

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 436

RECEIVED
OCT 13 2020
DEPT OF WATER RESOURCES

This is to certify that:

IDAHO DEPARTMENT OF FISH AND GAME
99 HIGHWAY 93 N
SALMON, ID 83467-5292

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)
73-12247	5/1/1900	PAHSIMEROI RIVER	0.40	70.4	20.1	0.02	3.5
Combined Rental Totals			0.40	70.4	20.1	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 2020, whichever occurs last.

Annual Rental Fee:

2020 - 2022: \$140.80 annually

The full fee for the rental of the above-described right(s) is \$140.80 per year for years 2020 - 2022. The rental fee includes an administrative fee of \$140.80 per year for years 2020 - 2022. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 73-12247.

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	0.40	12.3	3.5	0.11	3.5
Combined Total	0.40	12.3	3.5	0.11	3.5

* The authorized water usage reflects a reduction from the water right elements rented, to account for the high diversion rate requested by the renter.

Detailed water right conditions are attached.

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DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 436

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

10-13-20
Date

Jessica Buelow
Printed Name

Regional Fisheries Biologist
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 10/14/20

Rental approved by IDWR 

Date 10/14/20

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 436

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

PAHSIMEROI RIVER	NWNW	Sec. 21, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 21, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NWNE	Sec. 21, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	SWSW	Sec. 22, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 27, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 27, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 27, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 27, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 27, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 27, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 27, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	SWSW	Sec. 16, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 21, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 21, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 21, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 21, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 21, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	NENW	Sec. 21, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	SWSW	Sec. 22, Twp 14N, Rge 22E,	CUSTER County
PAHSIMEROI RIVER	SWSW	Sec. 16, Twp 14N, Rge 22E,	CUSTER County

BENEFICIAL USE

IRRIGATION

DIVERSION RATE

0.40 CFS

VOLUME

12.3 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	
14N	22E	16											0.4						0.4
14N	22E	21		0.4			1.7	2.1											4.2
14N	22E	22											2.0	1.1					3.1
14N	22E	27					2.8												2.8

Total Acres: 10.5

Acre Limit: 3.5

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

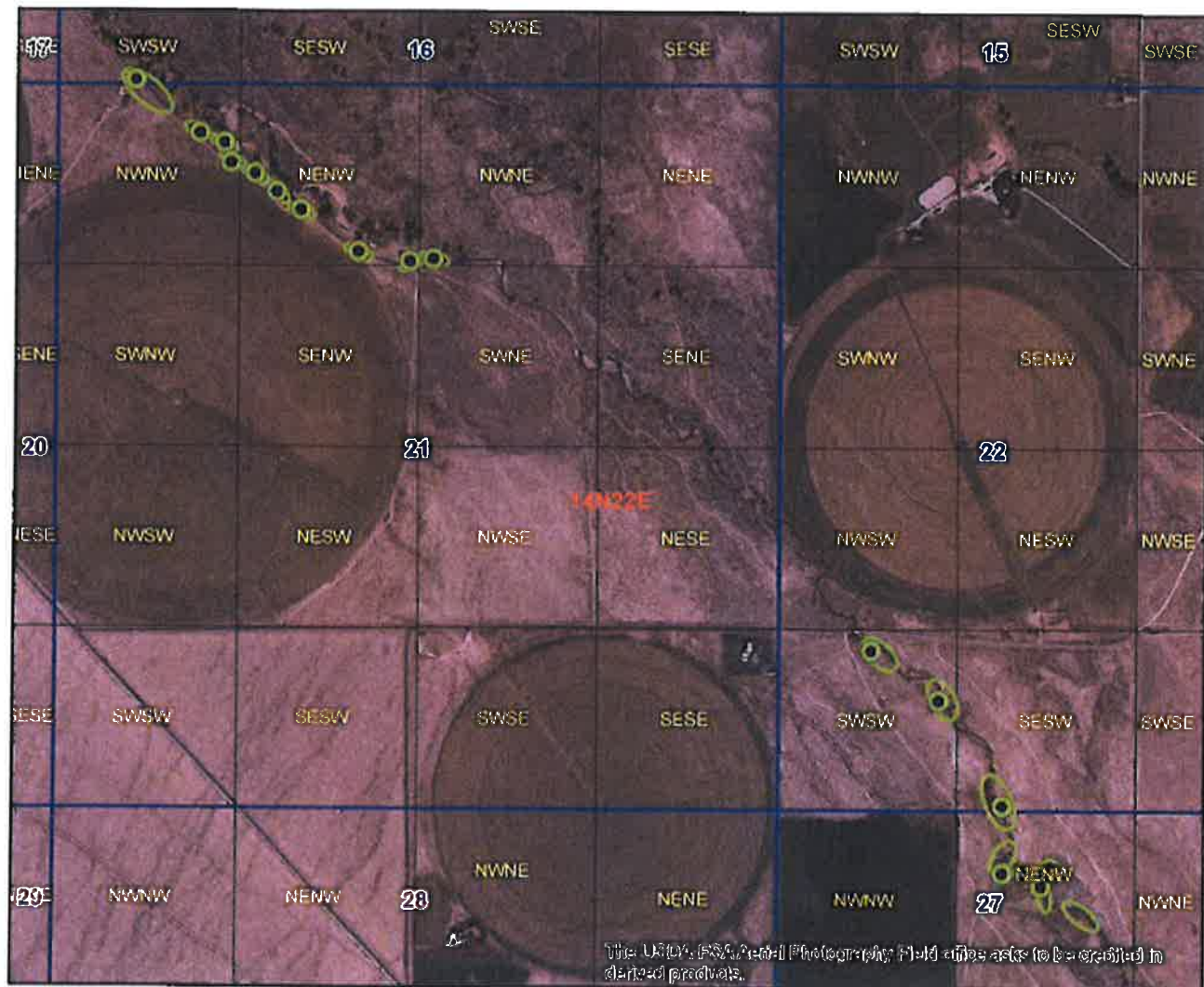
WATER SUPPLY BANK RENTAL AGREEMENT No. 436

