

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 334

This is to certify that:

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST PO BOX 83720
BOISE, ID 83720-0098

RECEIVED

AUG 20 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)
71-14	5/1/1910	MEADOW CREEK	0.09	29.4
71-15	7/1/1910	MEADOW CREEK	0.18	29.4
71-17	5/1/1910	MEADOW CREEK	0.03	10.9
71-18	7/1/1910	MEADOW CREEK	0.11	29.4
Combined Limit Totals			0.41	29.4

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2038. 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 - 2022: \$58.80 annually
2023 - 2038 \$67.62 annually

Pursuant to the Water Supply Bank Rules and a rental fee of \$58.80 per year for years 2019-2022, and \$67.62 per year for years 2023-2038. The rental fee is based upon IWRB Transaction Contracts for years 2019 - 2038. This annual fee will be transferred to the Department's Water Supply Bank Administrative fee account as soon as the fees are available per arrangements through other programs and Water Supply Bank staff will be notified. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 71-14, 71-15, 71-17 and 71-18.

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)
MINIMUM STREAM FLOW	0.107	19.6

** The authorized water usage reflects a diversion volume limited to the total estimated consumptive use volume associated with the irrigation of 9.8 acres at a consumptive use rate of 2.00 afa/acre. The authorized diversion rate is the maximum continuous diversion rate possible under this rental and it reflects the maximum annual rental diversion volume, applied continuously throughout the rental season of use (92 days) from July 1 through September 30.*

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 334

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

8/20/2019

Date

CYNTHIA BRIDGE CLARK

Printed Name

WATER PROJECTS SECTION MANAGER

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 8-23-2019

Rental approved by IDWR 

Date 8/23/2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 334

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

MEADOW CREEK	SWNWNE	Sec. 20, Twp 10N, Rge 13E,	CUSTER County
MEADOW CREEK	SESWNW	Sec. 20, Twp 10N, Rge 13E,	CUSTER County

BENEFICIAL USE

MINIMUM STREAM FLOW

DIVERSION RATE

0.107 CFS

VOLUME

19.6 AF

SEASON OF USE

Water Right No.	From	To
71-14	7/1	9/30
71-15	7/1	9/30
71-17	7/1	9/30
71-18	7/1	9/30

RENTERS PLACE OF USE: MINIMUM STREAM FLOW

The place of use for this rental is the reach above the points of diversion listed above.

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 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. 71.
10. The water rented under this agreement is appurtenant to irrigation of 9.8 acres.
11. The extent of the beneficial use of water authorized under this rental is limited to the amount necessary to maintain minimum stream flows on Meadow Creek. Upon finding and order of the Director, the renter may be required to install and maintain gaging stations on Meadow Creek to ensure measurement and maintenance of the relevant minimum stream flows.

RECEIVED

JAN 28 2019

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

RECEIVED

JAN 16 2019

DEPARTMENT OF
WATER RESOURCES

DE

Applicant Name: Idaho Water Resource Board (IWRB)

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)

71-14

71-17

71-15

71-18

1320

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Idaho Water Resource Board (IWRB)

Mailing Address 322 E Front Street, PO Box 83720 Boise Idaho 83720
Street City State Zip Code
 Email Address _____ Phone Number 208-287-4800

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 _____ Professional Title _____
 Organization _____ Relationship to Applicant _____
 Mailing Address _____
 Email Address _____ Phone Number _____

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**:

The rental of this water is intended to supply flow to the existing minimum stream flow on Meadow Creek #

71-10894. The rental to the MSF is intended to increase natural flow to improve habitat for ESA-listed Chinook salmon and steelhead.

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)
0.41 CFS	AF	CFS	29.4 AF	9.8 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?	
05/01/2019	05/01/2019	☐ 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):

No irrigation of POU. Purpose of use is in-stream flow with delivery to the minimum stream flow water right on Meadow Creek (71-10894).

- 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
check structure (closed)	Meadow Creek	71-14, 71-15, 71-17, 71-18

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 _____ (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: in-stream flow from: 05/01 (mm/dd) to: 10/31 (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.

POU is in-stream

- 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**.

POU is instream

- 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:

WR# 's: 71-10960, 71-10961, 71-10962, 71-10963, 71-10964, 71-10965, 71-10966, 71-10967, 71-10968, 71-10969, 71-10970, 71-10971. The MSF on Meadow Creek is not met throughout the irrigation season.

