STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 30 2020
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 395

This is to certify that:

KIRK 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)
21-7089	5/13/1976	GROUND WATER	0.50	87.6	25.0	0.02	3.5
21-12952	6/1/1977	GROUND WATER	0.16	28.3	8.1	0.02	3.5
Combined Rental Totals			**0.50**	**116**	**33.1**	**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, 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 2020, whichever occurs last.

Annual Rental Fee:

2020 - 2022: $2,318.00 annually
2023 - 2024: $2,665.70 annually

The full fee for the rental of the above-described right(s) is $2,318.00 per year for years 2020 - 2022 and $2,665.70 per year for years 2023 - 2024. The rental fee includes an administrative fee of $231.80 per year for years 2020 - 2022 and $266.57 per year for years 2023 - 2024.

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

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.50	103	33.1	0.015	3.1
Combined Total	0.50	103	33.1	0.015	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. 395

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 _____ Date 6/19/20

Printed Name Kirk Egbert Title President

*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 _____ Date 7-6-20
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date 7-6-20

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 395

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L2(NWNW)	Sec. 2,	Twp 07N, Rge 37E,	JEFFERSON County
GROUND WATER	L4(NWNW)	Sec. 1,	Twp 07N, Rge 37E,	JEFFERSON County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	0.50 CFS	103 AF

SEASON OF USE

From	To
4/01	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	1					5.4 L3	7 L4	5.4	3									20.8
07N	37E	2	3 L1	5 L2		4.3													12.3

Total Acres: 33.1

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. 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.
10. Use of water under this water right may be regulated by the watermaster of State Water District No. 110.

11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

12. Prior to the diversion and use of water under this rental agreement, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

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.

14. The period of use for the irrigation described in this approval under water right 21-7089 may be extended to a beginning date of 04/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 05/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.

15. Right 21-12952 is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

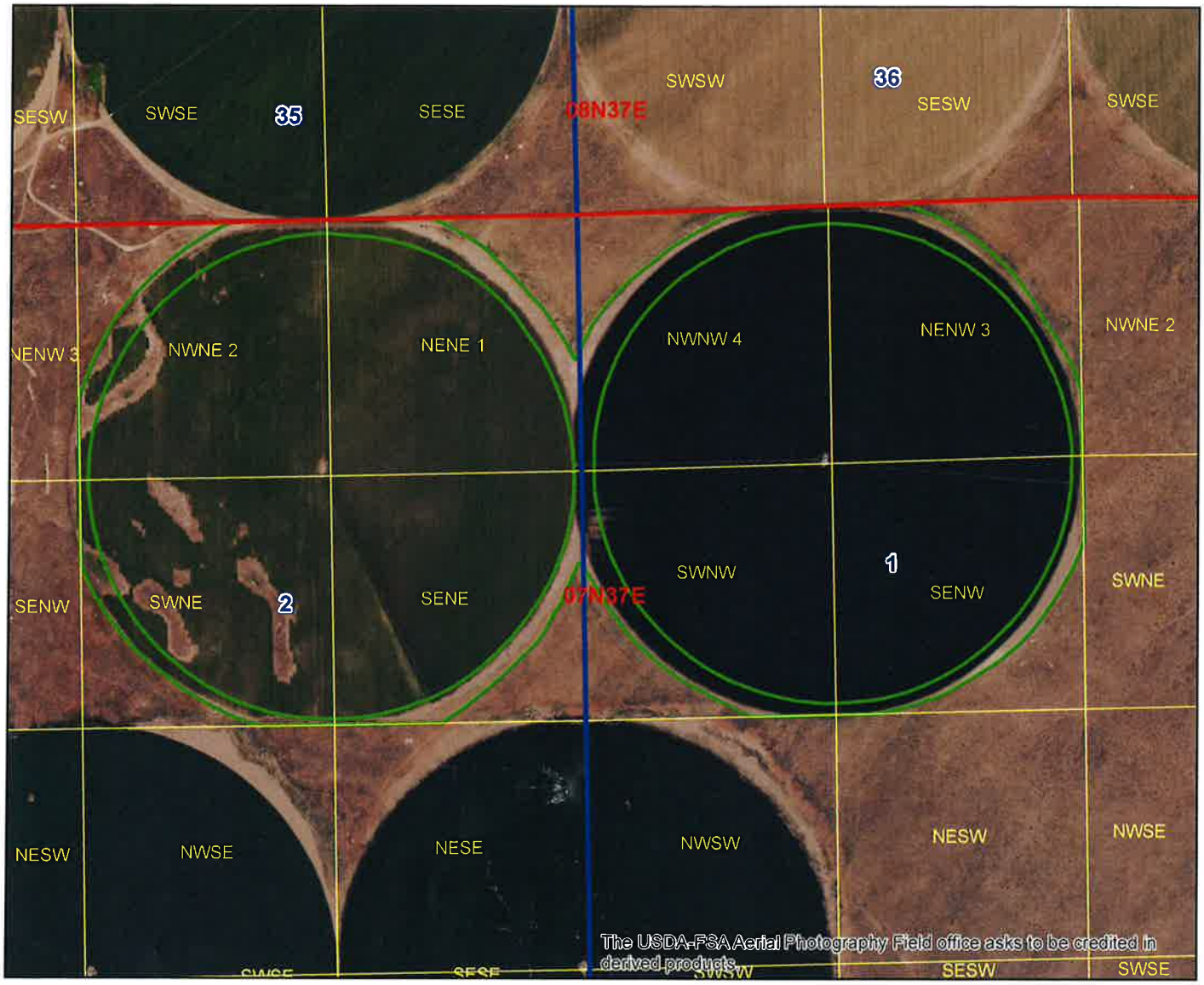
16. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 395

