

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 375**

This is to certify that:

SIERRA DEL RIO RANCH LLC  
PO BOX 199  
JEROME, ID 83338-0199

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)
2-10420	7/30/1969	SNAKE RIVER	0.94	167.5	37.2	0.03	4.5
57-11710	12/29/1970	CASTLE CREEK	0.88	205.1	45.6	0.02	4.5
<b>Combined Limit Totals</b>			<b>1.82</b>	<b>287.1</b>	<b>63.8</b>	<b>0.03</b>	<b>4.5</b>
<b>Combined Rental Totals</b>			<b>1.82</b>	<b>287.1</b>	<b>63.8</b>	<b>0.03</b>	<b>4.5</b>

**Term of Rental:** This rental agreement shall take effect when all parties have signed it and shall continue in effect until October 31, 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: \$5,742.00

**SUPPORT DATA**  
**IN FILE #** 57-11710

The full fee for the rental of the above-described right(s) is \$5,742.00 for 2020. The rental fee includes an administrative fee of \$574.20 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.

**Total Water Use Authorized Under Rental Agreement**

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.67	167.5	33.5	0.02	5.0
<b>Combined Total</b>	<b>0.67</b>	<b>167.5</b>	<b>33.5</b>	<b>0.02</b>	<b>5.0</b>

*\* The authorized water usage reflects a reduction from the water right elements rented, to account for a per-acre diversion rate of 0.02 cfs/as and an increased per-acre diversion volume of 5.0 afa/ac.*

Detailed water right conditions are attached.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 375

RECEIVED

FEB 26 2020

DEPARTMENT OF  
WATER RESOURCES

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:

Ron Ambrose

Signature of Renter

2-25-2020

Date

Ron Ambrose

Printed Name

Managing Member

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.

Brian Patton

By  
BRIAN PATTON, Acting Administrator  
Idaho Water Resource Board

Date 3/9/20

Rental approved by IDWR

Angela M. Quinn

Date 3/9/2020

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 375**

**WATER USE DETAILS**

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

SNAKE RIVER

L4 SWNW Sec. 16, Twp 03S, Rge 01E,

OWYHEE County

**BENEFICIAL USE**  
IRRIGATION

**DIVERSION RATE**  
0.67 CFS

**VOLUME**  
167.5 AF

**SEASON OF USE**

**From To**  
3/1 11/15

**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	
03S	01E	20		9.6	3.6		5.2	5.7			0.2				3.9	5.3			33.5

Total Acres: 33.5

**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. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
10. This right does not grant any right-of-way or easement across the land of another.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
12. 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. 2.



Idaho Water Resource Board  
**Attachment to Water Supply Bank Rental Agreement No. 375**

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 2,000 4,000 Feet

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 375**

This is to certify that:

SIERRA DEL RIO RANCH LLC  
PO BOX 199  
JEROME, ID 83338-0199

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)
2-10420	7/30/1969	SNAKE RIVER	0.94	167.5	37.2	0.03	4.5
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<b>Combined Rental Totals</b>			<b>1.82</b>	<b>287.1</b>	<b>63.8</b>	<b>0.03</b>	<b>4.5</b>

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

2019: \$5,742.00

The full fee for the rental of the above-described right(s) is \$5,742.00 for 2019. The rental fee includes an administrative fee of \$574.20 for 2019.