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)
71-14	irrigation	0.09	29.4	9.8		0.09	19.6	9.8
71-15	irrigation	0.18	29.4	9.8		0.18	19.6	9.8
71-17	irrigation	0.03	29.4	9.8		0.03	19.6	9.8
71-18	irrigation	0.11	29.4	9.8		0.11	19.6	9.8
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	0.41	19.6	9.8
						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**:

N/A

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**:

The rental proposes to rent the full standard headgate requirement of 3.0 AF/Acre at the POD's and deliver the standard consumptive use volume of 2.0 AF/Acre to the Meadow Creek MSF.

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 Supply Bank Rental Agreement No. 186 and Agreement No. 197

- 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 ☒

N/A

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV?

Yes ☐ No ☒

If yes, describe the date and location of the NOV.

N/A

- D. Additional Information

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

IDAHO WATER RESOURCE BOARD

Date

Signature of Representative

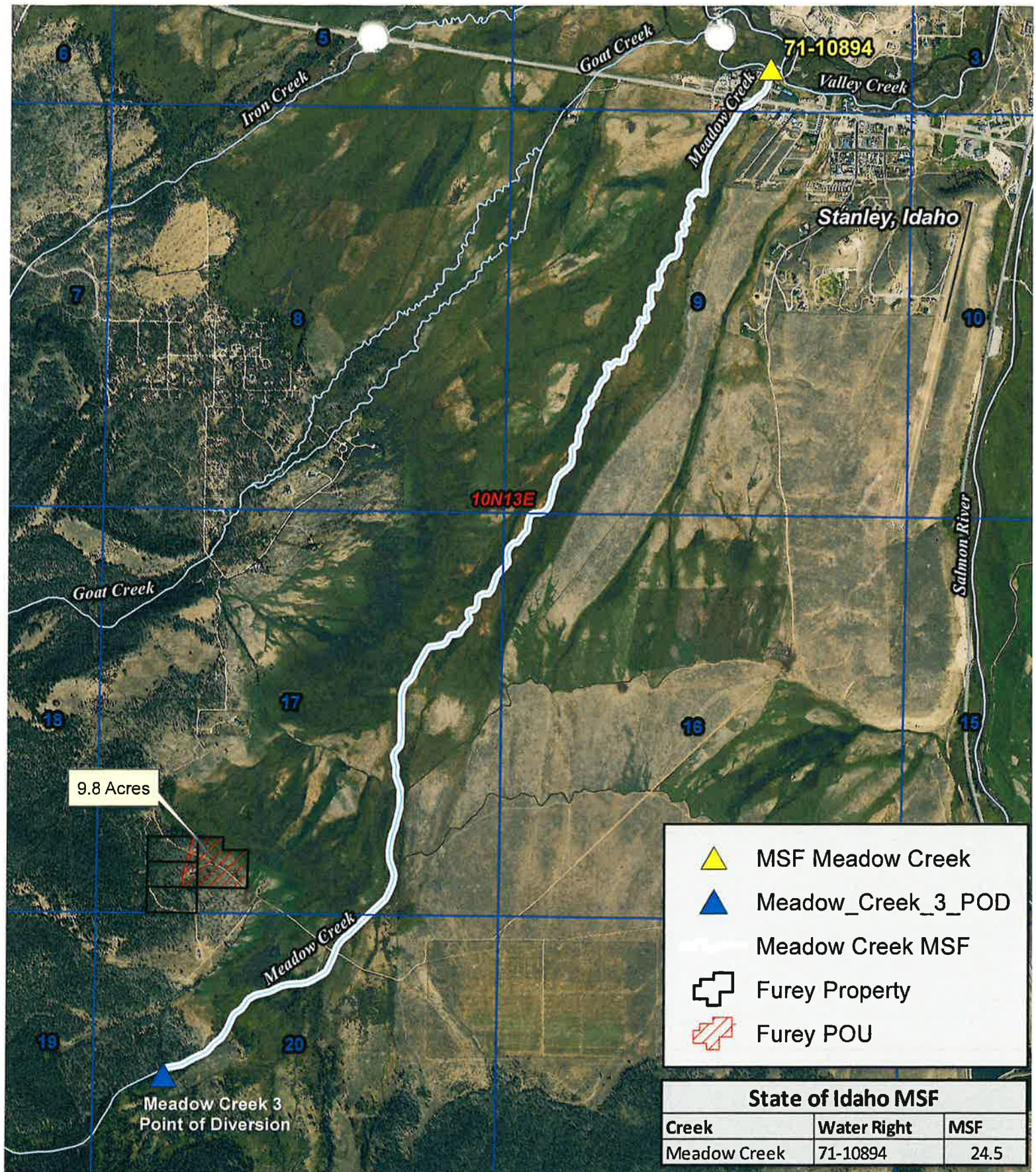
CYNTHIA BRIDGE CLARK

Date

WATER PROJECTS SECTION MANAGER

Mail to:

