

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 284

RECEIVED

APR 08 2019

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

THE REVOCABLE TRUST OF CHRISTINE FRANCES FERGUSON
C/O CHRISTINE FERGUSON
510 SAN BADGER DR
HAILEY, ID 83333-5541

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)
37-21863	3/24/1883	BIG WOOD RIVER	0.028	14.0	7.1
37-21880	7/10/1884	BIG WOOD RIVER	0.000	0.2	7.1
37-21897	9/18/1885	BIG WOOD RIVER	0.003	1.2	7.1
37-21914	6/12/1886	BIG WOOD RIVER	0.000	0.2	7.1
37-21931	6/15/1891	BIG WOOD RIVER	0.034	16.7	7.1
37-21976	9/25/1954	GROUND WATER	0.130	22.0	6.3
Combined Rental Totals			0.216	24.8	7.1

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: \$496.00 annually

The full fee for the rental of the above-described right(s) is \$496.00 per year for years 2019 - 2021. The rental fee includes an administrative fee of \$49.60 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.

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	0.15	22.0	6.3	0.02	3.5
Total	0.15	22.0	6.3	0.02	3.5

** The authorized water usage reflects a reduction from the water right elements rented, to account for combined limits and diversion of groundwater only.*

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 284

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:

Christine Ferguson
Signature of Renter

4-2-19
Date

Christine Ferguson
Printed Name

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 4/9/2019

Rental approved by IDWR Cheryl Wooten

Date 4-9-2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 284

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE Sec. 12, Twp 01N, Rge 18E, BLAINE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.15 CFS

VOLUME
22.0 AF

SEASON OF USE

Water Right No.	From	To
37-21863	4/15	10/31
37-21880	4/15	10/31
37-21897	4/15	10/31
37-21914	4/15	10/31
37-21931	4/15	10/31
37-21976	4/15	10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	12													6.3				6.3

Total Acres: 6.3

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 agreement does not authorize the construction of a well.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 284

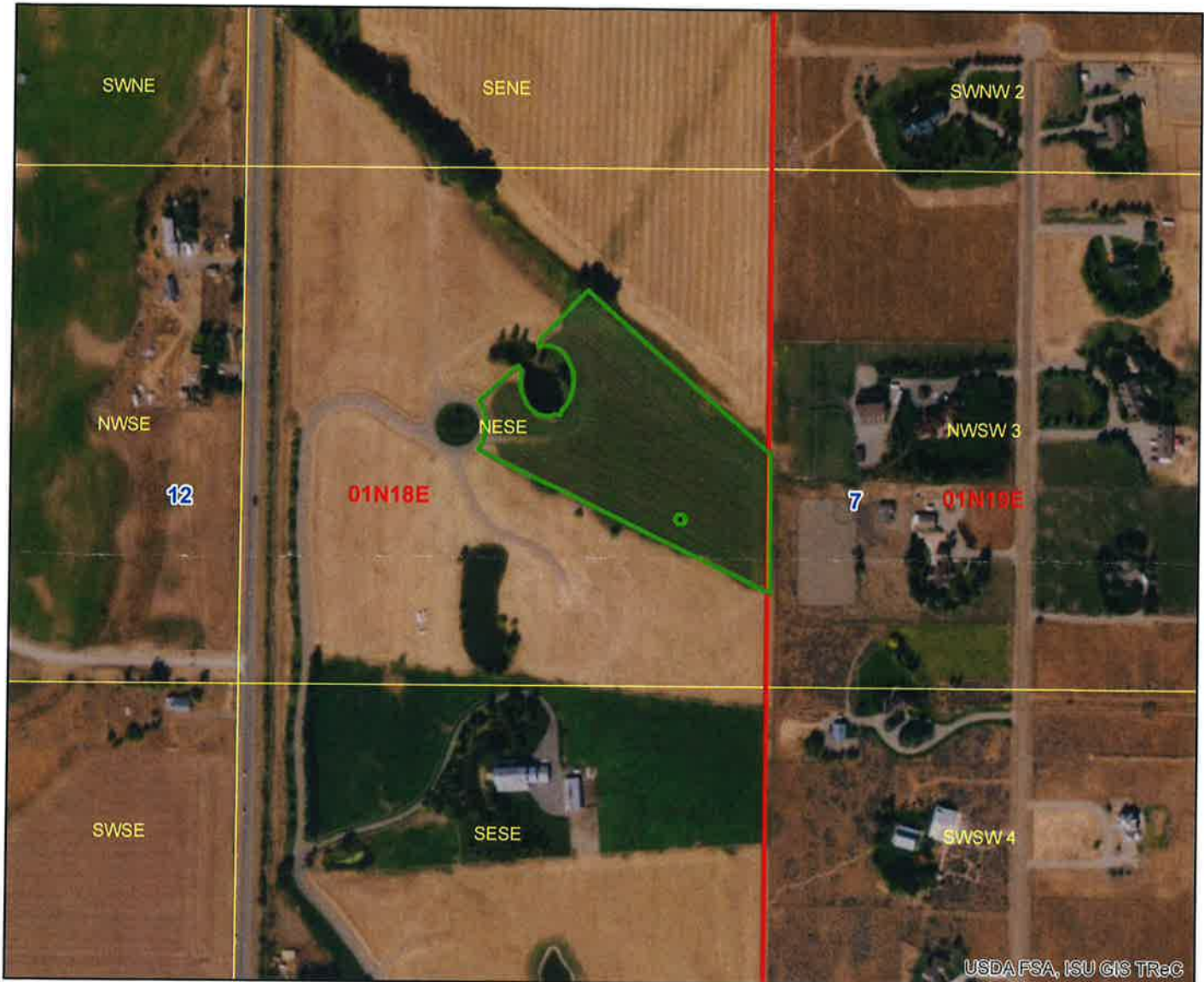
10. The renter shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
11. Supplemental ground water rights authorized to be diverted under this rental shall not be used if the surface water right(s) appurtenant to the rental place of use is sold, transferred, leased or used on any other place of use. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
12. The following surface water rights are diverted through a point of diversion described as L3 (NESWNW) of Sec.36, Twp 02N, Rge 18E, Blaine County: 37-685C.
13. The following rights are diverted through the rental ground water point of diversion described above: 37-21976, 37-8614, 37-8615 and 37-8616.
14. Water rights 37-21863, 37-211880, 37-21897, 37-21914 and 37-21931 are diverted from Headgate #45 through District Canal.
15. Use of water under this agreement 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. 37.
16. Use of water rights under this rental agreement, when combined with all other rights, shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
17. Diversions of surface water under water right 37-685C, when combined with ground water authorized to be diverted under this rental, shall not exceed a total diversion rate of 3.0 cfs and a total annual maximum diversion volume of 178.0 af at the field headgate, for the irrigation of 61 acres.
18. Place of use is located within Lot 2 of Silver Creek Farms Subdivision.

