

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 317

RECEIVED

MAY 03 2018

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

CHASE CARTER
776 SOUTH 1500 WEST
PINGREE, ID 83262

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	0.160	29.50	7.40	0.021	3.99
35-13362	11/13/1972	GROUND WATER	0.020	3.70	0.90	0.019	4.11
Combined Limit Totals			0.160	33.20	8.30	0.018	4.00
29-14096	11/29/1971	GROUND WATER	0.100	41.60	10.40	0.010	4.00
29-14097	11/29/1971	GROUND WATER	0.010	4.40	1.10	0.009	4.00
Combined Rental Totals			0.270	79.20	19.80	0.014	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: \$1,584.00 annually

The full fee for the rental of the above-described right(s) is \$1,584.00, which includes an administrative fee of \$158.40.

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	0.270	54.20	13.50	0.020	4.00
Combined Total	0.270	54.20	13.50	0.020	4.00

** The authorized water usage reflects a reduction from the water right elements rented, to account for a 0.02 cfs/ac and 4.0 afa/ac irrigation duty of water at the rental location.*

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESMAY 03 2019
DEPARTMENT OF
WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 317

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 CHASE CARTER Date 4-29-19

Printed Name _____ Title 4-29-19

*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 Date 5/17/2019
Idaho Water Resource Board

Rental approved by IDWR 
Date 5-17-2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 317

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE Sec. 25, Twp 03S, Rge 32E, BINGHAM County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.270 CFS

VOLUME
54.20 AF

SEASON OF USE

Water Right No.	From	To
35-13340	4/1	10/31
35-13362	4/1	10/31
29-14096	4/1	10/31
29-14097	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	
03S	32E	25														9.1	4.4		13.5

Total Acres: 13.5

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. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
10. This rental does not authorize the construction of a well.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 317

11. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
12. 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. 120.
13. Right 35-13362 is an enlargement of water right 35-13340 pursuant to Section 42-1426, Idaho Code.
14. 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. 317

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

0 500 Feet



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

RECEIVED

JAN 28 2019

DEPARTMENT OF
WATER RESOURCES

Applicant Name:

CHASE CARTER

Is this application being submitted with a lease application as a lease/rental package?

Yes ☒ No ☐

If yes, specify companion water rights in Section 4

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

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

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

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

MINIMUM REQUIREMENT CHECKLIST

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

Yes

- ☒ Completed *Application to Rent Water from the Board's Water Supply Bank*
- ☒ Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank

Attachment N/A Yes

- 2 ☒ A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
- 3A ☐ ☒ Detailed information on a proposed use of rental water
- 3F ☒ ☐ Authorization from the owner/operator of the rental point(s) of diversion
- 3H ☐ ☒ Water modeling to account for the impacts of the rental request
- 3J ☒ ☐ Documents justifying a rate of flow greater than 0.02 cfs/acre
- 3K ☐ ☒ Authorization from the owner/operator of the property at the proposed rental place(s) of use
- 4B ☐ ☒ Explanation of how the rental water will sufficiently accomplish your rental purposes
- 4C ☒ ☐ Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

35-13340
35-13362

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Chase Carter
 Mailing Address 776 S. 1500 W. Pringree 10 83262
Street City State Zip Code
 Email Address ccarter@yahoo.com Phone Number 208 351 6684

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**.

Use the same one as last year

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**:

compensate for mitigation cutback.

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)
CFS	AF	CFS	AF	<u>13±</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>4-1-19</u>	<u>12-13-23</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):

Irrigation pump to Pivot

- 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
40hp turbine	ground	35-02718, 35-08705

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

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre?

N/A ☐ Yes ☐ No ☒

If yes, justify the rate of flow and attach any supporting documents as Attachment 3J. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)?

Yes ☒ No ☐

If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it Attachment 3K.

- 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:

35-02718, 35-08705

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)
35-13340								
35-13362								
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:**

NO

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:

Haven't found any for sale. I'm using rental water to
compensate for mitigation cutbacks

- 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:

I intend on trying to purchase additional
water rights.

- 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.