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



Attachment 2: Patrick D. Furey





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

August 26, 2019

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST PO BOX 83720
BOISE ID 83720-0098

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 71-14, 71-15, 71-17, & 71-18, AGREEMENT 334**

Dear Renter:

Please find enclosed a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 29.4 acre-feet of water for minimum stream flow 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 and rental fee of \$58.80 per year for years 2019-2022, and \$62.62 per year for years 2023-2038. The rental fee is based upon IWRB Transaction Contracts for years 2019-2038. This annual fee will be transferred to the Department's Water Supply Bank Administrative fee account as soon as the fees are available per arrangements through other programs and Water Supply Bank staff will be notified. Note that the renter is obligated to pay only the administrative fees associated with the water rights: 71-14, 71-15, 71-17, and 71-18.

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

Sincerely,


Water Supply Bank

Enclosures: Rental Agreement (copy)

c: Sascha Marston – Fiscal
Corey Skinner – IDWR Southern Regional Office
Morgan Miller – State Water District No. 71
Cindy Yenter – State Water District No. 170
Amy Cassel - IDWR



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

August 14, 2019

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST PO BOX 83720
BOISE ID 83720-0098

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 71-14, 71-15, 71-17, and 71-18, AGREEMENT 334**

*****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.

Pursuant to the Water Supply Bank Rules and a rental fee of \$58.80 per year for years 2019-2022 and \$67.62 per year for years 2023-2038. The rental fee is based upon IWRB Transaction Contracts for years 2019-2038. This annual fee will be transferred to the Department's Water Supply Bank Administrative fee account as soon as the fees are available per arrangements through other programs and Water Supply Bank staff will be notified. Note that the renter is obligated to pay only the administrative fees associated with the water rights: 71-14, 71-15, 71-17, and 71-18.

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

Sincerely,



Water Supply Bank

Enclosure

c: IDWR Front Desk
Amy Cassel - IDWR

JUL 29 2019

DEPARTMENT OF
WATER RESOURCES6
gms
7-30-19

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, James M. Smirch, representing the Challis Messenger, a weekly newspaper, published ad Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated July 17th 2019 and ending with the issue dated July 24th 2019

James M. Smirch

NOTICE OF PROPOSED RENTAL
FROM THE WATER SUPPLY BANK

Notice is hereby given pursuant to IDAPA Rule 37.02.03.030.02 (Water Supply Bank Rule 30.02) that the Idaho Water Resource Board (IWRB), PO BOX 83720, Boise, ID, 83702-0098, filed applications on January 28, 2019 (Water Supply Bank Rental Applications No. 1328 and 1330), to rent Water Right No(s). 71-14, 71-15, 71-17, 71-18, 71-10960, 71-10961, 71-10962 and 71-10963 from the Water Supply Bank for twenty years. The proposed rentals in Custer County would provide for 0.15 cfs from Meadow Creek for maintenance of the IWRB's minimum stream flow water right on Meadow Creek (water right 71-10894), a tributary to the Salmon River.

Comments may be submitted based on the criteria of Section 42-1763, Idaho Code. Comments should be filed in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098, or emailed to Bank@idwr.idaho.gov on or before August 5, 2019. For more information, visit www.idwr.idaho.gov/water-supply-bank.

Gary Spackman, Director

Published: July 17 and 24, 2019

(158930)

STATE OF IDAHO

COUNTY OF CUSTER

On this 24th day of July in the year of 2019, before me, a Notary Public, personally appeared James Smirch, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that (s)he executed the same.

Veronica M. Weisbeck

Notary Public of Idaho

Residing at Challis, Idaho

My commission expires 1/9/21



July 12, 2019

Legal Notice Department

Challis Messenger

PO Box 405

Challis ID 83226

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before August 5, 2019. Your cooperation is appreciated.