Idaho Water Resource Board

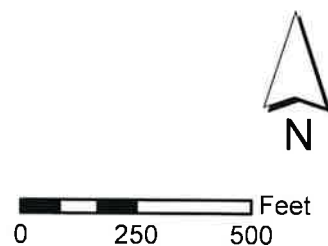
Attachment to Water Supply Bank Rental Agreement No. 284

Effective until December 31, 2021

This map depicts the IRRIGATION 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



STATE OF IDAHO
WATER RESOURCE BOARD

**APPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK**

RECEIVED
OCT 02 2018
DEPARTMENT OF
WATER RESOURCES

Applicant Name: Christine Ferguson, The Revocable Trust of Christine Frances Ferguson

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)

37-21976
et al

1186

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

- A. Applicant The Revocable Trust of Christine Frances Ferguson c/o Christine Ferguson
Mailing Address 510 San Badger Drive, Hailey ID 83333
Street City State Zip Code
Email Address christineferguson@me.com Phone Number 208-720-4509
- 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**:
I am seeking to rent 6.3 acres of a ground water right for irrigation when surface water rights appurtenant to the property are curtailed on priority.

- 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)
0.13 CFS	22.0 AF	0.13 CFS	22.0 AF	6.3 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?	
4/15/2019	7/1/2019	☐ 1	☐ 2	☒ 3	☐ 4	☐ 5	☒ Process application as soon as possible	☐ Return application to applicant

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

** Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):

Existing well supplies water to existing irrigation 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
Existing Well	Ground Water	37-8614, 37-8615, 37-8616

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 6.3 (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.

N/A

- 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:

I seek to continue late season irrigation after 37-685C is cut on priority by the Watermaster.

**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)
<i>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</i>					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**:

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**:

N/A

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:

See 2015, 2016, 2017, and 2018 rental approvals for this place of use.

- 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.

N/A

- D. Additional Information

I seek to rent any available ground water right (stacked or un-stacked) for the irrigation of 6.3 acres on my property for the duration listed on page 2.

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.

Christine Ferguson
Signature of Applicant

Christine Ferguson
Printed Name of Applicant

10/1/2018
Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

Idaho Water Resource Board
Water Supply Bank Rental Agreement

Effective until December 31, 2018

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



-  Rental Place of Use
-  Rental Point of Diversion
-  Townships
-  PLS Sections
-  Quarter Quarters



0 250 500



0 150 300 600 Feet

FERGUSON BERMAN TRUST OF 1994

WATER SUPPLY BANK RENTAL
NAIP 2013 AERIAL

Legend

- Point of Diversion
- Parcel
- townshp
- Sections
- ladesc



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

THE REVOCABLE TRUST OF CHRISTINE FRANCES FERGUSON
C/O CHRISTINE FERGUSON
510 SAN BADGER DR
HAILEY ID 83333-5541

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 37-21863, 37-21880, 37-21897, 37-21914, 37-21931, and 37-21976
AGREEMENT 284**

Dear Renter:

Please find enclosed a receipt in the amount of **\$496.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 24.8 acre-feet of water for irrigation of 6.3 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 \$446.40 of the rental fee will be paid to the lessor(s) and 10% or \$49.60 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. C106535
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Corey Skinner – IDWR Southern Regional Office
Kevin Lakey – State Water District No. 37



