

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 357

RECEIVED

JUL 19 2019

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

TODD CLEMENT

697 N 1300 W

BLACKFOOT, ID 83221-5133

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)
35-2324B	4/14/1953	GROUND WATER	0.060	11.20	2.80	0.200	4.00
35-7692	4/15/1977	GROUND WATER	0.050	8.80	2.20	0.024	4.00
Combined Limit Totals			0.100	20.00	5.00	0.020	4.00
Combined Rental Totals			0.100	20.00	5.00	0.020	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, 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: \$400.00 annually

The full fee for the rental of the above-described right(s) is \$400.00 per year for years 2019 - 2021. The rental fee includes an administrative fee of \$40.00 per year for years 2019 - 2021.

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.

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


Signature of Renter

7/14/19
Date

TODD M Clement
Printed Name

OWNER
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 7/22/2019

Rental approved by IDWR 

Date 7-22-2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 357

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec. 36, Twp 01S, Rge 33E, BINGHAM County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.10 CFS

VOLUME
20.00 AF

SEASON OF USE

Water Right No.	From	To
35-2324B	4/1	10/31
35-7692	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	
01S	33E	25											1.1						1.1
01S	33E	36						3.9											3.9

Total Acres: 5.0

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. This rental does not authorize the construction of a well.

STATE OF IDAHO
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WATER SUPPLY BANK RENTAL AGREEMENT No. 357

10. 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. 357

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



0  Miles
0.1

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

APR 08 2019

DEPARTMENT OF
WATER RESOURCES

RECEIVED

APR 05 2019

Department of Water Resources
Eastern RegionAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Todd Clement

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)

1396

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Todd Clement

Mailing Address 697 North 1300 West Blackfoot Idaho 83221

Street

City

State

Zip Code

Email Address tntclement@gmail.com

Phone Number 208 681 8768

- 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**:

To water pasture

- 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)
0.10 CFS	AF	CFS	17.5 AF	5 AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
4/5/2019	Open	☐ 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):
Pressurized system

- 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
Pump	Groundwater	Domestic Exempted Water Right

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☒
If yes, include documented consent as Attachment 3F.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☒ No ☐
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- H. Has water modeling been provided with your rental request? Yes ☐ N/A ☐
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

- I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

- ☐ Irrigation 5.0 (number of acres) Duration: Subject to IDWR standard seasons of use
- ☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

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

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

- 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:

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)
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			
						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**:

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:

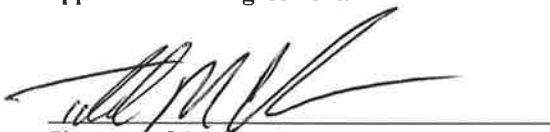
- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☒
If yes, describe:

- 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


Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

STATE OF IDAHO
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.

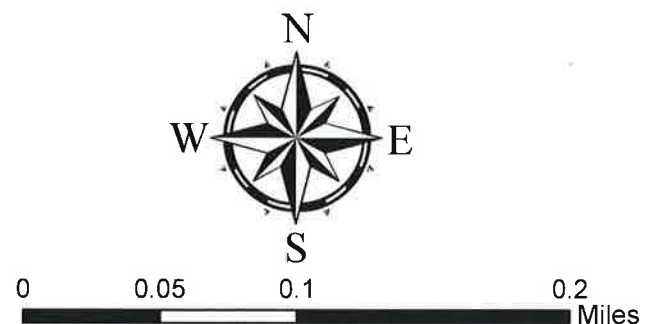
Todd Clement Rental Application



2017 Imagery

Legend

- Point of Diversion
-  Place of Use (five acres within)
-  Township/Range
-  Sections
-  QQ





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 23, 2019

TODD CLEMENT
697 N 1300 W
BLACKFOOT ID 83221-5133

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 35-2324B and 35-7692, AGREEMENT 357**

Dear Renter:

Please find enclosed a receipt in the amount of **\$400.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 20.0 acre-feet of water for irrigation of 5.0 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 \$360.00 of the rental fee will be paid to the lessor(s) and 10% or \$40.00 will be retained by the Department to offset administrative costs.