Sincerely

Jean Hersley
Idaho Department of Water Resources
320 E Front St
PO Box 83720
Boise ID 83720-0098
208-287-4942 – telephone
208-287-6700 – Fax
jean.hersley@idwr.idaho.gov

NOTICE OF PROPOSED RENTAL FROM THE WATER SUPPLY BANK

Notice is hereby given pursuant to IDAPA Rule 37.02.03.030.02 (Water Supply Bank Rule 30.02) that the Idaho Water Resource Board (IWRB), PO BOX 83720, Boise, ID, 83702-0098, filed applications on January 28, 2019 (Water Supply Bank Rental Applications No. 1328 and 1330), to rent Water Right No(s). 71-14, 71-15, 71-17, 71-18, 71-10960, 71-10961, 71-10962 and 71-10963 from the Water Supply Bank for twenty years. The proposed rentals in Custer County would provide for 0.15 cfs from Meadow Creek for maintenance of the IWRB's minimum stream flow water right on Meadow Creek (water right 71-10894), a tributary to the Salmon River.

Comments may be submitted based on the criteria of Section 42-1763, Idaho Code. Comments should be filed in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098, or emailed to Bank@idwr.idaho.gov on or before August 5, 2019. For more information, visit www.idwr.idaho.gov/water-supply-bank.

Gary Spackman, Director

Published on July 17 and July 24

Hersley, Jean

From: Hersley, Jean
Sent: Friday, July 12, 2019 11:17 AM
To: 'The Challis Messenger'
Subject: Legal Notice for your paper
Attachments: Challis Messenger v2.doc

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before August 5, 2019. Your cooperation is appreciated.

Sincerely

Jean Hersley
Idaho Department of Water Resources
320 E Front St
PO Box 83720
Boise ID 83720-0098
208-287-4942 – telephone
208-287-6700 – Fax
jean.hersley@idwr.idaho.gov

Hersley, Jean

From: Veronica Weisbeck <vweisbeck@challismessenger.com>
Sent: Thursday, July 11, 2019 2:57 PM
To: Hersley, Jean
Subject: Re: Legal Notice for your paper

Jean,

This email asking for the affidavit was forwarded to me by Beth Crossley at the Post Register business office. We did not receive the original email, so the legal notice did not run in the Challis Messenger. It looks like you sent the original legal notice to Beth's email address, and not info@challismessenger.com. She sends out statements from her email, but she does not take care of legals for our office.

I apologize for any confusion. In the future, please always send legal notices to info@challismessenger.com. If you have any other questions, please don't hesitate to email or call.

Have a good day!

On Wed, Jul 10, 2019 at 10:09 AM Crossley, Beth <bcross@postregister.com> wrote:

----- Forwarded message -----

From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Date: Wed, Jul 10, 2019 at 9:33 AM
Subject: RE: Legal Notice for your paper
To: CHALLIS MESSENGER <bcross@postregister.com>

I am looking for the affidavit for the Notice below. The legal notice should have been published in the Challis Messenger on May 30 and June 6, 2019.

Thank you.

Jean Hersley

Idaho Dept Water Resources

Technical Records Specialist II

208-287-4942

From: Hersley, Jean
Sent: Wednesday, May 22, 2019 1:56 PM
To: 'CHALLIS MESSENGER' <bcross@postregister.com>
Subject: Legal Notice for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 17, 2019. Your cooperation is appreciated.

Sincerely

Jean Hersley

Idaho Department of Water Resources

320 E Front St

PO Box 83720

Boise ID 83720-0098

208-287-4942 – telephone

208-287-6700 – Fax

jean.hersley@idwr.idaho.gov

NOTICE OF PROPOSED RENTAL FROM THE WATER SUPPLY BANK

Notice is hereby given pursuant to [IDAPA Rule 37.02.03.030.02 \(Water Supply Bank Rule 30.02\)](#) that the Idaho Water Resource Board (IWRB), PO BOX 83720, Boise, ID, 83702-0098, filed applications on January 28, 2019 (Water Supply Bank Rental Applications No. 1328 and 1330), to rent Water Right No(s). 71-14, 71-15, 71-17, 71-18, 71-10960, 71-10961, 71-10962 and 71-10963 from the Water Supply Bank for twenty years. The proposed rentals in Custer County would provide for 0.15 cfs from Meadow Creek for maintenance of the IWRB's minimum stream flow water right on Meadow Creek (water right 71-10894), a tributary to the Salmon River.

Comments may be submitted based on the criteria of Section 42-1763, Idaho Code. Comments should be filed in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098, or emailed to Bank@idwr.idaho.gov on or before June 17, 2019. For more information, visit www.idwr.idaho.gov/water-supply-bank.

