

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 378

This is to certify that:

PAUL GUNDERSON
1555 E 1500 N
HAMER, ID 83425

RECEIVED

MAR 02 2020

DEPARTMENT OF
WATER RESOURCES

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
35-7720	4/22/1979	GROUND WATER	1.18	236.0	59.0	0.02	4.0
1-7017	3/14/1978	SNAKE RIVER	1.00	236.0	59.0	0.02	4.0
Combined Limit Totals			2.17	236.0	59.0	0.02	4.0
Combined Rental Totals			2.17	472.0	118.0	0.02	4.0

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2020. 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.

SUPPORT DATA

Annual Rental Fee:

2020: \$4,720.00

IN FILE # 1-7017

The full fee for the rental of the above-described right(s) is \$4,720.00 for 2020. The rental fee includes an administrative fee of \$472.00 for 2020.

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	0.96	207	59.0	0.016	3.5
Combined Total	0.96	207	59.0	0.016	3.5

** The authorized water usage reflects a reduction from the water right elements rented, to account for the per-acre, combined limited diversion rate associated with water rights 31-11688, 31-11689, 31-11604, 31-7338, 31-12314 and 31-11228.*

Detailed water right conditions are attached.

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


Signature of Renter

2/25/20
Date

PAUL GUNDERSON
Printed Name

Title

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

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

By 
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 3/16/2020

Rental approved by IDWR 

Date 3/16/2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 378

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW Sec. 25, Twp 07N, Rge 35E, JEFFERSON County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.96 CFS

VOLUME
207 AF

SEASON OF USE

Water Right No. **From** **To**
35-7020 4/1 10/31
1-7017

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	35E	26	0.5		0.5	33										25			59

Total Acres: 59

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. Prior to the diversion and use of water under this approval, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
10. Upon specific notification of the Department, the renter shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion, in accordance with Department specifications.

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11. The rental of water rights 1-7017 and 35-7720 are limited to the irrigation of 59.0 acres in a single irrigation season.
12. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
13. Use of water under this rental will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this rental is within State Water District 110.
14. 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 the irrigation of the place of use.
15. The following water rights are also diverted through the point of diversion described above: 31-11688, 31-11689, 31-11604, 31-7338 and 31-12314.
16. Pursuant to Idaho Code § 42-1412(6), the water rights rented on this agreement are 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. 378

Effective until December 31, 2020

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



-  Water Supply Bank Rental POD
-  Water Supply Bank Rental POU
-  Township/Range
-  Sections
-  QQ



0 1,000 Feet

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

RECEIVED

NOV 13 2019

DEPARTMENT OF
WATER RESOURCESApplicant Name: Paul Gunderson

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)

35-2924

1403

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Paul Gunderson

Mailing Address 1555 E 1500 N Hamer ID 83425
Street City State Zip Code
 Email Address _____ Phone Number 208-663-4412

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 Sen. Water Right Analyst
 Organization Rocky Mtn Environmental Assoc. 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**:

This application is for a small pivot and additional lands within a large pivot that are not covered by an existing water right. The small pivot will require 33.5 acres of water right. The remaining 25.5 acres will be applied to the northwest corner of a large pivot in the NWSE of Section 26, T7N R35E.

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)
1.18 CFS	206.5 AF	1.0 CFS	177 AF	59 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?	
4/1/2020	6/1/2020	☒ 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):

Wells with pumps deliver water to mainlines, which convey water to center pivots.

- 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
T7N R35E SEC 25 NWSW	Ground Water	31-11604, 31-11688, 31-11689, 31-7338

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 59 (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:

Some of the rental POU is covered by the PPU of WR #s 31-11689, 31-11604, 31-11689, 31-12314, which is limited in irrigable acres. Rental increases irrigable acres under the large pivot. WR #31-11228 overlaps the small pivot with 2 acres. The remaining 33.5 acres are covered by proposed rental.

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)
35-2924	Irrigation	1.11	241	NA		1.09	235.8	59
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	1.09	235.8	59
						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**:

Yes. IDWR memo indicates water right is fully consumptive. Applied IDWR's proportions to rental application.

