

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 382**

RECEIVED

APR 13 2020

DEPARTMENT OF  
WATER RESOURCES

This is to certify that:

BARBER FAMILY ASSOC LP  
8129 LAKE BALLINGER WAY STE  
104  
EDMONDS, WA 98026

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)
37-7697	1/30/1978	GROUND WATER	0.08	29.5	11.5	0.01	2.6
<b>Combined Rental Totals</b>			<b>0.08</b>	<b>29.5</b>	<b>11.5</b>	<b>0.01</b>	<b>2.6</b>

**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: \$590.00 annually  
2023 - 2024: \$678.50 annually

The full fee for the rental of the above-described right(s) is \$590.00 per year for years 2020 – 2022 and \$678.50 per year for years 2023 – 2024. The rental fee includes an administrative fee of \$59.00 per year for years 2020 – 2022 and \$67.85 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.

Detailed water right conditions are attached.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 382**

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:

 4/7/20  
Signature of Renter Date

Barber Family Assoc. by George Barber mgr  
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  Date 4/21/2020  
BRIAN PATTON, Acting Administrator  
Idaho Water Resource Board

Rental approved by IDWR  Date 4/21/2020

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 382**

**WATER USE DETAILS**

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER	SWSW	Sec. 36, Twp 01N, Rge 14E,	CAMAS County
GROUND WATER	NESE	Sec. 1, Twp 01S, Rge 14E,	CAMAS County

**BENEFICIAL USE**  
IRRIGATION

**DIVERSION RATE**  
0.08 CFS

**VOLUME**  
29.5 AF

**SEASON OF USE**

<b>Water Right No.</b>	<b>From</b>	<b>To</b>
37-7697	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	
01N	14E	36											6.5	0.5			4.5		11.5

Total Acres: 11.5

**RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE**

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. Use of water under this agreement 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 water right is within State Water District No. 37B.
10. 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 agreement are not exceeded. The use of water and after 10/15 is subordinate to all water rights having no subordinated late irrigation use and a priority date earlier than 09/24/2010.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

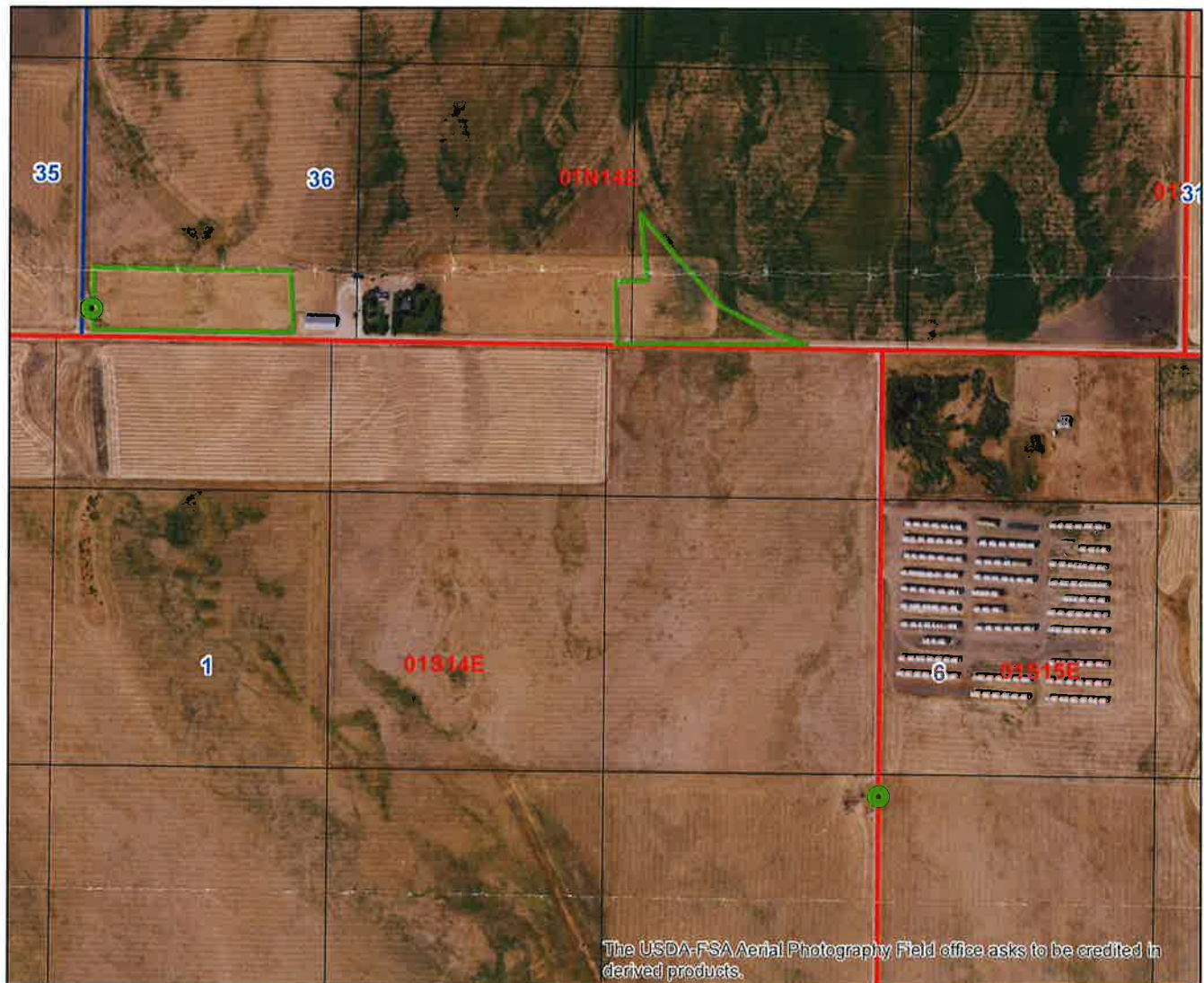
**WATER SUPPLY BANK RENTAL AGREEMENT No. 382**