Gary Spackman, Director

Published on May 30 and June 6

--
Beth Crossley

Credit Manager
Post Register
PO Box 1800
Idaho Falls, ID 83403

333 Northgate Mile
Idaho Falls, ID 83401
Office:(208) 542-6712

--

Thank you,
Veronica Weisbeck
The Challis Messenger

Proof of Publication

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

IDAHO DEPT OF WATER RESOURCES UIC

Jean Hersley

PO BOX 83720

BOISE ID 83720

ORDER NUMBER 86029

Ruby Aufderheide

(Legals Clerk)

STATE OF IDAHO)

.SS

COUNTY OF TWIN FALLS)

On this 6 day of June in the year of 2019 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Miriam King
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 5.10.22

Section: Legals

Category: 50 Legal

PUBLISHED ON: 05/30/2019, 06/06/2019

TOTAL AD COST: 73.02

FILED ON: 6/6/2019

NOTICE OF PROPOSED RENTAL FROM THE WATER SUPPLY BANK

Notice is hereby given pursuant to IDAPA Rule 37.02.03.030.02 (Water Supply Bank Rule 30.02) that the Idaho Water Resource Board (IWRB), PO BOX 83720, Boise, ID, 83702-0098, filed applications on January 28, 2019 (Water Supply Bank Rental Applications No. 1328 and 1330), to rent Water Right No(s). 71-14, 71-15, 71-17, 71-18, 71-10960, 71-10961, 71-10962 and 71-10963 from the Water Supply Bank for twenty years. The proposed rentals in Custer County would provide for 0.15 cfs from Meadow Creek for maintenance of the IWRB's minimum stream flow water right on Meadow Creek (water right 71-10894), a tributary to the Salmon River. Comments may be submitted based on the criteria of Section 42-1763, Idaho Code.

Comments should be filed in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098, or emailed to Bank@idwr.idaho.gov on or before June 17, 2019. For more information, visit www.idwr.idaho.gov/water-supply-bank.

Gary Spackman, Director

PUBLISH: May 30 and June 6, 2019

RECEIVED

JUN 17 2019

DEPARTMENT OF
WATER RESOURCES



TRIBUNE PUBLISHING COMPANY, INC

The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date: 06/ 019 INVOICE NO. 152082
Account No. 446640
Description 152082 NOTICE O
Times 2 Lines 43
Tab. lines 61.27

**LEGAL ADVERTISING
INVOICE**

Sold To: ID DEPT OF WATER RESOURCES
322 EAST FRONT STREET, 6TH FLOOR
BOISE ID 83702

RECEIVED**JUN 12 2019****DEPARTMENT OF
WATER RESOURCES**

PO#

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

152082
**NOTICE OF PROPOSED
RENTAL FROM THE
WATER SUPPLY BANK**
Notice is hereby given
pursuant to IDAPA Rule
37.02.03.030.02 (Water Sup-
ply Bank Rule 30.02) that the
Idaho Water Resource Board
(IWRB), PO BOX 83720,
Boise, ID, 83702-0098, filed
applications on January 28,
2019 (Water Supply Bank
Rental Applications No. 1328
and 1330), to rent Water
Right No(s). 71-14, 71-15, 71-
17, 71-18, 71-10960, 71-10961,
71-10962 and 71-10963 from
the Water Supply Bank for
twenty years. The proposed
rentals in Custer County
would provide for 0.15 cfs
from Meadow Creek for
maintenance of the IWRB's
minimum stream flow water
right on Meadow Creek (wa-
ter right 71-10894), a tribu-
tary to the Salmon River.
Comments may be submit-
ted based on the criteria of
Section 42-1763, Idaho Code.
Comments should be filed in
writing to the Idaho Depart-
ment of Water Resources, PO
Box 83720, Boise, ID 83720-
0098, or emailed to Bank@
idwr.idaho.gov on or before
June 17, 2019. For more in-
formation, visit www.idwr.
idaho.gov/water-supply-
bank.
Gary Spackman, Director
Published on May 30th
and June 6th

*Q
Jm
6-13-19
55113*

AFFIDAVIT OF PUBLICATION

Julie L. Winters, being duly sworn, deposes and
says, I am the Legal Clerk of the Tribune
Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho
and under and by virtue of the laws of the State of Washington,
publishers of the Lewiston Tribune, a news-
paper of general circulation published at Lewiston, Nez Perce
County, Idaho; That the said Lewiston Tribune is
an established newspaper and has been published regularly
and issued regularly at least once a day for more than 105
consecutive years next immediately preceding the first
publication of this notice, and has been so published
uninterrupted for said period; that the 152082 NOTICE O
attached hereto and which is made a part of this affidavit
was published in the said Lewiston Tribune,

2 time(s). Publication being on
05/30, or once a **Week**
for 2 consecutive **Week**,
the first publication thereof being on the 05/30/2019,
and the last publication thereof being on the 06/06/2019,
and said 152082 NOTICE O was so published in the
regular and entire issue of said newspaper and was not in a
supplement thereof and was so published in every issue and
number of the said paper, during the period and times of
publication as set forth above.

