

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 407

This is to certify that:

BEAVER SPRINGS OWNERS ASSOC INC
PO BOX 6416
KETCHUM, ID 83340

RECEIVED
APR 10 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) |
|-------------------------------|------------------|--------------|----------------------------|-----------------------------|---------------|------------------------------|-------------------------------|
| 37-159B | 7/30/1888 | GROUND WATER | 0.31 | 54.6 | 15.6 | 0.02 | 3.5 |
| Combined Rental Totals | | | 0.31 | 54.6 | 15.6 | 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, 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.

Annual Rental Fee:

2020: \$1,092.00

The full fee for the rental of the above-described right(s) is \$1,092.00 for 2020. The rental fee includes an administrative fee of \$109.20 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.

Detailed water right conditions are attached.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPARTMENT OF
WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 407

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:

Marc Schorr
Signature of Renter

4-7-2020
Date

Marc Schorr
Printed Name

President
Title

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

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

By Brian Patton
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 4/27/2020

Rental approved by IDWR

Angela M. Gunn

Date 4/27/2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 407

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec. 12, Twp 04N, Rge 17E, BLAINE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.31 CFS

VOLUME
54.6 AF

SEASON OF USE

From To
4/15 10/15

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 | |
| 04N | 17E | 1 | | | | | | | | | | | | | | | 2.6 | 0.1 | 2.7 |
| 04N | 17E | 12 | 0.3 | 6.9 | 4.1 | 1.6 | | | | | | | | | | | | | 12.9 |

Total Acres: 15.6

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. Diversion of groundwater is limited to those times water is available for diversion under Water Right No. 37-159B and priority from the East Fork of the Wood River.
10. 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

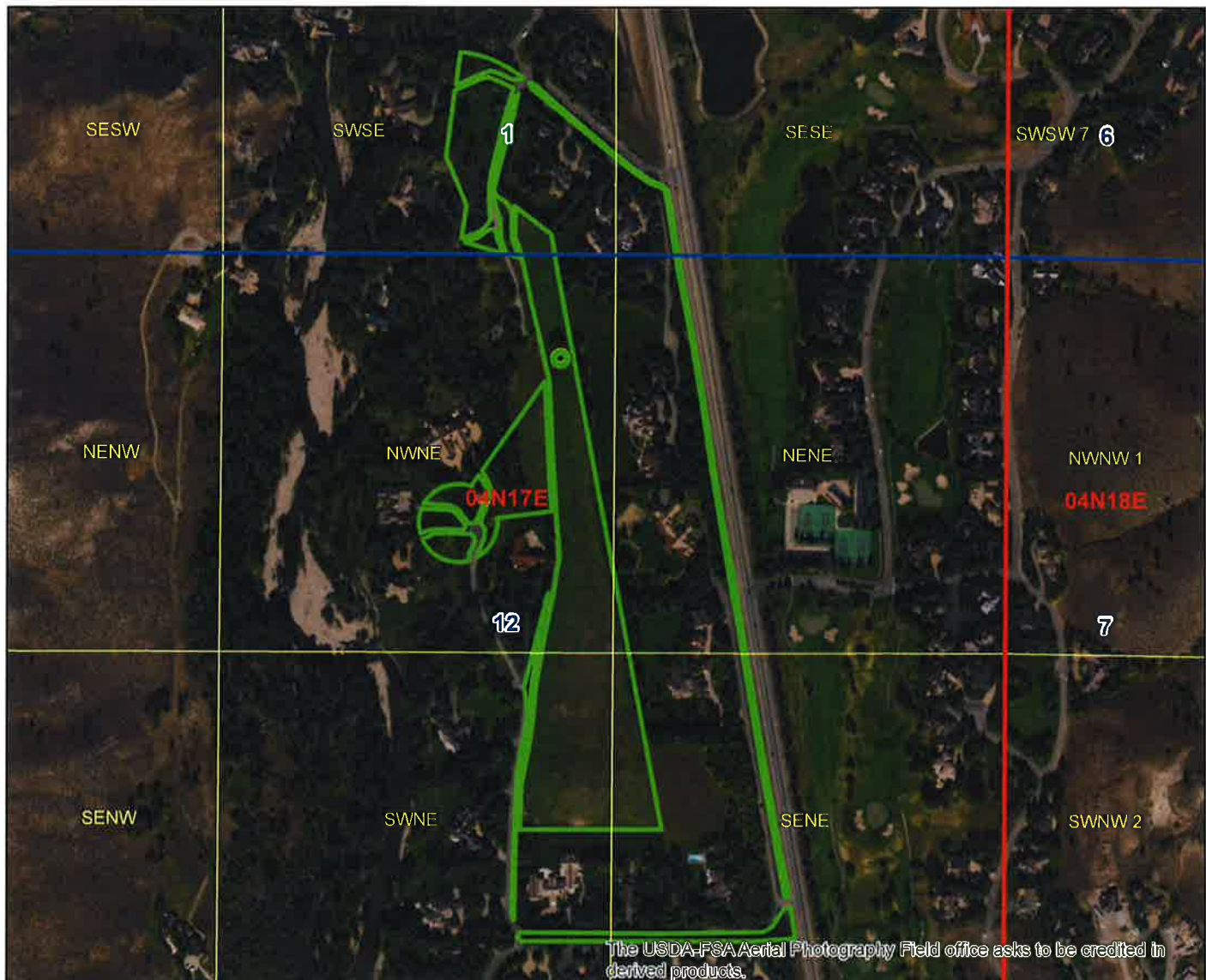
WATER SUPPLY BANK RENTAL AGREEMENT No. 407

11. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
12. Prior to diversion of water under this rental agreement, 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.
13. 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.
14. This right does not grant any right-of-way or easement across the land of another.
15. This rental agreement does not authorize the construction of a well.
16. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated late irrigation use and a priority date earlier than the date of this approval.

Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 407

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.



● Authorized Rental Point of Diversion

□ Authorized Rental Place of Use

□ Township/Range

□ Sections

□ QQ



0 500 1,000 Feet

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

OCT 31 2019

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Beaver Springs Owners Association Inc.

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)

37-20900 37-22681

37-20901 37-8157

1470

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

- A. Applicant Beaver Springs Owners Association Inc. c/o Sun Country Management
- Mailing Address P.O. Box 6416 Ketchum, ID 83340
- Street _____ City _____ State _____ Zip Code _____
- Email Address sunco1007@cox-internet.com Phone Number 208-726-3858
- 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 Zach Latham Professional Title Hydrologist
- Organization Brockway Engineering PLLC Relationship to Applicant Consultant
- Mailing Address 2016 Washington St. North Suite #4 Twin Falls, ID 83301
- Email Address zach.latham@brockwayeng.com Phone Number 208-736-8543

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**:
- Owners association seeks to irrigate an additional 15.6 acres on association property at 0.02 cfs per acre and 3.5 acre-feet per acre with water rights identified or any other available ground water right(s).

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

| Desired Rate (Cubic Feet/Second) | Desired Volume (Acre-Foot) | Minimum Rate* (Cubic Feet/Second) | Minimum Volume* (Acre-Foot) | Desired Acres (if applicable) |
|-------------------------------------|-------------------------------|--------------------------------------|--------------------------------|----------------------------------|
| 0.31 CFS | 54.6 AF | 0.31 CFS | 54.6 AF | 15.6 AC |

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

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

| Desired Start Date (month/day/year) | Latest Possible Start Date (month/day/year) | *Mark Desired Rental Duration (Calendar Years) | | | | | **Applicant's preference if rental application cannot be processed prior to the latest possible start? | |
|--|--|---|---------------------------------------|----------------------------|----------------------------|----------------------------|--|--|
| 4/15/20 | 7/1/20 | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | <input 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):

Applicant seeks to irrigate 15.6 acres of common areas within subdivision utilizing buried pressurized irrigation system.