11. 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.
12. Prior to diversion of water under this agreement, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.

Idaho Water Resource Board  
Attachment to Water Supply Bank Rental Agreement No. 382

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



0 1,000 2,000 Feet



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

RECEIVED

JAN 02 2020

DEPARTMENT OF  
WATER RESOURCES

Applicant Name: Barber Family Associates LP

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](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)

37-7697

**STATE OF IDAHO  
WATER RESOURCE BOARD**

**Application to Rent Water (Continued)**

**1. CONTACT INFORMATION**

A. Applicant Barber Family Associates LP

Mailing Address 8129 Lake Ballinger Way, suite 104 Edmonds Wa. 98026  
Street City State Zip Code  
 Email Address geobarber@comcast.net Phone Number 206-817-7013

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 James P. Speck Professional Title attorney  
 Organization Speck & Aanestad, A Professional Corp. Relationship to Applicant attorney  
 Mailing Address PO Box 987, Ketchum, ID 83340  
 Email Address jim@speckandaanestad.com Phone Number 208-726-4421

**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**:

To irrigate 2 small parcels that were excluded from existing water right when pivots replaced wheel lines. The water will be used to irrigate alfalfa, and barley. Existing wheel lines will be used to distribute the water.

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)
0.08 CFS	29.5 AF	0.08 CFS	29.5 AF	11.5 AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
04/15/2020	07/01/2020	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input checked="" 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):

Water will be delivered through existing main line and existing wheel lines

- 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
well & pump	ground water	37-7261

*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 11.5 (number of acres) Duration: Subject to IDWR standard seasons of use
- ☐ Commercial from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)
- ☐ Stockwater from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)
- ☐ Industrial from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)
- ☐ Other: \_\_\_\_\_ from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☒  
If yes, justify the rate of flow and attach any supporting documents as **Attachment 3J**. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- 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:

No other water rights currently exist for the POU requested. The POU requested was previously included in 37-7261, but a change from wheel lines to pivots left these parcels excluded from 37-7261.



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)
37-7697	irrigation	0.43	155.2	60.6		0.08	29.5	11.5
<b>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</b>					<b>TOTAL</b>	0.08	29.5	11.5
						<b>CFS</b>	<b>AF</b>	<b>AC</b>

*\*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**:

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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**:

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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:

Same portion of 37-7697 rented from 2015 through 2019. Have not been able to locate an adequate water right to purchase for this POU