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

N

0 1,000 2,000 Feet

Form 42-1761-2 10/15

RECEIVED
DEC 30 2015
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
WATER RESOURCE BOARD

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

Applicant Name: Kirk 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)
21-7089
21-12952

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Kirk Egbert

Mailing Address PO Box 87 (Street) Terreton (City) ID (State) 83450 (Zip Code)

Email Address _____ Phone Number _____

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☑ No ☐

If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Kristin Moore Professional Title Senior Water Rights Analyst

Organization Rocky Mountain Environmental Assoc. Inc Relationship to Applicant consultant

Mailing Address 482 Constitution Way Ste 303, Idaho Falls, ID 83402

Email Address kristin.rmea@gmail.com Phone Number 208-524-2353

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

Applicant requires additional rental water to cover existing pivots with endguns. The mitigation plan for the appurtenant water rights allows gradual increase in irrigation until the full rights are available in 2035. Existing and rental rights are insufficient for the proposed irrigation in 2020-2024.

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)
0.5 CFS	115.9 AF	0.5 CFS	85 AF	33.1 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?	
		☐ 1	☐ 2	☐ 3	☐ 4	☑ 5	☑ Process application as soon as possible	☐ Return application to applicant
4/15/2020	6/01/2020							

* ***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 that will be utilized upon approval of this rental.

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	Ground Water	31-11410, 31-11414, 31-11428,
and NWNE Sec, T8N 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 33.1 (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)
21-7089	Irrigation	1.92	336	96		0.5	87.6	25
21-12952	Irrigation	0.6	107	31		0.16	28.3	8.1
		1.92	443	127		0.5	115.9	33.1
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	0.5	115.9	33.1
						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.*