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

**Total Water Use Authorized Under Rental Agreement**

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.67	167.5	33.5	0.02	5.0
<b>Combined Total</b>	<b>0.67</b>	<b>167.5</b>	<b>33.5</b>	<b>0.02</b>	<b>5.0</b>

*\* The authorized water usage reflects a reduction from the water right elements rented, to account for a per-acre diversion rate of 0.02 cfs/as and an increased per-acre diversion volume of 5.0 afa/ac.*

Detailed water right conditions are attached.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 375**

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

\_\_\_\_\_  
Signature of Renter

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

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

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

By \_\_\_\_\_  
BRIAN PATTON, Acting Administrator  
Idaho Water Resource Board

Date \_\_\_\_\_

Rental approved by IDWR \_\_\_\_\_

Date \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 375**

**WATER USE DETAILS**

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

SNAKE RIVER                      SWNW      Sec. 16, Twp 03S, Rge 01E,                      OWYHEE County

**BENEFICIAL USE**  
IRRIGATION

**DIVERSION RATE**  
0.67 CFS

**VOLUME**  
167.5 AF

**SEASON OF USE**

**From              To**  
3/1              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	
03S	01E	20		9.6	3.6		5.2	5.7			0.2				3.9	5.3			33.5

Total Acres: 33.5

**RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE**

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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. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
10. This right does not grant any right-of-way or easement across the land of another.
11. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/31 is subordinate to all water rights having no subordinated late irrigation use and a priority date earlier than 6/8/2009.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 375**

12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
13. Use of water under this right 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. 2.








Idaho Water Resource Board  
**Attachment to Water Supply Bank Rental Agreement No. 375**

Effective until December 31, 2020

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-  Authorized Rental Point of Diversion
-  Authorized Rental Place of Use
-  Township/Range
-  Sections
-  QQ



0 2,000 4,000 Feet

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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\* The authorized water usage reflects a reduction from the water right elements rented, to account for a per-acre diversion rate of 0.02 cfs/as and an increased per-acre diversion volume of 5.0 afa/ac.

Detailed water right conditions are attached.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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

\_\_\_\_\_  
Signature of Renter

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

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

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

By \_\_\_\_\_  
BRIAN PATTON, Acting Administrator  
Idaho Water Resource Board

Date \_\_\_\_\_

Rental approved by IDWR \_\_\_\_\_

Date \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 375**

**WATER USE DETAILS**

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

SNAKE RIVER                      L4 SWNW    Sec. 16, Twp 03S, Rge 01E,                      OWYHEE County

**BENEFICIAL USE**  
IRRIGATION

**DIVERSION RATE**  
0.67 CFS

**VOLUME**  
167.5 AF

**SEASON OF USE**

Water Right	From	To
2-10420	3/1	11/15
57-11710	3/1	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	
03S	01E	20		9.6	3.6		5.2	5.7			0.2				3.9	5.3			33.5

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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. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
10. This right does not grant any right-of-way or easement across the land of another.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
12. 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. 2.



Idaho Water Resource Board  
**Attachment to Water Supply Bank Rental Agreement No. 375**

Effective until December 31, 2020

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● Authorized Rental Point of Diversion

□ Authorized Rental Place of Use

□ Township/Range

□ Sections

□ QQ



0 2,000 4,000 Feet



STATE OF IDAHO  
WATER RESOURCE BOARD

RECEIVED

DEC 11 2019

DEPARTMENT OF  
WATER RESOURCESAPPLICATION TO RENT WATER  
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Sierra Del Rio Ranch LLC

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)

STATE OF IDAHO  
WATER RESOURCE BOARD

**Application to Rent Water (Continued)**

**1. CONTACT INFORMATION**

A. Applicant Sierra Del Rio Ranch LLC

Mailing Address	<u>P.O. Box 199</u>	<u>Jerome</u>	ID	<u>83338</u>
	<small>Street</small>	<small>City</small>	<small>State</small>	<small>Zip Code</small>
Email Address	<u>ron.d.ambrose@gmail.com</u>		Phone Number	<u>208-644-1803</u>

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 <u>Jonas Reagan</u>	Professional Title <u>Attorney</u>
Organization <u>Barker Rosholt &amp; Simpson LLP</u>	Relationship to Applicant <u>Counsel</u>
Mailing Address <u>P.O. Box 63, Twin Falls, Idaho 83303</u>	
Email Address <u>jreagan@idahowaters.com</u>	Phone Number <u>208-733-0700</u>

**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 desires to irrigate land outside capacity of current water rights while attempting to acquire permanent water rights for the acres involved in this application.

