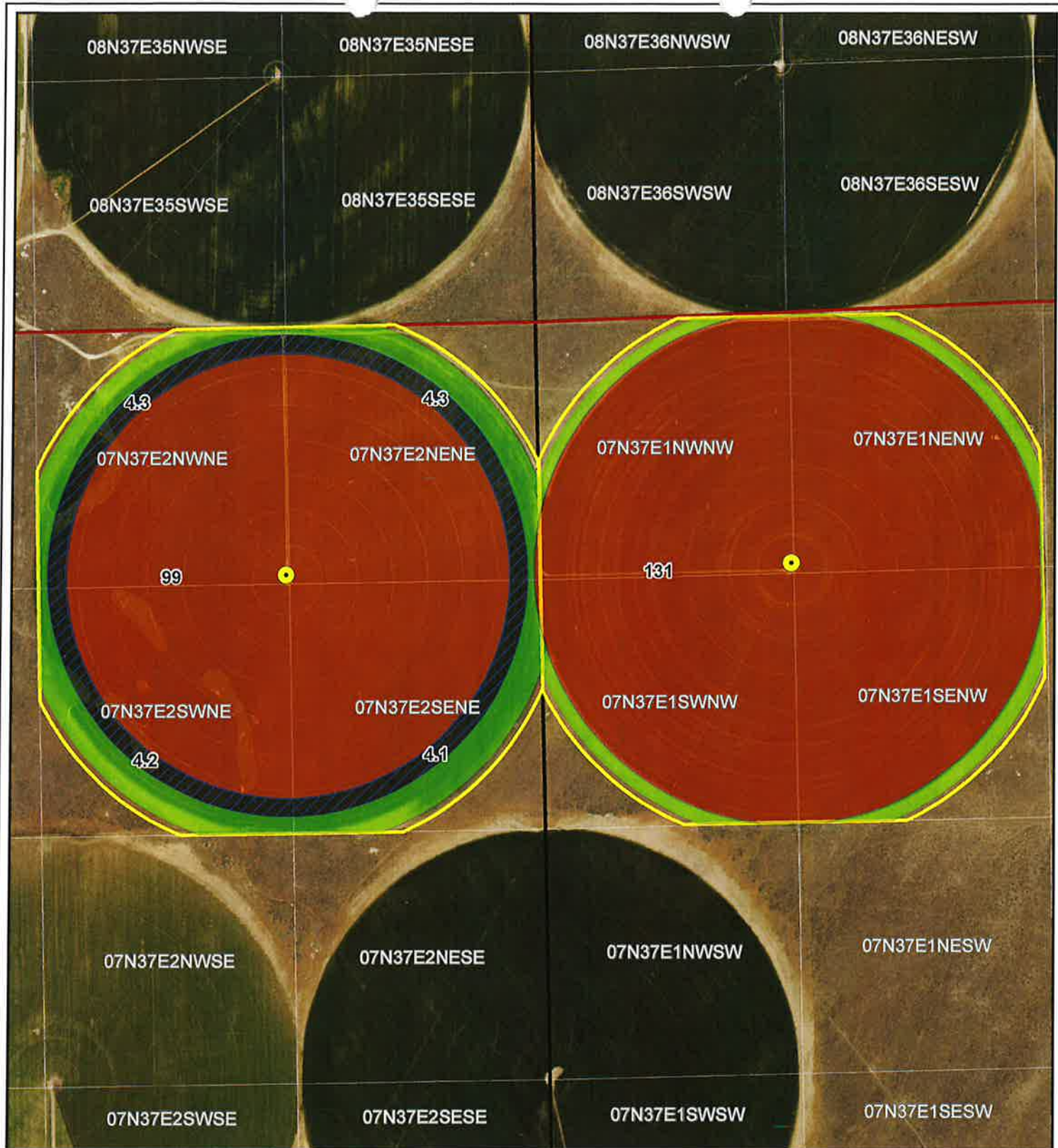
Signature of Representative

Printed Name of Representative

Date

Mail to:

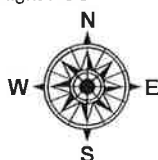
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098



2019 Aerial Photography

Legend

- POD
- Existing Water Right POU
- RA395 2020-2024
- Proposed Rental POU
- Twp & Rng
- Section
- QQ
- Current Mitigated POU for 2021



