STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 364

This is to certify that:

RIVERS EDGE DEVELOPMENT INC
C/O KENDALL SHIPPEN
445 N 4185 E
RIGBY, ID 83442

RECEIVED
OCT 21 2019
DEPARTMENT OF WATER RESOURCES

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

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
35-7720	4/22/1979	GROUND WATER	0.24	56.0	14.0	0.02	3.5
1-7017	3/14/1978	SNAKE RIVER	0.28	56.0	14.0	0.02	3.5
Combined Rental Totals			**0.28**	**56.0**	**14.0**	**0.02**	**3.5**

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2019. 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 2019, whichever occurs last.

Annual Rental Fee:

2019: $,1,120.00

The full fee for the rental of the above-described right(s) is $1,120.00 for 2019. The rental fee includes an administrative fee of $112.00 for 2019.

***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	0.24	49.0	14.0	0.017	3.5
Combined Total	0.24	49.0	14.0	0.017	3.5

The surface water right 1-7017 needs to be rented with this ground water right to avoid unstacking these rights. The ground water right 35-7720, will be the only right diverted under this agreement.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 364

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 12/17/19

Printed Name Kendall Shippen Title President

*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 12/16/19
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date 12/13/19

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 364

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSE Sec. 8, Twp 04N, Rge 39E, JEFFERSON County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	0.24 CFS	49.00 AF

SEASON OF USE

From	To
6/15	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	
04N	39E	8			5.0	1.0				0.2					4.2	3.6			14.0

Total Acres: 14.0

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. Use of water under this rental will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this right is within Water District No. 120.
10. This rental agreement does not authorize the construction of a well.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 364

Effective until December 31, 2019

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

N

Feet

0 1,000

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

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED
JUN 17 2019
DEPARTMENT OF WATER RESOURCES

Applicant Name: Rivers Edge Development Inc

Is this application being submitted with a lease application as a lease/rental package? Yes ☐ No ☑
If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

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

		Yes	
		☑	Completed *Application to Rent Water from the Board's Water Supply Bank*
		☑	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
Attachment	**N/A**	**Yes**	
2		☑	A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
3A	☑	☐	Detailed information on a proposed use of rental water
3F	☑	☐	Authorization from the owner/operator of the rental point(s) of diversion
3H	☐	☑	Water modeling to account for the impacts of the rental request
3J	☑	☐	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	☑	☐	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	☑	☐	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	☑	☐	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

21-7154

21-7155

1431

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Rivers Edge Development Inc

Mailing Address 445 N 4185 E (Street) Rigby (City) ID (State) 83442 (Zip Code)

Email Address _____ Phone Number 208-313-2641

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☑ No ☐

If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Kristin Moore Professional Title Senior Water Right Analyst

Organization Rocky Mountain Environmental Assoc. Relationship to Applicant consultant

Mailing Address 482 Constitution Way, Ste 303, Idaho Falls, ID 83402

Email Address kristin.rmea@gmail.com Phone Number 208-524-2353

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

Applicant requires ground water rights to temporarily provide irrigation water to Jefferson Greens subdivision, which is only partially developed.

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)
0.09 CFS	16 AF	0.08 CFS	11 AF	4.6 AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
6/15/19	6/30/19	☑ 1	☐ 2	☐ 3	☐ 4	☐ 5	☑ Process application as soon as possible	☐ Return application to applicant

* ***The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.***

** ***Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.***

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):
Water is delivered from the subdivision well to the water system for the subdivision.

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
NWSE S8 T4N R39E	GROUND WATER	25-14162

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 4.6 (number of acres) Duration: Subject to IDWR standard seasons of use

☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)

☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

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

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**.
Applicant is the developer of the subdivision and is seeking to correct water right issue.

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:
This property is partially covered by shares in the North Rigby Irrigation Canal Company, Inc.

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)
21-7154	Irrigation	0.92		50		0.08		4.6
21-7155	Irrigation	0.81	175	50		0.07	16.1	4.6
		1.0	175	50		0.08	16.1	4.6
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.08	16.1	4.6
						CFS	AF	AC

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

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

These rights combined provide 0.018 cfs/ac and 3.5 afa, with a historic consumption of 2.5 afa. At the proposed location, it will be used for turf grass, which has a similar consumptive use.

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 was also rented last year under RA 274. Permanent rights are currently in the transfer process.

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:

Applications have already been submitted. The first application Transfer No. 83069 has been protested. The second application is currently in advertising.

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.

NOV No. E2016-953 dated July 3, 2018 addressed to Rivers Edge Development Inc. for a violation within Jefferson Greens Estates, located in Section 8, T4N R39E.

D. Additional Information

This rental application proposes to rent right 21-7155 as a stacked right with the ground water right 21-7154, which has been used historically as a primary right. However, it is not intended that the surface right be diverted under this rental.

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	Printed Name of Applicant	6-11-19 Date
Signature of Representative	Printed Name of Representative	Date

Mail to:

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

Attachment #2

0 312.5 625 1,250 Feet

2017 Aerial Photography

Legend

- TO Well
- QQ
- Proposed Acres
- Twp & Rng
- Section

Jefferson Greens

Rivers Edge Development Inc

RMEA #13-0013

by: KM

Date: 6/11/2019

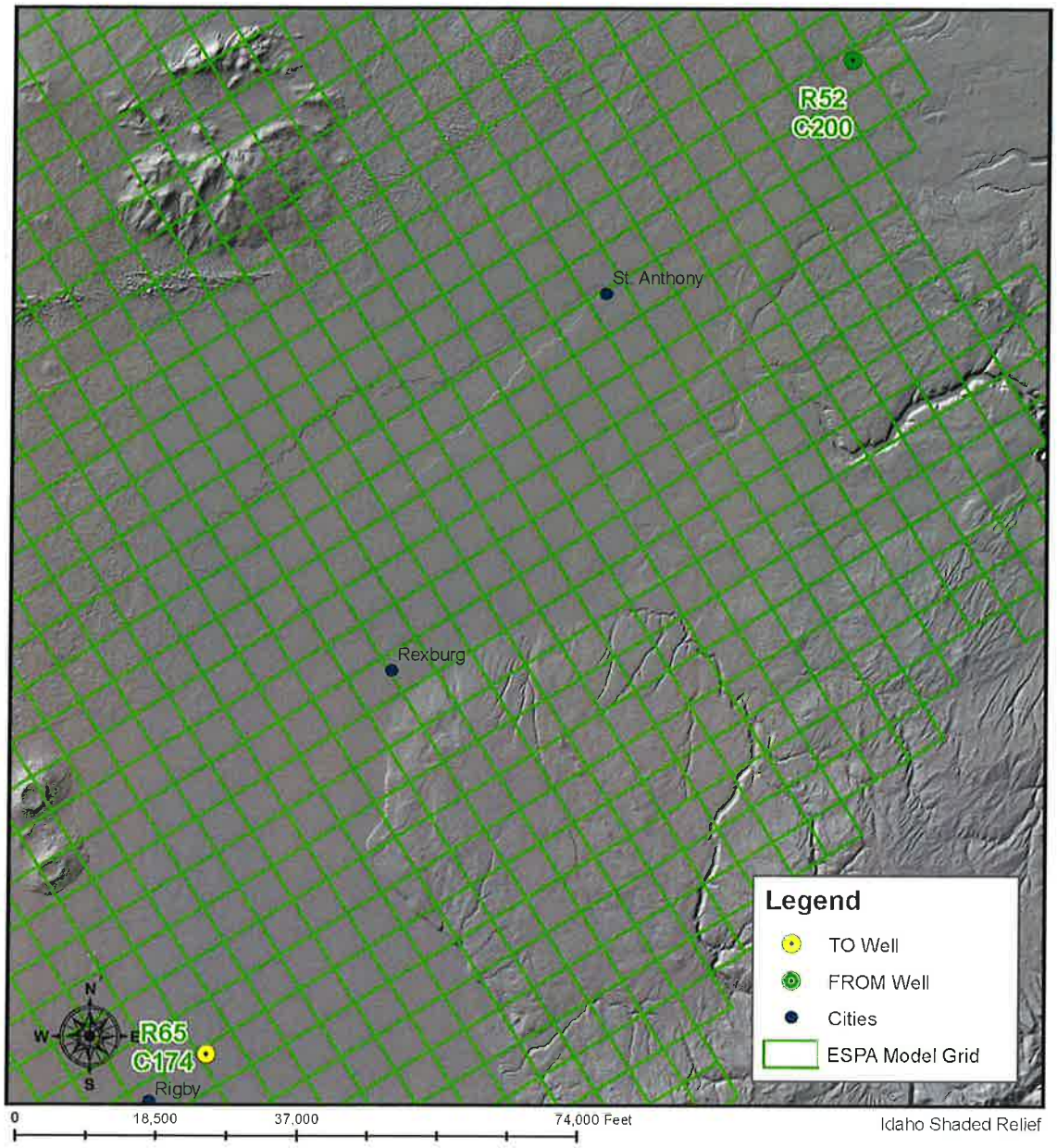
Rocky Mountain ENVIRONMENTAL ASSOCIATES, INC.