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

Sincerely,

for Water Supply Bank

Enclosures: Receipt No. C107245
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office
Blake Jordan – State Water District No. 120
Bingham GWD



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 2, 2019

TODD CLEMENT
697 N 1300 W
BLACKFOOT ID 83221-5133

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 35-2324B and 35-7692, AGREEMENT 357**

*****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 \$400.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 20.0 acre-feet.

Please send a check for \$400.00 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 \$360.00 of the rental fee will be paid to the lessor(s) and 10% or \$40.00 will be retained by the Department to offset administrative costs.

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

Sincerely,


Debbie Budd
Water Supply Bank

Enclosure

c: IDWR Front Desk

From: t Clement [mailto:tntclement@gmail.com]
Sent: Tuesday, July 2, 2019 10:41 PM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: Re: Water Supply Bank Rental Map

Yes, please proceed.

On Mon, Jul 1, 2019 at 8:51 AM Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

Good morning Mr. Clement,

I heard your voicemail this morning in which you stated you would like to cover the "back" 5.0 acres of the property under your rental. By back 5.0 acres, did you mean something similar to the image below, for the 5.0 acres back, behind the buildings on the property? From your written response to proceed, I presume you would like our office to proceed and approve a rental with the 5.0 acres delineated in yellow/orange below. Please confirm that is correct.

Thank you,

Remington

From: t Clement [mailto:tntclement@gmail.com]
Sent: Friday, June 28, 2019 2:49 PM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: Re: Water Supply Bank Rental Map

Yes, please proceed.

On Thu, Jun 27, 2019 at 3:38 PM Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

Mr. Clement,

We have completed our review of your rental application and are ready to finalize it. However, there is one question that remains to be answered: the location of the five acres you intend to irrigate.

You requested an authorization to irrigation 5.0 acres on your property, which appears to be 11.6 acres in size. For your consideration, I am attaching a preliminary map which is 10.2 acres in size, of which 1.1 acres are in the southern portion of Section 25, and 9.1 acres in the northern portion of Section 36. The image below shows what approximately 5.0 acres of irrigation looks like.



Please reply back to this email to confirm the location for 5.0 acres of your property that you desire to irrigate. Once we know the location of the area to be irrigated, we can update our records and finalize our review.

Thank you,

Remington

(208) 287-4918

Buyer, Remington

From: Cefalo, James
Sent: Friday, June 28, 2019 9:07 AM
To: Buyer, Remington
Subject: RE: Water Supply Bank Rental Application 1396

Remington,

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

James

From: Buyer, Remington
Sent: Thursday, June 27, 2019 3:44 PM
To: Jordan, Blake <Blake.Jordan@idwr.idaho.gov>; Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: Water Supply Bank Rental Application 1396

Blake, James,

Todd Clement lives on a 11 acre property northwest of Blackfoot. He has submitted a WSB rental application to irrigate 5.0 acres of his property with ESPA ground water. Attached is a draft rental agreement, review memo and map. On behalf of the IDWR Regional Office and Water District 120, please advise if you have any questions, comments or concerns about the rental request.

Thank you,

Remington

Memorandum

To: Water Supply Bank Application 1396

From: Remington Buyer

Date: June 27, 2019

Re: Water Supply Bank Lease Application 1396 for Agreement 357

Purpose/Narrative: Application received April 5, 2019 from Todd Clement, who owns property northwest of Blackfoot, of which he would like to irrigate 5.0 acres with ESPA ground water. No ground water rights were provided for in the original application. Subsequent discussions with the applicant led to the identification of water rights 35-2324B and 35-7692 being proposed for this rental.

Authority to File: Applicant is the owner of the land where water will be diverted and used. No concerns about authority to file.

Water Right Validity/Forfeiture Evaluation: A domestic ground water right is appurtenant to the property, providing for irrigation of up to 0.5 acres. No concerns about the validity of the domestic right, nor concerns about the validity of the water rights to be rented.

Injury Evaluation: ESPA ground water modeling indicates no injury is anticipated through this rental.

Enlargement of Use: The applicant has requested 0.1 cfs and 17.5 afa, for the irrigation of 5.0 acres, providing for 0.02 cfs/ac and 3.5 afa/ac. The regional headgate irrigation diversion volume standard is 4.0 afa/ac, and the water rights to be rented share a combined limit that regulates them to 0.02 cfs/ac and 4.0 afa/ac. A rental can be approved authorizing up to 0.1 cfs 20 afa for irrigation of 5.0 acres without causing enlargement in the water rights to be rented.