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
1.82 CFS	287.1 AF	0.02 CFS	4.5 AF	63.8 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?	
01/01/2020	03/01/2020	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<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):

Existing pumps from Snake River and Sinker Creek to mainline for irrigation use. Existing irrigation systems will be extended to deliver water to the additional acres.

- 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
T03SR01ES16Lt4 SWNW	Snake River	02-10222
T03SR01WS13NWNESW	Sinker Creek	57-177A, 57-178A, 57-2221A, 57-10469A, 57-10470

*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 63.8 (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:

Applicant currently does not have enough water to cover desired irrigated area. In addition to the rights listed above, applicant holds 57-2217A and 57-7219A.

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)
2-10420	Irrigation					0.94	167.50	37.2
57-11710	Irrigation					0.88	205.1	45.6
<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>	1.82	287.1	63.8
						<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**:

Applicant will irrigate the acres allowed in accordance with all water right conditions and limits imposed thereon.

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:

Applicant is currently leasing water under Agreement No. 340. That application only requested to rent water for one year, but applicant needs to rent for an additional year.

- 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 ☐

Applicant intends to apply for a water permit at some point in late 2020. This rental will allow Applicant to irrigate the land while IDWR processes the application for permit. The rental and permit will not overlap.

- 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

For:

Sierra Del Rio Ranch LLC

Printed Name of Applicant

Date

12/9/19

Signature of Representative

Jonas A. Reagan

Printed Name of Representative

Date

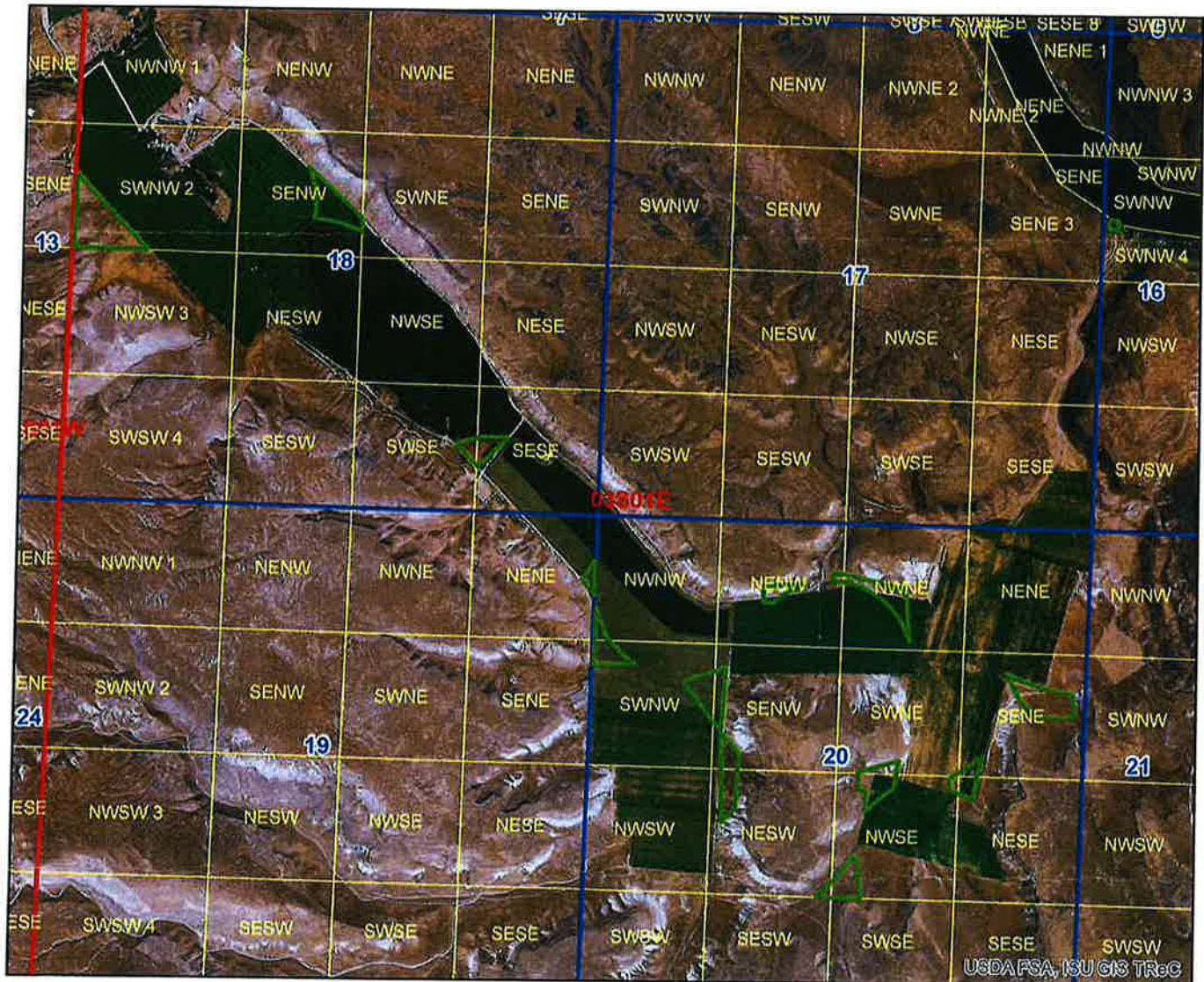
12/9/19