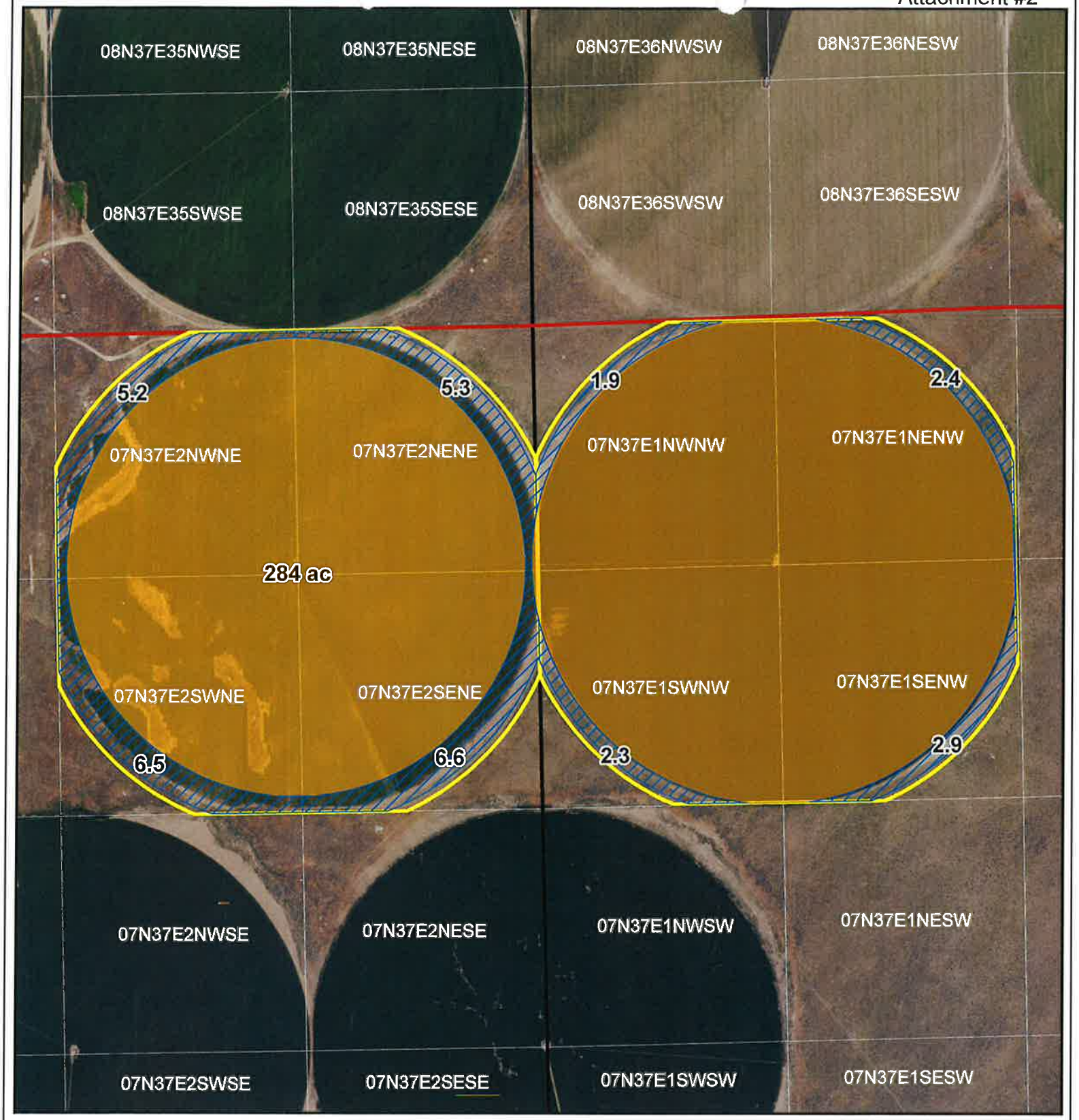
B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. 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**:

Attachment #2



0 650 1,300 2,600 Feet

2017 Aerial Photography

Legend

- WSB Rental Acres
- Rental No 174 & Existing WR 2020
- Existing Water Right POU
- Twp & Rng
- Section
- QQ

N W E S

WSB Rental Location

Kirk Egbert

RMEA #14-0152

by: KM

Date: 12/17/2019

Rocky Mountain ENVIRONMENTAL ASSOCIATES, INC.