Eastern Snake Plain Aquifer Modeling Analysis and Narrative

WSB Rental Application for WR#21-7154 & 21-7155
Rivers Edge Development Inc.

The Applicant requires additional acres at the proposed place of use for irrigation in Jefferson Green Estates. A total of 4.6 acres are proposed to be rented of water right 21-7154 & 21-7155 for use at the subdivision, specifically at the lots identified in Attachment #2. The location of the TO and FROM wells are illustrated in Figure 1 below.

Figure 1. Map of Water Right for Rental Application and Grid Cells



The data input values at the FROM well are based upon a historical consumptive use of 2.5 afa, which is approximately the consumptive use of alfalfa in the area of the FROM well location. The proposed location will utilize these rented rights for turf grass, which is also approximately 2.5 afa in consumption, or less depending on which nearby station is consulted. Therefore, the input values were based upon 2.5 afa at both the FROM and the TO well locations. See Figures 2-4 for excerpts of the model run. Effects do not exceed the threshold of 2.0 af/trimester.

Figure 2. Excerpt of Data Entry

ENHANCED GROUND-WATER RIGHTS TRAN

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

Cells this color are set up for user entries

UPDATE DATES | RUN MODEL | GET OUTPUT

CALCULATE EFFECTS

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

YEAR 1978

SEASON SUMMER

TRANSFER NO: 21-7154

TRANSFER NAME: REDI

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	65	52	27	45
COLUMN	174	200	157	30

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	FROM1 WELL Without Transfer AF/TRIMESTER	FROM2 WELL With Transfer AF/TRIMESTER	FROM2 WELL Without Transfer AF/TRIMESTER	FROM3 WELL With Transfer AF/TRIMESTER	FROM3 WELL Without Transfer AF/TRIMESTER
SUM 1978	0	4	4	0	0	0	0
WIN 1978	0	4	4	0	0	0	0
SPR 1979	0	4	4	0	0	0	0
SPR 2018	0	4	4	0	0	0	0
SUM 2018	0	4	4	0	0	0	0
WIN 2018	0	4	4	0	0	0	0
SPR 2019	4	0	4	0	0	0	0
SUM 2019	4	0	4	0	0	0	0
WIN 2019	4	0	4	0	0	0	0
SPR 2020	0	4	4	0	0	0	0
SUM 2020	0	4	4	0	0	0	0
WIN 2020	0	4	4	0	0	0	0
SPR 2021	0	4	4	0	0	0	0
SUM 2021	0	4	4	0	0	0	0
WIN 2021	0	4	4	0	0	0	0
SPR 2022	0	4	4	0	0	0	0
SUM 2022	0	4	4	0	0	0	0
WIN 2022	0	4	4	0	0	0	0
SPR 2023	0	4	4	0	0	0	0
SUM 2023	0	4	4	0	0	0	0
WIN 2023	0	4	4	0	0	0	0
WIN 2126	0	4	4	0	0	0	0
SPR 2127	0	4	4	0	0	0	0
SUM 2127	0	4	4	0	0	0	0
WIN 2127	0	4	4	0	0	0	0
SPR 2128	0	4	4	0	0	0	0

Figure 3. Net Effects Above Milner

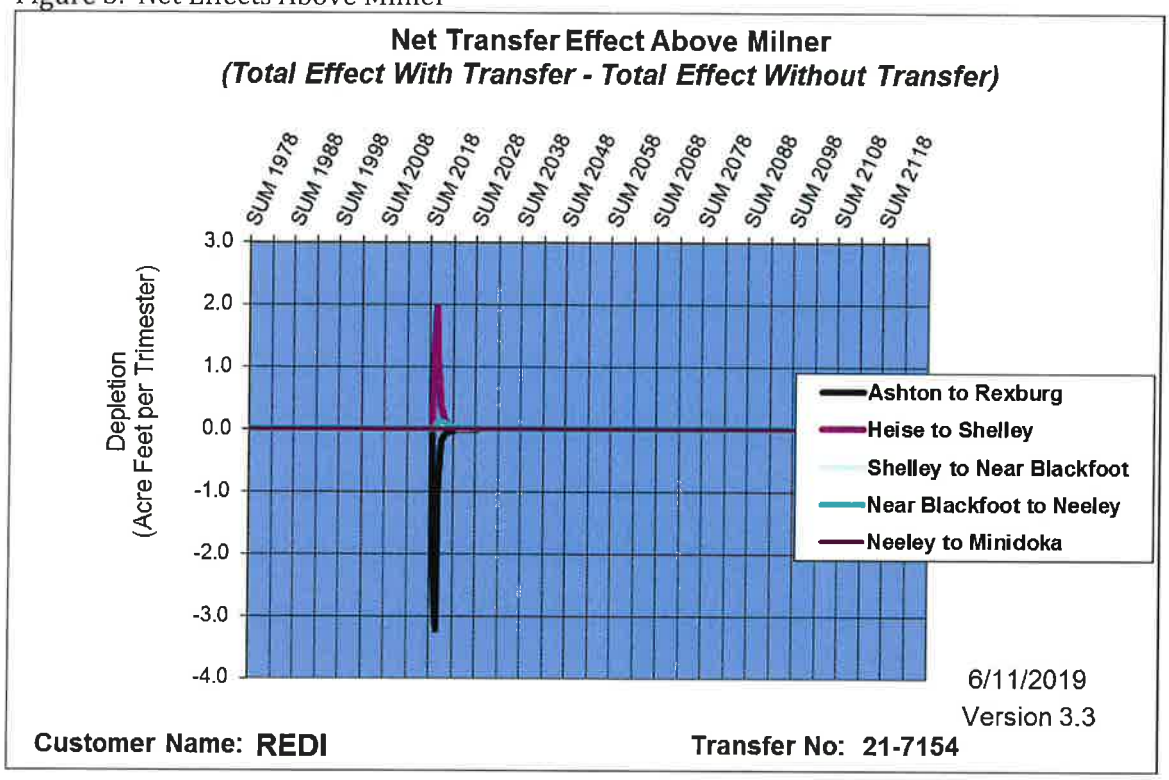


Figure 4. Excerpts of Net Transfer Effects

	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft T Neeley	Neeley to Minidoka	Dev. Wbl. Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
SUM 1978	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1978	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1979	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2019	-2.3	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	-3.0	1.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	-3.2	2.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	-1.0	1.2	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	-0.4	0.6	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	-0.2	0.4	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	-0.1	0.2	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	-0.1	0.2	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	-0.1	0.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	-0.1	0.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: SUM 1978