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:
Rented water right 35-2924 and 21-7154 and 21-7155 in 2019. No permanent water right has been found
available to transfer to this property.

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

If yes, describe:

Yes ☐ No ☒

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV?

Yes ☐ No ☒

If yes, describe the date and location of the NOV.

- D. Additional Information

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.


Signature of Applicant

Paul Gunderson
Printed Name of Applicant

10/28/19
Date

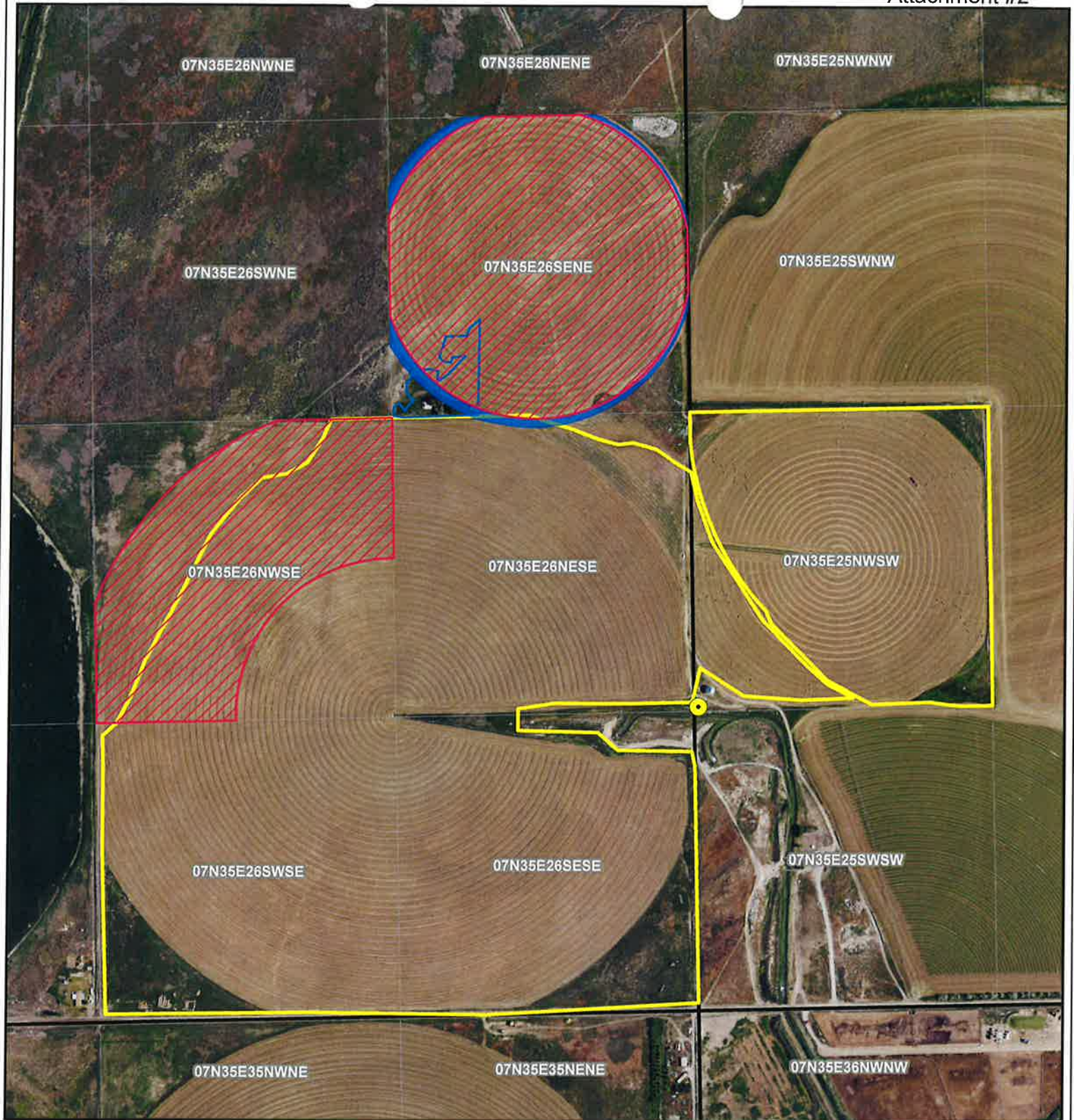
Signature of Representative

Printed Name of Representative

Date

Mail to:

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

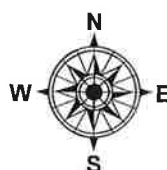


0 550 1,100 2,200 Feet

2017 Aerial Photography

Legend

- Proposed POD
- WSB Acres
- WRPOU 31-11228
- WRPOU 31-11228 Actual
- Existing WR POU
- TR
- TRS
- QQ



WSB Rental Application

Paul Gunderson

RMEA #12-0166

by: KM

Date: 11/4/2019



Eastern Snake Plain Aquifer Modeling Analysis

The Applicant requires an additional 59 acres at the proposed place of use to irrigate acres under existing pivot and another small pivot. Water Right 35-2924 is proposed to be leased to the Water Supply Bank in a lease/rental package with this application for the 2020 irrigation season. It is proposed to rent an equivalent of 59 acres of this commercial water right for the purposes of irrigation at the proposed place of use for one year. The water right has been evaluated by IDWR and assigned a volume of 4 af/acre.

Using the ESPA Transfer Spreadsheet 3.3 to simulate the depletions of transferring 59 acres at a consumptive volume of 3.0 af/acre (determined from the water right place of use), the affects do not exceed the threshold of 2.0 af/trimester. No mitigation is required.

Figures 1-3 include excerpts from the ESPAM 2.1 simulation.

Figure 1. Data Entry

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

Cells this color are set up for user entries

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

TRANSFER NO: 35-2924

YEAR: 1965

SEASON: SUMMER

TRANSFER NAME: Gunderson

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	42	61	27	45
COLUMN	163	164	157	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
SUM 1965	0	59	59	0	0	0	0
WIN 1965	0	59	59	0	0	0	0
SPR 1966	0	59	59	0	0	0	0
SUM 1966	0	59	59	0	0	0	0
WIN 1966	0	59	59	0	0	0	0
SPR 1967	0	59	59	0	0	0	0
SUM 1967	0	59	59	0	0	0	0
WIN 1967	0	59	59	0	0	0	0
SPR 2019	0	59	59	0	0	0	0
SUM 2019	0	59	59	0	0	0	0
WIN 2019	0	59	59	0	0	0	0
SPR 2020	59	0	59	0	0	0	0
SUM 2020	59	0	59	0	0	0	0
WIN 2020	59	0	59	0	0	0	0
SPR 2021	0	59	59	0	0	0	0
SUM 2021	0	59	59	0	0	0	0
WIN 2021	0	59	59	0	0	0	0
SPR 2022	0	59	59	0	0	0	0
SUM 2114	0	59	59	0	0	0	0
WIN 2114	0	59	59	0	0	0	0
SPR 2115	0	59	59	0	0	0	0

