

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 361

RECEIVED

AUG 16 2019

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

PTR INC
C/O MICHAEL CONNALLY 15 SKYLINE LN
GARDEN VALLEY, ID 83622

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)
65-3222	9/26/1881	SCRIVER CREEK	0.050	9.80	2.80	0.018	3.50
65-8290	2/4/1928	SCRIVER CREEK	0.010	2.50	2.80	0.002	0.90
Combined Limit Totals			0.060	9.80	2.80	0.020	3.50
Combined Rental Totals			0.060	9.80	2.80	0.020	3.50

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2021. 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 - 2021: \$19.60 annually

The full fee for the rental of the above-described right(s) is \$19.60 per year for years 2019 - 2021. The rental fee includes an administrative fee of \$19.60 per year for years 2019 - 2021. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 65-3222, 65-8290.

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

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 361

RECEIVED

AUG 16 2019

DEPARTMENT OF
WATER RESOURCES

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

M. S. Conally
Signature of Renter

8/14/2019
Date

MICHAEL S. CONALLY
Printed Name
PTR2 PRESIDENT

PTR2 PRESIDENT
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
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 8/23/2019

Rental approved by IDWR Chy West

Date 8-23-2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 361

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

SCRIVER CREEK NWSW Sec. 22, Twp 10N, Rge 04E, BOISE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.06 CFS

VOLUME
9.80 AF

SEASON OF USE

Water Right No.	From	To
65-3222	3/15	10/31
65-8290	3/15	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	
10N	04E	23									2.8								2.8

Total Acres: 2.8

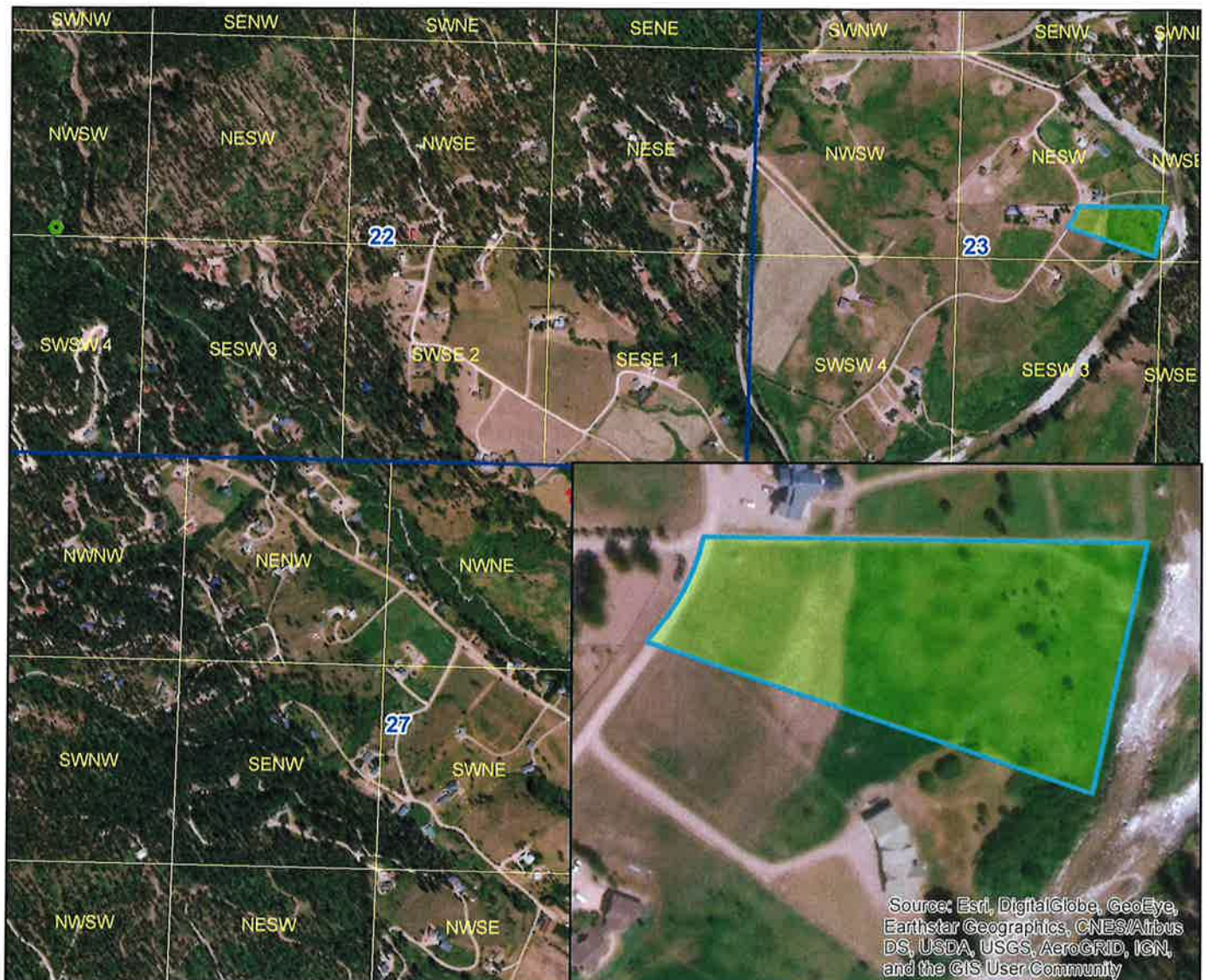
RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