Eastern Snake Plain Aquifer Modeling Analysis and Narrative

WSB Rental Application for WR#21-7089 and 21-12952

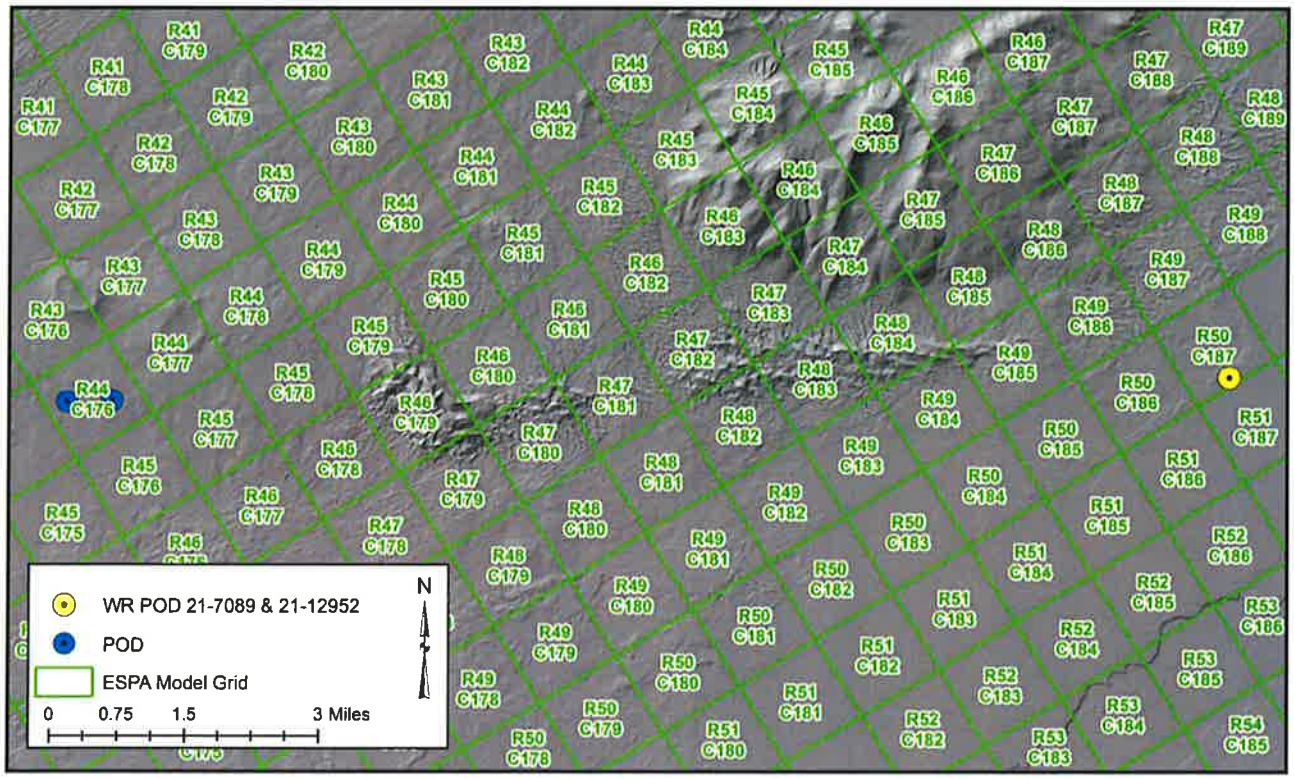
The Applicant requires an additional 33.1 acres at the proposed place of use to irrigate additional acres. This application proposes to rent water from water right nos. 21-7089 and 21-12952 for the 2020-2024 seasons that will cover the acres required. These rights are being offered to the Bank under a companion application.

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 water rights. The model cell is identified as R50 C187. 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 33.1 acres of rental, a total annual volume of 82.75 af, or 27.6 af/trimester was used in the modeling simulation.

Results

Using ESPAM 2.1 to simulate the depletions of transferring 33.1 acres to the proposed place of use, the affects do not exceed the threshold of 2.0 af/trimester. No mitigation is required. Figures 2-3 include excerpts from the model simulation.