Proposed Rental POU

Kirk Egbert

RMEA #14-0152

by: KM

Date: 11/9/2020



Eastern Snake Plain Aquifer Modeling Analysis and Narrative

WSB Rental Application for WR#21-7154 and 21-7155

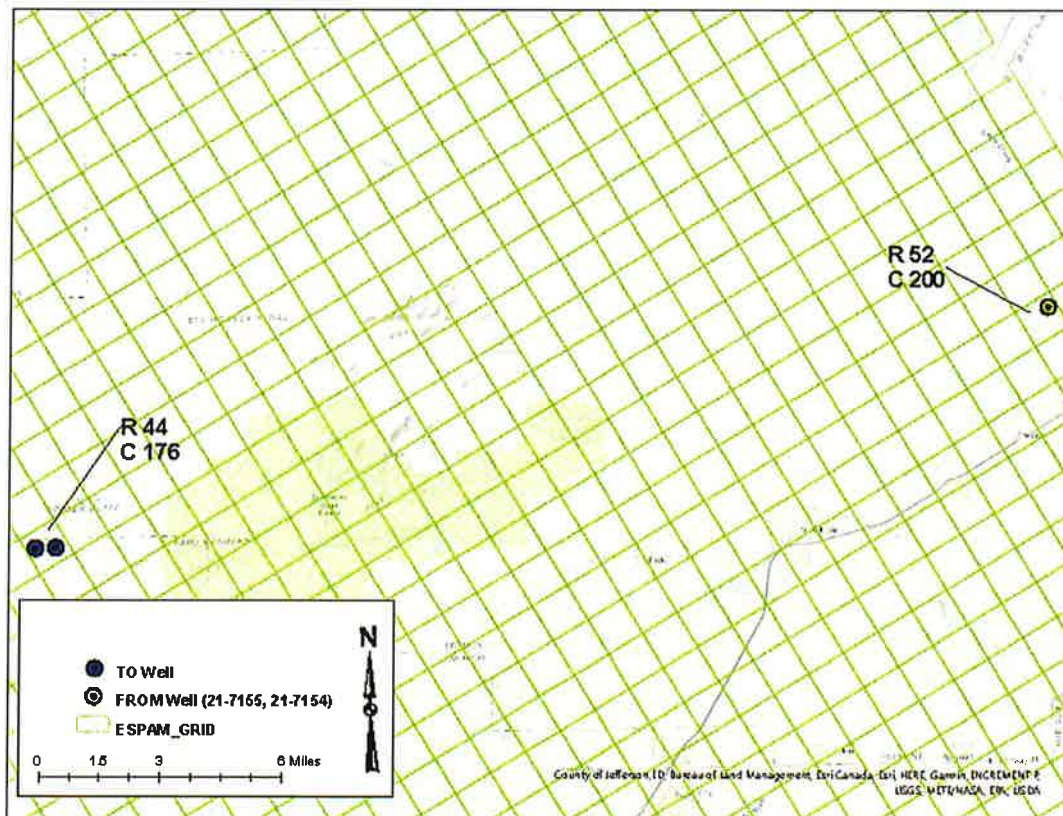
The Applicant requires an additional 16.9 acres at the proposed place of use to irrigate additional acres. This application proposes to rent water from water right nos. 21-7154 and 21-7155 for the 2021-2022 seasons that will cover the acres required.

Data Input Values

The TO Well location is two existing points of diversion for water rights 31-11947, 31-11954, 31-11410, 31-11414, and 31-11428. The model cell is identified as R44 C176.

The FROM Well location is the sole diversion for the proposed rented ground water rights. The model cell is identified as R52 C200. Figure 1 shows the locations of the points of diversion used in the modeling scenario.

Figure 1. ESPA Model Grid



The standard consumptive use volume of 2.5 afa/acre was used to calculate a volume for modeling. Both the TO and the FROM wells share the same standard volume. For 16.9 acres of rental, a total annual volume of 42.25 af, or 14.1 af/trimester was used in the modeling simulation.

Results

Using ESPAM 2.1 to simulate the depletions of transferring 16.9 acres to the proposed place of use, the affects do not exceed the threshold of 2.0 af/trimester. No mitigation is required. Figures 2-4 include excerpts from the model simulation.