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 will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
10. Renter must record daily diversions of water under this rental and submit irrigation season diversion records in an annual report to the watermaster by November 15 of each year of the rental.

Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 361

Effective until December 31, 2021

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



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

0 0.1 Miles



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

MAY 30 2019

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: PTB INC COMMITTEE #2 FOR: 39 RIVER RANCHO MARCUS YOUNG - GARDEN VALLEY ID. 83622Is this application being submitted with a lease application as a lease/rental package?
If yes, specify companion water rights in Section 4Yes ☐ No ☒

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)

1426

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

LOT 1 Block 5

1. CONTACT INFORMATION

A. Applicant MARUS YOUNG FOR PROPERTY LOCATED AT 39 RIVER RANCA RD. GARDENVILLE ID 83622
Mailing Address 2143 E. DATA FINDER CT., MERIDIAN ID 83646-5866
Street City State Zip Code
Email Address _____ Phone Number 208-960-0050

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 P.T.R. INC COMM. #2 Professional Title PRESIDENT
Organization MICHAEL CONNALLY Relationship to Applicant _____
Mailing Address 15 SKYLINE LANE, GARDENVILLE, ID 83622
Email Address MIKE@PIVOTSPLUS.COM Phone Number 208-420-1480

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**:

WATER WILL BE USED TO IRRIGATE LAWN & PASTURE 2.8 AC.
MAX. WATER IS FURNISHED FROM P.T.R. INC. COMMITTEE #2
THRU A PIPE LINE ON A SCHEDULE ROTATION.

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes: 206pm + -

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
CFS	AF	CFS	AF	<u>2.8</u> 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?	
<u>6/1/2019</u>	<u>7/1/2019</u>	☐ 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):

ALL H2O RUN THRU A 10" PIPE TO RIVER RANCH SUBDIVISION
& THEN SPLITS TO SMALLER PIPE TO PROPERTY W/OUTLET.

- 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
65-3222 &	SCRAPER CREEK	
65-8290		
HDM gate		

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 218 (number of acres) Duration: Subject to IDWR standard seasons of use
☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

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

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☒ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it **Attachment 3K**.

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:

NONE except DOMESTIC WERE.

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)
65-3222	IRRIGATION	044+		2.8				
65-8290								
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	044+		2.8
						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:**

WATER IS AT THE PROPERTY w/ PIPE NOW.

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:

- 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:

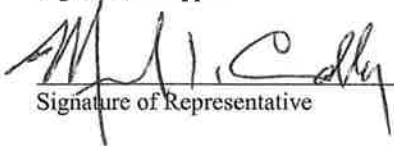
- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒
If yes, describe the date and location of the NOV.

- D. Additional Information

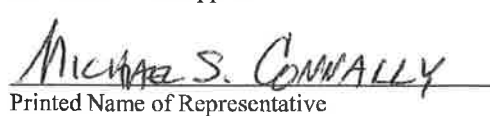
DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.