CHASE CARTER
Signature of Applicant

Chase Carter
Printed Name of Applicant

1-26-19
Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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



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

May 20, 2019

CHASE CARTER
776 SOUTH 1500 WEST
PINGREE ID 83262

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 29-14096, 29-14097, 35-13340, and 35-13362, AGREEMENT 317**

Dear Renter:

Please find enclosed a receipt in the amount of **\$1,584.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 79.2 acre-feet of water for irrigation of 13.5 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 \$1,425.60 of the rental fee will be paid to the lessor(s) and 10% or \$158.40 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. C106679
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office
Blake Jordan – State Water District No. 120
Aberdeen-American Falls 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

April 9, 2019

CHASE CARTER
776 SOUTH 1500 WEST
PINGREE ID 83262

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 29-14096, 29-14097, 35-13340, and 35-13362, AGREEMENT 317**

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

Dear Applicant:

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

A rental fee of \$1,584.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 79.2 acre-feet.

Please send a check for \$1,584.00 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 \$1,425.60 of the rental fee will be paid to the lessor(s) and 10% or \$158.40 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

Enclosure

c: IDWR Front Desk

From: Jordan, Blake
Sent: Wednesday, March 27, 2019 7:59 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: RE: WSB Rental 1323

Hi Remington

I have no concerns with WSB rental.

Thanks,
Blake

From: Buyer, Remington
Sent: Tuesday, March 26, 2019 4:15 PM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Cc: Jordan, Blake <Blake.Jordan@idwr.idaho.gov>
Subject: RE: WSB Rental 1323

James, thanks for reminding me that Blake is the new water district contact. Blake, for your consideration, please let me know if you would recommended any changes to the proposed WSB rental?

Thanks,

Remington

From: Cefalo, James
Sent: Tuesday, March 26, 2019 3:34 PM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: RE: WSB Rental 1323

Remington,

If you are looking for regional comment, I don't have any concerns with the proposed WSB Lease/Rental. Blake Jordan was recently elected as the watermaster for WD 100, 110 and 120. If you are looking for watermaster comments, you may want to check with Blake.

James Cefalo
Water Resources Program Manager
IDWR Eastern Region
(208) 525-7161

From: Buyer, Remington
Sent: Tuesday, March 26, 2019 2:47 PM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: WSB Rental 1323

James,

Attached is a draft rental agreement, review memo and map for a 2019 rental submitted by Chase Carter. Effectively, Mr. Carter is reducing ground water diversions under his own water rights, and renting from the Bank to make up the difference. Please advise if you have any questions, comments or concerns.

Remington

Buyer, Remington

From: Buyer, Remington
Sent: Tuesday, March 26, 2019 2:47 PM
To: Cefalo, James
Subject: WSB Rental 1323
Attachments: Rental.pdf; Draft Rental Agreement.docx; Review Memo.docx

James,

Attached is a draft rental agreement, review memo and map for a 2019 rental submitted by Chase Carter. Effectively, Mr. Carter is reducing ground water diversions under his own water rights, and renting from the Bank to make up the difference. Please advise if you have any questions, comments or concerns.

Thanks,

Remington

Memorandum

To: Water Rights 35-13340, 35-13362, 29-14096 and 29-14097

From: Remington Buyer

Date: March 26, 2019

Re: Water Supply Bank Rental Application 1323 for Agreement 317

Purpose/Narrative: Application received January 28, 2019, from Chase Carter, who owns property in Section 25 of Township 03S, Range 32E (Bingham County). Mr. Carter is seeking to rent ground water irrigation rights, to authorize partial irrigation of his property, which is authorized to be irrigated under water rights 35-2718 and 35-8705, but which cannot be fully irrigated this year due to Mr. Carter's participation in the local ground water district's diversion reduction actions.

Though conversations with Mr. Carter, it has been established that he has an annual diversion volume reduction obligation (to his local ground water district) of 56.8 af, and he desires to proceed with a rental of water rights from the Bank, equivalent to 54.2 af.

Authority to File: The land where rented water rights will be diverted and used is owned by Mr. Carter. No concerns about authority to file.

Water Right Validity/Forfeiture Evaluation: This rental proposes to irrigate lands that are authorized to be irrigated by water rights 35-2718 and 35-8705. A review of 2018 Sentinel satellite imagery indicates irrigation occurred during 2018. No concerns about the validity of the water rights being supplemented.