Figure 2. Data Entry

ENHANCED GROUND-WATER RIGHTS TRAN

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

Cells this color are set up for user entries

UPDATE DATES | RUN MODEL | GET OUTPUT

CALCULATE EFFECTS

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

YEAR: 1976

SEASON: SPRING

TRANSFER NO: 21-7089 & 21-129

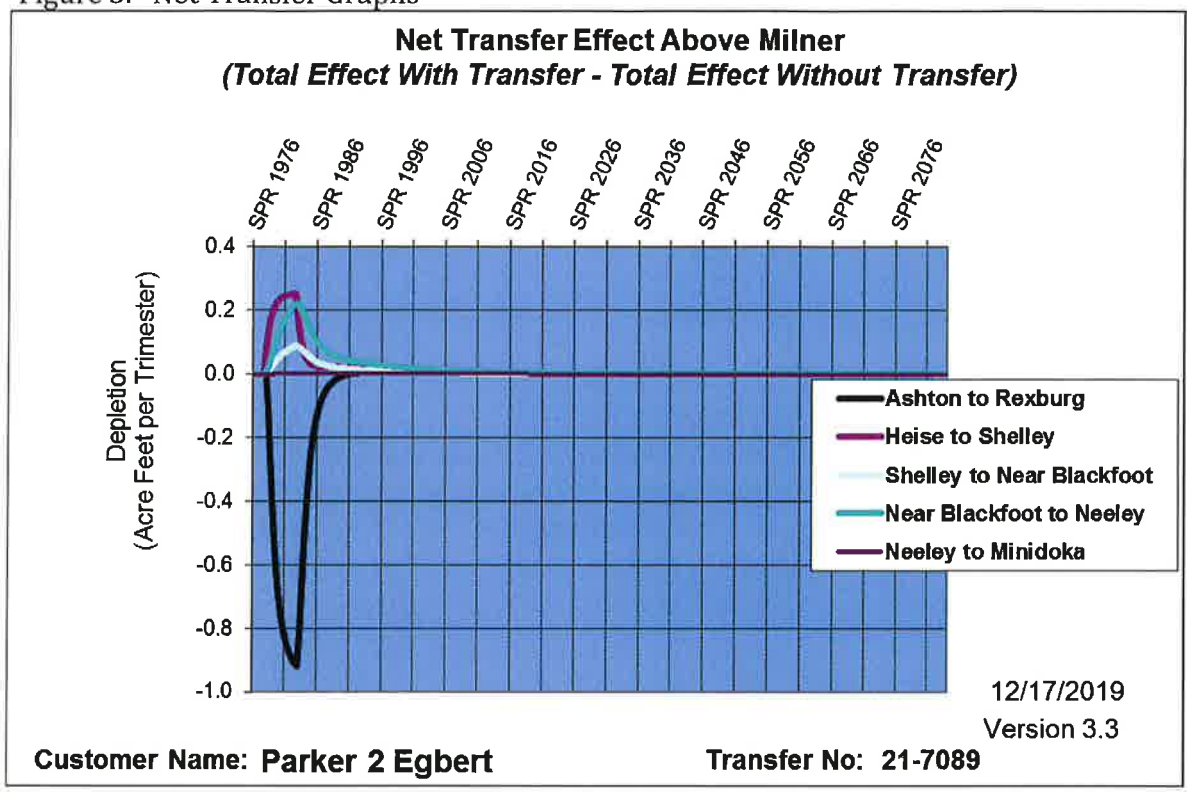
TRANSFER NAME: Parker 2 Egbert

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	44	50	27	45
COLUMN	176	187	157	30

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use	With Transfer	Without Transfer	With Transfer	Without Transfer	With Transfer	Without Transfer
	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER
SPR 1976	0	28	28	0	0	0	0
SUM 1976	0	28	28	0	0	0	0
WIN 1976	0	28	28	0	0	0	0
SPR 2019	0	28	28	0	0	0	0
SUM 2019	0	28	28	0	0	0	0
WIN 2019	0	28	28	0	0	0	0
SPR 2020	28	0	28	0	0	0	0
SUM 2020	28	0	28	0	0	0	0
WIN 2020	28	0	28	0	0	0	0
SPR 2021	28	0	28	0	0	0	0
SUM 2021	28	0	28	0	0	0	0
WIN 2021	28	0	28	0	0	0	0
SPR 2022	28	0	28	0	0	0	0
SUM 2022	28	0	28	0	0	0	0
WIN 2022	28	0	28	0	0	0	0
SPR 2023	28	0	28	0	0	0	0
SUM 2023	28	0	28	0	0	0	0
WIN 2023	28	0	28	0	0	0	0
SPR 2024	28	0	28	0	0	0	0
SUM 2024	28	0	28	0	0	0	0
WIN 2024	28	0	28	0	0	0	0
SPR 2025	0	28	28	0	0	0	0
SUM 2025	0	28	28	0	0	0	0
WIN 2025	0	28	28	0	0	0	0
SPR 2026	0	28	28	0	0	0	0
SUM 2026	0	28	28	0	0	0	0
WIN 2026	0	28	28	0	0	0	0
SPR 2027	0	28	28	0	0	0	0
SUM 2027	0	28	28	0	0	0	0
WIN 2027	0	28	28	0	0	0	0
SPR 2028	0	28	28	0	0	0	0
SUM 2028	0	28	28	0	0	0	0
WIN 2028	0	28	28	0	0	0	0
SPR 2029	0	28	28	0	0	0	0
SUM 2029	0	28	28	0	0	0	0