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. This rental is limited to the irrigation of 3.5 acres within the authorized place of use in a single irrigation season.
10. This rental when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
11. The sum of the discharge from the pump stations in operation at any given time may not exceed the total authorized rental rate of 0.40 cfs.
12. 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 Districts No. 73 and 170.
13. Prior to diversion of water under this right, the renter shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
14. This rental agreement does not grant any right-of-way or easement across the land of another.
15. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

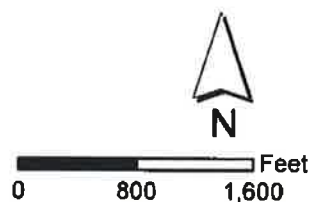
Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 436

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.



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



STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK

RECEIVED

APR 07 2020

DEPARTMENT OF
WATER RESOURCES

Applicant Name: Idaho Department of Fish and Game

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)

73-12247

ask Cindy what is needed

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Idaho Department of Fish and Game

Mailing Address 99 Hwy 93N, Salmon Idaho 83467

Street

City

State

Zip Code

Email Address _____

Phone Number 208-756-2271

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 Jessica Buelow

Professional Title Regional Fisheries Biologist

Organization IDFG

Relationship to Applicant employee

Mailing Address 99 Hwy 93 N, Salmon ID 83467

Email Address jessica.buelow@idfg.idaho.gov

Phone Number 208-690-1604

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**:

Rental is needed to irrigate a habitat restoration project along an approximately 2 mile reach of the Pahsimeroi River. See Attachment 3A for details.

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)
0.4 CFS	12.25 AF	CFS	AF	3.5 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?	
04/01/2020		<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> Process application as soon as possible	<input type="checkbox"/> 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):

A series of up to 17 gas-powered pumps and 9-pod K-line sprinkler units, plus one pump and a handline with 20 sprinklers, will run at intervals to irrigate revegetated areas. See Attachment 3A for more details.

- 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 3.5 (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.

Excessive rate of flow is requested in order that irrigation may occur on a compressed schedule, approximately 3 times weekly. Only 3 pumps will be running at any given time.

- 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:

None

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)
73-12247	Irrigation	1.59		80		0.40	70	20
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	0.40	70	20
						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**:

We understand that additional acres and volume must be rented under this right in order to authorize the excessive rate of flow required for compressed irrigation scheduling.