Figure 2. Net Transfer Graphs

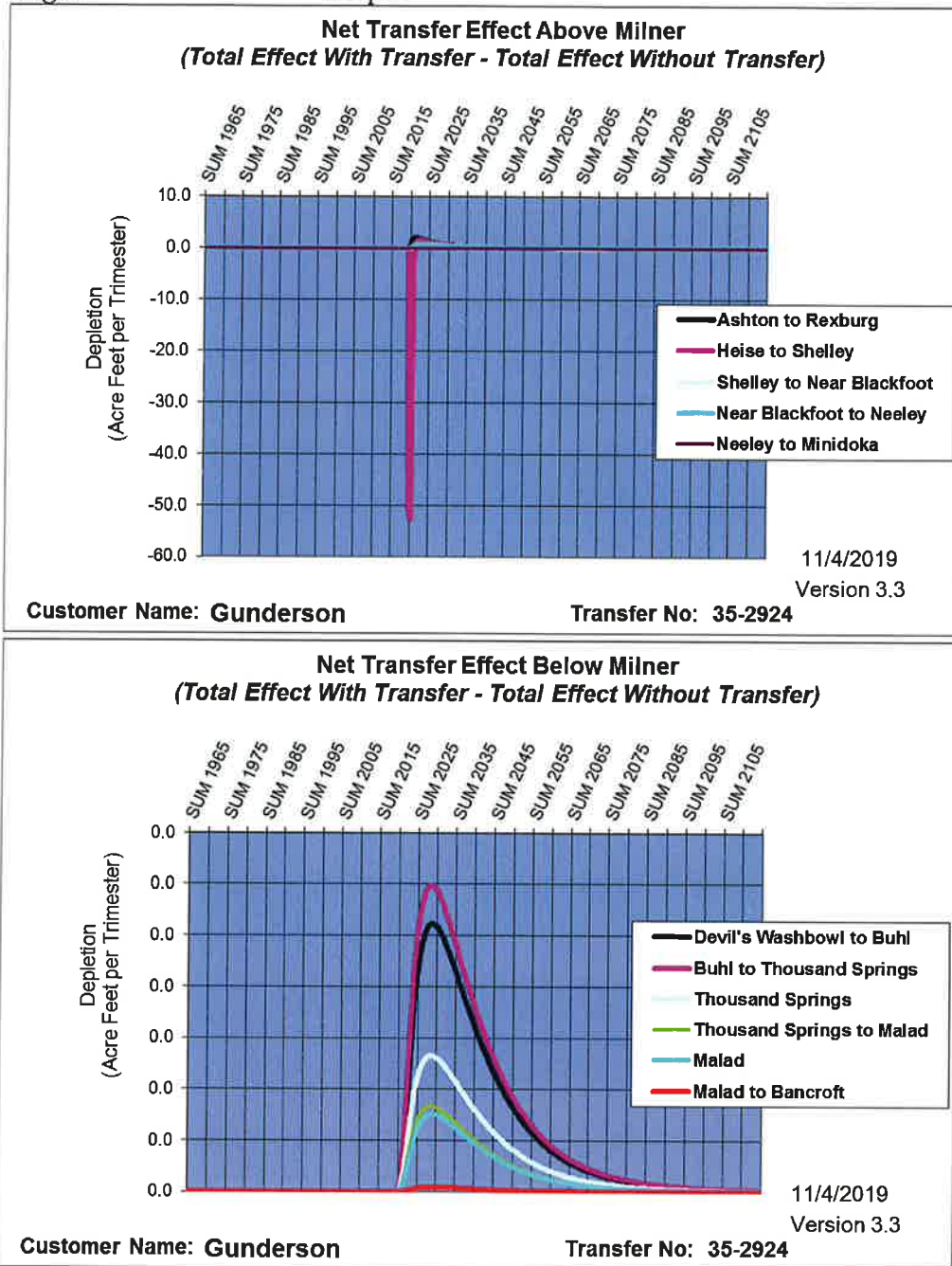


Figure 3. Calculated Affects.

	AtR	HS	StNB	NBtN	NtM	DWtB	BtTS	TS	TSIM	M	MtB	Total	
Preexisting Effects @ SS (Last Time Step):	0.18	55.57	1.02	2.08	0.01	0.04	0.04	0.02	0.01	0.01	0.00	58.99	Total Effect
Steady State - Value of Dep. @ Last Time Step:	0.18	55.57	1.02	2.09	0.01	0.04	0.04	0.02	0.01	0.01	0.00	59.00	Total Effect
Effects @ Transient State (Max Value Time Step):	0.18	55.57	1.02	2.08	0.01	0.04	0.04	0.02	0.01	0.01	0.00	58.99	Total Effect
Transient State - Max. Value of Dep. After Transfer:	2.16	57.12	1.34	2.93	0.02	0.05	0.06	0.02	0.02	0.01	0.00	63.74	Total Effect
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:	1.98	1.55	0.33	0.85	0.00	0.01	0.01	0.01	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

March 17, 2020

PAUL GUNDERSON
1555 E 1500 N
HAMER, ID 83425

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 35-7720, 1-7017 AGREEMENT 378**

Dear Renter:

Please find enclosed a receipt in the amount of **\$4,720.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 472.0 acre-feet of water for irrigation of 118 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 \$4,248.00 of the rental fee will be paid to the lessor(s) and 10% or \$472.00 will be retained by the Department to offset administrative costs.