Figure 3. Net Transfer Graphs



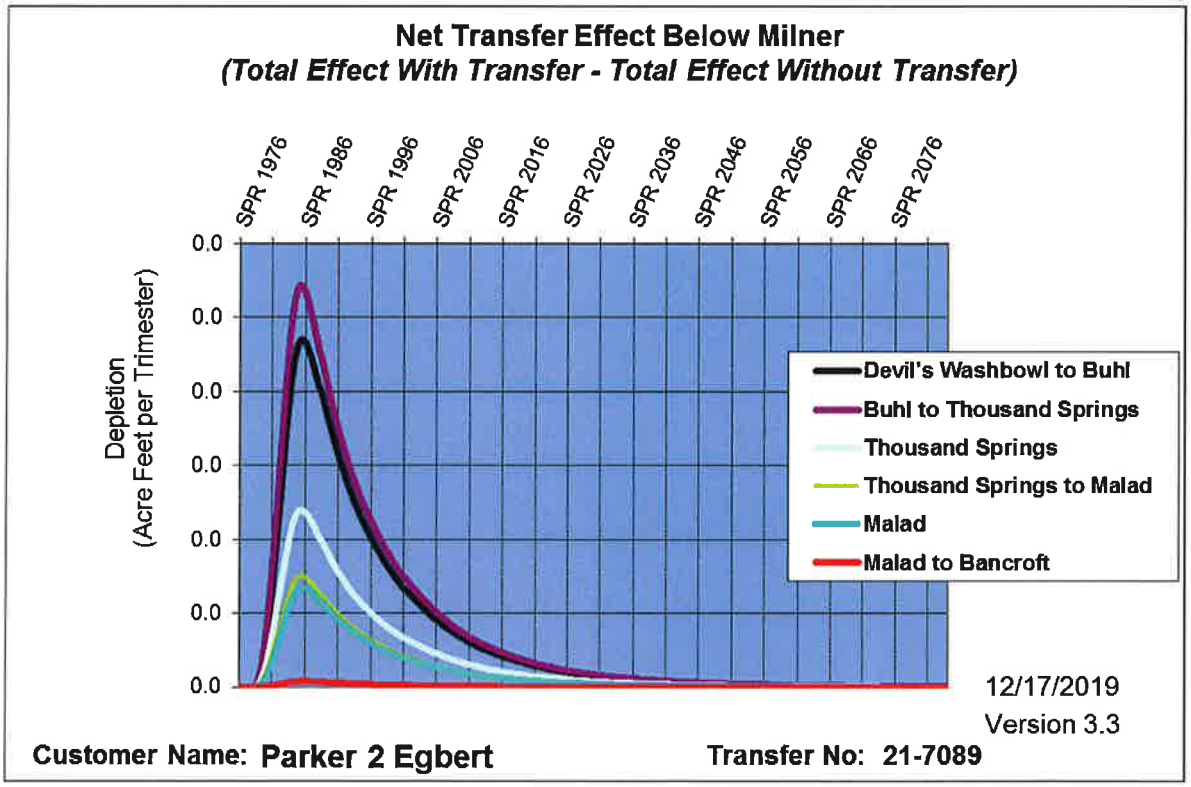


Figure 4. Calculated Affects Beginning Prior to Proposed Rental Period

	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft T Neeley	Neeley to Minidoka	Dev. Wbl. Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
SPR 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	-0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	-0.3	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	-0.4	0.2	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	-0.5	0.2	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	-0.6	0.2	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	-0.7	0.2	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	-0.7	0.2	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	-0.8	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	-0.8	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	-0.9	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	-0.9	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	-0.9	0.3	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	-0.9	0.3	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	-0.9	0.3	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	-0.9	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	-0.8	0.1	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	-0.7	0.1	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	-0.5	0.1	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	-0.4	0.0	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	-0.3	0.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	-0.3	0.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	-0.2	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	-0.2	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: SPR 1976

Match: 1 Match: 456

	AtR	HtS	StNB	NBtN	NtM	DWtB	BtTS	TS	TStM	M	MtB	Total	
Preexisting Effects @ SS (Last Time Step):	10.41	8.64	2.23	5.81	0.03	0.11	0.13	0.06	0.04	0.03	0.00	27.49	Total Effec
ıdy State - Value of Dep. @ Last Time Step:	10.41	8.64	2.23	5.81	0.03	0.11	0.13	0.06	0.04	0.03	0.00	27.49	Total Effec
ls @ Transient State (Max Value Timestep):	10.41	8.64	2.23	5.81	0.03	0.11	0.13	0.06	0.04	0.03	0.00	27.49	Total Effec
nt State - Max. Value of Dep. After Transfer:	10.41	8.76	2.25	5.84	0.03	0.11	0.13	0.06	0.04	0.03	0.00	27.66	Total Effec
Steady State Change:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	0.00	0.12	0.02	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