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:

- 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:

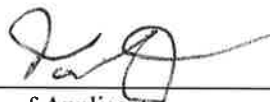
- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒
If yes, describe the date and location of the NOV.

D. Additional Information

Rental right holder (Big Creek Ranch) has agreed to waive rental fees from applicant. Applicant should be charged only the administrative fee.

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

Tom Coret
Printed Name of Applicant

4/3/20
Date


Signature of Representative

Jessica Buelow
Printed Name of Representative

4/3/20
Date

Mail to:

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

STATE OF IDAHO
WATER RESOURCE BOARD

Water Modeling Requirement Information Sheet

Information on water modeling requirements for rental requests within special administrative areas

Important information on requesting rental water within special administrative areas: Refer to the information below to determine whether the modeling of potential impacts from your rental request is necessary. Use Section 4 of the rental application to identify selected water rights. **If you submit an application to rent water from within a special administrative area and water modeling is required, your rental request will be returned if water modeling is not provided.**

Water modeling may be required when an application to rent water involves one of two scenarios:

Scenario 1: The rental request proposes to divert water from a regulated water source and/or within a special administrative area AND the distance between the rental point(s) of diversion (POD) and the POD(s) for the leased water right(s) is greater than the administratively established, acceptable distance.

Regulated water sources may areas include:

- A. Ground water resources within the modeled area of the Eastern Snake Plain Aquifer (ESPA) and tributary aquifers;
- B. Ground water within Ground Water Management Areas (GWMAs) or Critical Ground Water Areas (CGWAs);
- C. Water resources within other specified administrative areas, as established by the Idaho Water Resource Board (IWRB) or the Idaho Department of Water Resources.

The distance between any rental POD(s) and the POD(s) for a leased water right to be rented is important. On the ESPA, distance is measured in terms of model cells that cover an area of one square mile. Ground water modeling is not required if lease POD(s) and rental POD(s) are located within the same model cell or within adjacent model cells. If the lease and rental PODs are separated by more than one model cell groundwater modeling must be completed using the IDWR ESPA Transfer Tool and modeling results must be submitted with the rental application. ESPA modeling tools can be accessed and freely downloaded from IDWR's website by visiting: www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.

Ground water modeling may be required within GWMAs, CGWAs or other regulated administrative areas. Applicants who desire to rent water within an established GWMA, CGWA or other regulated administrative area should consult IDWR's website before submitting their application to review the current status of administrative orders related to regulated administrative areas. Consult www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated_areas.htm for information on GWMAs or CGWAs, visit <https://idwr.maps.arcgis.com/home/> to use mapping tools to find other regulated areas.

Applicants interested in renting water within a GWMA, CGWA or other regulated administrative areas should request water rights that have been leased into the Bank from within the same administrative area. Generally, the Bank will not permit a rental of water within a regulated administrative area if the leased water rights are not located within that same administrative area.

Scenario 2: A rental request proposes to divert water from a different but hydraulically connected water source.

Modeling situations may include:

- A. Rental requests that propose to divert surface water rights via ground water POD(s) (wells); and
- B. Rental requests that propose to divert ground water from one aquifer when the right being rented authorizes the diversion of ground water from a hydraulically connected, tributary aquifer.

Rental requests that propose to divert surface water rights from ground water points of diversion may be considered if ground water modeling establishes that the surface and ground water resources are directly and immediately hydraulically connected. An acceptable hydraulic connection occurs when at least 50 percent of the total depletions from a well are detectable from the original water source within a 24 hour period. The existing (leased) POD and proposed (rental) POD must be proximate such that diversion and use of water from the proposed POD would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original POD.

Requests to rent ground water across tributary aquifer sources may be considered if ground water modeling is provided to demonstrate that two aquifers are hydraulically connected and the anticipated impacts of diverting ground water from one source through the other is modeled accordingly.

For more information about rental application requirements, contact IDWR at (208) 287-4800.