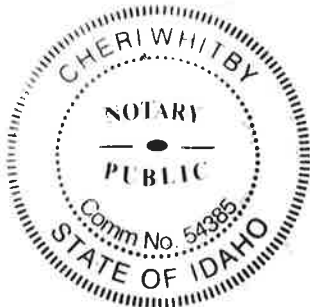
Julie L. Winters
State of Idaho

S.S.

County of Nez Perce

On this 7th day of June in the year
of 2019, before me, a Notary Public, personally
appeared Julie L. Winters, known or identified
to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledged to me that he executed the same.

Cheri Whitby
Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 6/17/21



RECEIVED

JUN 10 2019

ACCTS. PAYABLE

Idaho Statesman

Keeping you connected | IdahoStatesman.com

RECEIVED

JUN 10 2019

DEPARTMENT OF
WATER RESOURCES

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
321081	0004230290	NOTICE OF PROPOSED RENTAL FROM THE W	No. 1328 and 1330),	\$79.85	1	4.00 In

Attention: Jean.Hersley@idwr.idaho.gov

IDAHO DEPT OF WATER RESOURCES - STATE OFFICE

PO BOX 83720

BOISE, ID 837200098

NOTICE OF PROPOSED RENTAL FROM THE WATER SUPPLY BANK

Notice is hereby given pursuant to IDAPA Rule 37.02.03.030.02 (Water Supply Bank Rule 30.02) that the Idaho Water Resource Board (IWRB), PO BOX 83720, Boise, ID, 83702-0098, filed applications on January 28, 2019 (Water Supply Bank Rental Applications No. 1328 and 1330), to rent Water Right No(s). 71-14, 71-15, 71-17, 71-18, 71-10960, 71-10961, 71-10962 and 71-10963 from the Water Supply Bank for twenty years. The proposed rentals in Custer County would provide for 0.15 cfs from Meadow Creek for maintenance of the IWRB's minimum stream flow water right on Meadow Creek (water right 71-10894), a tributary to the Salmon River. Comments may be submitted based on the criteria of Section 42-1763, Idaho Code. Comments should be filed in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098, or emailed to Bank@idwr.idaho.gov on or before June 17, 2019. For more information, visit www.idwr.idaho.gov/water-supply-bank.

Gary Spackman, Director

0004230290-01

Handwritten:
Jmh
6-11-19

VICTORIA RODELA, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

Beginning issue of: 05/30/2019

Ending issue of: 06/06/2019

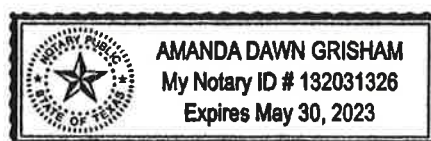
Handwritten signature: Victoria Rodela

(Legals Clerk)

On this 6th day of June in the year of 2019 before me, a Notary Public, personally appeared before me Victoria Rodela known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Handwritten signature: Amanda Dawn Grisham

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

Proof of Publication The Post Register

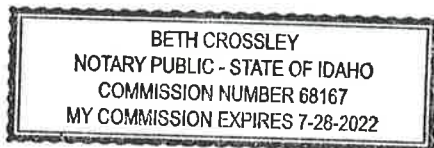
State of Idaho
County of Bonneville

I, Dawn Giannini or Taylor Winger, first being duly sworn, depose and say: That I am the Classified Manager, or Legal Notice Representative of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published Tuesday through Sunday at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880, and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidations up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register under ad number: **151124** for **2** consecutive (days) weeks, between **05/30/2019** and **06/06/2019**, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.