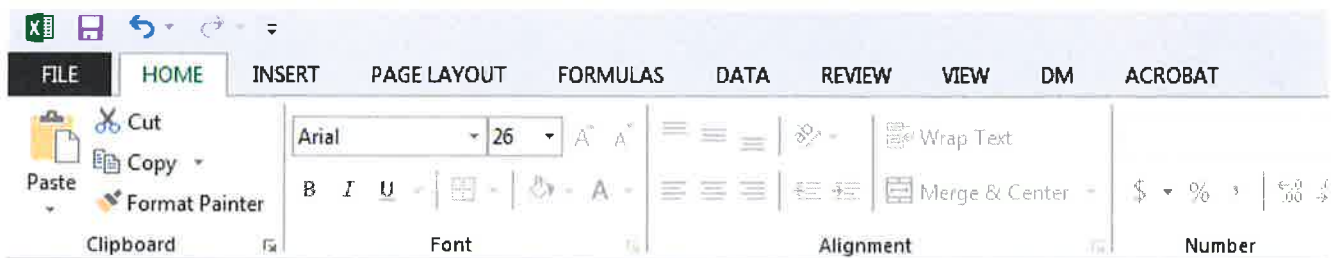
The map provided by the applicant did not specify the exact location of the 5.0 acres that will be irrigated. Instead, the applicant identified their property, which is 11.6 acres, and stated that they would not irrigate more than 5.0 acres of the 11.6 acres under the rental. No enlargement will occur if this rental is limited to 5.0 acres and the applicant will be contacted to confirm whether they have in mind a specific five acres to be irrigated.

Local Public Interest: Staff are unaware of any local public interests that are contrary to this rental request.

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

Department/Watermaster Comments: Watermaster 120 and IDWR Eastern Regional office comments will be requested.

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



ENHANCED GROUND-WATER RIGHTS TRANS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPT OF AGRICULTURE

Cells this color are set up for user entries

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

YEAR: 1952 TRANSFER NO: 123

SEASON: SPRING TRANSFER NAME: Clement

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	71	74		
COLUMN	131	132		

UPDATE DATES

RUN MODEL

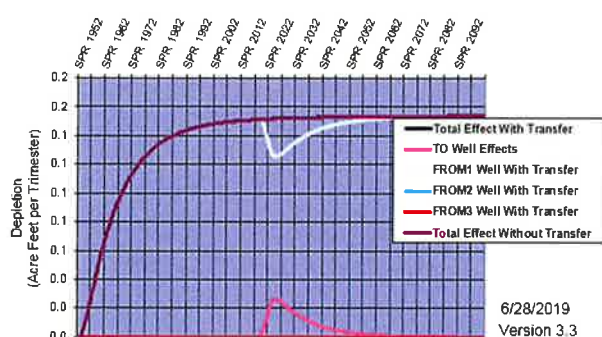
GET OUTPUT

CALCULATE EFFECTS

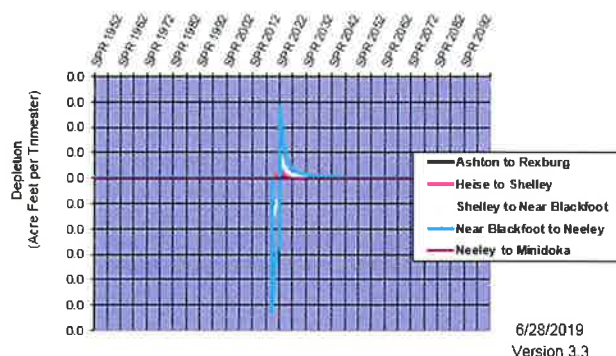
TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
21 SPR 1952	0	0	0	0	0	0	0
22 SUM 1952	0	0	0	0	0	0	0
23 WIN 1952	0	0	0	0	0	0	0
24 SPR 1953	0	7	7	0	0	0	0
25 SUM 1953	0	7	7	0	0	0	0
26 WIN 1953	0	7	7	0	0	0	0
27 SPR 1954	0	7	7	0	0	0	0
28 SUM 1954	0	7	7	0	0	0	0

