

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 396**

This is to certify that:

STROM RANCHES INC

PO BOX 137

HILL CITY, ID 83337-0137

RECEIVED

FEB 25 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<br>Right No.            | Priority<br>Date | Source       | Diversion<br>Rate<br>(CFS) | Diversion<br>Volume<br>(AF) | Acres<br>(AC) | Rate Per<br>Acre<br>(CFS/AC) | Volume<br>Per Acre<br>(AF/AC) |
|-------------------------------|------------------|--------------|----------------------------|-----------------------------|---------------|------------------------------|-------------------------------|
| 37-7745A                      | 10/25/1978       | GROUND WATER | 2.52                       | 478.0                       | 136.0         | 0.02                         | 3.5                           |
| <b>Combined Rental Totals</b> |                  |              | <b>2.52</b>                | <b>478.0</b>                | <b>136.0</b>  | <b>0.02</b>                  | <b>3.5</b>                    |

**Term of Rental:** This rental agreement shall take effect when all parties have signed it and shall continue in effect until October 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: \$9,555.00 annually  
2023 - 2024: \$10,988.26 annually

The full fee for the rental of the above-described right(s) is \$9,555.00 per year for years 2020 - 2022 and \$10,988.26 per year for years 2023 - 2024. The rental fee includes an administrative fee of \$955.50 per year for years 2020 - 2022 and \$1,098.83 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. 396**

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:

Strom Ranch Inc 2/24/2020  
Signature of Renter Date

Dennis R. Strom Pres  
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 Date 4/9/2020  
BRIAN PATTON, Acting Administrator  
Idaho Water Resource Board

Rental approved by IDWR Angela M. Gumm Date 4/9/2020

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 396**

**WATER USE DETAILS**

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

|              |      |                            |              |
|--------------|------|----------------------------|--------------|
| GROUND WATER | SWNE | Sec. 31, Twp 01S, Rge 12E, | CAMAS County |
| GROUND WATER | SWNE | Sec. 31, Twp 01S, Rge 12E, | CAMAS County |

|                              |                              |                      |
|------------------------------|------------------------------|----------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>DIVERSION RATE</u></b> | <b><u>VOLUME</u></b> |
| IRRIGATION                   | 2.52 CFS                     | 478 AF               |

**SEASON OF USE**

|             |           |
|-------------|-----------|
| <b>From</b> | <b>To</b> |
| 4/15        | 10/31     |

**RENTERS PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE  |    |    |     | NW |    |    |    | SW  |    |    |    | SE  |    |    |    | Totals |
|-----|-----|-----|-----|----|----|-----|----|----|----|----|-----|----|----|----|-----|----|----|----|--------|
|     |     |     | NE  | NW | SW | SE  | NE | NW | SW | SE | NE  | NW | SW | SE | NE  | NW | SW | SE |        |
| 01S | 12E | 31  | 1.0 | 20 | 40 | 8.5 | 11 |    |    | 31 | 8.0 |    |    |    | 0.5 | 16 |    |    | 136.0  |

Total Acres: 136.0

**RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE**

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.
10. Use of water under this agreement 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. 37B.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 396**

11. 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.
12. This rental agreement does not authorize the construction of a well.
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.