Match: 1 Match: 456

	AtR	HtS	StNB	NBtN	NtM	DWtB	BtTS	TS	TStM	M	MtB	Total	
Preexisting Effects @ SS (Last Time Step):	3.76	0.02	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.80	Total Effec
dy State - Value of Dep. @ Last Time Step:	3.76	0.02	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.80	Total Effec
ts @ Transient State (Max Value Timestep):	3.76	0.02	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.80	Total Effec
nt State - Max. Value of Dep. After Transfer:	3.76	1.98	0.09	0.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.97	Total Effec
Steady State Change:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	0.00	1.96	0.09	0.12	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

Attachment #2

0 250 500 1,000 Feet

2017 Aerial Photography

Legend

- TO Well
- QQ
- Proposed Acres
- Twp & Rng
- Section

Jefferson Greens

Rivers Edge Development Inc

RMEA #13-0013

by: KM

Date: 6/11/2019

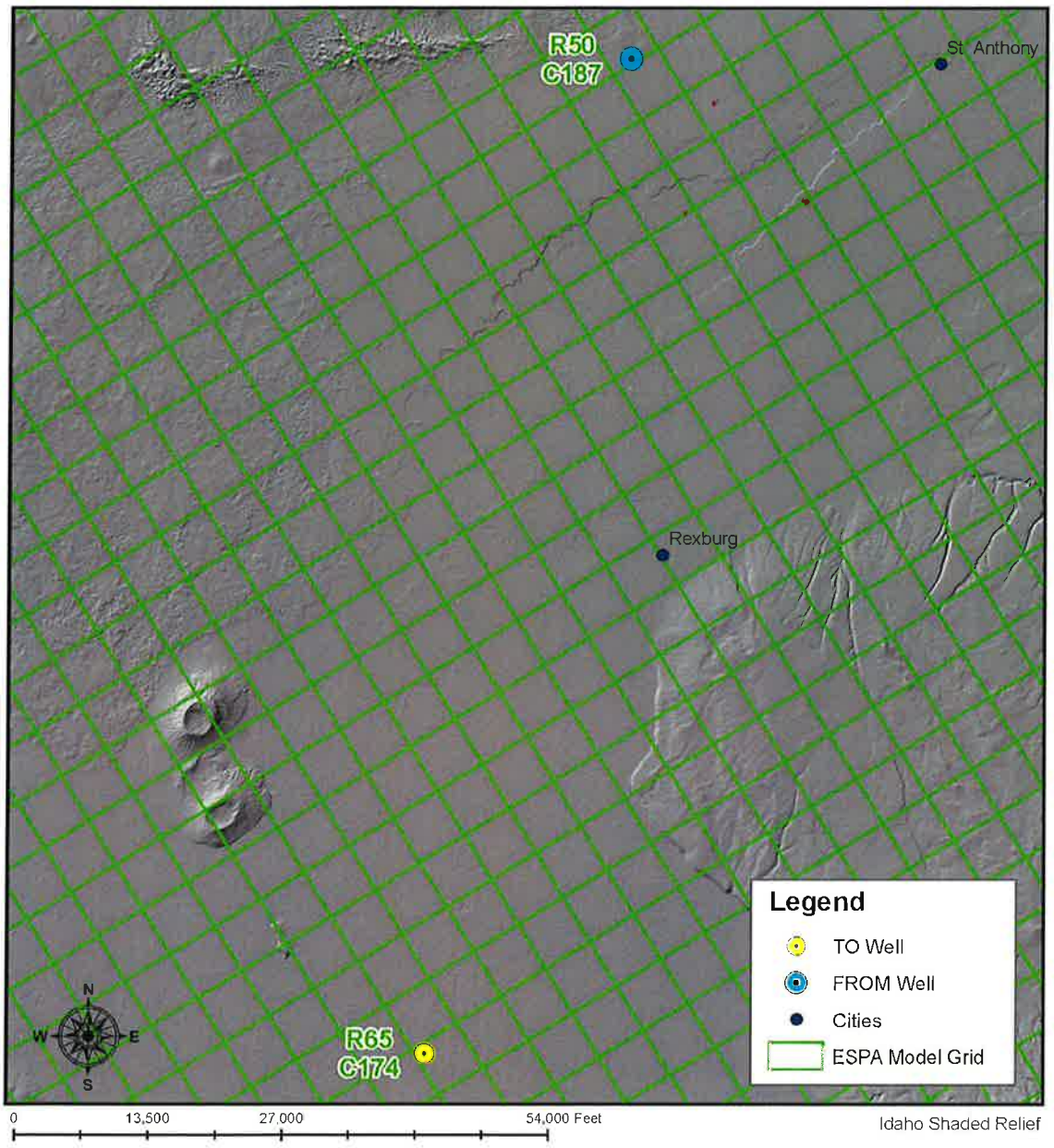
Rocky Mountain ENVIRONMENTAL ASSOCIATES, INC.

Eastern Snake Plain Aquifer Modeling Analysis and Narrative

WSB Rental Application for WR#21-7089 & 21-12952
Rivers Edge Development Inc.

The Applicant requires additional acres at the proposed place of use for irrigation in Jefferson Green Estates. A total of 4.8 acres are proposed to be rented of water rights 21-7089 and 21-12952 for use at the subdivision, specifically at the lots identified in Attachment #2. The location of the TO and FROM wells are illustrated in Figure 1 below.

Figure 1. Map of Water Right for Rental Application and Grid Cells



The data input values at the FROM well is based upon a historical consumptive use of 2.5 afa, which is approximately the consumptive use of alfalfa in the area of the FROM well location. The proposed location will utilize these rented rights for turf grass, which is also approximately 2.5 afa in consumption, or less depending on which nearby station is consulted. Therefore, the input values were based upon 2.5 afa at both the FROM and the TO well locations. See Figures 2-4 for excerpts of the model run. Effects do not exceed the threshold of 2.0 af/trimester.

Figure 2. Excerpt of Data Entry

ENHANCED GROUND-WATER RIGHTS TRAN

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

Cells this color are set up for user entries

UPDATE DATES | RUN MODEL | GET OUTPUT

CALCULATE EFFECTS

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

YEAR 1976

SEASON SPRING

TRANSFER NO:

TRANSFER NAME: Parker to REDI

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	65	50	77	58
COLUMN	174	187	165	148

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	FROM1 WELL Without Transfer AF/TRIMESTER	FROM2 WELL With Transfer AF/TRIMESTER	FROM2 WELL Without Transfer AF/TRIMESTER	FROM3 WELL With Transfer AF/TRIMESTER	FROM3 WELL Without Transfer AF/TRIMESTER
SPR 1976	0	4	4	0	0	0	0
SUM 1976	0	4	4	0	0	0	0
WIN 1976	0	4	4	0	0	0	0
SPR 2018	0	4	4	0	0	0	0
SUM 2018	0	4	4	0	0	0	0
WIN 2018	0	4	4	0	0	0	0
SPR 2019	4	0	4	0	0	0	0
SUM 2019	4	0	4	0	0	0	0
WIN 2019	4	0	4	0	0	0	0
SPR 2020	0	4	4	0	0	0	0
SUM 2020	0	4	4	0	0	0	0
WIN 2020	0	4	4	0	0	0	0
SPR 2021	0	4	4	0	0	0	0
SUM 2021	0	4	4	0	0	0	0
WIN 2021	0	4	4	0	0	0	0
SPR 2022	0	4	4	0	0	0	0
SPR 2123	0	4	4	0	0	0	0
SUM 2123	0	4	4	0	0	0	0
WIN 2123	0	4	4	0	0	0	0
SPR 2124	0	4	4	0	0	0	0
SUM 2124	0	4	4	0	0	0	0
WIN 2124	0	4	4	0	0	0	0
SPR 2125	0	4	4	0	0	0	0
SUM 2125	0	4	4	0	0	0	0
WIN 2125	0	4	4	0	0	0	0