211	SUM 2015	0	7	7	0	0	0	0
212	WIN 2015	0	7	7	0	0	0	0
213	SPR 2016	0	7	7	0	0	0	0
214	SUM 2016	0	7	7	0	0	0	0
215	WIN 2016	0	7	7	0	0	0	0
216	SPR 2017	0	7	7	0	0	0	0
217	SUM 2017	0	7	7	0	0	0	0
218	WIN 2017	0	7	7	0	0	0	0
219	SPR 2018	0	7	7	0	0	0	0
220	SUM 2018	0	7	7	0	0	0	0
221	WIN 2018	0	7	7	0	0	0	0
222	SPR 2019	7	0	7	0	0	0	0
223	SUM 2019	7	0	7	0	0	0	0
224	WIN 2019	7	0	7	0	0	0	0
225	SPR 2020	7	0	7	0	0	0	0
226	SUM 2020	7	0	7	0	0	0	0
227	WIN 2020	7	0	7	0	0	0	0
228	SPR 2021	7	0	7	0	0	0	0
229	SUM 2021	7	0	7	0	0	0	0
230	WIN 2021	7	0	7	0	0	0	0
231	SPR 2022	0	7	7	0	0	0	0
232	SUM 2022	0	7	7	0	0	0	0
233	WIN 2022	0	7	7	0	0	0	0
234	SPR 2023	0	7	7	0	0	0	0

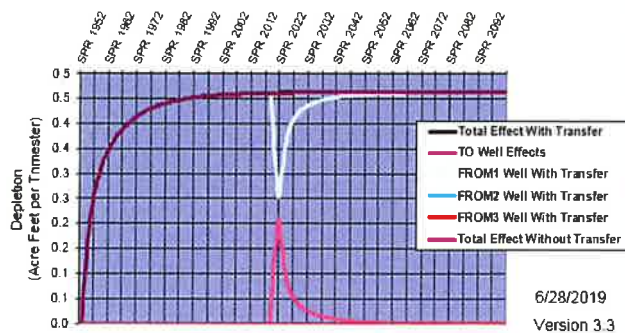
Hydrologic Response--Ashton to Rexburg
Customer Name: Clement Transfer No: 123



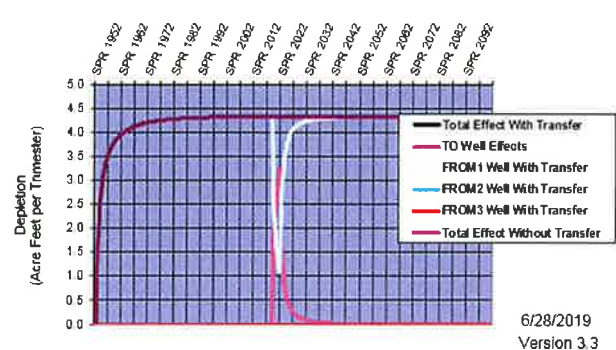
Net Transfer Effect Above Milner
(Total Effect With Transfer - Total Effect Without Transfer)



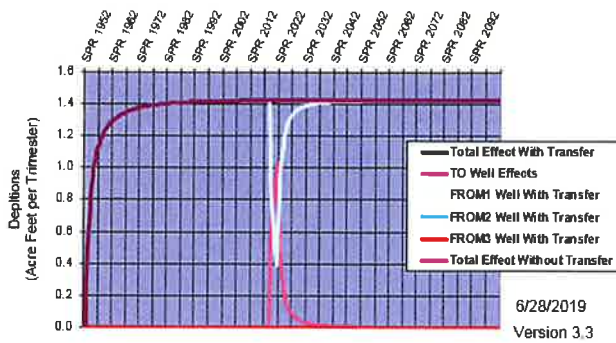
Hydrologic Response--Heise to Shelley
Customer Name: Clement Transfer No: 123



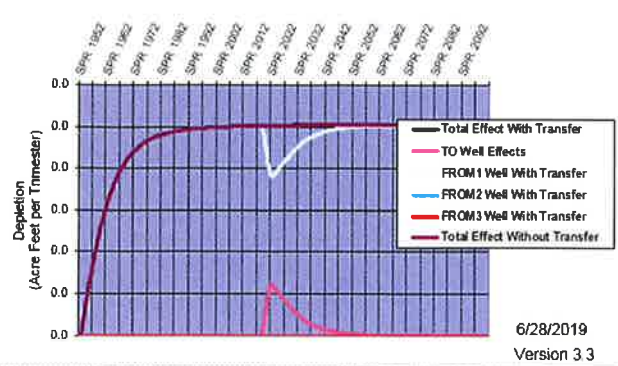
Customer Name: Clement Transfer No: 123
Hydrologic Response--Near Blackfoot to Neeley
Customer Name: Clement Transfer No: 123