Figure 2. Data Entry

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

Cells this color are set up for user entries

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

YEAR: 1978

SEASON: SPRING

TRANSFER NO: 14-0152

TRANSFER NAME: test

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	44	52	75	45
COLUMN	176	200	105	30

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1978	0	14	14	0	0	0	0
SUM 1978	0	14	14	0	0	0	0
WIN 1978	0	14	14	0	0	0	0
WIN 2019	0	14	14	0	0	0	0
SPR 2020	0	14	14	0	0	0	0
SUM 2020	0	14	14	0	0	0	0
WIN 2020	14	0	14	0	0	0	0
SPR 2021	14	0	14	0	0	0	0
SUM 2021	14	0	14	0	0	0	0
WIN 2021	14	0	14	0	0	0	0
SPR 2022	14	0	14	0	0	0	0
SUM 2022	14	0	14	0	0	0	0
WIN 2022	14	0	14	0	0	0	0
SPR 2023	0	14	14	0	0	0	0
SUM 2023	0	14	14	0	0	0	0
WIN 2023	0	14	14	0	0	0	0
SPR 2024	0	14	14	0	0	0	0
SUM 2024	0	14	14	0	0	0	0
WIN 2024	0	14	14	0	0	0	0
SPR 2025	0	14	14	0	0	0	0
SUM 2025	0	14	14	0	0	0	0
WIN 2025	0	14	14	0	0	0	0
SPR 2026	0	14	14	0	0	0	0
SUM 2026	0	14	14	0	0	0	0
WIN 2026	0	14	14	0	0	0	0
SPR 2027	0	14	14	0	0	0	0
SUM 2027	0	14	14	0	0	0	0