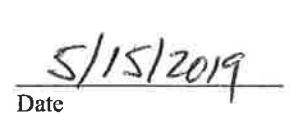
Signature of Applicant



Printed Name of Applicant


Printed Name of Representative

Date


Date

Mail to:

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

STATE OF IDAHO
WATER RESOURCE BOARD

Water Modeling Requirement Information Sheet

Information on water modeling requirements for rental requests within special administrative areas

Important information on requesting rental water within special administrative areas: Refer to the information below to determine whether the modeling of potential impacts from your rental request is necessary. Use Section 4 of the rental application to identify selected water rights. **If you submit an application to rent water from within a special administrative area and water modeling is required, your rental request will be returned if water modeling is not provided.**

Water modeling may be required when an application to rent water involves one of two scenarios:

Scenario 1: The rental request proposes to divert water from a regulated water source and/or within a special administrative area AND the distance between the rental point(s) of diversion (POD) and the POD(s) for the leased water right(s) is greater than the administratively established, acceptable distance.

Regulated water sources may areas include:

- A. Ground water resources within the modeled area of the Eastern Snake Plain Aquifer (ESPA) and tributary aquifers;
- B. Ground water within Ground Water Management Areas (GWMAs) or Critical Ground Water Areas (CGWAs);
- C. Water resources within other specified administrative areas, as established by the Idaho Water Resource Board (IWRB) or the Idaho Department of Water Resources.

The distance between any rental POD(s) and the POD(s) for a leased water right to be rented is important. On the ESPA, distance is measured in terms of model cells that cover an area of one square mile. Ground water modeling is not required if lease POD(s) and rental POD(s) are located within the same model cell or within adjacent model cells. If the lease and rental PODs are separated by more than one model cell groundwater modeling must be completed using the IDWR ESPA Transfer Tool and modeling results must be submitted with the rental application. ESPA modeling tools can be accessed and freely downloaded from IDWR's website by visiting: www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.

Ground water modeling may be required within GWMAs, CGWAs or other regulated administrative areas. Applicants who desire to rent water within an established GWMA, CGWA or other regulated administrative area should consult IDWR's website before submitting their application to review the current status of administrative orders related to regulated administrative areas. Consult www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated_areas.htm for information on GWMAs or CGWAs, visit <https://idwr.maps.arcgis.com/home/> to use mapping tools to find other regulated areas.

Applicants interested in renting water within a GWMA, CGWA or other regulated administrative areas should request water rights that have been leased into the Bank from within the same administrative area. Generally, the Bank will not permit a rental of water within a regulated administrative area if the leased water rights are not located within that same administrative area.

Scenario 2: A rental request proposes to divert water from a different but hydraulically connected water source.

Modeling situations may include:

- A. Rental requests that propose to divert surface water rights via ground water POD(s) (wells); and
- B. Rental requests that propose to divert ground water from one aquifer when the right being rented authorizes the diversion of ground water from a hydraulically connected, tributary aquifer.

Rental requests that propose to divert surface water rights from ground water points of diversion may be considered if ground water modeling establishes that the surface and ground water resources are directly and immediately hydraulically connected. An acceptable hydraulic connection occurs when at least 50 percent of the total depletions from a well are detectable from the original water source within a 24 hour period. The existing (leased) POD and proposed (rental) POD must be proximate such that diversion and use of water from the proposed POD would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original POD.

Requests to rent ground water across tributary aquifer sources may be considered if ground water modeling is provided to demonstrate that two aquifers are hydraulically connected and the anticipated impacts of diverting ground water from one source through the other is modeled accordingly.

For more information about rental application requirements, contact IDWR at (208) 287-4800.



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 23, 2019

PTR INC
C/O MICHAEL CONNALLY
15 SKYLINE LN
GARDEN VALLEY ID 83622

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 65-3222 and 65-8290, AGREEMENT 361**

Dear Renter:

Please find enclosed a receipt in the amount of **\$19.60** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 9.8 acre-feet of water for irrigation of 2.8 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, the rental fee will be retained by the Department to offset administrative costs since you are the owner of the rights.