Ident. No. 73-12247 rental

IDFG Pehsimeroi WSB application - Acreage Calculations

irrigated area under 9-~~20~~ ^{Sprinkler} ~~line~~ k-line
with 40' throw, 30% overlap

area under single sprinkler $\pi r^2 = \pi(20)^2 = 1256 \text{ ft}^2$

area under 9 sprinklers $1256 \text{ ft}^2 \times 9 = 11,309 \text{ ft}^2$

area reduced for overlap $11,309 \times .70 = 7916 \text{ ft}^2$
 $= 0.18 \text{ ac}$

area under 20 Sprinkler headline

with 50' throw, 50% overlap

area under single sprinkler $\pi r^2 = \pi(25)^2 = 1963.5 \text{ ft}^2$

area under 20 sprinklers $1963.5 \times 20 = 39,269.9 \text{ ft}^2$

area reduced for overlap $39,269.9 \times 0.5 = 19,635 \text{ ft}^2$
 $= 0.45 \text{ ac}$

Total area Page

9 k-lines, 1 HL

$$(9 \times 0.18) + .45 = 2.07$$

3.51 ac

Total area IDL

8 k-lines

$$(8 \times 0.18) = 1.44$$

IDFG Pensimeroi WSB Application - total rental requirements

System capacity -

Each pump to K-line unit 45 gpm

Pump to headline 90 gpm

Max 3 pumps running at any time. maximum instantaneous is Headline + 2 K-lines

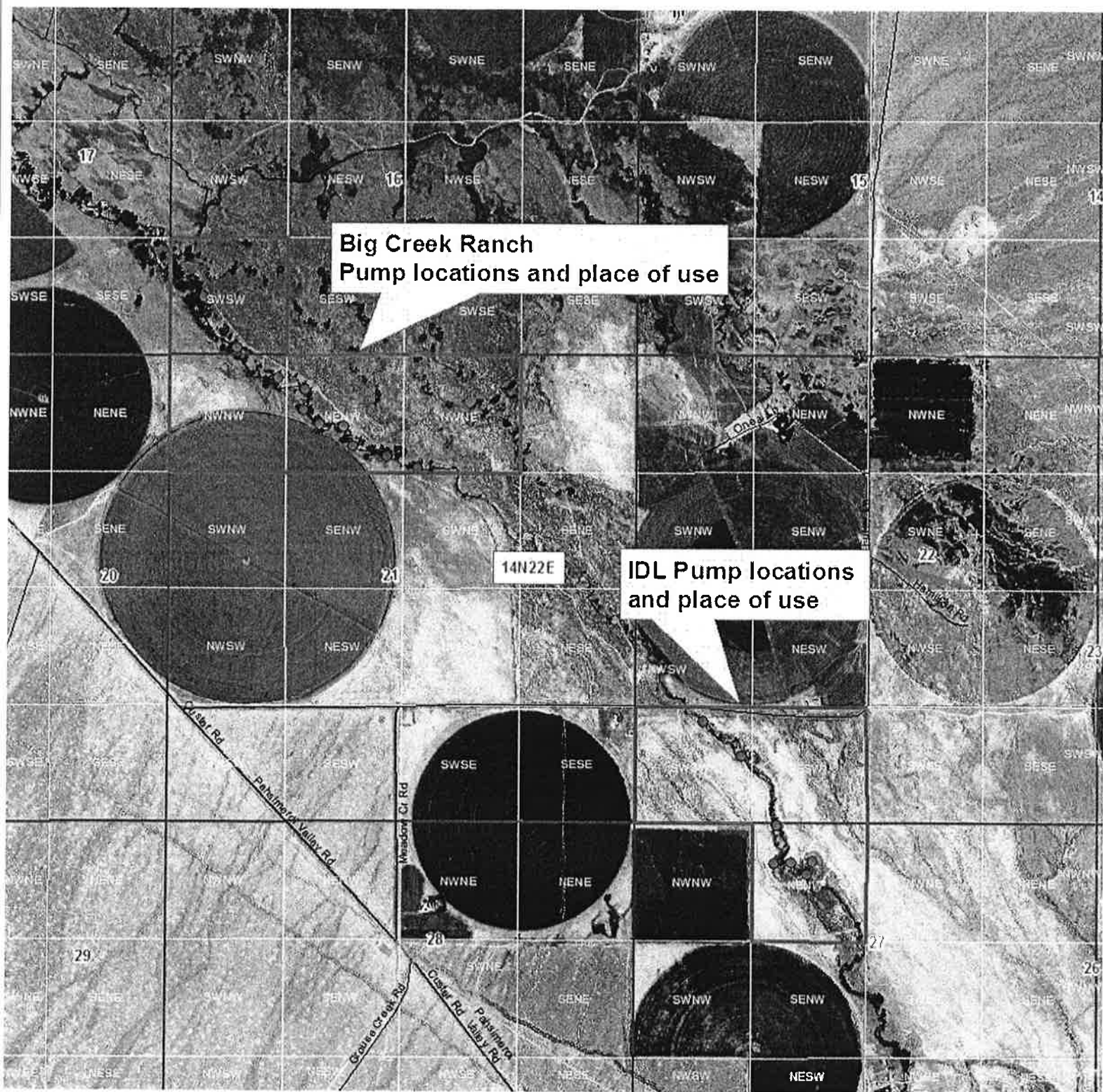
$$90 + 45 + 45 = 180 \text{ gpm} \quad \boxed{0.4 \text{ cfs}}$$