Figure 3. Net Transfer Graphs

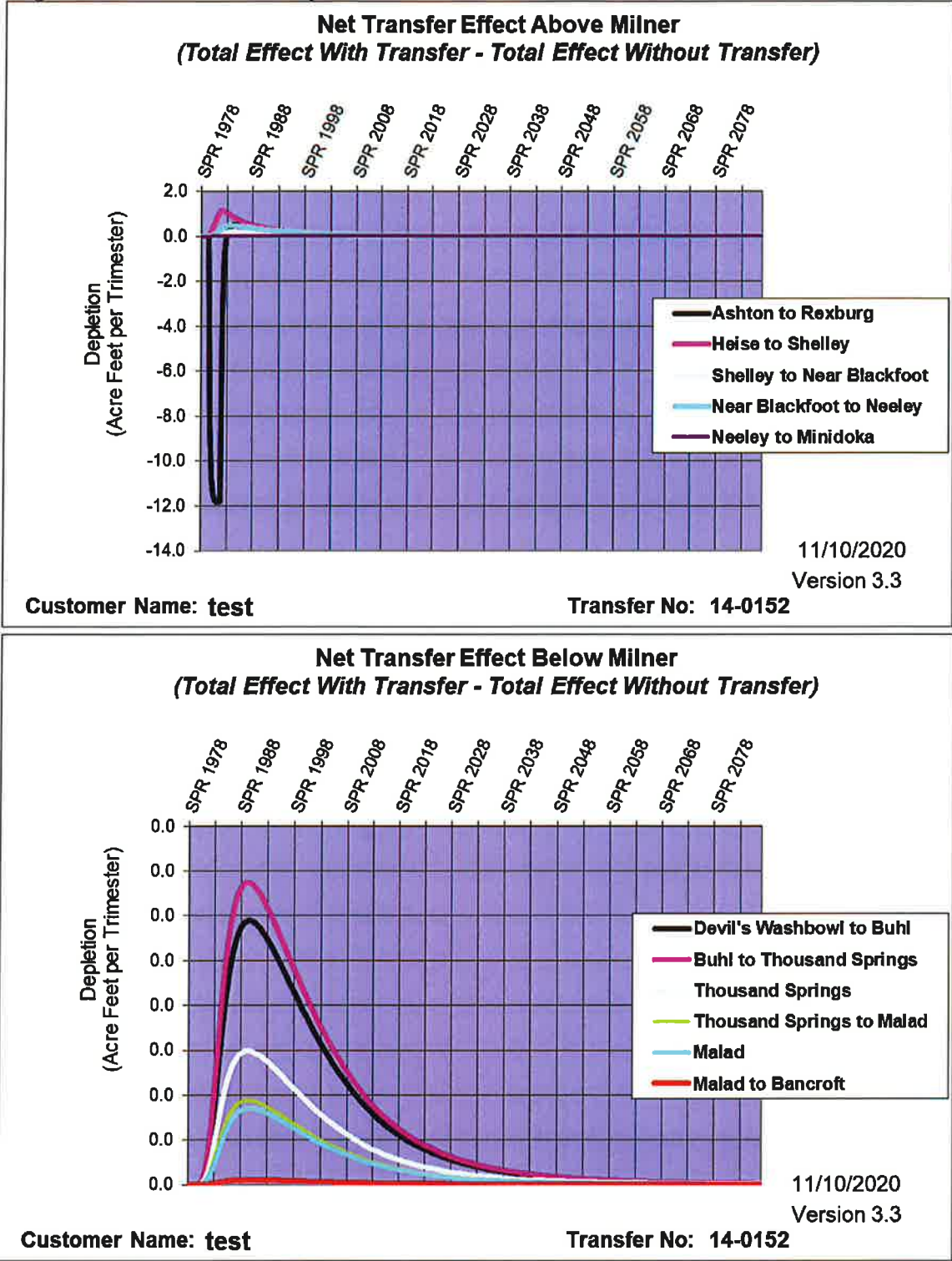


Figure 4. Calculated Affects Beginning Prior to Proposed Rental Period

Net Transfer Effect (AF/four months)											
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft Neelev	Neelev to Minidoka	Dev. Wbl. Buhl	Buhl to Kspr	Kspr Kspr	Kspr to Malad	Malad Malad	Malad to Bancroft
SPR 2019	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	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	-8.4	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	-10.8	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	-11.5	0.5	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	-11.7	0.6	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	-11.8	0.8	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	-11.8	1.0	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	-11.8	1.1	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	-3.4	1.1	0.1	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	-0.9	1.1	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	-0.1	1.1	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	0.2	1.0	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	0.4	1.0	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	0.5	0.9	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	0.5	0.9	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	0.5	0.8	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	0.5	0.8	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	0.5	0.7	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.5	0.7	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.5	0.7	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.5	0.6	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	0.5	0.6	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	0.5	0.6	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2028	0.5	0.6	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2028	0.5	0.5	0.1	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2028	0.4	0.5	0.1	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2029	0.4	0.5	0.1	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2029	0.4	0.5	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2029	0.4	0.4	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2030	0.4	0.4	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2030	0.4	0.4	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2030	0.3	0.4	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2031	0.3	0.4	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2031	0.3	0.3	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: SPR 2021												
Match:	130	Match:	456									
	AIR	HIS	SINB	NBIN	NIM	DWIB	BITS	TS	TSIM	M	MB	Total
Preexisting Effects @ SS (Last Time Step):	13.94	0.09	0.01	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	14.09
dy State - Value of Dep. @ Last Time Step:	13.94	0.09	0.01	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	14.09
s @ Transient State (Max Value Timestep):	13.94	0.09	0.01	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	14.09
nt State - Max. Value of Dep. After Transfer:	14.42	1.22	0.20	0.51	0.00	0.01	0.01	0.00	0.00	0.00	0.00	16.37
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:	0.48	1.13	0.19	0.47	0.00	0.01	0.01	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

January 13, 2021

KIRK S EGBERT
PO BOX 87
TERRETON, ID 83450

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 21-7154 & 21-7155 AGREEMENTS 475 & 476**

Dear Renter:

Please find enclosed a receipt in the amount of **\$1,674.00** and a copy of a fully executed Water Supply Bank Rental Agreement of 59.2 acre-feet of water for irrigation of 16.9 acres for agreement 475 and 24.5 acre-feet of water for irrigation of 7.0 acres for agreement 476. 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 \$1,506.60 of the rental fee will be paid to the lessor(s) and 10% or \$167.40 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. C109800
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
State Water District No. 110
Kristin Moore – Rocky Mountain Environmental



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 30, 2020

KIRK S EGBERT
PO BOX 87
TERRETON, ID 83450

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 21-7154 & 21-7155 AGREEMENTS 475 & 476

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 \$1,184.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 59.2 acre-feet for agreement 475. A rental fee of \$490.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 24.5 acre-feet for agreement 476.

Please send a check for \$1,674.00 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 \$1,506.60 of the rental fee will be paid to the lessor(s) and 10% or \$167.40 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 Veillett

for

Water Supply Bank

Enclosure

c: IDWR Front Desk
Kristin Moore – Rocky Mountain Environmental

MEMORANDUM FOR AGREEMENT # 475

To: Water Right(s) 21-7154, 21-7155
From: Alex Dalglish
Date: 12/29/2020
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: The Department received rental application No. 1814 from Kirk S. Egbert on November 30, 2020. The application proposes renting 0.31 cfs, 59.2 Af and 16.9 acres from groundwater rights 21-7154 and 21-7155 for a two year term (2021 and 2022). The leased rights are in the Bank under Contract No. 826 through 2022. At the proposed place of use, current rental agreement No. 395 and existing irrigation rights 31-11410, 31-11414, 31-11428, 31-11947 and 31-11954 are present.