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

Enlargement of Use: To avoid enlargement of the water rights being rented, and the water rights being supplemented, a diversion rate of 0.02 cfs/ac and 4.0 afa/ac will be established for all water rights associated with this rental, 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	0.156	29.5	7.37	0.021	4.0	0.160	29.5	7.40	0.02	4.0
35-13362	0.017	3.7	0.93	0.018	4.0	0.020	3.7	0.90	0.02	4.1
combo	0.156	33.2	8.30	0.019	4.0	0.160	33.2	8.00	0.02	4.0
29-14096	0.105	41.6	10.4	0.010	4.0	0.100	21.0	5.0	0.02	4.0
29-14097	0.010	4.4	1.1	0.009	4.0	0.010	2.0	0.5	0.02	4.0
Total	0.271	79.2	19.8	0.014	4.0	0.270	54.2	13.5	0.02	4.0

Note: because this rental is largely intended to accommodate ground water reduction mitigation obligations, it is worth noting that 79.2 af of water is being rented, but only 54.2 af of water is authorized to be diverted. The difference (25.0 af) will remain undiverted, thereby benefiting the ground water resource.

Local Public Interest: Staff are not aware of any specific local public interest concerns regarding this rental.

Beneficial Use/Conservation of Water Resources: Irrigation is a beneficial use of water, as is mitigation.

Department/Watermaster Comments: Watermaster comments will be sought from IDWR Eastern Region.

Water Supply Bank Evaluation: Subject to favorable regional/watermaster comments, this rental may be approved.

From: Chase Carter [mailto:c3carter@yahoo.com]
Sent: Tuesday, March 26, 2019 7:09 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: Re: Water Supply Bank Rental Application

The modeling looks great. In order to make up my cumulative reduction and water like i was able to before mitigation i would need an additional 56.8 AF. Hope that is helpful, thanks

On Friday, March 15, 2019, 12:13:39 PM MDT, Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

Mr. Carter,

I have reviewed your 2019 Water Supply Bank rental application and require some additional information to conclude processing. The attached letter was mailed out to you today, to request this additional information. Specifically, I require the following:

- Confirmation on the exact amount of water you intend to beneficially use through a Water Supply Bank rental, and
- ESPA ground water modeling to support your intended rental.

Your application appears to propose a rental for irrigation of lands that are already authorized to be irrigated with water rights 35-2718 and 35-8705. The Water Supply Bank is required to confirm that a beneficial use of water will be accomplished via a rental. It is not clear from your application that a beneficial use of water for irrigation will occur, since the lands may already be irrigated under existing water rights. However, the Bank recognizes you may have a ground water diversion volume reduction obligation as part of your participation in a ground water district water management effort. If that is in fact the case, and you are renting water from the Bank to offset your reduction obligations to the district, we need you to confirm to us what your reduction (offset) obligation may be.

I have presumed you are seeking a mitigation offset of 52 af, based on your request for a rental equivalent to irrigation of 13 acres (at volume application of 4.0 af/acre). If that is not correct, please confirm your mitigation volume that you require.

Once it is known how much volume you are seeking to rent, we can identify the appropriate amount to rent to you from water rights presently leased to the Bank. Based on my assumption of a rental requirement of 52 af, I conducted a preliminary review of a rental of water rights 35-13340, 35-13362, 29-14096 and 29-14097 (see attached). The modeling results indicate that a rental of 19.8 acres from these four water rights will suffice to authorize diversion rates of 0.271 cfs and 54.2 af for the irrigation of 13.0 acres if your property. Alternative ground water modeling may be relevant for your purposes—please feel free to reach out how much water may be available for modeling.

If you have any questions about how to proceed in conducting ground water modeling using the ESPA Transfer Tool, or if you have questions about how to answer the question of the extent of water required to satisfy your beneficial use purposes during 2019, please feel free to contact me. To continue processing of your application, I need to receive a response from you on or before April 1, 2019.

Regards,

Remington

(208) 287-4918



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

March 15, 2019

CHASE CARTER
776 S 1500 W
PINGREE ID 83262

RESPONSE REQUIRED
DEADLINE: April 15, 2019

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
APPLICATION NUMBER 1323**

Dear Applicant:

On January 28, 2019, the Department of Water Resources received from you an Application to Rent Water from the Board's Water Supply Bank (application number 1323). Because your application proposes a diversion of ground water from the Eastern Snake River Plain Aquifer (ESPA), ground water modeling must be submitted with your application. Because no ground water modeling was submitted with your application, it is deficient. Additionally, since your application proposes to irrigate lands that are already authorized to be irrigated under water rights 35-2718 and 35-8705, the extent of beneficial use of water that would be accomplished under your rental in 2019 is unclear. This letter is notice that the Department will provide you with thirty days to complete your application, through submission to our office of ground water modeling data and records confirming the specific irrigation or mitigation extent of your rental.