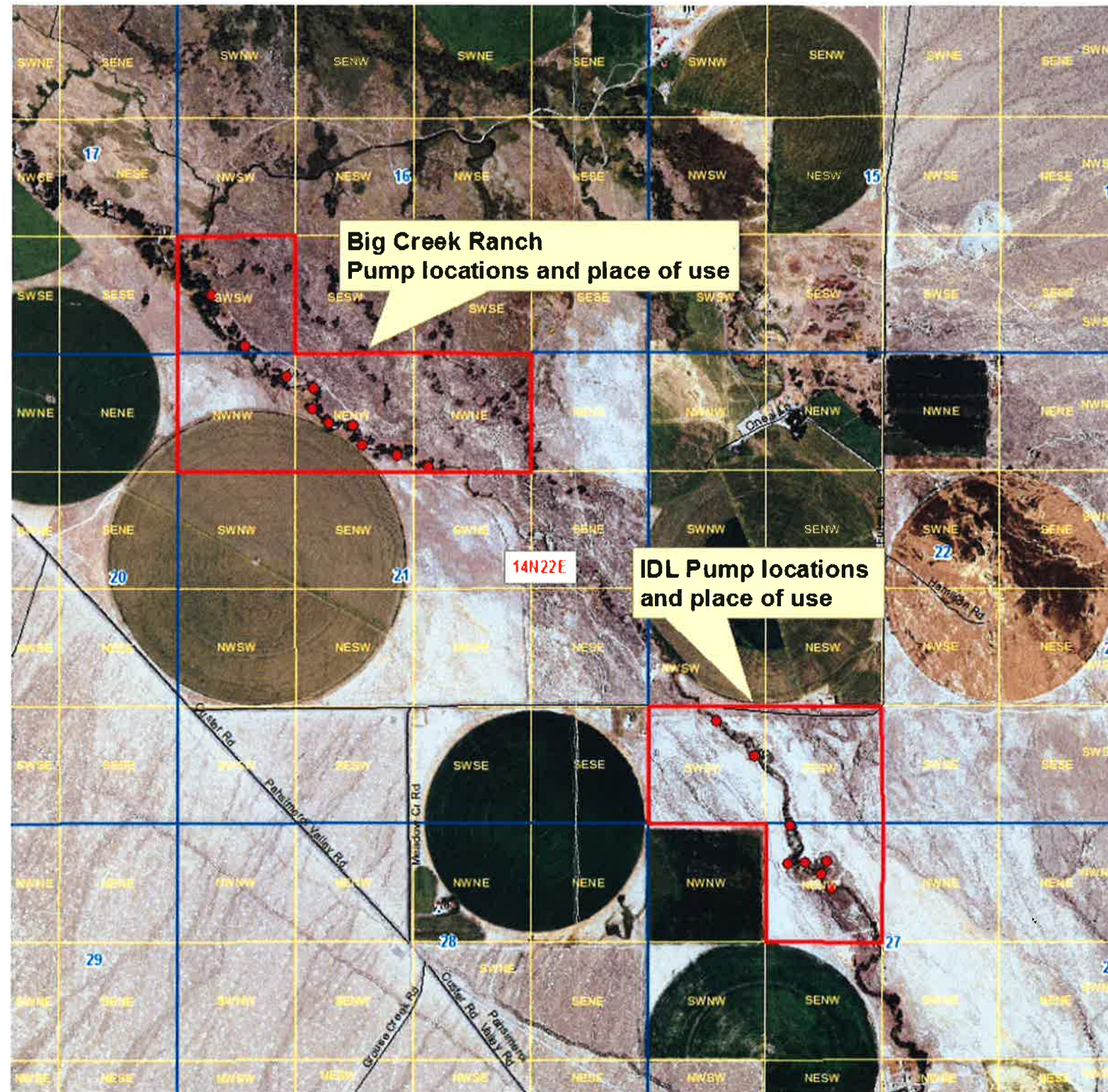
Total project acreage 3.5 AC

$$\text{Max project volume required} = 3.5 \text{ AC} \times 3.5 \text{ AFA} = \boxed{12.25 \text{ AF}}$$

Rental required for excessive flow rate:

$$\frac{(0.4 \text{ cfs})}{\text{required DIV rate}} \div \left(\frac{.0198}{.02} \text{ cfs/ac} \right) \text{ W.R. rate} = \boxed{20.2 \text{ ac}}$$







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

October 14, 2020

IDAHO DEPARTMENT OF FISH AND GAME
99 HIGHWAY 93 N
SALMON, ID 83467-5292

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 73-12247, AGREEMENT 436**

Dear Renter:

Please find enclosed a receipt in the amount of \$140.80 and a copy of a fully executed Water Supply Bank Rental Agreement of 70.4 acre-feet of water for irrigation of 3.5 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.

A rental fee of **\$140.80** was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 70.4 acre-feet. Since you have a private agreement with the lessor **you are only obligated to pay the 10% administrative fee or \$140.80.**

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: Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
State Water District No. 73



RECEIVED
OCT 13 2020
DEPT OF WATER RESOURCES
DEPT OF WATER RESOURCES

IDAHO DEPARTMENT OF FISH AND GAME

SALMON REGION
99 Highway 93 North
Salmon, Idaho 83467

Brad Little / Governor
Ed Schriever / Director

October 13, 2020

Idaho Department of Water Resources
322 E Front Street, Suite 648
PO Box 83720
Boise, ID 83720-0098

Re: Pahsimeroi River Water Rental Payment

