

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 356

This is to certify that:

SNAKE RIVER SCHOOL DISTRICT
#52
103 S 900 W
BLACKFOOT, ID 83221

RECEIVED

AUG 02 2019

**DEPARTMENT OF
WATER RESOURCES**

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

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
35-13340	11/13/1972	GROUND WATER	0.180	34.00	8.50	0.021	4.00
35-13362	11/13/1972	GROUND WATER	0.020	4.40	1.10	0.018	4.00
Combined Limit Totals			0.180	38.40	9.60	0.019	4.00
Combined Rental Totals			0.180	38.40	9.60	0.019	4.00

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2019. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2019, whichever occurs last.

Annual Rental Fee:

2019: \$768.00

The full fee for the rental of the above-described right(s) is \$768.00 for 2019. The rental fee includes an administrative fee of \$76.80 for 2019.

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.180	24.00	6.00	0.030	4.00
Combined Total	0.180	24.00	6.00	0.030	4.00

** The authorized water usage reflects a reduction from the water right elements rented, to account for a per-acre diversion rate of 0.03 cfs/ac, which is provided for under water right 35-7302, which is appurtenant to the rental location.*

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 356

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:

David L. Kerns
Signature of Renter

7-29-2019
Date

David L. Kerns
Printed Name

Superintendent
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 8/2/2019

Rental approved by IDWR Chad Webb

Date 8-2-2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 356

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER 3 SESW Sec. 31, Twp 02S, Rge 34E, BINGHAM County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.18 CFS

VOLUME
24.00 AF

SEASON OF USE

Water Right No.	From	To
35-13340	4/1	10/31
35-13362	4/1	10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	34E	31												6.0 L3					6.0

Total Acres: 6.0

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Right 35-13362 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 356

11. Prior to December 31 of each year, the Board may review this rental agreement to determine whether it is consistent with the management plan that may be approved for the Eastern Snake Plain Aquifer Ground Water Management Area ("ESPA GWMA Plan") pursuant to Idaho Code § 42-233b. The Board may cancel this rental agreement if the Board determines it is not consistent with the ESPA GWMA plan. If this rental agreement is canceled, the cancellation shall not take effect until December 31 of the year in which the rental agreement is canceled.

Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 356

Effective until December 31, 2019

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



● Authorized Rental Point of Diversion

□ Authorized Rental Place of Use

□ Township/Range

□ Sections

□ QQ



0 Miles 0.1

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

MAR 21 2019

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK

Applicant Name: Snake River School District #52

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)

B77

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Snake River School District #52

Mailing Address 103 South 900 West Blackfoot ID 83221
Street City State Zip Code
Email Address kerndavi@snakeriver.org Phone Number (208) 684-3001

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 Delbert Kohtz Professional Title Agent
Organization Idaho Water Co. LLC Relationship to Applicant contractual
Mailing Address P.O. Box 191190 Boise, ID 83719
Email Address info@idahowatercompany.com Phone Number (208) 312-1135

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**:

Irrigation of six acres at Rockford Elementary School.

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)
<u>.06 CFS</u>	<u>24 AF</u>	<u>.06 CFS</u>	<u>24 AF</u>	<u>6 AC</u>

* 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>04/01/19</u>	<u>05/15/19</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):

Existing deep well, turbine pump, sprinklers and distribution system for school

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
Well & Pump	ESPA	35-7302

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

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

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

- 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 35-7302 currently covers 5 acres, the playground and field areas for the school are 11 acres. This rental application seeks to obtain the necessary water to irrigate the remaining six acres in 2019.

**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)
29-14096	Irrigation	0.21	83.2	20.8		.05	21.7	5.4
29-14097	Irrigation	0.02	8.8	2.2		0.01	2.3	0.6
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.06	24.0	6
						CFS	AF	AC

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

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

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**:

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:

This rental is the same as requested in 2017 & 2018. The school has located permanent replacement rights for future 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:

A transfer application will be submitted in 2019.

- 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

N/a

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

Snake River School District #52

Printed Name of Applicant

03/20/2019

Date


Signature of Representative

Delbert Kohiz - Idaho Water Co.