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 rental agreement no. 174. 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
	Kirk Eghert	12/21/19

Signature of Representative	Printed Name of Representative	Date

Mail to:

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

State of Idaho
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 6, 2020

KIRK EGBERT
PO BOX 87
TERRETON, ID 83450

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 21-7089, 21-12952, AGREEMENT 395

Dear Renter:

Please find enclosed a receipt in the amount of **$2,318.00** and a copy of a fully executed Water Supply Bank Rental Agreement of 116 acre-feet of water for irrigation of 33.1 acres. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or $2,086.20 of the rental fee will be paid to the lessor(s) and 10% or $231.80 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 Schuza - Verbell
Water Supply Bank

Enclosures: Receipt No. C108983
Rental Agreement (copy)

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

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098
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BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 30, 2020

KIRK EGBERT
PO BOX 87
TERRETON, ID 83450

RE: REQUEST FOR RETURN OF SIGNED RENTAL AGREEMENT 395 AND PAYMENT FOR WATER RIGHT(S) 21-7089, 21-12952

*****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 June 16, 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 $2,318.00 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-Vitek

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

June 16, 2020

KIRK EGBERT
PO BOX 87
TERRETON, ID 83450

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 21-7089, 21-12952, AGREEMENT 395

*****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 $2,318.00 was calculated based on the current rental rate of $20.00 per acre-foot times a diversion volume of 116 acre-feet.

Please send a check for $2,318.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement**, **within 14 days** so I can complete processing.

Pursuant to the Water Supply Bank Rules, 90% or $2,086.20 of the rental fee will be paid to the lessor(s) and 10% or $231.80 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 Vaibu

for Water Supply Bank

Enclosure

c: IDWR Front Desk
Kristin Moore – Rocky Mountain Environmental Assoc.

Memorandum

To: Water Rights 21-7089 & 21-12952

From: Justin Ferguson

Date: February 6, 2020

Re: Water Supply Bank Rental Application 1584

Purpose/Narrative: An application was received from Mr. Egbert December 30, 2019 requesting a rental of water rights held by Charlotte Parker for a full five year duration. Mr. Egbert intends to use the rental, similar to his other application (no. 1583) to use the end guns attached to his pivot system. While there are rights appurtenant to the area that will be used in conjunction with this rental, there is a 35 year mitigation schedule restricting the use of the full water right.

Authority to File: The applications were submitted for Mr. Egbert by his representative, Kristin Moore of Rocky Mountain Environmental. Review of Jefferson County parcel data indicates Mr. Egbert is the current land owner. No concerns at this time.

Water Right Validity/Forfeiture Evaluation: The water rights Mr. Egbert has requested are held by Charlotte Parker and are currently leased to the Bank. No concerns at this time.

Injury Evaluation: Modeling was provided to determine the impact to the ESPA through this rental. The modeling was verified using the most current version of the ETRAN and no mitigation is required at this time.

Enlargement of Use: The rental water will be used for the end guns of Mr. Egbert's pivot system for acreage not covered by his other water rights. Because the rights associated with his pivot are limited to 0.021 and 3.1 af per acre additional water will be rented such that they can be adjusted up to the same values. Specifically, a rental of 0.5 cfs and 115.9 af for the irrigation of 33.1 acres will authorize 0.5 cfs and 75 af for the irrigation of 25 acres at the rental place of use.

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 February 24, 2020

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

Ferguson, Justin

From: Ferguson, Justin
Sent: Monday, February 24, 2020 3:18 PM
To: Cefalo, James; Jordan, Blake; 'Shentonwd31@mudlake.net'
Subject: WSB Rental Agreements - Kirk Egbert
Attachments: Rental Review Memo.docx; Draft Rental Agreement Egbert.docx; Rental Map Egbert 21-7089 & 21-12952.pdf; Rental Review Memo.docx; Draft Rental Agreement Egbert.docx; Rental Map Egbert 21-7089 & 21-12952.pdf

Afternoon!

Attached are the draft rental agreements, maps, and review memos for Kirk Egbert. Please let me know if you have any comments or concerns, IDWR will assume you do not object to this application if a timely response is not received

Thank you!