Please initiate the Interagency Billing Process for the fee of \$140.80 for the water Rental of water right 73-12247 in the Pahsimeroi River. When processing this application, use PCA 38741 and ABC code C1NX. Please send the billing documents to IDFG Headquarters Office, Attention Accounts Payable, P.O. Box 25, Boise, ID 83707.

This is a time sensitive matter and if billing could occur ASAP, I would appreciate it. For convenience, I included the signed water rental agreement.

Please call Jessica Buelow at (208) 756-2271 if you would like to visit the project site or have any questions.

Thank you in advance for your response to this project.

Sincerely,

Jessica Buelow
Regional Fisheries Biologist – Idaho Department of Fish and Game



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

September 30, 2020

IDAHO DEPARTMENT OF FISH AND GAME
99 HIGHWAY 93 N
SALMON, ID 83467-5292

**RE: REQUEST FOR RETURN OF SIGNED RENTAL AGREEMENT 436 AND PAYMENT
FOR WATER RIGHT(S) 73-12247**

*****TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

The Department of Water Resources ("Department") mailed a **Water Supply Bank Rental Agreement ("Agreement")** for your review and signature on July 23, 2020. The signed agreement and rental fee has not been returned to the Department.

Please sign the rental agreement and return it with the rental payment in the amount of \$140.80 within ten (10) days of this letter to complete processing. Diversion and use of the water right(s) is not authorized under the proposed agreement until it has been signed by both the renter and the Department. Any use associated with your proposed rental request before it has been executed is considered unauthorized and, if occurring, will be subject to any necessary enforcement action.