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

| POD Description | Water Source | Other Water Rights Diverted from this POD |
|-----------------------|--------------|---|
| Fire Protection Wells | Ground Water | 37-22963 |
| | | |
| | | |
| | | |

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 15.6 (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.

N/A.

- 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) |
| 37-20900 | Irrigation | 0.20 | 66.5 | 19 | | 0.134 | 44.4 | 12.7 |
| 37-20901 | Irrigation | 0.22 | 87.15 | 24.9 | | 0.116 | 46.0 | 13.1 |
| 37-22681 | Irrigation | 0.06 | 19.25 | 5.5 | | 0.06 | 19.25 | 5.5 |
| 37-8157 | Irrigation | | 51.6 | 41 | | | 7.7 | 2.2 |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank | | | | | TOTAL | 0.31 | 117.35 | 33.5 |
| | | | | | | CFS | AF | AC |

**Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.*

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

Applicant seeks to rent enough acres to irrigate 15.6 acres of physical land at 0.02 cfs per acre and 3.5 acre-feet per acre with water rights identified or any other available ground water right(s).

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**:

N/A.

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:

Applicant secured rental for previously listed water rights for 2018 and 2019 irrigation seasons (IDWR WSB rental agreement No. 262). Applicant seeks to rent same portions of same water rights for 2020-2021 as authorized under approved IDWR WSB rental agreement No. 262.

- 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:

Not at this time.

- 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.

N/A.

- D. Additional Information

Applicant seeks to rent enough acres to irrigate 15.6 acres of physical land at 0.02 cfs per acre and 3.5 acre-feet per acre with water rights identified or any other available ground water right(s).

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

KIRIL SOKOLOFF
Printed Name of Applicant

OCTOBER 8, 2019
Date

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
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.



0 150 300 600 Feet

BEAVER SPRINGS OWNERS ASSOC.
WSB RENTAL 2020-2022

BROCKWAY ENGINEERING, PLLC.
ICB - Date: 10/23/2019

NAIP 2017 AERIAL

- POD
- ▨ Irrigated area = 15.6 ac.
- Beaver Springs Parcels





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

April 28, 2020

BEAVER SPRINGS OWNERS ASSOC INC
PO BOX 6416
KETCHUM, ID 83340

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-7745A, AGREEMENT 407**

Dear Renter:

Please find enclosed a receipt in the amount of **\$1,092.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 45.6 acre-feet of water for irrigation of 12.5 acres. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$982.80 of the rental fee will be paid to the lessor(s) and 10% or \$109.20 will be retained by the Department to offset administrative costs.

Please note, the place of use acres were updated to reflect the irrigation that will be taking place. The total number of acres did not change. Condition # 16 was also added.

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

Sincerely,

for Water Supply Bank

Enclosures: Receipt No. C108588
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Corey Skinner– IDWR Southern Regional Office
Zach Latham – Brockway Engineering



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

April 2, 2020

BEAVER SPRINGS OWNERS ASSOC INC
PO BOX 6416
KETCHUM, ID 83340

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 37-7745A, AGREEMENT 407

TIME SENSITIVE RESPONSE REQUIRED

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, together with the rental fee described below, the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

A rental fee of \$1,092.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 54.6 acre-feet.

Please send a check for \$9555.00 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 \$982.80 of the rental fee will be paid to the lessor(s) and 10% or \$109.20 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

Enclosure

c: IDWR Front Desk
Zach Latham – Brockway Engineering

Memorandum

To: Water Rights 37-159B

From: Justin Ferguson

Date: March 9, 2020

Re: Water Supply Bank Rental Application 1470

Purpose/Narrative: This application was received October 31, 2019 on behalf of the Beaver Springs Home Owners Association (HOA). The application was signed by Mr. Kiril Sokoloff, treasurer of the association and submitted by their representative at Brockway Engineering. Mr. Sokoloff has requested a rental to authorize the irrigation of 15.6 acres throughout the common areas of the subdivision. Their representative had requested the same rights as they had previously used however, it was determined that they would be unavailable for the duration the HOA had requested.