Subscribed and sworn to before me, this 6th day of June 2019




Notary Public
My commission expires: ~~06/28/2023~~

_____ attached jurat _____

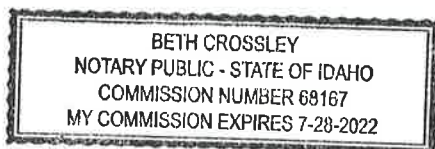
STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 6th day of June 2019, before me, the undersigned, a Notary public for said state, personally appeared Dawn Giannini or Taylor Winger, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for The Post Company
Residing: Idaho Falls, Idaho
Commission expires: ~~06/28/2023~~

**NOTICE OF PROPOSED RENTAL FROM THE
WATER SUPPLY BANK**

Notice is hereby given pursuant to IDAPA Rule 37.02.03.030.02 (Water Supply Bank Rule 30.02) that the Idaho Water Resource Board (IWRB), PO BOX 83720, Boise, ID, 83720-0098, filed applications on January 28, 2019 (Water Supply Bank Rental Applications No. 1328 and 1330), to rent Water Right No(s). 71-14, 71-15, 71-17, 71-18, 71-10960, 71-10961, 71-10962 and 71-10963 from the Water Supply Bank for twenty years. The proposed rentals in Custer County would provide for 0.15 cfs from Meadow Creek for maintenance of the IWRB's minimum stream flow water right on Meadow Creek (water right 71-10894), a tributary to the Salmon River.

Comments may be submitted based on the criteria of Section 42-1763, Idaho Code. Comments should be filed in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098, or emailed to Bank@idwr.idaho.gov on or before June 17, 2019. For more information, visit www.idwr.idaho.gov/water-supply-bank.

Gary Spackman, Director

Published on May 30 and June 6, 2019
(151124 - 42771)

OK
Jan 5
6-11-19

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, May 22, 2019 1:56 PM
To: 'CHALLIS MESSENGER'
Subject: Legal Notice for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 17, 2019. Your cooperation is appreciated.

Sincerely

Jean Hersley
Idaho Department of Water Resources
320 E Front St
PO Box 83720
Boise ID 83720-0098
208-287-4942 – telephone
208-287-6700 – Fax
jean.hersley@idwr.idaho.gov

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Gary Spackman, Director

Published on May 30 and June 6

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, May 22, 2019 1:56 PM
To: 'LEGALS@MAGICVALLEY.COM'
Subject: Legal Notice for your paper
Attachments: Legal Notice.docx

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 17, 2019. Your cooperation is appreciated.

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Gary Spackman, Director

Published on May 30 and June 6

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From: Hersley, Jean
Sent: Wednesday, May 22, 2019 1:56 PM
To: 'LEGALS@LMTRIBUNE.COM'
Subject: Legal Notice for your paper
Attachments: Legal Notice.docx

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Idaho Department of Water Resources
320 E Front St
PO Box 83720
Boise ID 83720-0098
208-287-4942 – telephone
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jean.hersley@idwr.idaho.gov

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Gary Spackman, Director

Published on May 30 and June 6

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Sent: Wednesday, May 22, 2019 1:56 PM
To: 'LEGALNOTICES@POSTREGISTER.COM'
Subject: Legal Notice for your paper
Attachments: Legal Notice.docx

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320 E Front St
PO Box 83720
Boise ID 83720-0098
208-287-4942 – telephone
208-287-6700 – Fax
jean.hersley@idwr.idaho.gov

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Gary Spackman, Director

Published on May 30 and June 6

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Sent: Wednesday, May 22, 2019 1:56 PM
To: 'LEGALS@IDAHOSTATESMAN.COM'
Subject: Legal Notice for your paper
Attachments: Legal Notice.docx

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Jean Hersley
Idaho Department of Water Resources
320 E Front St
PO Box 83720
Boise ID 83720-0098
208-287-4942 – telephone
208-287-6700 – Fax
jean.hersley@idwr.idaho.gov

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Gary Spackman, Director

Published on May 30 and June 6

Betts, David

From: Yenter, Cindy
Sent: Monday, May 13, 2019 4:35 PM
To: Betts, David; Skinner, Corey; MVM_32_RS@HOTMAIL.COM
Subject: RE: Water Supply Bank: Lease-Rental packages to supply minimum streamflow WR 71-10894 (Meadow Creek)

Dave- I have no objections to these rentals. There are in support of Meadow Creek minimum instream flow and are to be administered by the watermaster of WD71.

Like the 2017 Rental Agreement #186 in the name of IWRB to support minimum flows in Meadow and Goat Creeks, these rentals must be limited to the consumptive volume under the named rights only.