If the signed rental agreement and fee is not received by the department within the 10-day period, the rental application will be returned, and the proposed rental right(s) made available for other rental applicants. You can reapply to rent water from the Bank again in the future by submitting a new rental application form that will be processed in turn with other pending applications.

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 287-4800.

Sincerely,

Amanda Johnson Veibell

for
Water Supply Bank



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

July 23, 2020

IDAHO DEPARTMENT OF FISH AND GAME
99 HIGHWAY 93 N
SALMON, ID 83467-5292

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 73-12247, AGREEMENT 436

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 **\$140.80** was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 70.4 acre-feet. Since you have a private agreement with the lessor **you are only obligated to pay the 10% administrative fee or \$140.80.** An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for \$140.80 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

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

Sincerely,


f Water Supply Bank

Enclosure(s)

c: IDWR Front Desk

Memorandum

To: Water Right 73-12247

From: Justin Ferguson

Date: April 23, 2020

Re: Water Supply Bank Rental Application 1693

Purpose/Narrative: An application was received by the Department April 8, 2020 on behalf of the Idaho Department of Fish and Game requesting a rental along the Pahsimeroi River. The application, similar to a prior application on the Lemhi, proposes to use portable pumps to irrigate land adjacent to the river for habitat restoration.

Authority to File: The application was signed by Mr. Tom Cuét and prepared by Jessica Buelow for Fish and Game. Review of the Fish and Game FY 2019 Director's report indicates Mr. Cuét is the regional supervisor for the Salmon Office. No concerns at this time.

Water Right Validity/Forfeiture Evaluation: The water right being used to facilitate this rental is currently leased to the Bank and available for rent. No concerns of validity at this time.

Injury Evaluation: During the application review all points of diversion were identified between the proposed rental place of use and the historic place of use so that possibly injury based on the movement of the water right could be evaluated. It was determined that there were only two points of diversion that identify the Pahsimeroi as the source between the historic and proposed places of use.

The first of the two points provides a point of diversion of a water right for stockwater use. The right is held by the United States and allows for diversion rates on 0.02 cfs and 13,000 gallons. Based on the minimum stream flow data at the Idaho Power fish hatchery, the 0.02 cfs and 0.04 af could be met.

The second point of diversion is shared between the water right being used to facilitate the rental, 73-12247, and water rights held by Mr. Roy Hoffman, numbers 73-190 and 73-2A. During the review it was determined that, as the point of diversion location is shared between the rights, no injury would occur. Water may be used simultaneously under water rights held by both parties and, even though they both share a spatial location from which to divert, are not required to be used in a coordinated fashion. This was a result of an ownership change and water right split, taking a portion of 73-190 which was sold to Big Creek Ranch and creating water right 73-12247.

Because the rights share this same location it can be inferred that the total amount of water, under all the water rights, is diverted to both parties without causing injury. As such, the amount that would be diverted under 73-12247 can be moved upstream to the rental place of use without causing a reduction to the overall stream flow that would not otherwise be experienced by Mr. Hoffman.

Enlargement of Use: Based on the information provided, the overall diversion rate and rate per acre will be substantially higher than normal as the irrigation schedule is being compressed into fewer days per week. As such, more volume and acreage will be rented to the applicant such that they can use a 0.4 cfs across 3.5 acres without enlargement.

It is of note that the specific acreage could not be identified by the applicant as the irrigation will be determined by the riparian activity. In lieu of outlining the actual area, general irrigation zones were

identified with an acre limit of 3.5 acres within the 10.5 acres identified. The watermaster for the area will be contacted in regards to conditions on the approval document allowing for the most efficient administration possible. No concerns at this time.

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: Watermaster and IDWR Eastern Region comments were requested.

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

Hersley, Jean

From: Yenter, Cindy
Sent: Thursday, April 23, 2020 2:34 PM
To: Ferguson, Justin
Subject: RE: WSB Rental - Idaho Fish and Game

Hi Justin, I've been working with Jessica on this one and glad she finally got everything in to you. Yes, the Pah is part of my area and I'll be there this summer.. This is a continuation of a stream rehab project that was formerly authorized with temporary approvals. WD73 and 170 are the jurisdictional areas.