Figure 3. Net Effects Above Milner

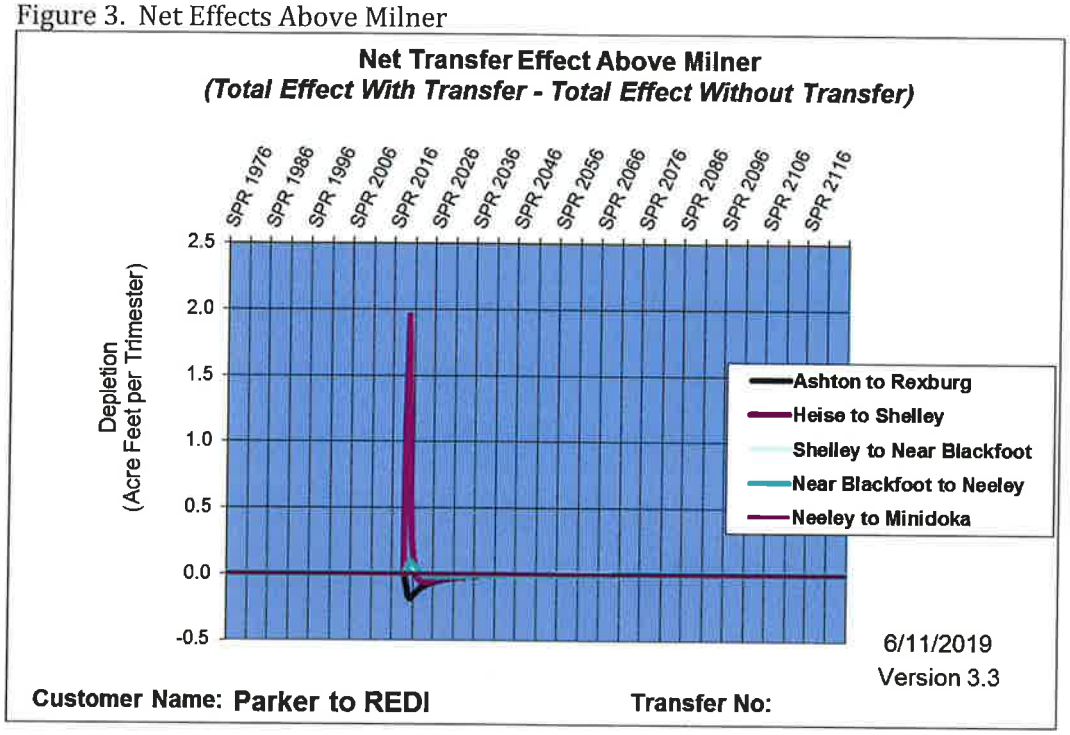


Figure 4. Excerpts of Net Transfer Effects

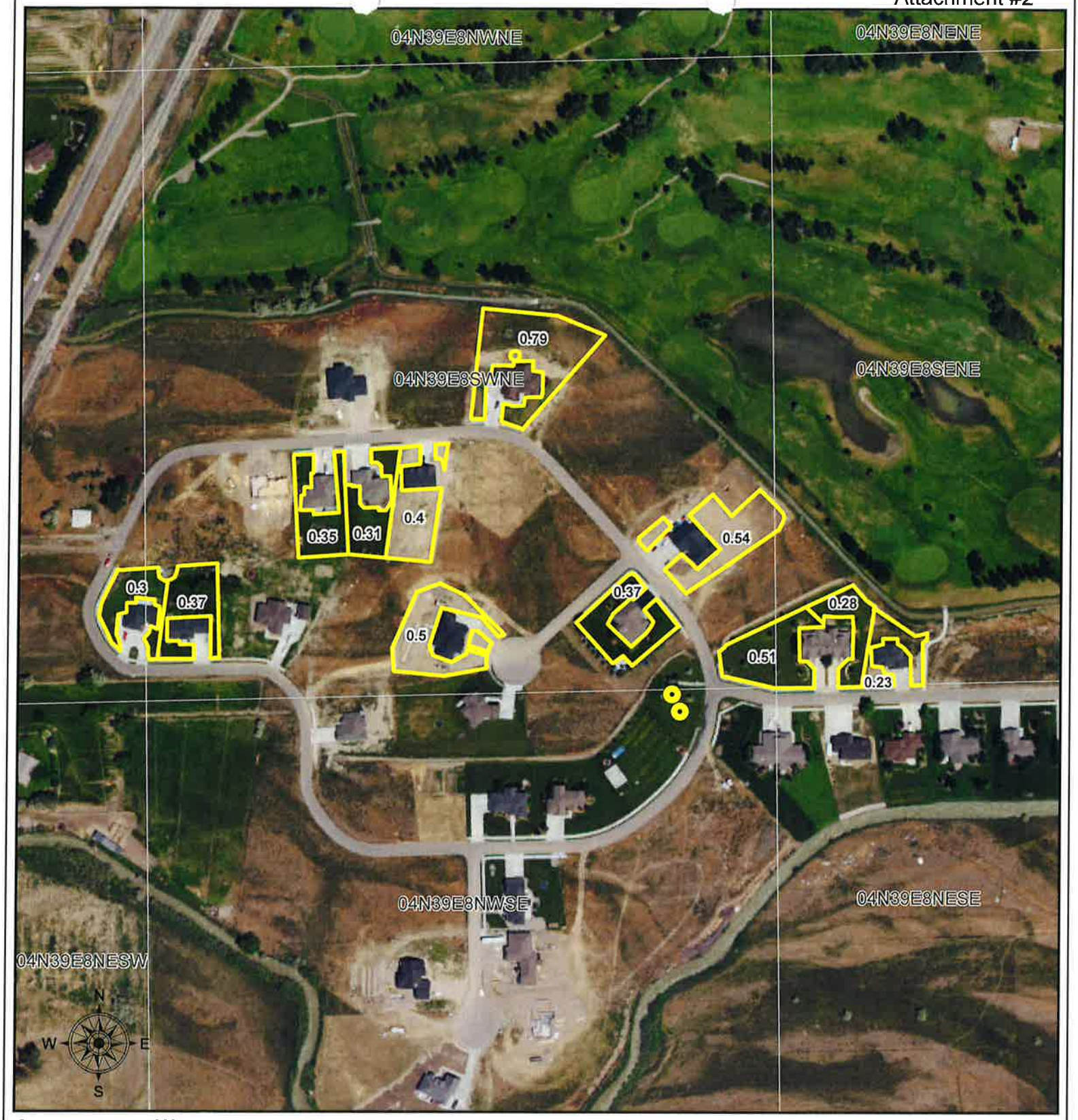
	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft T Neeley	Neeley to Minidoka	Dev. Wbl. Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
SPR 1976	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1976	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1976	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2019	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	-0.1	1.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	-0.2	2.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	-0.2	1.1	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	-0.2	0.5	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	-0.2	0.3	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	-0.2	0.1	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	-0.1	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: SPR 1976

Match: 1 Match: 456

	AtR	HtS	StNB	NBtN	NtM	DWtB	BtTS	TS	TStM	M	MtB	Total	
Preexisting Effects @ SS (Last Time Step):	1.51	1.25	0.32	0.84	0.01	0.02	0.02	0.01	0.01	0.00	0.00	3.98	Total Effec
dy State - Value of Dep. @ Last Time Step:	1.51	1.25	0.32	0.84	0.01	0.02	0.02	0.01	0.01	0.00	0.00	3.98	Total Effec
ts @ Transient State (Max Value Timestep):	1.51	1.25	0.32	0.84	0.01	0.02	0.02	0.01	0.01	0.00	0.00	3.98	Total Effec
nt State - Max. Value of Dep. After Transfer:	1.51	3.18	0.40	0.91	0.01	0.02	0.02	0.01	0.01	0.00	0.00	6.05	Total Effec
Steady State Change:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	0.00	1.93	0.07	0.06	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