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

Sincerely,

Water Supply Bank

Enclosures: Receipt No. C108371
Rental Agreement (copy)

c: James Cefalo – IDWR Eastern Regional
Blake Jordan – Jefferson Clark Ground Water District
Kristin Moore – Rocky Mountain Environmental



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 20, 2020

PAUL GUNDERSON
1555 E 1500 N
HAMER, ID 83425

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 35-7720, 1-7017, AGREEMENT 378**

*****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.

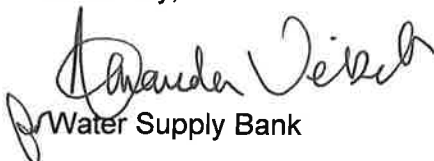
A rental fee of \$4,720.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 236 acre-feet.

Please send a check for \$4,720.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

Pursuant to the Water Supply Bank Rules, 90% or \$4248.00 of the rental fee will be paid to the lessor(s) and 10% or \$472.00 will be retained by the Department to offset administrative costs.

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

Sincerely,



Paul Gunderson
Water Supply Bank

Enclosure

c: IDWR Front Desk
Kristin Moore – Rocky Mountain Environmental

Memorandum

To: Water Supply Bank Rental Application 1483

From: Remington Buyer

Date: February 7, 2020

Re: Rental Application for Paul Gunderson

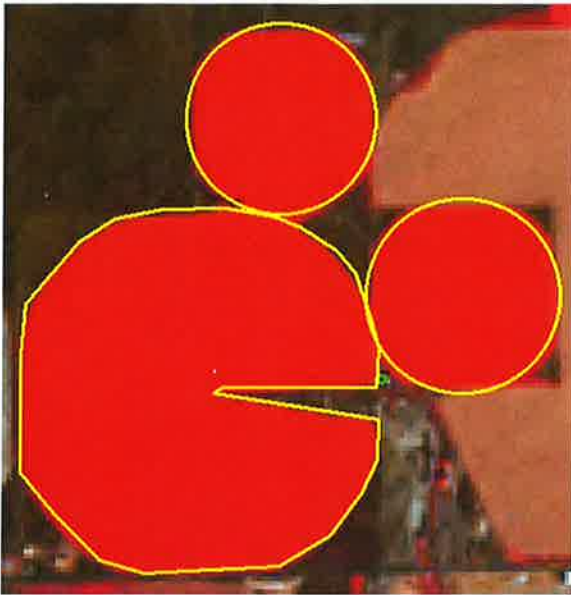
Purpose/Narrative: A rental application was received November 13, 2019, from Paul Gunderson, via Kristin Moore of Rocky Mountain Environmental Associates (RMEA), in which Mr. Gunderson is requesting to rent water right 35-2924 from the Water Supply Bank during 2020, to authorize the irrigation of 59.0 acres of his property near Mud Lake. The 2020 rental application (number 1483) effectively seeks a continuation of previous rentals that occurred in 2017, 18 and 19 (rental agreements 159, 203 and 297, respectively).

Review of water right 35-2924 revealed that it is an industrial use water right with an undetermined consumptive use extent. Due to concerns about the possibility for enlargement in water use and injury to the Eastern Snake River Plain Aquifer (ESPA) through a rental of water right 35-2924, water right 35-7720 (lease contract 1122) was identified as an alternative water right for this rental request.

Mr. Gunderson possesses water rights 31-11688, 31-11689, 31-11604, 31-7338 and 31-12314 which collectively authorize the irrigation of 144 acres within a 177 acres permissible place of use (PPU), located in five quarter-quarters (QQs) of sections 25 and 26 of Township 07N and Range 35E. He also possesses water right 31-11228 which authorizes irrigation of 2 acres in the SENE QQ of section 26. The six QQs authorized to be irrigated under these six water rights are depicted in true color in the image below:



A review of recent sentinel satellite imagery indicates that, of the 240 acres across the six QQs, approximately 201.5 acres were irrigated in 2018 and 2019. The images on the next page delineate the areas within the QQs where irrigation occurred, and the tables following the images identify the areas where a Water Supply Bank rental for irrigation purposes appears to be relevant.