The conditions from the Lemhi rental will also work well here. The pumps will be running on a rotation and I'll try and go measure them at some point. No locks or flow meters required.

Thanks!!

*Cindy Yenter
Watermaster, Water District 170
IDWR Salmon Field Office
102 S Warpath, Salmon ID 83467
cindy.yenter@idwr.idaho.gov
208-742-0655
208-731-0901 cell*

From: Ferguson, Justin
Sent: Thursday, April 23, 2020 2:23 PM
To: Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>
Subject: WSB Rental - Idaho Fish and Game

Afternoon!

We received a rental and wanted to touch base, Idaho Fish and Game has requested the use of portable pumps along the Pahsimeroi for habitat restoration. The application looks really similar to the Transportation Department application we had worked on a while back, are there any conditions that we can add to the agreement that would help you out? I was going to add the same ones we used for the rental along the Lemhi but wanted to check in and see if you were over that way often enough or if we want them to install a measurement device that locks instead.

Thank you!

Justin Ferguson
Water Supply Bank Specialist
Idaho Department of Water Resources
322 East Front Street, Boise, ID, 83720
T: (208) 287-4936 | Justin.Ferguson@IDWR.Idaho.gov

Hersley, Jean

From: Ferguson, Justin
Sent: Monday, April 13, 2020 8:36 AM
To: 'Buelow, Jessica'
Cc: Yenter, Cindy
Subject: RE: Water Supply Bank Rental - Pahsimeroi River Restoration
Attachments: Rental Map ITD Lemhi River Project.pdf

Morning!

Sorry I wasn't able to get back to you on Friday, I am going to add that color version of the map to the application package. We do still need a map outlining the specific acreage intended to be irrigated. We can use this map to outline the specific areas the points of diversion are intended to be located however, we do still need an idea of the specific acreage that you intended to irrigate.

I've attached a draft example of an application we are working on for the Transportation Department illustrating both the point of diversion locations and the intended places of use.

-----Original Message-----

From: Buelow, Jessica [mailto:jessica.buelow@idfg.idaho.gov]
Sent: Friday, April 10, 2020 2:33 PM
To: Ferguson, Justin <Justin.Ferguson@idwr.idaho.gov>
Cc: Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>
Subject: RE: Water Supply Bank Rental - Pahsimeroi River Restoration

the map we provided showed up a bit better than the copy you have. They were highlighted in color and was on an 11 by 17. if you need something else, let me know

From: Ferguson, Justin [Justin.Ferguson@idwr.idaho.gov]
Sent: Friday, April 10, 2020 1:14 PM
To: Buelow, Jessica
Cc: Yenter, Cindy
Subject: RE: Water Supply Bank Rental - Pahsimeroi River Restoration

We did receive a map of where the proposed pump locations were but need an outline of the specific areas each pump is intended to cover. I grabbed a copy of the paperwork we received in case something was missing, I can email our reception desk and make sure everything was scanned in together quick just in case.

-----Original Message-----

From: Buelow, Jessica [mailto:jessica.buelow@idfg.idaho.gov]
Sent: Friday, April 10, 2020 1:06 PM
To: Ferguson, Justin <Justin.Ferguson@idwr.idaho.gov>
Cc: Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>
Subject: Re: Water Supply Bank Rental - Pahsimeroi River Restoration

Hi Justin,

I can work on getting a map together, but I thought there was one included in the application packet. Are you looking for something more?

Sent from my iPhone

On Apr 10, 2020, at 12:35 PM, Ferguson, Justin <Justin.Ferguson@idwr.idaho.gov> wrote:

Afternoon!

We have started the preliminary review of the application submitted for the restoration project along the Pahsimeroi and wanted to touch base, are you able to send over the outlines places of use for each of the portable pumps? As part of the rental process we have to identify the specific acres being irrigated, if you are able to provide an approximate area that should work perfect! We didn't want to attempt to outline them without contacting you in case we had the incorrect shape/areas being restored.

Justin Ferguson
Water Supply Bank Specialist
Idaho Department of Water Resources
322 East Front Street, Boise, ID, 83720
T: (208) 287-4936 | Justin.Ferguson@IDWR.Idaho.gov