Printed Name of Representative

03/20/2019

Date

Mail to:

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

Application to Rent Water From The Water Supply Bank
Snake River School District #52 (2S, 34E, Section 31 SESW)

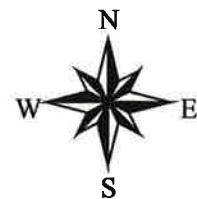


JCH - 02/01/2018

2015 NAIP Aerial Photo



- Proposed Rental Point of Diversion
- Proposed Irrigation Rental Place of Use (Yellow)
6.0 Total Acres
- Sections
- ESPA Model Grid
- 40s



ENHANCED GROUND-WATER RIGHTS TRA

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE | IDAHO DEP

Cells this color are
set up for user entries

ENTER STARTING DATE FOR

SIMULATION. THEN PUSH

"UPDATE DATES" BUTTON

YEAR

1971

SEASON

SPRING

TRANSFER NO:

SRSD52 2019

TRANSFER NAME

Rental 2019

ENTER CELL LOCATIONS:

ROW	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
COLUMN	78	96		
	129	122		

29-14096	11/29/1971	21.7
29-14097	11/29/1971	2.3

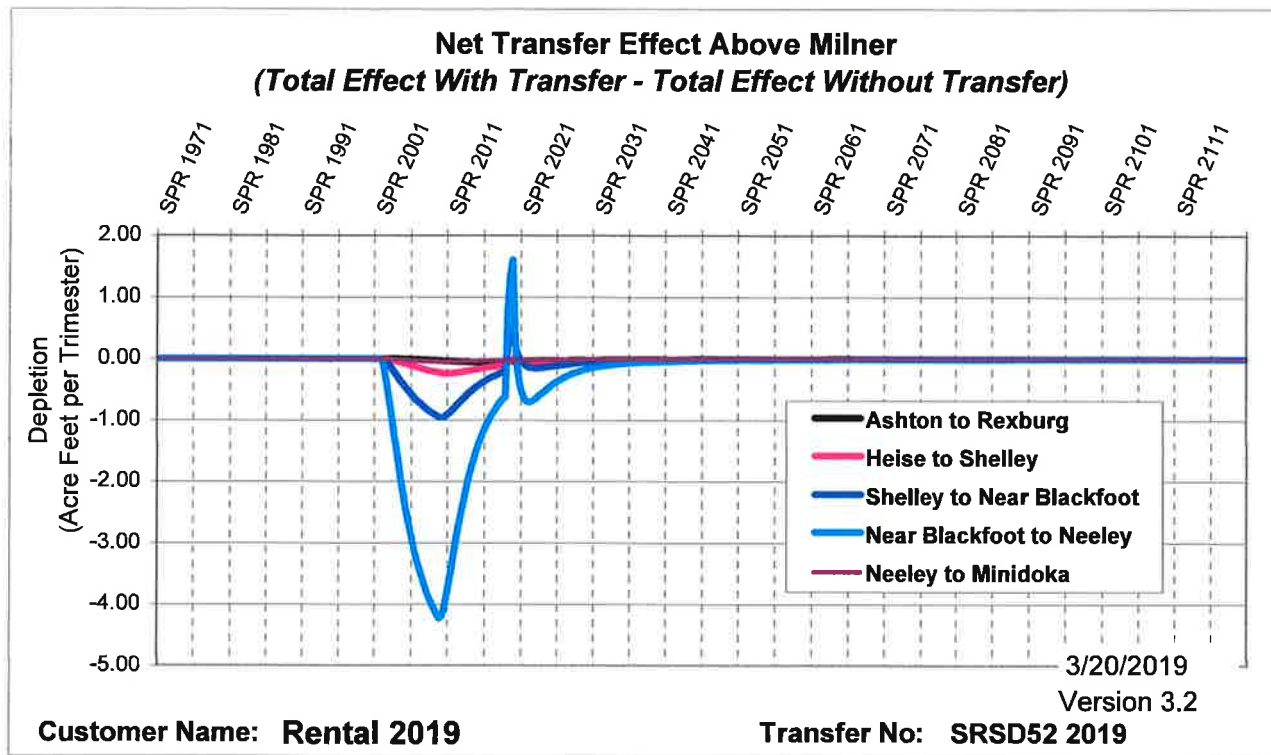
[acre-ft]