Attachment #2



0 300 600 1,200 Feet

2017 Aerial Photography

Legend

- TO Well
- Proposed Acres
- Twp & Rng
- Section
- QQ

Jefferson Greens

Rivers Edge Development Inc

RMEA #13-0013

by: KM

Date: 6/11/2019

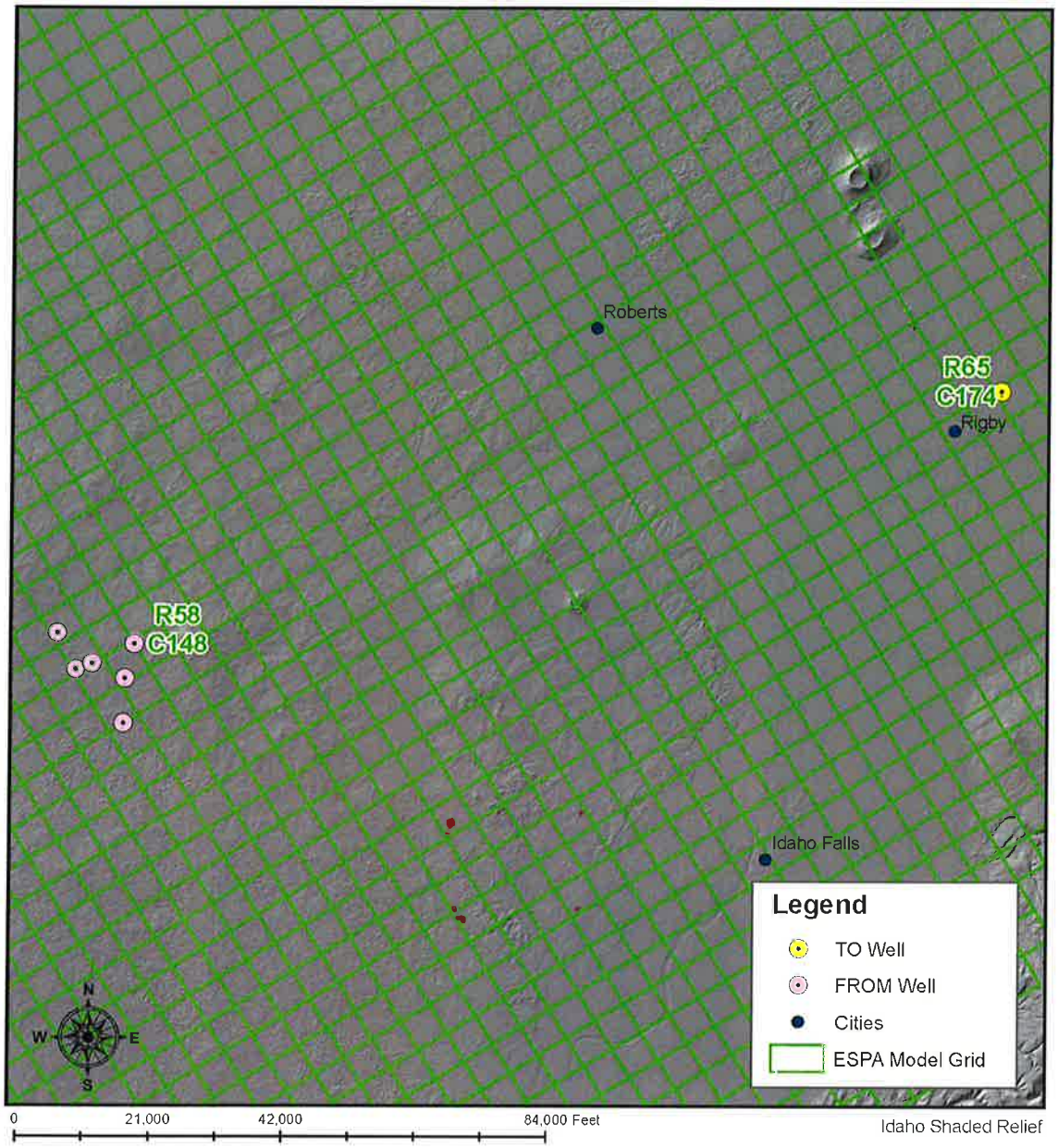
Rocky Mountain ENVIRONMENTAL ASSOCIATES, INC.

Eastern Snake Plain Aquifer Modeling Analysis and Narrative

WSB Rental Application for WR#35-13855
Rivers Edge Development Inc.

The Applicant requires additional acres at the proposed place of use for irrigation in Jefferson Green Estates. A total of 5.0 acres are proposed to be rented of water right 35-13855 for use at the subdivision, specifically at the lots identified in Attachment #2. The location of the TO and FROM wells are illustrated in Figure 1 below.

Figure 1. Map of Water Right for Rental Application and Grid Cells



The data input values at the FROM well are based upon a historical consumptive use of 3.0 afa, which is approximately the consumptive use of alfalfa in the area of the FROM well location. The proposed location will utilize these rented rights for turf grass, which is approximately 2.5 afa in consumption, or less depending on which nearby station is consulted. See Figures 2-4 for excerpts of the model run. Effects do not exceed the threshold of 2.0 af/trimester.

Figure 2. Excerpt of Data Entry

ENHANCED GROUND-WATER RIGHTS TRAN

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

Cells this color are set up for user entries

UPDATE DATES | RUN MODEL | GET OUTPUT | CALCULATE EFFECTS

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTO		TRANSFER NO:	35-13855
YEAR	1960	TRANSFER NAME:	
SEASON	WINTER		REDI

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	65	58	77	58
COLUMN	174	148	165	148

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	FROM1 WELL Without Transfer AF/TRIMESTER	FROM2 WELL With Transfer AF/TRIMESTER	FROM2 WELL Without Transfer AF/TRIMESTER	FROM3 WELL With Transfer AF/TRIMESTER	FROM3 WELL Without Transfer AF/TRIMESTER
WIN 1960	0	5	5	0	0	0	0
SPR 1961	0	5	5	0	0	0	0
SUM 1961	0	5	5	0	0	0	0
SPR 2018	0	5	5	0	0	0	0
SUM 2018	0	5	5	0	0	0	0
WIN 2018	0	5	5	0	0	0	0
SPR 2019	4	0	5	0	0	0	0
SUM 2019	4	0	5	0	0	0	0
WIN 2019	4	0	5	0	0	0	0
SPR 2020	0	5	5	0	0	0	0
SUM 2020	0	5	5	0	0	0	0
WIN 2020	0	5	5	0	0	0	0
SPR 2021	0	5	5	0	0	0	0
SUM 2021	0	5	5	0	0	0	0
WIN 2021	0	5	5	0	0	0	0
SPR 2022	0	5	5	0	0	0	0
WIN 2108	0	5	5	0	0	0	0
SPR 2109	0	5	5	0	0	0	0
SUM 2109	0	5	5	0	0	0	0
WIN 2109	0	5	5	0	0	0	0
SPR 2110	0	5	5	0	0	0	0
SUM 2110	0	5	5	0	0	0	0