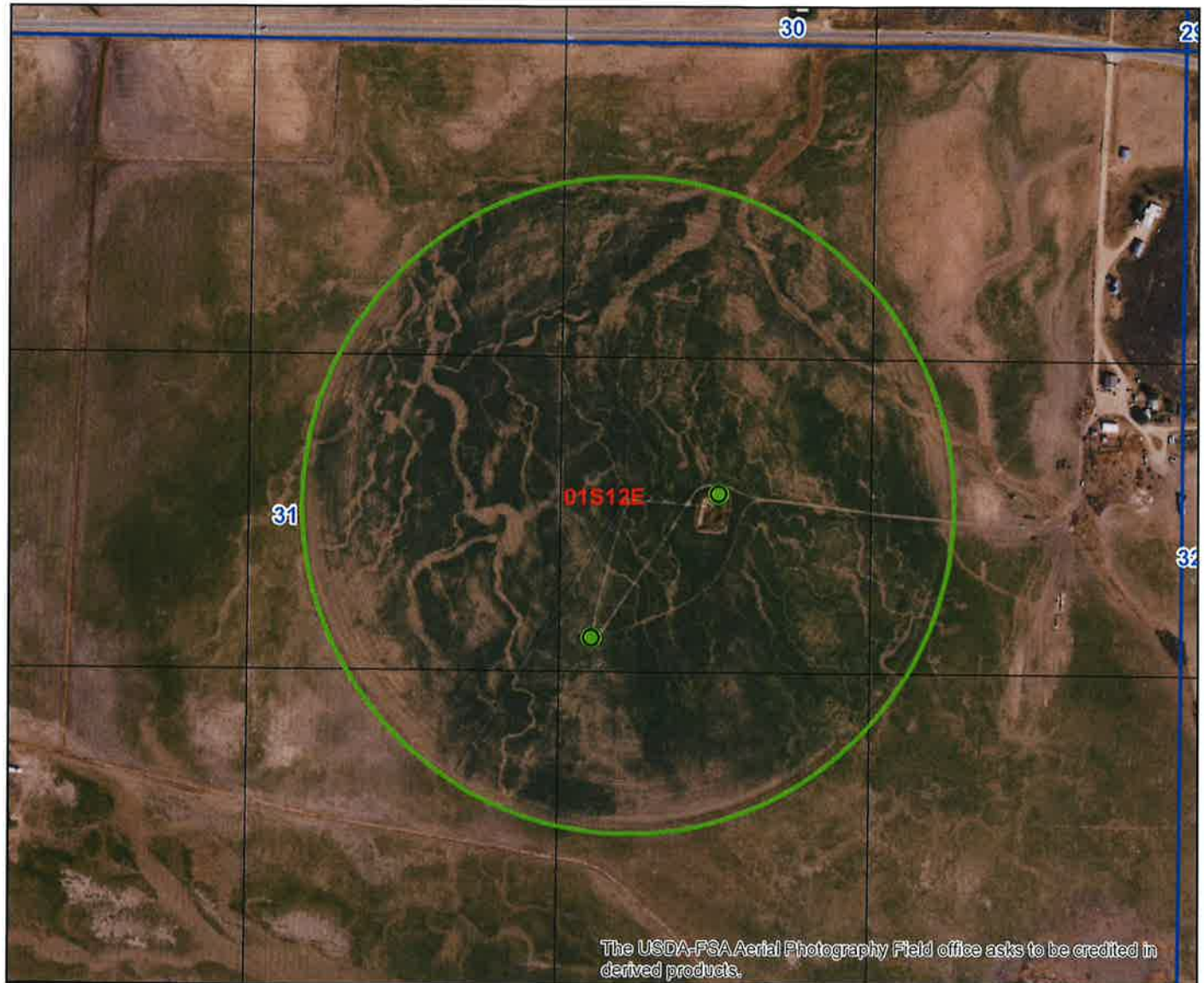


Idaho Water Resource Board

# Attachment to Water Supply Bank Rental Agreement No. 396

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



0 800 1,600 Feet

STATE OF IDAHO  
WATER RESOURCE BOARD

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

RECEIVED  
JAN 09 2020  
DEPARTMENT OF  
WATER RESOURCES

**Applicant Name:** Strom Ranches, 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](http://idwr.idaho.gov/water_supply_bank).

**MINIMUM REQUIREMENT CHECKLIST**

**Check All Items as Either Attached (Yes) or Not Applicable (N/A)**

|            |                                     | Yes                                 |                                                                                                                                                              |
|------------|-------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |                                     | <input checked="" type="checkbox"/> | Completed <i>Application to Rent Water from the Board's Water Supply Bank</i>                                                                                |
|            |                                     | <input checked="" type="checkbox"/> | Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank                                                          |
| Attachment | N/A                                 | Yes                                 |                                                                                                                                                              |
| 2          |                                     | <input checked="" type="checkbox"/> | 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         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Detailed information on a proposed use of rental water                                                                                                       |
| 3F         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Authorization from the owner/operator of the rental point(s) of diversion                                                                                    |
| 3H         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Water modeling to account for the impacts of the rental request                                                                                              |
| 3J         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Documents justifying a rate of flow greater than 0.02 cfs/acre                                                                                               |
| 3K         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Authorization from the owner/operator of the property at the proposed rental place(s) of use                                                                 |
| 4B         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Explanation of how the rental water will sufficiently accomplish your rental purposes                                                                        |
| 4C         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Explanation of consumptive use amounts for water rights experiencing a change in nature of use                                                               |

**Department Use Only – Proposed Water Right(s)**

1613

**STATE OF IDAHO  
WATER RESOURCE BOARD**

**Application to Rent Water (Continued)**

**1. CONTACT INFORMATION**

A. Applicant Strom Ranches, Inc.

Mailing Address P.O. Box 137 Hill City ID 83337  
Street City State Zip Code  
 Email Address dennisstrom1@gmail.com Phone Number 208-590-3268