2S34E-31 3-14096, 29-14097

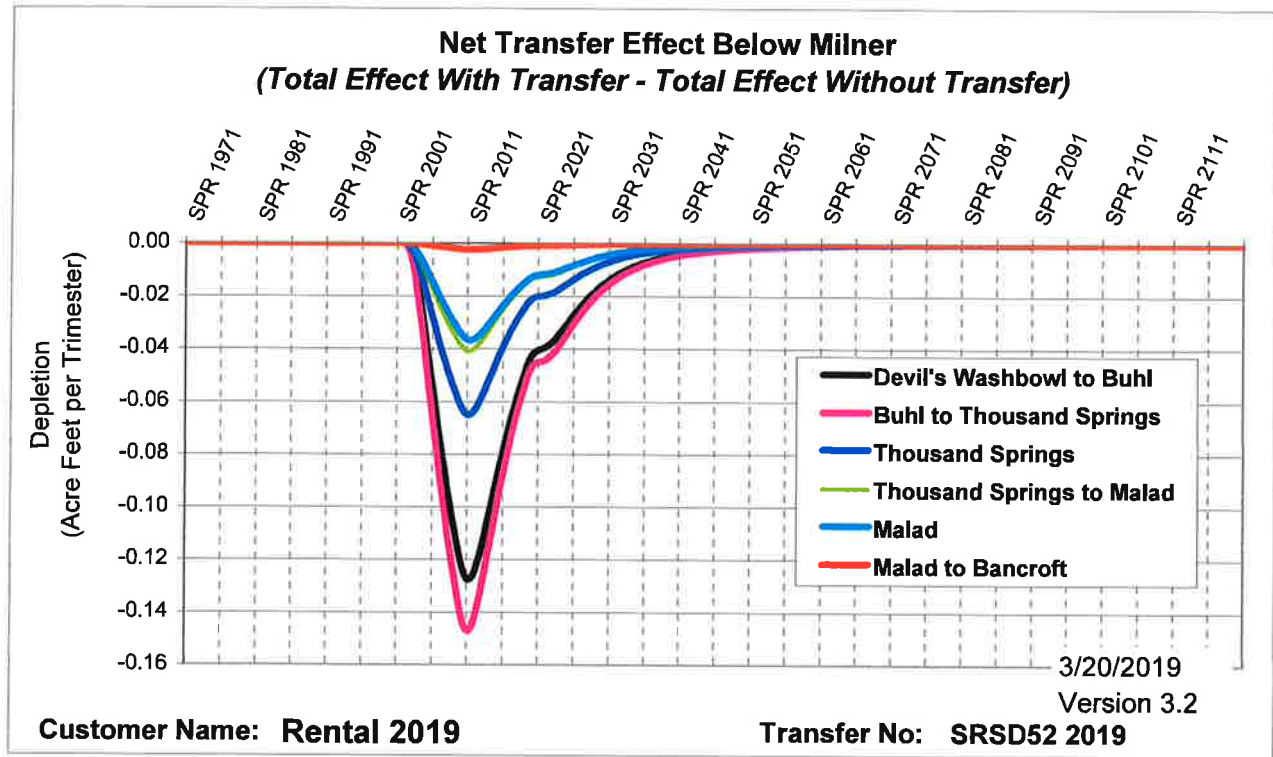
Total rental: 24.00

TRIMESTER TO WELL		FROM1 WELL		FROM2 WELL		FROM3 WELL			
OF	Projected Use	With Transfer	Without Transfe	With Transfer	Without Transfe	With Transfer	Without Transfer		
ACTIVITY	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER		
SPR 1971	0.0	0.0	0.0	0.0	0.0	0.0	0.0		
SUM 1971	0.0	0.0	0.0	0.0	0.0	0.0	0.0		
WIN 1971	0.0	0.0	0.0	0.0	0.0	0.0	0.0		
SPR 1972	0.0	0.0	0.0	0.0	0.0	0.0	0.0		
SUM 1972	0.0	8.0	8.0	0.0	0.0	0.0	0.0		
WIN 1972	0.0	8.0	8.0	0.0	0.0	0.0	0.0		
SPR 1973	0.0	8.0	8.0	0.0	0.0	0.0	0.0		
WIN 2001	0.0	8.0	8.0	0.0	0.0	0.0	0.0		
SPR 2002	0.0	0.0	8.0	J Helms: Parents 35-7192, 35-9069 Originally Decreed 2002 Non-use 2002-2007 Protected by extension 2007 Use resumed in 2010 transferred to current pou in 2012 Leased & rented 2012-2018 Use potentially resumes in 2020				0.0	0.0
SUM 2002	0.0	0.0	8.0					0.0	0.0
WIN 2002	0.0	0.0	8.0					0.0	0.0
SPR 2003	0.0	0.0	8.0					0.0	0.0
WIN 2008	0.0	0.0	8.0					0.0	0.0
SPR 2009	0.0	0.0	8.0					0.0	0.0
SUM 2009	0.0	0.0	8.0					0.0	0.0
WIN 2009	0.0	0.0	8.0					0.0	0.0
SPR 2010	0.0	8.0	8.0					0.0	0.0
SPR 2018	0.0	8.0	8.0					0.0	0.0
SUM 2018	0.0	8.0	8.0					0.0	0.0
WIN 2018	0.0	8.0	8.0					0.0	0.0
SPR 2019	8.0	0.0	8.0					0.0	0.0
SUM 2019	8.0	0.0	8.0					0.0	0.0
WIN 2019	8.0	0.0	8.0					0.0	0.0
SPR 2020	0.0	8.0	8.0	0.0	0.0	0.0	0.0		
SUM 2020	0.0	8.0	8.0	0.0	0.0	0.0	0.0		
WIN 2020	0.0	8.0	8.0	0.0	0.0	0.0	0.0		
SPR 2021	0.0	8.0	8.0	0.0	0.0	0.0	0.0		
SPR 2120	0.0	8.0	8.0	0.0	0.0	0.0	0.0		
SUM 2120	0.0	8.0	8.0	0.0	0.0	0.0	0.0		
WIN 2120	0.0	8.0	8.0	0.0	0.0	0.0	0.0		

ATTACHMENT #3H
Data Entry



ATTACHMENT #3H
Impacts Above Milner



ATTACHMENT #3H
Impacts Below Milner



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

SNAKE RIVER SCHOOL DISTRICT #52
103 S 900 W
BLACKFOOT ID 83221

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 35-13340 and 35-13362, AGREEMENT 356**

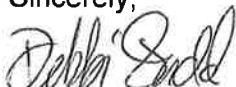
Dear Renter:

Please find enclosed a receipt in the amount of **\$768.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 38.4 acre-feet of water for irrigation of 6.0 acres during 2019. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$691.20 of the rental fee will be paid to the lessor(s) and 10% or \$76.80 will be retained by the Department to offset administrative costs.

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

Sincerely,


Water Supply Bank

Enclosures: Receipt No. C107264
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office
Blake Jordan – State Water District No. 120
Aberdeen American Falls GWD
Delbert Kohtz – Idaho Water Co LLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

RECEIVED

AUG 02 2019

DEPARTMENT OF
WATER RESOURCES

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 8, 2019

SNAKE RIVER SCHOOL DISTRICT #52
103 S 900 W
BLACKFOOT ID 83221

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 35-13340 and 35-13362, AGREEMENT 356

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 \$768.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 38.4 acre-feet.

Please send a check for \$768.00 made payable to the Idaho Department of Water Resources, together with the signed rental agreement, within 14 days so I can complete processing.

Pursuant to the Water Supply Bank Rules, 90% or \$691.20 of the rental fee will be paid to the lessor(s) and 10% or \$76.80 will be retained by the Department to offset administrative costs.

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

Sincerely,

Water Supply Bank

Enclosure

c: IDWR Front Desk
Delbert Kohtz – Idaho Water Company LLC

*\$ fee to be paid by
Idaho Water Company*

Webster, Clay

From: Webster, Clay
Sent: Monday, July 29, 2019 1:40 PM
To: 'David Kerns'
Subject: Snake River School District Rental agreement 356

Mr. Kerns,

Please mail rental agreement 356 to the department, with the original signature, to allow us to execute this rental. . We received a copy of the signature page along with payment on 23 July. Thank you for your attention to this matter. You can call me if you have any questions.