- 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

Goerge Barber, General Partner

Printed Name of Applicant

12/12/19

Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

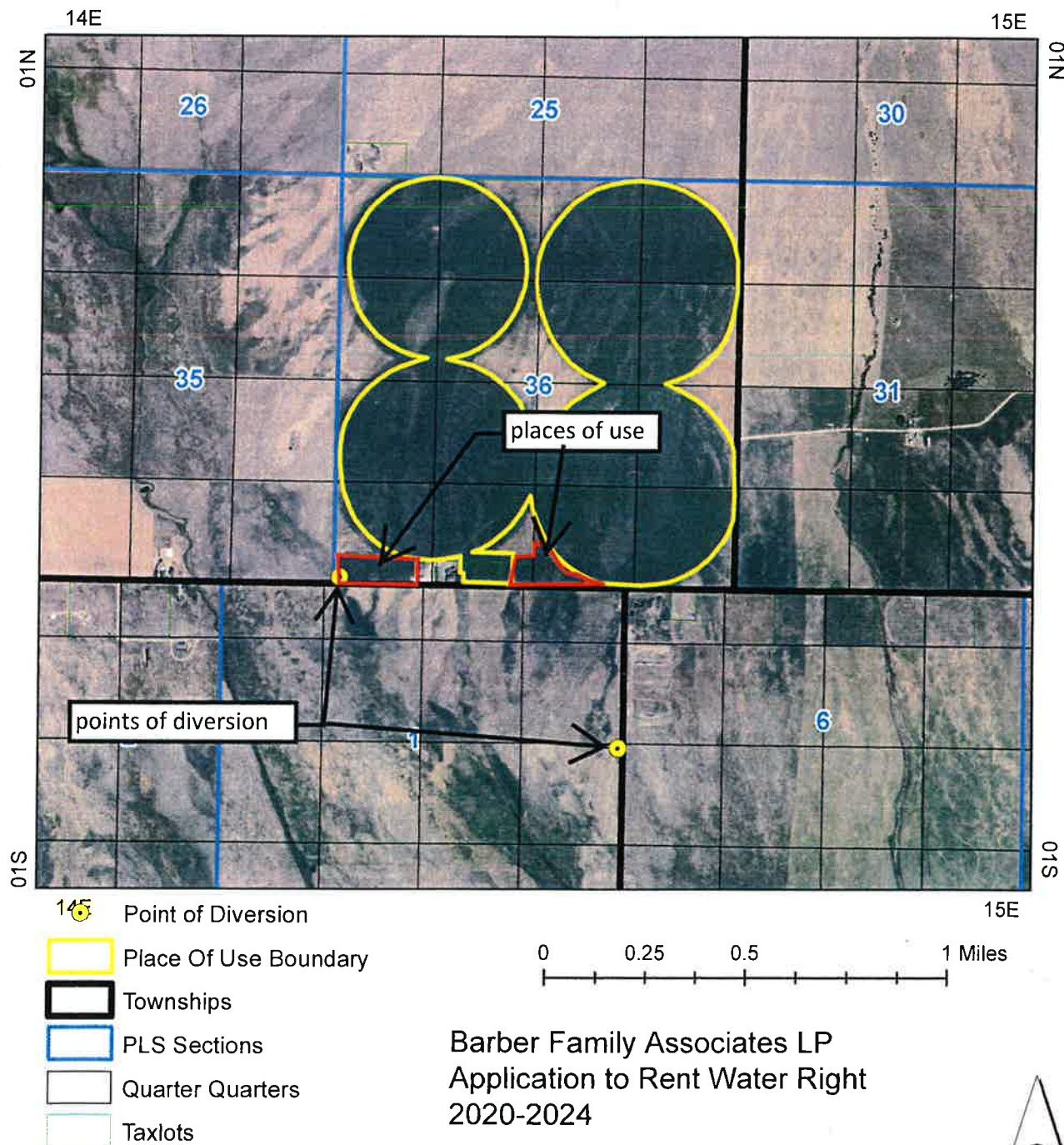
State of Idaho  
Department of Water Resources

# Adjudication Recommendation

## 37-7261

### IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.





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](http://idwr.idaho.gov) • Email: [idwrinfo@idwr.idaho.gov](mailto:idwrinfo@idwr.idaho.gov)

BRAD LITTLE

Governor

GARY SPACKMAN

Director

April 23, 2020

BARBER FAMILY ASSOC LP  
8129 LAKE BALLINGER WAY STE 104  
EDMONDS, WA 98026

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO(S). 37-7697, AGREEMENT 382**

Dear Renter:

Please find enclosed a receipt in the amount of **\$590.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 29.5 acre-feet of water for irrigation of 11.5 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 \$531.00 of the rental fee will be paid to the lessor(s) and 10% or \$59.00 will be retained by the Department to offset administrative costs.

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

Sincerely,

*Jan Hershey*  
for Water Supply Bank

Enclosures: Receipt No. C108603  
Rental Agreement (copy)

c: Sascha Marston – Fiscal  
Corey Skinner – IDWR Southern Regional Office  
Rusty Kramer – State Water District No. 37B  
James P Speck – Speck & Aanestad

**Re: WSB Rental for Barber Family**

Rusty Krame [waterdistrict37b@outlook.com]

**Sent:** Tuesday, March 31, 2020 9:50 AM

**To:** Hersley, Jean

I have no comments or concerns on this.

Thank you

Rusty

37-7697

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**From:** Hersley, Jean <Jean.Hersley@idwr.idaho.gov>

**Sent:** Monday, March 30, 2020 9:22 AM

**To:** Rusty Kramer <waterdistrict37b@outlook.com>; Skinner, Corey <Corey.Skinner@idwr.idaho.gov>

**Subject:** WSB Rental for Barber Family

Please let me know within 7 days if you have any comments or concerns with the attached lease. Thank you.