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 Charles L. Honsinger Professional Title Attorney  
 Organization Honsinger Law, PLLC Relationship to Applicant Attorney  
 Mailing Address P.O. Box 517 Boise, ID 83701  
 Email Address honsingerlaw@gmail.com Phone Number 208-863-6106

**2. MAP**

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

**3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER**

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

Applicant's permit no. 37-8057 authorizes irrigation of 100 acres with groundwater subject to flows in Wild Horse Creek.  
Rental is sought to irrigate the 100 acres with groundwater when Wild Horse Creek flows are insufficient to permit irrigation under 37-8057, and to irrigate an additional 36.5 acres that have previously been irrigated with rented water from the water supply bank.

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

| Desired Rate<br>(Cubic Feet/Second) | Desired Volume<br>(Acre-Foot) | Minimum Rate*<br>(Cubic Feet/Second) | Minimum Volume*<br>(Acre-Foot) | Desired Acres<br>(if applicable) |
|-------------------------------------|-------------------------------|--------------------------------------|--------------------------------|----------------------------------|
| 2.5116 CFS                          | 477.75 AF                     | 1.6 CFS                              | 300 AF                         | 136.5 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<br>(month/day/year) | Latest Possible Start Date<br>(month/day/year) | *Mark Desired Rental Duration<br>(Calendar Years) |                            |                            |                            |                                       | **Applicant's preference if rental application cannot be processed prior to the latest possible start? |                                                          |
|----------------------------------------|------------------------------------------------|---------------------------------------------------|----------------------------|----------------------------|----------------------------|---------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| 4/1/2020                               | 5/15/2020                                      | <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):

Diversion from well via pump to 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 |
|-----------------|--------------|-------------------------------------------|
| Well            | Groundwater  | 37-8057                                   |
|                 |              |                                           |
|                 |              |                                           |
|                 |              |                                           |

*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 136.5 (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:

37-8057 is owned by the applicant and is diverted for irrigation of 100 acres subject to flows in Wild Horse Creek. At times, Wild Horse Creek does not have sufficient flow for the diversion of 37-8057. 36.5 acres under pivot not covered by 37-8057

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<br>(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) |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
| <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>                                                                                                                   |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                | <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**:

Strom Ranches will simply reduce the irrigated acreage if it is unable to obtain sufficient rental water to irrigate the entire 136.5 acre place of use with the requested water bank rental

C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☐ No ☒

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

STATE OF IDAHO  
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

Water Right No. 37-7745A -- 2015-2019. Applicant has been searching for an appropriate groundwater right to purchase but has been unable to find and obtain same.

- 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:

A transfer application will be proposed when an appropriate groundwater right is found and obtained.

- 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

Dennis Strom  
Printed Name of Applicant

1/6/2020  
Date

  
Signature of Representative

Charles Honsinger  
Printed Name of Representative

1/3/2020  
Date

Mail to:

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

# Proposed 2020 Wild Horse Creek Pivot Water Rental Place of Use

January 2, 2020

## KEY



Water Wells



Proposed Irrigated Areas

(0.0) Total Acreage in ¼-¼



Actual Size of 5-Acres

US Highway 20

Tracy Lane

NW NW  
(Lot 1)

NE NW

NW NE

NE NE

(10.9)

(19.7)

(0.8)

SW NW  
(Lot 2)

(31.7)

SE NW

(39.9)

(8.6)

SE NE

Strom Irrigation  
Well #2

Strom Irrigation  
Well #1

(8.4)

(16.2)

(0.3)

NW SW  
(Lot 3)

NE SW

NW SE

NE SE

SW SW  
(Lot 4)

SE SW

SW SE

SE SE

T1S  
R11E  
Sec. 36

T1S  
R12E  
Sec. 31

T2S  
R11E  
Sec. 1

T2S  
R12E  
Sec. 6

one-quarter mile

Aerial Photography Background from Google  
Earth Pro® Photos Dated 7-1-2016

**Figure 1. Map of Strom Ranches Inc. Wild Horse Creek pivot proposed "Place of Use (POU)" acreage for rented water and Points of Diversion (Wells) located in Township 1 South, Range 12 East, Section 31.** The proposed POU of pivot-irrigated acreage (highlighted in translucent blue) covers 136.5-acres. The yellow numbers in parentheses shown for each tract (¼ -¼ section) represent the total number of acres that will be irrigated within that ¼ -¼ section. The existing points of diversion (wells) for the water rights for the proposed permissible place of use are denoted by blue circles with yellow shading.