Figure 3. Net Effects Above Milner

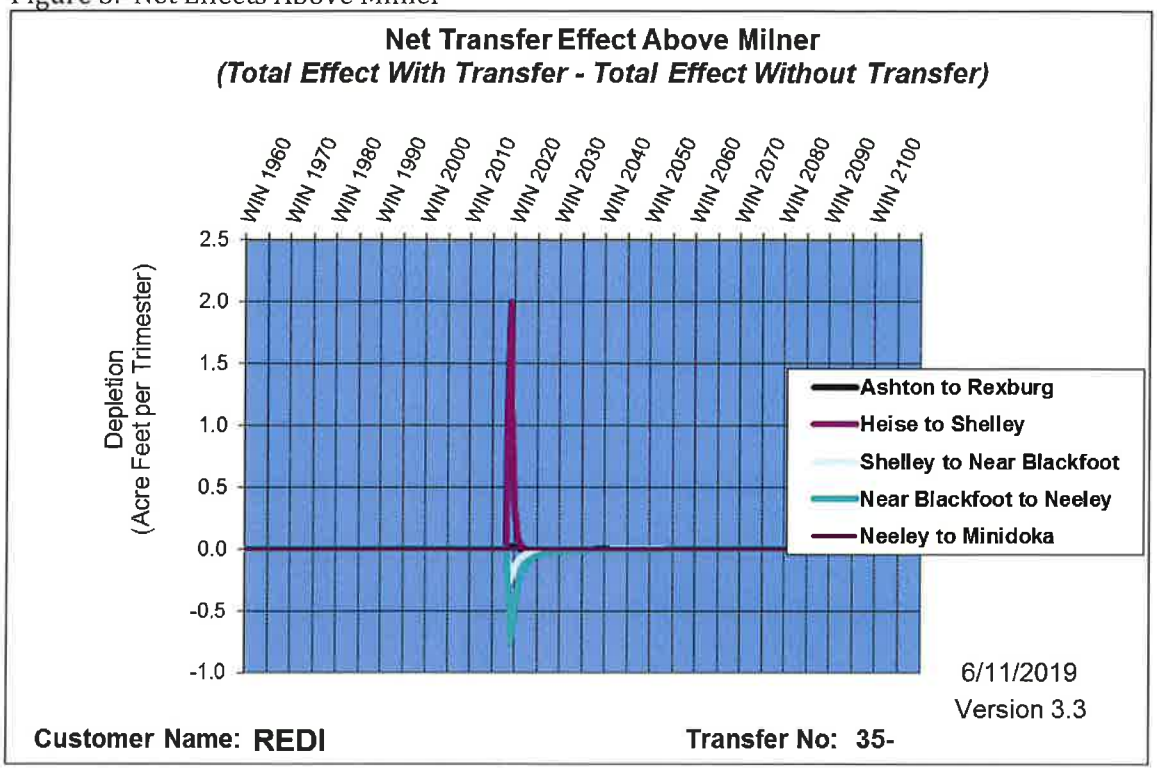


Figure 4. Excerpts of Net Transfer Effects

	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft T Neeley	Neeley to Minidoka	Dev. Wbl. Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
WIN 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2019	0.0	1.0	-0.1	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	0.0	1.7	-0.2	-0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	0.0	2.0	-0.3	-0.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	0.0	1.1	-0.2	-0.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	0.0	0.6	-0.2	-0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	0.0	0.3	-0.1	-0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	0.0	0.2	-0.1	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	0.0	0.1	-0.1	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	0.0	0.1	-0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	0.0	0.0	-0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: WIN 1960

Match: 1 Malch: 456

	AtR	HtS	StNB	NBtN	NtM	DWtB	BtTS	TS	TStM	M	MtB	Total	
Preexisting Effects @ SS (Last Time Step):	0.24	0.67	1.08	2.81	0.02	0.05	0.06	0.03	0.02	0.02	0.00	4.99	Total Effec
ıdy State - Value of Dep. @ Last Time Step:	0.24	0.67	1.08	2.81	0.02	0.05	0.06	0.03	0.02	0.02	0.00	4.99	Total Effec
ts @ Transient State (Max Value Timestep):	0.24	0.67	1.08	2.81	0.02	0.05	0.06	0.03	0.02	0.02	0.00	4.99	Total Effec
nt State - Max. Value of Dep. After Transfer:	0.26	2.66	1.08	2.81	0.02	0.05	0.06	0.03	0.02	0.02	0.00	7.00	Total Effec
Steady State Change:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	0.02	1.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
JUN 17 2019
DEPARTMENT OF WATER RESOURCES

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

Applicant Name: Rivers Edge Development Inc

Is this application being submitted with a lease application as a lease/rental package? Yes ☐ No ☑
If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

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

		Yes	
		☑	Completed *Application to Rent Water from the Board's Water Supply Bank*
		☑	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
Attachment	**N/A**	**Yes**	
2		☑	A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
3A	☑	☐	Detailed information on a proposed use of rental water
3F	☑	☐	Authorization from the owner/operator of the rental point(s) of diversion
3H	☐	☑	Water modeling to account for the impacts of the rental request
3J	☑	☐	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	☑	☐	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	☑	☐	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	☑	☐	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)
21-7089
21-12952

1435

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Rivers Edge Development Inc

Mailing Address 445 N 4185 E (Street) Rigby (City) ID (State) 83442 (Zip Code)

Email Address _____ Phone Number 208-313-2641

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☑ No ☐

If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Kristin Moore Professional Title Senior Water Right Analyst

Organization Rocky Mountain Environmental Assoc. Relationship to Applicant consultant

Mailing Address 482 Constitution Way, Ste 303, Idaho Falls, ID 83402

Email Address kristin.rmea@gmail.com Phone Number 208-524-2353

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

Applicant requires ground water rights to temporarily provide irrigation water to Jefferson Greens subdivision, which is only partially developed.

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)
0.096 CFS	16.7 AF	0.07 CFS	12 AF	4.8 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?	
6/15/19	6/30/19	☑ 1	☐ 2	☐ 3	☐ 4	☐ 5	☑ Process application as soon as possible	☐ Return application to applicant

* ***The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.***

** ***Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.***

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):
Water is delivered from the subdivision well to the water system for the subdivision.

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
NWSE S8 T4N R39E	GROUND WATER	25-14162

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 4.8 (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.**
Applicant is the developer of the subdivision and is seeking to correct water right issue.

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:
This property is partially covered by shares in the North Rigby Irrigation Canal Company, Inc.

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)
21-7089	Irrigation	1.92	336	96		0.07	12.7	3.6
21-12952	Irrigation	0.6	107	31		0.02	4.0	1.2
		1.92	443	127		0.07	16.7	4.8
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.07	16.7	4.8
						CFS	AF	AC

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

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

These rights combined provide 0.015 cfs/ac and 3.5 afa/2.5 . These rights have a historic consumption of 2.5 afa.

At the proposed location, it will be used for turf grass, which does not exceed historic use.

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 was also rented last year under RA 274. Permanent rights are currently in the transfer process.

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:

Applications have already been submitted. The first application Transfer No. 83069 has been protested. The second application is currently in advertising.

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.

NOV No. E2016-953 dated July 3, 2018 addressed to Rivers Edge Development Inc. for a violation within Jefferson Greens Estates, located in Section 8, T4N R39E.