Mail to:

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




# ATTACHMENT 2



-  Authorized Rental Point of Diversion
-  Authorized Rental Place of Use
-  Township/Range
-  Sections
- QQ



0  1 Miles



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

March 10, 2020

SIERRA DEL RIO RANCH LLC  
PO BOX 199  
JEROME, ID 83380-0199

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO(S). 2-10420, 57-11710, AGREEMENT 375**

Dear Renter:

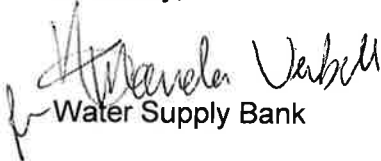
Please find enclosed a receipt in the amount of **\$5742.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 287.1 acre-feet of water for irrigation of 33.5 acres. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

The enclosed agreement has been modified to correct formatting abnormalities. The content of the rental application has not changed.

Pursuant to the Water Supply Bank Rules, 90% or \$5167.80 of the rental fee will be paid to the lessor(s) and 10% or \$574.20 will be retained by the Department to offset administrative costs.

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

Sincerely,

  
Amanda Vahell  
Water Supply Bank

Enclosures: Receipt No. C108359  
Rental Agreement (copy)

c: Nick Miller – IDWR Western Regional Office  
Rob Whitney – State Water District No. 02  
Jonas Reagan – Barker Rosholt & Simpson LLP





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

**COPY**

RECEIVED  
FEB 26 2020  
DEPARTMENT OF  
WATER RESOURCES

SIERRA DEL RIO RANCH LLC  
PO BOX 199  
JEROME, ID 83338-0199

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NOS. 2-10420, 57-11710, AGREEMENT 375

\*\*\*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.

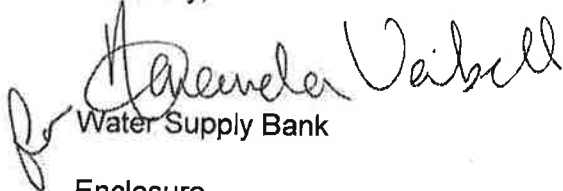
A rental fee of \$5,742.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 287.1 acre-feet.

**Please send a check for \$5,742.00** 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 \$5167.80 of the rental fee will be paid to the lessor(s) and 10% or \$574.20 will be retained by the Department to offset administrative costs.