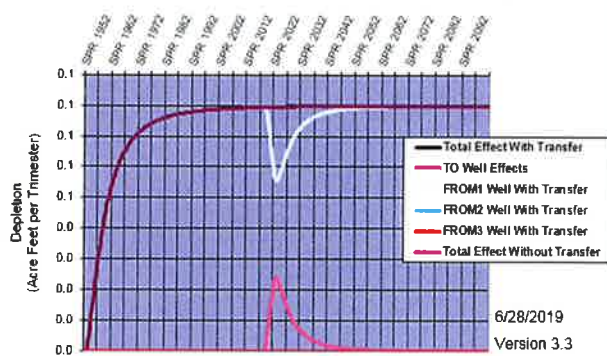
Hydrologic Response--Shelley to Near Blackfoot
Customer Name: Clement Transfer No: 123



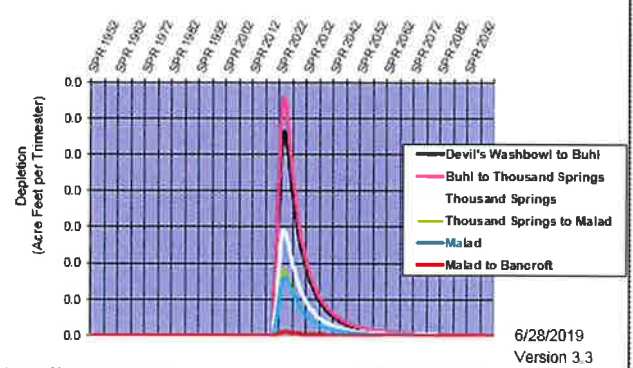
Hydrologic Response--Neeley to Minidoka
Customer Name: Clement Transfer No: 123



Hydrologic Response--Devil's Washbowl to Buhl
Customer Name: Clement Transfer No: 123



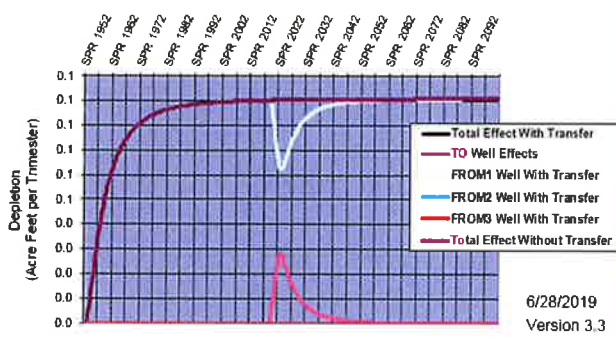
Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)



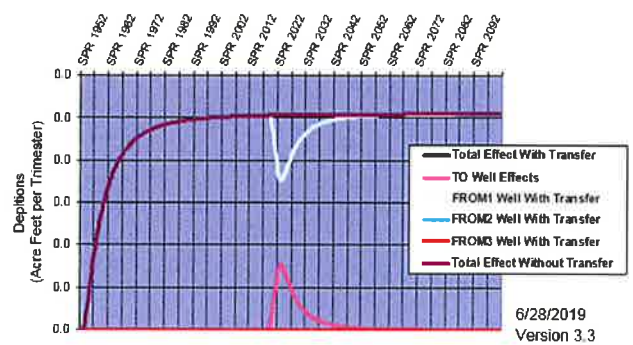
Customer Name: Clement

Transfer No: 123

Hydrologic Response--Buhl to Thousand Springs
Customer Name: Clement Transfer No: 123