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	Printed Name of Applicant	Date
		6-11-19

Signature of Representative	Printed Name of Representative	Date

Mail to:

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

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
JUN 17 2019
DEPARTMENT OF WATER RESOURCES

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

Applicant Name: Rivers Edge Development Inc

Is this application being submitted with a lease application as a lease/rental package? **Yes** ☐ **No** ☑
If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

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

		Yes	
		☑	Completed *Application to Rent Water from the Board's Water Supply Bank*
		☑	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
Attachment	**N/A**	**Yes**	
2		☑	A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
3A	☑	☐	Detailed information on a proposed use of rental water
3F	☑	☐	Authorization from the owner/operator of the rental point(s) of diversion
3H	☐	☑	Water modeling to account for the impacts of the rental request
3J	☑	☐	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	☑	☐	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	☑	☐	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	☑	☐	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

35-13855

#256 1437

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Rivers Edge Development Inc

Mailing Address 445 N 4185 E (Street) Rigby (City) ID (State) 83442 (Zip Code)

Email Address _____ Phone Number 208-313-2641

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☑ No ☐

If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Kristin Moore Professional Title Senior Water Right Analyst

Organization Rocky Mountain Environmental Assoc. Relationship to Applicant consultant

Mailing Address 482 Constitution Way, Ste 303, Idaho Falls, ID 83402

Email Address kristin.rmea@gmail.com Phone Number 208-524-2353

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

Applicant requires ground water rights to temporarily provide irrigation water to Jefferson Greens subdivision, which is only partially developed.

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)
0.1 CFS	20 AF	0.06 CFS	12.6 AF	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?	
6/15/19	6/30/19	☑ 1	☐ 2	☐ 3	☐ 4	☐ 5	☑ Process application as soon as possible	☐ Return application to applicant

* ***The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.***

** ***Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.***

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):
Water is delivered from the subdivision well to the water system for the subdivision.

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
NWSE S8 T4N R39E	GROUND WATER	25-14162

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 5.0 (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**.
Applicant is the developer of the subdivision and is seeking to correct water right issue.

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:
This property is partially covered by shares in the North Rigby Irrigation Canal Company, Inc.

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights? Yes ☑ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. **If no,** continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via IDWR's website.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request**. For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
35-13855	Irrigation	0.06	20	5		0.06	20	5
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.06	20	5
						CFS	AF	AC

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

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

These rights combined provide 0.012 cfs/ac and 4.0 afa/3.0 afa. These rights have a historic consumption of 3.0 afa. At the proposed location, it will be used for turf grass, which only consumes 2.5 afa or less.

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 was also rented last year under RA 274. Permanent rights are currently in the transfer process.

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:

Applications have already been submitted. The first application Transfer No. 83069 has been protested. The second application is currently in advertising.

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.

NOV No. E2016-953 dated July 3, 2018 addressed to Rivers Edge Development Inc. for a violation within Jefferson Greens Estates, located in Section 8, T4N R39E.

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	Printed Name of Applicant	Date
Kendall Snyder	Kendall Snyder	6-11-19
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
322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700
Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 17, 2019

RIVERS EDGE DEVELOPMENT INC
C/O KENDALL SHIPPEN
445 N 4185 E
RIGBY ID 83442

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 35-7720, 1-7017, AGREEMENT 364

Dear Renter:

Please find enclosed a receipt in the amount of **$1,120.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 3.5 acre-feet of water for irrigation of 14 acres during 2019. 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 $1008.00 of the rental fee will be paid to the lessor(s) and 10% or $112.00 will be retained by the Department to offset administrative costs.

If you have any questions, please contact this office at (208) 287-4800.

Sincerely,

Amanda Vebell

for Water Supply Bank

Enclosures: Receipt No. C107872
Rental Agreement (copy)

c: Kristin Moore – Rocky Mountain Environmental

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700
Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

RECEIVED
OCT 21 2019
DEPARTMENT OF WATER RESOURCES

BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 1, 2019

RIVERS EDGE DEVELOPMENT INC
C/O KENDALL SHIPPEN
445 N 4185 E
RIGBY ID 83442

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 1-7017 and 35-7720, AGREEMENT 364

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

Dear Applicant:

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

A rental fee of $1,120.00 was calculated based on the current rental rate of $20.00 per acre-foot times a diversion volume of 56.0 acre-feet.

Please send a check for $1,120.00 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 $1008.00 of the rental fee will be paid to the lessor(s) and 10% or $112.00 will be retained by the Department to offset administrative costs.

If you have any questions, please contact this office at (208) 287-4800.

Sincerely,

Debbie Budd
for Water Supply Bank

Enclosure

c: IDWR Front Desk
Kristin Moore – Rocky Mountain Environmental

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700
Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 1, 2019

RIVERS EDGE DEVELOPMENT INC
C/O KENDALL SHIPPEN
445 N 4185 E
RIGBY ID 83442

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 1-7017 and 35-7720, AGREEMENT 364

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

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Please send a check for $1,120.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement**, **within 14 days** so I can complete processing.

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If you have any questions, please contact this office at (208) 287-4800.

Sincerely,

Debbie Sold

for Water Supply Bank

Enclosure

c: IDWR Front Desk
Kristin Moore – Rocky Mountain Environmental

MEMORANDUM

To: Water Right(s) 35-7720 & 1-7017

From: Justin Ferguson and Remington Buyer

Date: September 12, 2019

Re: Review & Analysis of Water Supply Bank Rental Application 1434

Purpose/Narrative: Application 1434 received on June 17, 2019, along with rental applications 1435 and 1437, requesting authorizations to divert Eastern Snake River Plain Aquifer (ESPA) ground water for the irrigation of residential properties within the Jefferson Greens Estates subdivision, in Rigby. Through all three applications, the applicant has requested an authorization to irrigate 35 residential properties in the Jefferson Greens Estate subdivision.

Parts of the subdivision lie within the boundaries of the North Rigby Irrigation & Canal Company and the Parks & Lewisville Irrigation Company, however both companies authorize irrigation only with Snake River surface water, not ESPA ground water. Some but not all of the subdivision properties are within the service area for City of Rigby municipal water system. The subdivision is serviced with ESPA ground water right 25-14162 which authorizes indoor, domestic uses of water, but does not allow for outdoor irrigation of residential properties.

The subdivision developer (Rivers Edge Development Inc.; REDI) was issued a notice of violation (NOV ID E2016-953) for unauthorized irrigation of the subdivision using ground water in 2017 and 2018. A Water Supply Bank rental agreement (ID 274) was approved for 2018, to authorize irrigation of lands upon which the NOV was issued. These three 2019 rental applications effectively seek to continue the 2018 rental for additional years while REDI works on obtaining a transfer of water rights to the subdivision. The applicant has submitted transfer applications 83069 and 83262 to relocate irrigation water rights to the subdivision. However, application 83069 has been protested, and application 83262 has not yet completed the advertising period. It is likely that neither transfer application will be approved for 2019, which necessitates this rental.

The applicant submitted three different rental applications, corresponding to the irrigation of different properties within the subdivision, using different groupings of leased water rights (with different diversion rates and volumes). However, upon review, it was observed that a single ground water well was intended to be the point of diversion for all three rental applications and water would be diverted into a single subdivision irrigation system, for irrigation of different properties. As such, rental applications 1435 and 1437 were merged with rental application 1434, so that a single rental request might be evaluated for irrigation of the subdivision.

The applications seek an authorization to irrigate approximately 14.0 acres across 35 residential properties. Most (though not all) of the properties to be covered under this rental are also to be covered by irrigation water rights being relocated on transfers 83069 and 83262. It is presumed that a standard irrigation diversion rate of 0.02 cfs/acre and 3.5 afa/acre will be required for this rental. The applicant originally requested to rent water rights 21-7154, 21-7155, 21-7089, 21-12952 and 35-13855, however these did not provide sufficient rate and volume for the irrigation of 14.0 acres. As such, an alternative water right (35-7720) capable of authorizing irrigation of all 14.0 acres was identified for this rental.

Authority to File: The application was submitted by Kendall Shippen, on behalf of REDI, through Kristin Moore with Rocky Mountain Environmental. The annual report from the Idaho Secretary of State website confirms Kendall is an authorized agent and able to sign on behalf of Rivers Edge Development Inc. The department has no concerns at this time about applicant's authority to file.

Water Right Validity: The requested water rights are valid and available for rental. The water rights already appurtenant to the subdivision also appear valid. No concerns about water right validity.