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

Sincerely,

  
for Water Supply Bank

Enclosure

c: IDWR Front Desk  
Jonas Reagan – Barker Rosholt & Simpson



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

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BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

February 20, 2020

SIERRA DEL RIO RANCH LLC  
PO BOX 199  
JEROME, ID 83338-0199

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NOS. 2-10420, 57-11710, AGREEMENT 375**

**\*\*\*TIME SENSITIVE RESPONSE REQUIRED\*\*\***

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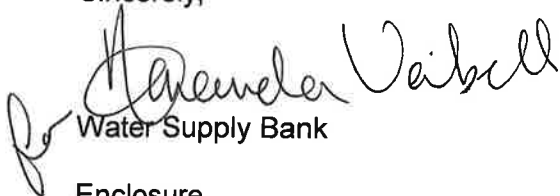
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**Please send a check for \$5,742.00** made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

Pursuant to the Water Supply Bank Rules, 90% or \$5167.80 of the rental fee will be paid to the lessor(s) and 10% or \$574.20 will be retained by the Department to offset administrative costs.

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

Sincerely,

  
for Water Supply Bank

Enclosure

c: IDWR Front Desk  
Jonas Reagan – Barker Rosholt & Simpson

## **Ferguson, Justin**

---

**From:** Ferguson, Justin  
**Sent:** Wednesday, January 29, 2020 1:04 PM  
**To:** Whitney, Rob; Miller, Nick; Erling, Jes  
**Subject:** WSB Rental Applications - Sierra Del Rio, Christopher Snyder, & Wolfe Brothers  
**Attachments:** Rental Review Memo.docx; Draft Rental Agreement Snyder 2-10472.docx; Rental Map Snyder 2-10472.pdf; Draft Agreement Sierra Del Rio.docx; Rental Map Sierra Del Rio.pdf; Rental Review Memo.docx; Draft rental agreement Wolfe Brothers 2-7061.docx; Rental Map Wolfe Brothers 2-7061.pdf; Rental Review Memo.docx

Afternoon!

Attached are the draft rental maps, memos, and agreements for Wolfe Brothers, Christopher Snyder, and Sierra Del Rio. Please let me know if you have any comments or concerns, IDWR will assume you do not object to this application if a timely response is not received.

Thank you!





**Barker Rosholt  
& Simpson LLP**

**Jonas A. Reagan**

EMAIL: jreagan@idahowaters.com

PHONE: 208.733.0700

WEB: idahowaters.com

**Twin Falls**

163 Second Ave. West

P.O. Box 63

Twin Falls, Idaho 83301

p. 208.733.0700

f. 208.735.2444

**Attorneys**

John A. Rosholt

Albert P. Barker

John K. Simpson

Travis L. Thompson

Scott A. Magnuson

Jonas A. Reagan

**RECEIVED**

**DEC 11 2019**

**DEPARTMENT OF  
WATER RESOURCES**

December 9, 2019

Mr. Remington Buyer  
IWRB – Water Supply Bank  
P.O. Box 83720  
Boise, Idaho 83720-0098

**Re: Application to Rent Water / Sierra Del Rio Ranch LLC**

Dear Remington:

Enclosed, please see the following application and attachment filed on behalf of our client Sierra Del Rio Ranch LLC:

- 1) *Application to Rent Water from the Board's Water Supply Bank*
- 2) *Attachment 2 – Map*

The applicant intends to extend the current rental of water from the Water Supply Bank through 2020. There should be no changes from Water Supply Bank Rental Agreement No. 340.

Also enclosed is check number 1615 in the amount of two dollars (\$2.00) for the remainder of the 2019 rental fee.

If you have any questions or need additional information, feel free to contact me. Thank you for your attention to this matter.

Sincerely,

**BARKER ROSHOLT & SIMPSON LLP**

  
Jonas A. Reagan

Enclosures

cc: Charlie Potter (via email)  
Ron Ambrose (via email)