*Cindy Yenter
Watermaster, Water District 170
IDWR Salmon Field Office
102 S Warpath, Salmon ID 83467
cindy.yenter@idwr.idaho.gov
208-742-0655
208-731-0901 cell*

From: Betts, David
Sent: Thursday, May 02, 2019 4:26 PM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; MVM_32_RS@HOTMAIL.COM; Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>
Subject: Water Supply Bank: Lease-Rental packages to supply minimum streamflow WR 71-10894 (Meadow Creek)

Hello Corey, Morgan & Cindy,

I am reviewing two Lease-Rental packages for the Water Supply Bank. Both proposed rentals are from the Water Resource Board to support a minimum streamflow water right (71-10894).

Please review the attached documents and let me know if you have any concerns with respect to the leases or rentals.

Thanks,

Dave Betts
Water Resource Agent
Water Rights Section
Idaho Department of Water Resources

MEMORANDUM FOR RENTAL APPLICATION # 1328

To: Water Right(s) 71-14, 71-15, 71-17, 71-18
From: Dave Betts
Date: May 6, 2019
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: The Idaho Water Resource Board (IWRB) submitted an application to rent water for the minimum streamflow (MSF) water right 71-10894. The proposed rental is for 20 years. The IWRB submitted this application to rent (Application # 1328) at the same time as another application (Application # 1330) which proposes the rental of additional water rights for the same MSF water right.

The application to rent was submitted as part of the Lease-Rental package for the water rights proposed for this agreement.

AUTHORITY TO FILE: The application to rent was signed by Cynthia Bridge Clark, Water Projects Section Manager. There are no concerns about authority to file.

WATER RIGHT VALIDITY: The water rights are leased to the Bank and available for rental.

INJURY TO OTHER WATER RIGHTS: This rental proposes to not divert the water in order to supply water to a MSF water right. Other water rights that divert from the same points of diversion (PODs) are proposed for lease for the same purpose (Application # 1330). The application for leasing these water rights (Application # 1327) states that the diverting ditch is now closed. Injury to other water rights does not appear to be a concern.

ENLARGEMENT OF USE: The application to rent requests four overlapping water rights that supply surface water to the same place of use (POU) for irrigation of 9.8 acres. Because this rental proposes a change in nature of use, an evaluation of the consumptive use extent of the four water rights is required. Although no diversion volume was decreed for these four water rights, a consumptive use can be estimated based on IDWR standards for headgate diversion volumes and consumptive use volumes; the headgate and consumptive use volumes for this area are 3 afa/ac and 2 afa/ac, respectively. As such, the maximum diversion volume for this rental is calculated as 29.4 afa, while the maximum diversion volume authorized for dedication to minimum streamflow water right 71-10894 is 19.6 afa. Because the rental proposes to not divert the water and keep the water instream to support MSF, there are no apparent concerns for enlargement.

LOCAL PUBLIC INTEREST: The rental to the MSF is intended to increase natural flow to improve habitat for ESA-listed Chinook salmon and steelhead. Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: Per a 2017 US Forest Service memo included in a 2017 rental application to minimum streamflow water right 71-10894 (rental agreement 197), the Meadow Creek minimum stream flow water right is not met most days during May through October. Similar to rental agreement 197, this rental will seek to augment or secure minimum stream flows on Meadow Creek during the 92 day period of July through September. To ensure this rental results in a beneficial use of water occurs, the rental

should include a condition requiring that stream flows in Meadow Creek be measured and recorded monthly, and reported annually, for the duration of this rental.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The PODs and POU for this lease-rental are within the administrative are of Water District 71, which is a subdistrict of Water District 170. Review staff are seeking comments from regional staff and the local water districts.

Betts, David

From: Skinner, Corey
Sent: Friday, May 03, 2019 10:06 AM
To: Betts, David
Subject: RE: Water Supply Bank: Lease-Rental packages to supply minimum streamflow WR 71-10894 (Meadow Creek)

No concerns from me on these.

From: Betts, David
Sent: Thursday, May 02, 2019 4:26 PM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; MVM_32_RS@HOTMAIL.COM; Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>
Subject: Water Supply Bank: Lease-Rental packages to supply minimum streamflow WR 71-10894 (Meadow Creek)

Hello Corey, Morgan & Cindy,

I am reviewing two Lease-Rental packages for the Water Supply Bank. Both proposed rentals are from the Water Resource Board to support a minimum streamflow water right (71-10894).

Please review the attached documents and let me know if you have any concerns with respect to the leases or rentals.

Thanks,

Dave Betts
Water Resource Agent
Water Rights Section
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