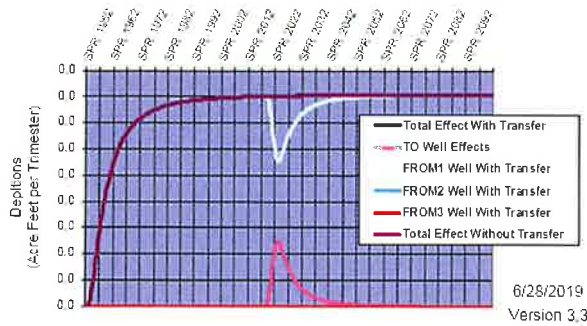


Hydrologic Response--Thousand Springs to Malad
Customer Name: Clement Transfer No: 123



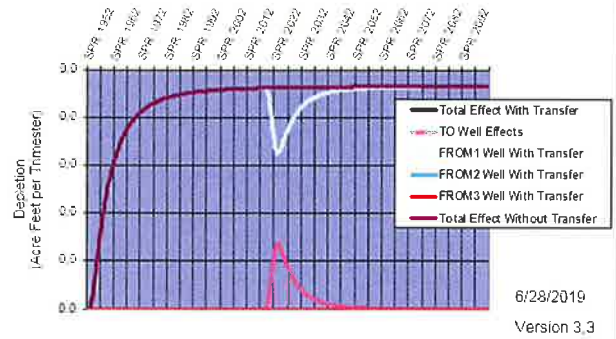
Hydrologic Response--Thousand Springs

Customer Name: Clement Transfer No: 123



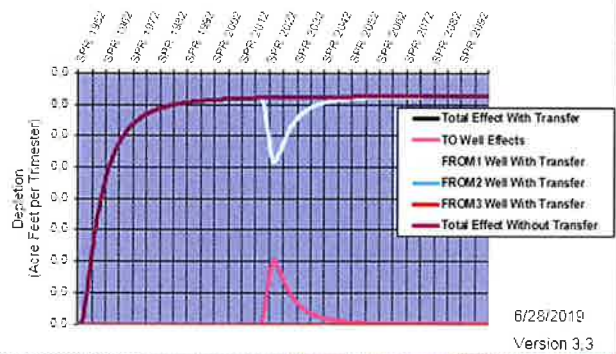
Hydrologic Response--Malad

Customer Name: Clement Transfer No: 123

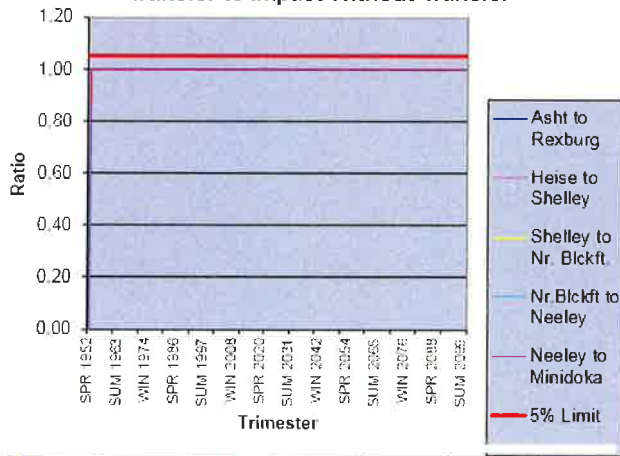


Hydrologic Response--Malad to Bancroft

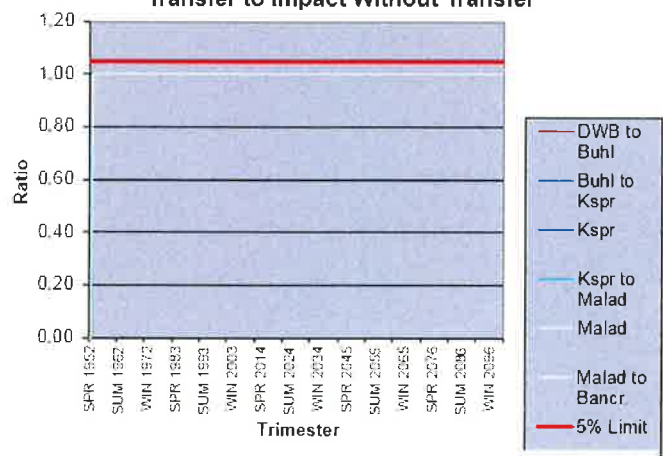
Customer Name: Clement Transfer No: 123



Change Above Milner as Ratio of Impact With Transfer to Impact Without Transfer



Change Below Milner as Ratio of Impact With Transfer to Impact Without Transfer



One-Way Analysis of Independent Transfers

New Water Right (GModel):