**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 10, 2020

STROM RANCHES INC  
PO BOX 137  
HILL CITY, ID 83337-0137

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO(S). 37-7745A, AGREEMENT 396**

Dear Renter:

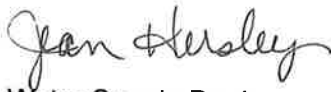
Please find enclosed a receipt in the amount of **\$9,555.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 478 acre-feet of water for irrigation of 136 acres. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

This rental has been updated to reflect typographical errors.

Pursuant to the Water Supply Bank Rules, 90% or \$8,599.50 of the rental fee will be paid to the lessor(s) and 10% or \$955.50 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,

  
for Water Supply Bank

Enclosures: Receipt No. C108356  
Rental Agreement (copy)

c: Sascha Marston – Fiscal  
Corey Skinner – IDWR Southern Regional Office  
Rusty Kramer-Water District No. 37B  
Charles L Honsinger – Honsinger Law PLLC

## Memorandum

**To:** Water Rights 37-7745A

**From:** Justin Ferguson

**Date:** March 10, 2020

**Re:** Water Supply Bank Rental Application 1613

**Purpose/Narrative:** An application was received January 9, 2020 from Strom Ranches, Inc. requesting a five year rental to supplement the existing water rights covering the area. This is a renewal of his previous rental using the same right beginning in 2015 through the end of 2019 to provide irrigation for acreage that had been previously dry farmed. Per the application, this rental is intended to be used in conjunction with water right 37-8057. 37-8057 is a right to irrigate 100 acres from groundwater, and the groundwater use is subject to a mitigation plan under which Strom Ranches has agreed not to divert 37-2001 from Wild Horse Creek. The rental water will be used to irrigate the same 100 acres as well as an additional 36 acres.

**Authority to File:** The application was submitted by Mr. Strom's representative, Charles Honsinger of Honsinger Law. Review of the Idaho SOS information as well as the Camas County parcel data indicates Mr. Strom is the current land owner as well as the president of Strom Ranches Inc. No concerns at this time.

**Water Right Validity/Forfeiture Evaluation:** The right being used to fulfil this rental is 37-7745A which has been used in previous years. This right is currently leased to the Bank and remains valid. No concerns at this time.

**Injury Evaluation:** No injury is apparent. The applicant has requested water to supplement his existing water rights. Since this rental is not within the ESPA modeling is not required. The existing groundwater right appurtenant to this land (37-8057) can only be diverted when an equivalent flow remains undiverted from Wild Horse Creek under right 37-2001. The purpose of the mitigation plan was apparently to offset the impact that groundwater withdrawals under 37-8057 would have on the storage of water in the Magic Reservoir. The same concern does not apply in the case of the rental because the water right PODs for the right to be rented are upstream of the Magic Reservoir and do not have a similar mitigation plan. Therefore, we expect the water diverted at the new location to have the same effects on the reservoir as the diversions at the original location.

**Enlargement of Use:** None expected. The right to be rented is a primary irrigation water right. The rental allows the renter to irrigate the full 136 acres with this right if they wish. No need to ensure that water is left in Wild Horse Creek before using the rental water.

**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 Eastern Region comments were requested March 10, 2020

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

## Hummer, Phill

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**From:** Ferguson, Justin  
**Sent:** Tuesday, March 10, 2020 3:29 PM  
**To:** Skinner, Corey; 'waterdistrict37b@outlook.com'  
**Subject:** WSB Rental - Strom Ranches  
**Attachments:** Draft Rental Agreement Strom Ranches.docx; Rental Map Strom Ranches Inc.pdf; Rental Review Memo.docx

Corey, Rusty,

Attached is the rental map, agreement, and review memo for Strom Ranches. 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!



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

STROM RANCHES INC  
PO BOX 137  
HILL CITY, ID 83337-0137

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NOS. 37-7745A, AGREEMENT 396**

**\*\*\*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.

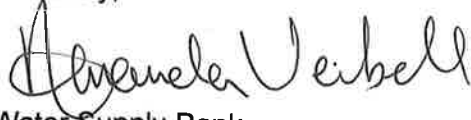
A rental fee of \$9555.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 478.0 acre-feet.

**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 \$8599.50 of the rental fee will be paid to the lessor(s) and 10% or \$955.50 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,

  
Water Supply Bank

Enclosure

c: IDWR Front Desk  
Charles Honsinger – Honsinger Law PLLC