Jean Hersley

Idaho Dept. Water Resources

Technical Records Specialist II

(208) 287-4942

**RE: WSB Rental for Barber Family**

Skinner, Corey

**Sent:** Monday, April 06, 2020 2:20 PM

**To:** Hersley, Jean

No concerns from me.

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**From:** Hersley, Jean

**Sent:** Monday, March 30, 2020 10:22 AM

**To:** Rusty Kramer; Skinner, Corey

**Subject:** WSB Rental for Barber Family

Please let me know within 7 days if you have any comments or concerns with the attached lease. Thank you.

Jean Hersley

Idaho Dept. Water Resources

Technical Records Specialist II

(208) 287-4942





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](http://idwr.idaho.gov) • Email: [idwrinfo@idwr.idaho.gov](mailto:idwrinfo@idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

February 20, 2020

BARBER FAMILY ASSOC LP  
8129 LAKE BALLINGER WAY STE 104  
EDMONDS WA 98026

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NOS. 37-7697, AGREEMENT 382**

**\*\*\*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 \$590.00 for 2020-2022 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 29.5 acre-feet.

**Please send a check for \$590.00** 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 \$531.00 of the rental fee will be paid to the lessor(s) and 10% or \$59.00 will be retained by the Department to offset administrative costs.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jan Skusek", is written over a horizontal line. Below the signature, the text "Water Supply Bank" is printed in a standard sans-serif font.

Enclosure

c: IDWR Front Desk  
Speck & Aanestad- Jim Speck

## Memorandum

**To:** Water Right 37-7697

**From:** Justin Ferguson

**Date:** January 14, 2020

**Re:** Water Supply Bank Rental Application 1615

**Purpose/Narrative:** An application was received January 2, 2020 from the Barber Family Associates LP requesting a five year rental of water right 37-7697. This is a renewal of their previous rental from 2015 through the end of 2019. The applicant has requested to use the same water right as they had previously and would like to cover the same place of use. The rental is within the Big Wood River Ground Water Management Area as well as the Camas Creek water district.

**Authority to File:** The applications were signed and submitted by George Barber on behalf of the LP, review of the Washington Secretary of State data indicates that he is a governor for the partnership. The Camas County parcel data also shows that the place of use indicated is also owned by the partnership. No concerns at this time.

**Water Right Validity/Forfeiture Evaluation:** The water right being requested was initially decreed in 2010 and portion have been offered to the Bank beginning in 2015. No concerns of validity at this time.

**Injury Evaluation:** No injury is apparent through the rental as the renter is located within the same basin as the right being leased. No concerns of injury at this time.

**Enlargement of Use:** No concerns of enlargement as there are no other irrigation water rights located within the place of use. The applicant has indicated that they are searching for a permanent right to transfer to this location for this use.

**Local Public Interest:** Review staff have no information to suggest this rental is inconsistent with the local public interest.

**Beneficial Use/Conservation of Water Resources:** The rental appears consistent with the conservation of water resources in Idaho.

**Department/Watermaster Comments:** Watermaster and IDWR Southern Region comments will be requested.

**Water Supply Bank Evaluation:** Pending comments from the IDWR regional office and watermaster, Bank staff recommend the approval of this rental.

JAMES P. SPECK  
jim@speckandaanestad.com

DOUGLAS J. AANESTAD  
(retired)

**SPECK & AANESTAD**  
A PROFESSIONAL CORPORATION  
ATTORNEYS

120 EAST AVENUE NORTH  
P. O. BOX 987  
KETCHUM, IDAHO 83340

TELEPHONE  
(208)726-4421  
FACSIMILE  
(208)726-0752

RECEIVED

JAN 02 2020

DEPARTMENT OF  
WATER RESOURCES

December 30, 2019

Remington Buyer  
Water Supply Bank Coordinator  
Idaho Department of Water Resources  
322 E. Front St.  
Boise, Idaho 83720-0098

**Re: Barber Family Associates LP - Application to Rent Water from  
the Board's Water Supply Bank  
Proposed Water Right No. 37-7697**

Dear Remington:

Enclosed you will find the *original* and a copy of the above-referenced ***Application to Rent Water from the Board's Water Supply Bank, Proposed Water Right No. 37-7697.***

Please return the receipt date-stamped copy to me in the postage prepaid self-addressed envelope I have included for that purpose. Please call me right away if you have any questions, comments or concerns. ✓

Thank you.

Sincerely yours,

SPECK & AANESTAD  
A Professional Corporation

By:   
James P. Speck

Enclosures

cc: George Barber (w/enclosure)