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

Sincerely,


Water Supply Bank

Enclosures: Receipt No. C107399
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Nick Miller – IDWR Western Regional Office
Ron Shurtleff – State Water District No. 65



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 2, 2019

PTR INC
C/O MICHAEL CONNALLY
15 SKYLINE LN
GARDEN VALLEY ID 83622

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 65-3222 and 65-8290, AGREEMENT 361

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 **\$196.00** was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 9.8 acre-feet. Since you are both the lessor and the renter of the rights, **you are only obligated to pay the 10% administrative fee or \$19.60.** An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for \$19.60 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

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

Sincerely,



Water Supply Bank

Enclosure

c: IDWR Front Desk

Buyer, Remington

From: Ron Shurtleff <waterdist65@srvinet.com>
Sent: Friday, July 12, 2019 8:29 AM
To: Buyer, Remington
Subject: RE: WSB Rental Application

Remington,

Recording and reporting the daily diversion rate would be an excellent requirement. I can add that data after the fact and would like to receive the report no later than November 15th of each year. That would be great.

Thanks,

Ron Shurtleff

Water District No. 65
102 N. Main
Payette, ID 83661
Phone: 208-642-4465
Fax: 208-642-1042
Cell: 208-642-0230

From: Buyer, Remington [mailto:Remington.Buyer@idwr.idaho.gov]
Sent: Thursday, July 11, 2019 11:55 AM
To: Ron Shurtleff
Subject: RE: WSB Rental Application

Ron,

Thanks for responding back. I take it you need the average daily diversion rate realized under this rental, for the entire irrigation season; what's your deadline for having that data reported? Perhaps we should include on the rental agreement a condition similar in language to:

"renter must record daily diversions of water under this rental and report irrigation season diversion data to the watermaster no later than <Date>" ?

Please advise, we're happy to add language similar to the above if it helps you with administration.

Thanks,

Remington

From: Ron Shurtleff [mailto:waterdist65@srvinet.com]
Sent: Wednesday, July 10, 2019 2:52 PM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: RE: WSB Rental Application

Remington,

I reviewed the memorandum you provided for Water Supply rental Application 1426 for Agreement 361, from PTR Inc. I agree with your conclusions on each topic. I do not anticipate any detrimental effect to other water users if this application is approved. The diversion is included in the Payette River Water Right Accounting Program. Therefore diversion rates and timing should be provided to me by the user at the end of the irrigation season. I would appreciate having the diverting part contact me in order to agree upon a reporting plan.

Thanks you for this opportunity to comment,

Respectfully,

Ron Shurtleff

Water District No. 65
102 N. Main
Payette, ID 83661
Phone: 208-642-4465
Fax: 208-642-1042
Cell: 208-642-0230

From: Buyer, Remington [<mailto:Remington.Buyer@idwr.idaho.gov>]

Sent: Wednesday, July 03, 2019 1:29 PM

To: Ron Shurtleff; Miller, Nick

Subject: WSB Rental Application

Ron, Nick,

Happy (almost) 4th of July!

PTR Inc holds water rights that authorize irrigation of the River Ranch subdivision with Scriver Creek water, north of Crouch. The water rights are presently leased into the Water Supply Bank. One of the subdivision land owners desires to irrigate their property and has submitted a rental request, to avoid needing to partially undo the active lease contract. Attached are my rental review memo, map and draft agreement. Please advise if you have any questions, comments or concerns about the rental.

Thank you,

Remington

Buyer, Remington

From: Buyer, Remington
Sent: Wednesday, July 3, 2019 1:29 PM
To: 'Ron Shurtleff'; Miller, Nick
Subject: WSB Rental Application
Attachments: RentalMap.pdf; Draft Rental Agreement.docx; Rental Review Memo.docx

Ron, Nick,

Happy (almost) 4th of July!

PTR Inc holds water rights that authorize irrigation of the River Ranch subdivision with Scriver Creek water, north of Crouch. The water rights are presently leased into the Water Supply Bank. One of the subdivision land owners desires to irrigate their property and has submitted a rental request, to avoid needing to partially undo the active lease contract. Attached are my rental review memo, map and draft agreement. Please advise if you have any questions, comments or concerns about the rental.