Per application 1323, and from previous applications to the Water Supply Bank, the Department understands that you are seeking to rent water so that you can continue to irrigate your property while remaining compliant with local ground water pumping reductions. However, it is unclear as to what your specific ground water reduction (mitigation) obligations may be. In order to ensure that an appropriate amount of irrigation ground water rights are rented to you during 2019, please confirm in your response to this request your specific ground water reduction (mitigation) obligations for 2019.

Assuming you seek a rental to authorize irrigation of 13.0 acres, with a diversion rate and volume equivalent to your water rights (0.02 cfs/ac and 4 afa/ac), a rental of 0.26 cfs and 52 af, has been estimated for your property. The only ESPA ground water rights leased to the Bank and rentable during 2019 are: 29-14096, 29-14097, 35-13340 and 35-13362. Your application is one of three ESPA ground applications that the Bank is presently evaluating within the Blackfoot area. As such, the Bank can rent to you a proportionate amount of the above water rights, as follows:

Lease Contract	Water Rights	Priority Date	Rental Rate	Rental Vol.	Rental Acres
845	35-13340	Nov 1972			
845	35-13362	Nov 1972			
845	Combined Limited	Nov 1972	0.156	33.2	8.3
870	29-14096	Nov 1971	0.105	41.6	10.4
871	29-14097	Nov 1971	0.010	4.4	1.1
Total Rental:			0.271	54.2	19.8

Note: water rights 29-14096 and 29-14097 authorize diversions at a low rate per acre. Based on a diversion rate of 0.02 cfs/ac, the above three water rights collectively would authorize irrigation of 13.5 acres.



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BRAD LITTLE
Governor

GARY SPACKMAN
Director

If you would like to rent the four water rights listed on the previous page, please respond to this email no later than April 15, 2019, and provide us with the following:

- Confirmation of your specific water use (mitigation and/or irrigation) needs during 2019; and
- Modeling that supports your rental of the above water rights at your desired water use location.

The Water Supply Bank does not conduct ground water modeling on behalf of applicants, however the model and a guidance document on how to use the model, can be accessed by visiting our website at: <https://idwr.idaho.gov/water-supply-bank/reports.html> and I would be happy to provide you with information on how to complete modeling, sufficient to submit a rental application to the Water Supply Bank.

Please submit the above required information to our office no later April 15, 2019. If the Department does not receive the above requested information by the April 15th deadline, your application will be closed and returned to you. If you do not desire a rental for 2019, no further action is required.

If you have any questions about this matter, you can contact me at (208) 287-4918.

Regards,

A handwritten signature in black ink, appearing to read 'Remington Buyer', is written over a horizontal line.

Remington Buyer

Water Supply Bank Coordinator

JAN 28 2019

DEPARTMENT OF
WATER RESOURCES

State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.govC.L. "BUTCH" OTTER
GovernorCARY SPACKMAN
Director

August 2, 2018

CHASE CARTER
776 S 1500 W
PINGREE ID 83262**RE: EXPIRATION OF WATER SUPPLY BANK RENTAL AGREEMENT FOR WATER RIGHTS:**
35-13340, 35-13362

Dear Renter,

Idaho Department of Water Resources (Department) records show that your rental agreements for the above and below listed water rights will expire at the end of 2018:

Rental Agreement ID	Water Rights Rented	Agreement Start	Agreement End
217	35-13340, 35-13362	04/01/2018	12/31/2018

Once the rental agreements above conclude, any diversion or use of water under these rentals will no longer be authorized. If you wish to rent water in the future, and you have not already done so, you can download and complete an Application to Rent Water Rights from the Water Supply Bank by visiting the Department's website at from: <http://idwr.idaho.gov>.

Rental applications can be submitted on November 1 of the year prior to the intended use of rental water. **YOU ARE ENCOURAGED TO FILE AN APPLICATION AT LEAST 3 MONTHS PRIOR TO THE DATE YOU DESIRE TO USE RENTAL WATER.**

If you have any questions about this matter, please contact me at (208) 287-4936.

Sincerely,

Mary Condon
Water Supply Bank Specialist