Sincerely,
Clay Webster
Water Rights Supervisor
clay.webster@idwr.idaho.gov
208-287-4910
Idaho Department of Water Resources (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

July 8, 2019

SNAKE RIVER SCHOOL DISTRICT #52
103 S 900 W
BLACKFOOT ID 83221

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 35-13340 and 35-13362, AGREEMENT 356**

*****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 \$768.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 38.4 acre-feet.

Please send a check for \$768.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

Pursuant to the Water Supply Bank Rules, 90% or \$691.20 of the rental fee will be paid to the lessor(s) and 10% or \$76.80 will be retained by the Department to offset administrative costs.

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

Sincerely,

A handwritten signature in dark ink, appearing to read 'Delbert Kohtz', is written over a horizontal line.

Water Supply Bank

Enclosure

c: IDWR Front Desk
Delbert Kohtz – Idaho Water Company LLC

Buyer, Remington

From: Cefalo, James
Sent: Wednesday, June 26, 2019 12:04 PM
To: Buyer, Remington
Subject: Re: WSB Rental Application 1377

Remington,

I don't have any concerns with the proposed WSB rental.

James

On Jun 25, 2019, at 4:25 PM, Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

Blake, James,

Attached are documents associated with a renewal of a WSB rental that's been recurring at the Rockford Elementary School for the past few years. They are short 6.0 acres that they are making up for with a rental. On behalf of the Eastern Region / Water District 120 , please advise if you have any questions, comments or concerns.

Thanks,

Remington

<Rental Review Memo.docx>

<Rental Map - Agreement 356.pdf>

<Draft Rental Agreement.docx>

Memorandum

To: Water Supply Bank Rental Application 1377

From: Remington Buyer

Date: June 25, 2019

Re: Water Supply Bank Rental Application 1377 for Agreement TBD

Purpose/Narrative: Application received March 21, 2019 from Snake River School District #52, through representative Del Kohtz, for an authorization to irrigate the grounds of the Rockford School, using Eastern Snake River Plain Aquifer (ESPA) ground water. This is effectively a continuation of rental agreements 187 and 231 from 2017 and 2018, respectively.

The school is situated on a 15.0 acre parcel, of which 5.0 acres can be irrigated under ground water right 35-7302, at a per-acre diversion rate and volume of 0.03 cfs/ac and 4.0 afa/ac. It appears 4.0 acres is hardcape (roads and buildings). As with past rentals, this rental is to authorize irrigation of the 6.0 acres not covered by a water right. The applicant requested a rental of water rights 29-14096 and 29-14097, however these water rights are already rented on other agreements and are unavailable for 2019. This rental can be approved through a rental of water rights 35-13340 and 35-13362 (contract 845).

Authority to File: Application signed by David Kern, Superintendent of Snake River School District #52. The rental place of use and point of diversion are on lands owned by the school district. No concerns about authority to file.

Water Right Validity/Forfeiture Evaluation: Water right 35-7302 is appurtenant to the rental location and evidence of irrigation in areas not covered by a rental in years past indicates the right remains valid.

Injury Evaluation: ESPA ground water modeling indicates no injury it apparent to the Snake River, through a rental of water right elements, as provided for in the table below, under the enlargement of use section.

Enlargement of Use: To avoid enlargement, water rights 35-13340 and 13362 will be adjusted to allow for irrigation at 0.03 cfs/ac, as follows:

Water Rights	Leased Elements Associated with this Rental					Rented Elements Authorized for this Rental				
	Div. Rate	Div. Vol	Acres	Rate / Acre	Vol / Acre	Div. Rate	Div. Vol	Acres	Rate / Acre	Vol / Acre
35-13340	0.180	34.0	8.5	0.021	4.0	0.180	24.0	6.0	0.030	4.0
35-13362	0.020	4.4	1.1	0.018	4.0	0.020	2.6	0.7	0.030	4.0
combined	0.180	38.4	9.6	0.019	4.0	0.180	24.0	6.0	0.030	4.0

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

Beneficial Use/Conservation of Water Resources: Irrigation is a beneficial use. An irrigation rate of 0.03 cfs/ac may be approved if irrigation is to occur in a concentrated fashion (e.g. at night).

Department/Watermaster Comments: Comments will be requested from the Water District 120 watermaster and IDWR Eastern Regional Office staff.

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