Thank you,

Remington

Memorandum

To: Water Rights 65-3222, 65-8290

From: Remington Buyer

Date: July 3, 2019

Re: Water Supply Bank Rental Application 1426 for Agreement 361

Purpose/Narrative: Application received May 30, 2019, from PTR Inc, via Michael Connally, on behalf of Marcus Young. PTR Inc is the water right owner of irrigation water rights for what is the River Ranch subdivision, north of Crouch, Idaho. Mr. Young is the owner of a property authorized to be irrigated with PTR Inc water rights. However, the rights are leased to the Bank and so this rental will authorize a portion of the lease place of use while the lease is active.

Authority to File: Rental place of use is owned by Marcus Young. Michael Connally is the President of PTR Inc. No concerns about authority to file.

Water Right Validity/Forfeiture Evaluation: Water rights 65-3222 and 65-8290 are valid and leased to the Bank. No concerns about validity or forfeiture.

Injury Evaluation: This rental will authorize irrigation of lands that are already authorized to be irrigated by water rights 65-3222 and 65-8290 and no injury is anticipated through the rental.

Enlargement of Use: A proportionate amount of the water rights will be rented, sufficient to authorize irrigation of 2.8 acres of Mr. Young's 3.1 acre parcel. No concerns about enlargement of use.

Local Public Interest: Staff are unaware of any local public interest concerns that might be contrary to this rental.

Beneficial Use/Conservation of Water Resources: Irrigation is a beneficial use and irrigation practices under this rental are expected to be consistent with water resource conservation standards.

Department/Watermaster Comments: Rental is located within Water District 65 IDWR's Western Region. Comments will be requested from the Water District 65 watermaster and IDWR's Western Region office.

Water Supply Bank Evaluation: Subject to favorable review by regional and water district staff, it is recommended this rental be approved.

mconnally@pivotsplus.com

From: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Sent: Friday, May 3, 2019 3:22 PM
To: mike@pivotsplus.com
Subject: PTR Inc Rental

Mike,

PTR Inc water rights 65-3222 and 65-8290 are leased to the Bank under contract 741 that will run through to 2022. These water rights authorize irrigation of 38.2 acres that are presently being idled during the lease. You can access the lease document records by selecting the hyperlinked file: "**Lease Application to Contract PTR Inc 2018 – 2022**" from the following link: [https://idwr.idaho.gov/apps/ExtSearch/RelatedDocs.asp?Basin=65&Sequence=3222&SplitSuffix=.](https://idwr.idaho.gov/apps/ExtSearch/RelatedDocs.asp?Basin=65&Sequence=3222&SplitSuffix=)

You and I spoke about PTR Inc renting back its own water rights to cover irrigation of the Bollinger and Young properties. The Bollinger property appears to be 2.8 acres, of which PTR Inc water right authorizes irrigation of 2.7 acres, while the Young property appears to be 3.1 acres in size, of which 2.8 acres are authorized to be irrigated under PTR water rights. There are maps in the document record reference above, and for your convenience, I'm attaching an image below that shows the extent of the PTR Inc water rights associated with what we understand to be the boundaries of these parcels:



2.7 AC Bollinger = NOT THIS YEAR
3.1 AC Young = \$20/AC FT = \$6.6
X 3.5 AFA
\$19.60

To submit a rental application for these properties, please download the form from our website:

<https://idwr.idaho.gov/files/forms/WSB-rental-application.pdf>. One rental application for both parcels is fine, provided the application is coming from PTR Inc. Per the lease contract, the rental rate for these water rights is \$20/af, of which PTR would only need to pay 10% (\$2/af) if they rent their own water rights. If the rental request is for the full extent of both properties (5.5 acres), at 3.5 afa/ac, this rental would be for 19.25 acre feet, which would be annual rental payment of \$38.60.

Buyer, Remington

From: mconnally@pivotsplus.com
Sent: Wednesday, May 15, 2019 12:48 PM
To: Buyer, Remington
Subject: Application to Rent Water
Attachments: PTR Marcus Young Lot 1 Block 5 Rental H2O Remington Buyer IDWR 5-15-19.pdf

Hi Remington,

I hope I have not butchered this up too much. Marcus Young would like to rent water from PTR Committee #2 this year and eventually take it out of the bank when we redo the full water right. Please call or email if we need to change anything.

Thank You,

Mike Connally

PTR #2

15 Skyline Lane

Garden Valley, ID 83622

mike@pivotsplus.com