AUTHORITY TO FILE: Kirk Egbert signed the application. Kristin Moore of Rocky Mountain Environmental Associates Inc. is listed as the consultant for Mr. Egbert. According to Department records, Mr. Egbert owns the property at the proposed rental POU and points of diversion (POD's). There are no concerns with the authority to file the rental application.

WATER RIGHT VALIDITY: Water right 21-7154 was decreed on 2/1/2007 and 21-7155 was decreed on 12/23/2009. Both rights have a priority date of 6/29/1978. Review of past aerial imagery and 2019 Landsat imagery shows no apparent irrigation occurring at the POU for the rights. Department records show that the rental POU was subject to a prior enforcement issues in 2007 and 2008. Both enforcement issues have been resolved. No concerns with the validity of the rights requested to rent.

INJURY TO OTHER WATER RIGHTS: Both the lease and rental POD's are within the ESPA. The application included groundwater modeling, indicating that mitigation was not necessary. Using the most current version of ETRAN, it was verified that no mitigation is necessary. Injury to other water rights through this rental is not apparent.

ENLARGEMENT OF USE: Water rights 31-11410, 31-11414, 31-11428, 31-11947 and 31-11954 (31-11410 et al) provide irrigation on two circular pivots, an eastern and western pivot. This rental proposes to irrigate end guns on the western pivot. Current rental agreement No. 395 is authorized to irrigate the end gun locations on both pivots through 2024. The existing rights at the rental POU have a combined limit, which provides 0.021 cfs/acre and 3.1 AF/acre. Existing rental agreement No. 395 provides 0.021 cfs/acre and 3.1 AF/acre as well. Leased rights 21-7154 and 21-7155 have a combined limits which equal 0.02 cfs/acre and 3.5 Af/acre. The volume/acre and rate/acre amounts requested by this rental are equivalent to the proportionate amounts leased in under rights 21-7154 and 21-7155. Therefore, enlargement should not be a concern.

Beginning in 2005, rights 31-11410, 31-11414 and 31-11428 provide incremental mitigation over the span of 35 years. The other two rights (31-11947 and 31-11954) provide no additional rate or volume but provide an additional 54 acres of irrigation. By my calculation, 2021 would be year 17 of the mitigation schedule, which limits the rights to 3.47 cfs, 535.4 afa and 176 acres. This rental requests a 2 year term, so year 18 of the schedule authorizes 3.53 cfs, 544.4 afa and 179 acres. Based on these figures, the total irrigation allowed under the existing rights, current rental Agreement No. 395 and this rental are:

Year	Rate	Volume	Acres	rate/acre	cfs/acre
2021	3.47	535.4	173.0	0.02	3.1
2022	3.53	544.4	179.0	0.02	3.0
Rental 395	0.36	54.3	18.1	0.02	3.0
This Rental request	0.31	59.2	16.9	0.02	3.5
The Rental Limit	0.31	52.9	16.9	0.02	3.1
2021 Limits	4.14	648.9	208.0	0.02	3.1
2022 Limits	4.2	657.9	214	0.02	3.1

Approval of this rental will provide an additional 16.9 acres worth of irrigation. The application requests to rent a maximum of 59 AF. To avoid enlargement, this rental only be authorized to rent 52.4 AF in order to remain consistent with the volume/acre limitation at the rental POU (52.4AF/16.9 acres= 3.1 AF/acre).

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is subject to Water District # 110 (Mud Lake and Tributaries). On 12/18/2020 comments were requested from WD 110 watermaster Blake Jordan and Eastern Region. Eastern responded on 12/21/2020 with no concerns. If no response was received within 2 weeks from the watermaster, it was presumed there were no concerns.

Dalgleish, Alex

From: Cefalo, James
Sent: Monday, December 21, 2020 8:07 AM
To: Dalgleish, Alex
Subject: RE: Egbert Rental 475

Alex,

I don't have any concerns or comments for the proposed WSB rental.

James

From: Dalgleish, Alex
Sent: Friday, December 18, 2020 4:59 PM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>; Jordan, Blake <Blake.Jordan@idwr.idaho.gov>
Subject: Egbert Rental 475

Gentlemen,

I am seeking comment on the proposed rental of portions of rights 21-7154 and 21-7155 from the Bank for 2021 and 2022. Please see the attachments and respond with any comments or concerns within 14 days, by [1/16/2020](#).

If no response is received within 2 weeks, by January 1st, 2021, I will assume you do not object to this application.

Thank you,

Alex Dalgleish
Water Resource Agent
Phone (208) 287-4913
alex.dalgleish@idwr.idaho.gov