WR No	Div. Rate (CFS)	Con. Vol (AF)	No. of In. Acres	Priority Date	POB Location	Dedicated Vol AF/yr	Model Node	
Transfer 1: Proposed Steady State Impacts following Transfer								
777	777	275.6	68.9	1/1/1960	8526E-3	275.6	91.9	SP082075
777	777	275.6	68.9	1/1/1960	8526E-3	275.6	91.9	SP060066
Transfer 2: Worst Case Transient State Impacts following Transfer								
777	777	275.6	68.9	1/1/1960	8526E-3	275.6	91.9	SP032075
777	777	275.6	68.9	1/1/1960	8526E-3	275.6	91.9	SP060066

Transfer 1: Proposed Steady State Impacts following Transfer

777	777	275.6	68.9	1/1/1960	8526E-3	275.6	91.9	SP082075
777	777	275.6	68.9	1/1/1960	8526E-3	275.6	91.9	SP060066

Transfer 1: Worst Case Transient State Impacts following Transfer

777	777	275.6	68.9	1/1/1960	8526E-3	275.6	91.9	SP082075
777	777	275.6	68.9	1/1/1960	8526E-3	275.6	91.9	SP060066

Impact by Reach (AF/Trimester)

Asht to Rexburg	Heise to Shelley	Shelley to Nr. Bickft	Nr. Bickft to Neeley	Neeley to Minidoka	DWB to Buhl	Buhl to Kspr	Kspr to Malad	Malad to Bancr
0.15	0.46	1.42	4.35	0.03	0.02	0.09	0.04	0.03
0.15	0.46	1.42	4.35	0.03	0.02	0.09	0.04	0.03

Steady State Analysis

Mitigation Check 1 - >10% of Historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Check 2 - >2.4FT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total	2.3%	7.0%	21.3%	65.1%	0.4%	1.2%	0.6%	0.3%
Mitigation Required?	N	N	N	N	N	N	N	N
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - >10% of Historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Check 2 - >2.01.4FT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Required?	N	N	N	N	N	N	N	N
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Read file

From: t Clement [mailto:tntclement@gmail.com]
Sent: Wednesday, June 5, 2019 10:01 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: Re: Water Supply Bank Rental

I confirm that the preliminary model runs are satisfactory to me and i would like to rent these water rights. Thank you for your help and let me know if there is anything else i need to do.
Todd Clement
208-681-8768

On Tue, May 7, 2019 at 3:34 PM Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

Mr. Clement,

The Idaho Department of Water Resources (IDWR) received your application for a rental authorization, to irrigate five acres of your property during 2019. Because your rental request proposed a diversion of water from the Eastern Snake River Plain Aquifer (ESPA), ground water modeling was required to be submitted with your rental application. Ground water modeling resources are available on IDWR's website. Because ground water modeling information was not submitted, your application has been deemed incomplete.

The purpose of this email is to obtain from you additional information, so that we can consider your rental application as complete, in order to process it for 2019. Specifically, I need you to confirm how you would like to proceed in submitting ground water modeling for your rental request.

Please know, I evaluated water rights presently leased to the Bank in your vicinity and identified water rights 35-2324B and 35-7692 (contract 972) as viable for your rental purposes. These water rights are leased into the Bank through 2021. A rental by you of the following amounts should suffice to authorize irrigation of 5.0 acres of your property for the period 2019 through 2021:

Water Right	Rate	Volume	Acres
35-2324B	0.056	11.2	2.8
35-7692	0.053	8.8	2.2
Total	0.101	20	5

I conducted a preliminary evaluation of a rental of the above amounts to you at your location and the results suggest a rental of the above amounts is permissible without causing injury. The preliminary model results are attached for your review. You may download the model from our website and propose alternative modeling scenarios. If the preliminary model runs are satisfactory to you, you can reply to this email and confirm that you would like to proceed with the model run already completed.

I'm looking forward to your response. Please contact me if you have any questions,

Remington Buyer

Water Supply Bank Coordinator

Idaho Department of Water Resources

322 East Front Street, Boise, ID, 83720

T: (208) 287-4918 | **F:** (208) 287-6700