Vegetation (incidental to irrigation) - Oct, 3, 2019



Extent of observed irrigation w/n 240 acre QQs

Places of Use Authorized to be Irrigated Within the Six Quarter-Quarters																		
		NE				NW				SW				SE				Total
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 35E	S25									38							38	
	S26				2									37	25	39	38	
																	179	
Observed Irrigated in 2018/19																		
07N 35E	S25									34							34.0	
	S26	0.5		0.5	33.5									34	35	34	30	
																	167.5	
																	201.5	
Difference Between Irrigation Possible and Irrigation Observed Within the Six Quarter-Quarters																		
07N 35E	S25									4							4	
	S26	-0.5		-0.5	-31.5									3	-10	5	8	
																	-26.5	
																	-22.5	
Max Irrigation Authorized by Water Rights Appurtenant to the Six Quarter-Quarters																		
07N 35E	S25									34							34	
	S26				2									34	12	34	30	
																	112	
																	146	
Additional Irrigation That Can Be Authorized By Rental Within the Six Quarter-Quarters																		
07N 35E	S25																0	
	S26	0.5		0.5	31.5									23			55.5	
																	55.5	

By applying 12 acres as authorized to be irrigated in the NWSE QQ of Section 26 (under water right 31-12314), and two acres authorized to be irrigated under 31-11228 (in the SENE QQ of Section 26), it is calculated that an overall rental of 55.5 acres may be required, based on irrigation in 2018 and 2019. However, the applicant requested a rental of 59 acres and previous rentals authorized irrigation of 59 acres. Because the calculations made for this review memo may be approximate, a 2020 rental agreement will be drafted for 59.0, not 55.5 acres.

Water Supply Bank Evaluation: Subject to a favorable review by watermaster and regional office staff, it is recommended this rental be approved for 2020.

Buyer, Remington

From: Buyer, Remington
Sent: Wednesday, February 5, 2020 4:37 PM
To: 'idahosandman@gmail.com'
Subject: Water Right 35-2924

Mr. Rhodehouse,

I am inquiring about your use of ground water under your water right 35-2924. Specifically, I am trying to determine how consumptive your use of ground water was under the water right.

Our records indicate you acquired this water right in 2004. Prior to your acquisition of this water right, it was used within the Golden Valley Packers facility. **Do you have any knowledge about the consumptive use of water within the Golden Valley Packers facility?**

You placed the water right into the Water Supply Bank in 2009. Prior to 2009, our records indicate ground water under 35-2924 was diverted and used to wash sand and gravel, and to fill up trucks, for roadway watering / dust abatement purposes. **Do you have any information about how consumptive these water uses were? Were there any other water uses accomplished by you with ground water under 35-2924, and if so, do you have any information on how consumptive those water uses were?**

Thank you for your consideration of the above questions, and for any information you may be able to provide about the consumptive use of water under 35-2924.

Regards,

Remington Buyer
Water Supply Bank Coordinator
Idaho Department of Water Resources
322 East Front Street, Boise, ID, 83720
T: (208) 287-4918 | F: (208) 287-6700

Ferguson, Justin

From: Ferguson, Justin
Sent: Tuesday, January 7, 2020 4:12 PM
To: Jordan, Blake; Cefalo, James
Subject: WSB Lease - Kevin Rhodehouse & WSB Rental - Paul Gunderson
Attachments: Draft Lease Kevin Rhodehouse 35-2924.docx; Lease Kevin Rhodehouse 35-2924.pdf; Lease Review Memo v2.docx; Rental Agreement 378.docx; Rental Map Gunderson.pdf; Rental Review Memo.docx

Afternoon!

Attached are the draft review memo, contract, and maps for a lease/rental package. The lessor is Kevin Rhodehouse and the renter is Paul Gunderson, the term is for a single year. Please let me know if you have any comments or concerns

Thank you!