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 2, 2019

THE REVOCABLE TRUST OF CHRISTINE FRANCES FERGUSON
C/O CHRISTINE FERGUSON
510 SAN BADGER DR
HAILEY ID 83333-5541

RE: REQUEST FOR RETURN OF SIGNED RENTAL AGREEMENT 284 AND PAYMENT FOR WATER RIGHTS 37-21863, 37-21880, 37-21897, 37-21914, 37-21931, and 37-21976

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

Dear Applicant:

The Department of Water Resources ("Department") mailed a **Water Supply Bank Rental Agreement ("Agreement")** for your review and signature on March 8, 2019. The signed agreement and rental fee has not been returned to the Department.

Please sign the rental agreement and return it with the rental payment in the amount of \$496.00 within ten (10) days of this letter to complete processing. Diversion and use of the water rights is not authorized under the proposed agreement until it has been signed by both the renter and the Department. Any use associated with your proposed rental request before it has been executed is considered unauthorized and, if occurring, will be subject to any necessary enforcement action.

If the signed rental agreement and fee is not received by the department within the 10-day period, the rental application will be returned, and the proposed rental rights made available for other rental applicants. You can reapply to rent water from the Bank again in the future by submitting a new rental application form that will be processed in turn with other pending applications.

If you have questions regarding this matter, please contact this office at 287-4800.

Sincerely,


for Water Supply Bank



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 8, 2019

THE REVOCABLE TRUST OF CHRISTINE FRANCES FERGUSON
C/O CHRISTINE FERGUSON
510 SAN BADGER DR
HAILEY ID 83333-5541

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 37-21863, 37-21880, 37-21897, 37-21914, 37-21931, and 37-21976
AGREEMENT 284**

*****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 \$496.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 24.8 acre-feet.

Please send a check for \$496.00 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 \$446.40 of the rental fee will be paid to the lessor(s) and 10% or \$49.60 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

MEMORANDUM FOR AGREEMENT # 284

To: Water Right(s) 37-21976, 37-21863, 37-21880, 37-21897, 37-21914, 37-21931
From: Mary Condon
Date: January 14, 2019
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: Application to rent groundwater for irrigation 2019-2021 was received October 2, 2018, with a priority date of November 1, 2018 per Bank rules for processing. Signed by Christine Ferguson, for a Revocable Trust in her name to be used on her property. Repeat of previous rentals for irrigation.

AUTHORITY TO FILE: Previous applications for rental were in the name of Ferguson Berman Trust, however, her husband is now deceased and the trust and property are in her trust only. Rental POD is for other groundwater rights in the name of Silver Creek Farms HOA. No concerns with authority to file.

WATER RIGHT VALIDITY: Water rights were decreed in 2010 have been in the IWRB WSB bank since 2017, and previously were in the Wood River Enhancement Water Supply Bank during 2012. The POU for the water rights is over a 314 shape file, however, they are only for the roadways per QQ on the reports. No Concerns of validity.

INJURY TO OTHER WATER RIGHTS: There is a 20% conveyance holdback on the leased surface water rights to be rented. The leased surface water rights will remain in the river, while the 20% will fulfill the conveyance need in the Irrigation District 45, Triangle Irrigation and Cove Irrigation Districts, per their request upon acceptance of the surface water rights in the Bank. There should not be any injury to other water rights through the rental of this groundwater right upon curtailment of the POU irrigation surface water right 37-685C.

ENLARGEMENT OF USE: The POU for the leased water rights is over a 314 shape file, however, they are only for the roadways per QQ on the reports. Water right 37-21976 is a groundwater right, while the other five are surface water.

The rental is for groundwater only when the surface water for irrigation 37-685C is curtailed. Water right 37-685C is for Irrigation, aesthetic storage, diversion to storage and fire protection storage, limited to 20 af of storage in the ponds. The groundwater rental POD is the water right POD for water rights 37-8614, 37-8615 and 37-8616 for aesthetic storage, diversion to storage and fire protection storage, limited to 20 af of storage in the ponds. Rental of these combined rights and limited to the groundwater diversion, volume and acres should not cause enlargement.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest as it has been used as an irrigation rental for the last two years.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is subject to Water District # 37

RECEIVED

OCT 02 2018

DEPARTMENT OF
WATER RESOURCES

Christine Ferguson
510 San Badger Drive
Hailey ID 83333

September 30, 2018

Remington Buyer
Water Supply Bank Coordinator
State of Idaho Department of Water Resources
322 East Front Street
Boise, ID 83720

Dear Mr. Buyer,

Per your letter of September 28th, 2018, I am enclosing a check for outstanding water rights payment as well as an application for the 2019 rental year.

The applicant name of the Trust has changed because my husband passed away, requiring the creation of a new trust. My mailing address has changed as well; I am now using my physical address instead of PO Box. I am just sharing this information with you in the way of clarification.

Thank you for your assistance with this and future projects.

Sincerely,


Christine Ferguson