After further review a single right was located such that the HOA could cover the entirety of their rental within a single water right and require less volume than their prior rentals. This was in part due to the low acre-feet per acre the previous water rights were decreed with. The right identified for this rental, while only available for a single year, features a 0.02 instead of a 0.01 cfs per acre, requiring a smaller overall rental.

Authority to File: The applications were signed by Mr. Sokoloff, review of the IDSOS page indicates he is an agent for the HOA and can sign on their behalf. No concerns at this time.

Water Right Validity/Forfeiture Evaluation: The leased water right is in the Bank and available to be rented. No concerns about its validity.

Injury Evaluation: No injury is apparent through this rental. Conditions will be preserved from the prior agreement such that should the rental cause injury the water users may petition the Director to modify or cancel the agreement.

The previous rights, 37-20900 & 37-22681 had authorized diversion from Elkhorn Village however, a review of the hydrology suggests that approximately one acre-foot of groundwater flows through that area to the Wood River aquifer. This would mean that there could be the possibility of injury had these rights continued to be used to facilitate this reoccurring rental.

Enlargement of Use: No enlargement is evident through the rental alone, there are no other irrigation water rights located at the place of use identified by the applicant for this rental. The point of diversion does authorize 0.04 cfs for fire protection purposes.

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 for District 37 and IDWR Southern Region comments were requested March 9, 2020

Water Supply Bank Evaluation: Bank staff recommend the approval of this rental through 2020.

Ferguson, Justin

From: Ferguson, Justin
Sent: Monday, March 9, 2020 11:23 AM
To: Skinner, Corey; watermanager@cableone.net
Subject: Water Supply Bank Applications - McMorrow, Spalding, Beaver Springs HOA
Attachments: Rental Map McMorrow Trust.pdf; Rental Review Memo.docx; Draft Agreement McMorrow Trust.docx; Rental Review Memo.docx; Draft Agreement Beaver Springs HOA.docx; Rental Map Beaver Springs HOA.pdf; Rental Review Memo.docx; Rental Spalding Revocable Trust.pdf; Draft Rental Agreement Spalding Revocable Trust.docx; Lease Review Memo.docx; Draft Lease Contract Four Seasons HOA.docx; Four Seasons HOA 37-8031.pdf

Morning!

Attached are the rental documents for William McMorrow, Beaver Springs HOA, and a lease/rental package from Helen Spalding/Four Seasons HOA. Please let me know if you have and comments or concerns, IDWR will assume you do not object to this application if a timely response is not received

Thank you!



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

OCT 31 2019

DEPARTMENT OF
WATER RESOURCES

October 21st, 2019

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

Re: Water Supply Bank Rental Application; Beaver Springs Owners Association.

Remington,

On behalf of the Beaver Springs Owners Association, Brockway Engineering is submitting a Water Supply Bank rental application which proposes to rent an adequate amount of water from 37-20900, 37-20901, 37-22681, 37-8157 and OR any other available ground water right sufficient to provide 0.02 cfs or 9 gpm per acre for the irrigation of 15.6 acres on the BSOA property in Ketchum, ID. BSOA seeks to be able to irrigate 15.6 acres during the 2020 and 2021 irrigation seasons.

Please copy our office on all correspondence regarding this water supply bank rental application. Thank you for your assistance and if you have questions or comments, please don't hesitate to give me a call.

Regards,

Zach Latham, M.S., Hydrologist

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., P.E.

Enc: (1) Beaver Springs Owners Association Rental Application and Map.

Cc: Beaver Springs Owners Association c/o Sun Country Management

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