Injury to Other Water Rights: Use of ESPA transfer tool modeling confirms water right 35-7720 can be diverted at the rental location without causing injury (requiring mitigation) to Snake River water users (see image below). No concerns of injury.

ity	POD	Dedicated Vol.		Model	Impact by Reach (AF/Trimester)										
te	Location	AFA/	AFT	Node	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
pacts following Transfer															
1960	8S26E-3	275.6	91.9	SP082075	0.00	4.96	0.01	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1960	8S26E-3	275.6	91.9	SP068066	0.00	4.96	0.01	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00
e Impacts following Transfer															
1960	8S26E-3	275.6	91.9	SP082075	0.00	4.96	0.01	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1960	8S26E-3	275.6	91.9	SP068066	0.04	6.08	0.13	0.18	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Steady State Analysis	Mitigation Check 1 - >10% of Historical:	0.4%	0.0%	0.1%	0.1%	0.2%	0.2%	0.2%	0.2%	0.2%	0.3%	0.3%
	Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Check 3 - >10% of Total:	0.1%	99.1%	0.2%	0.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	930.9%	22.7%	960.1%	617.1%	189.3%	239.3%	246.0%	243.9%	242.2%	235.2%	228.2%
	Mitigation Check 2: > 2.01 AF/T:	0.0	1.1	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	1.1	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enlargement of Use: Because water right 35-7720 is fully combined limited with 1-7017, the combined limited diversion rate and volume will be dedicated to this rental from both rights to protect against enlargement.

Local Public Interest: The subdivision that will receive water via this rental has been subject to notices of violation and protested applications for transfer. Staff are not aware of any additional local public interest concerns.

Beneficial Use/Conservation of Water Resources: Irrigation is a beneficial use, and the rental appears consistent with the conservation of water resources in Idaho.

Department Staff or Watermaster Comments: The department has no comments at this time, Watermaster and Eastern region comments will be requested.

Ferguson, Justin

From: Ferguson, Justin
Sent: Thursday, September 12, 2019 10:51 AM
To: Jordan, Blake; Cefalo, James
Subject: Rental Agreements
Attachments: Draft Rental Agreement Rivers Edge.docx; Rental Rivers Edge Development.pdf; Rivers Edge Development Rental Review Memo.docx; Hawker Rental Memo 35-2324B,35-7692.docx; Draft Rental Agreement Hawker 35-2324B, 35-7692.docx; Hawker Rental Map 35-2324B,35-7692.pdf

Good afternoon,

Attached are copies of the rental agreements, maps, and my review memos. Please let me know if you have any concerns or comments

Thank you!

Ferguson, Justin

From: Kristin Moore <kristin.rmea@gmail.com>
Sent: Tuesday, July 30, 2019 2:58 PM
To: Ferguson, Justin
Subject: RE: Water Supply Bank Rental For Rivers Edge Development

Justin,

I would really like to have a phone discussion with you. Do you have time for a call this afternoon?

Kristin Moore
Senior Water Rights Analyst
482 Constitution Way, Ste 303, Idaho Falls, ID 83402
E-Mail: kristin.rmea@gmail.com
VOICE: 208-524-2353 ||| FAX: 208-524-1795
Rocky Mountain ENVIRONMENTAL Associates, Inc.

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From: Ferguson, Justin [mailto:Justin.Ferguson@idwr.idaho.gov]
Sent: Monday, July 29, 2019 3:55 PM
To: Kristin Moore <kristin.rmea@gmail.com>
Subject: RE: Water Supply Bank Rental For Rivers Edge Development

I believe we would be able to cover the entire lease with the rights on contract 1019 and remove the others. Until the contracts are finalized I won't know for sure the available amount but currently they are looking to lease in the entirety of the right which provides for an estimated 315 af, 78.7 acres, and 2.90 cfs. Both contracts are still under review so I can't say for sure when those rights will be available but if that is something that they would rather, we can hold the application for 30 days.

If they would rather choose option 1 a new application would need submitted along with the modeling for that location. I am not sure I understand about the modeling being cumulative, we would need data for both applications showing that, with the requested rights, there was not impact greater than the ESPA limits

From: Kristin Moore [mailto:kristin.rmea@gmail.com]
Sent: Monday, July 29, 2019 3:20 PM
To: Ferguson, Justin <Justin.Ferguson@idwr.idaho.gov>
Subject: RE: Water Supply Bank Rental For Rivers Edge Development

Justin,

I have no issue with using other water rights to fulfill the rental needs for Rivers Edge Development. It appears that you have already performed modeling to determine what would be required to rent under the Draft contracts 1011 and 1019. Contract 1019 had more favorable results. How much water would be required to rent under Lease Contract 1019 in order to get the additional 9 acres?

If we choose Option 1, would we need to submit another rental application in order to rent the remaining 9 acres under one of the other Lease Contracts you mentioned? Would the modeling be considered cumulative with the 5.0 acre rental?

If it would help, please feel free to call and we can discuss over the phone.

Thanks,

Kristin Moore
Senior Water Rights Analyst
482 Constitution Way, Ste 303, Idaho Falls, ID 83402
E-Mail: kristin.rmea@gmail.com
VOICE: 208-524-2353 ||| FAX: 208-524-1795
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From: Ferguson, Justin [mailto:Justin.Ferguson@idwr.idaho.gov]
Sent: Monday, July 29, 2019 12:48 PM
To: Kristin.rmea@gmail.com
Subject: Water Supply Bank Rental For Rivers Edge Development

Good morning Kristin,

We have concluded processing of rental application 1434 for Rivers Edge Development (Kendall Shippen). Because the rental location has a single point of diversion and a single irrigation system all three applications were combined into a single application, in which 14.0 acres of irrigation was requested on residential properties within the subdivision. You requested a rental (and submitted ESPA transfer tool modeling) for water rights 21-7154/7155, 21-7089/12952 and 35-13855. Based on a maximum diversion rate of 0.02 cfs/acre, and a field headgate standard of 3.5 afa/ac, it was determined that 5.0 acres of the Jefferson Greens subdivision could be irrigated under this rental with the requested water rights, without requiring mitigation for ESPA ground water pumping impacts to the Snake River.

Presently, we can approve a rental of the above listed water rights to authorize irrigation of 5.0 acres of the Jefferson Greens subdivision. Additionally, it is possible that the remaining balance of 9.0 acres can be authorized through a rental of additional water rights from the Bank. Water rights 31-7128/7489 (Lease Contract 1011) is proposed to be leased to the Bank beginning in 2019, as are water rights 1-7017 and 35-7720 (Lease Contract 1019). We evaluated for the rental of both of these water rights and it appears that a significant amount of Draft Contract 1011 is required to avoid injury and enlargement, whereas a smaller rental amount from Contract 1019 may suffice to authorize irrigation of the remaining 9.0 acres of the subdivision.

Two options are available for your client's consideration:

1) We can approve a rental of 5.0 acres immediately for Rivers Edge; or
2) We can hold off on final approval of rental application 1434, to allow for Contracts 1011 & 1019 to be finalized, such that portions of the contracted water rights may be included in a single rental of water rights to Rivers Edge.

Note: if option 1 is preferred, we will require a map that identifies the 5.0 acres to be authorized under this rental application. If option 2 is preferred, we will hold on further processing of rental application 1434 for 30 days, to allow for the finalization of lease contracts draft 1011 and 1019. If ultimately lease contracts 1011 or 1019 are not approved, it will be necessary for you to identify which 5.0 acres should be irrigated under option 1.

Please advise us within the next seven days as to whether your client would prefer option 1 or 2, or whether you would recommend a third, alternative option. If we do not hear from you prior to close of business on August 5th, 2019, we will proceed in providing your client with a rental sufficient to authorize irrigation of 5.0 acres in 2019.

Thank you!

Justin Ferguson