

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 302

RECEIVED
MAR 26 2019
DEPARTMENT OF
WATER RESOURCES

This is to certify that:

DE RUYTER PROPERTIES LP
13027 SUNNYSLOPE RD
CALDWELL, ID 83607-9355

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)
2-10450	2/25/1963	SNAKE RIVER, Tributary to Columbia River	4.92	984.0	246.0	0.020	4.0
Rental Totals			4.92	984.0	246.0	0.020	4.0

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2020. 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 - 2020: \$19,680.00 annually

The full fee for the rental of the above-described right(s) is \$19,680.00 per year for years 2019 - 2020. The rental fee includes an administrative fee of \$1,968.00 per year for years 2019 - 2020.

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	4.16	984.0	218.7	0.019	4.5
Combined Total	4.16	984.0	218.7	0.019	4.5

** The authorized water usage reflects a change from the water right elements rented, to account for combined limits at rental point of diversion*

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 302

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:

Nick DeRuyter
Signature of Renter

03/26/2019
Date

Nick DeRuyter
Printed Name

Member
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 3/27/2019

Rental approved by IDWR Cheryl Webb

Date 3-27-2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 302

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER NWNW Sec. 1, Twp 06S, Rge 07E, ELMORE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
4.16 CFS

VOLUME
984.0 AF

SEASON OF USE

Water Right No. **From** **To**
2-10450 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	
05S	07E	23	1.0			1.0									1.0			1.0	4.0
05S	07E	24																1.0	1.0
05S	07E	25	1.0	8.0										2.0		1.0	8.5		20.5
05S	07E	36	5.9 L1	8.1	38.0	5.2 L2				40.0	36.0	33.0				27.0			193.2

Total Acres: 218.7

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

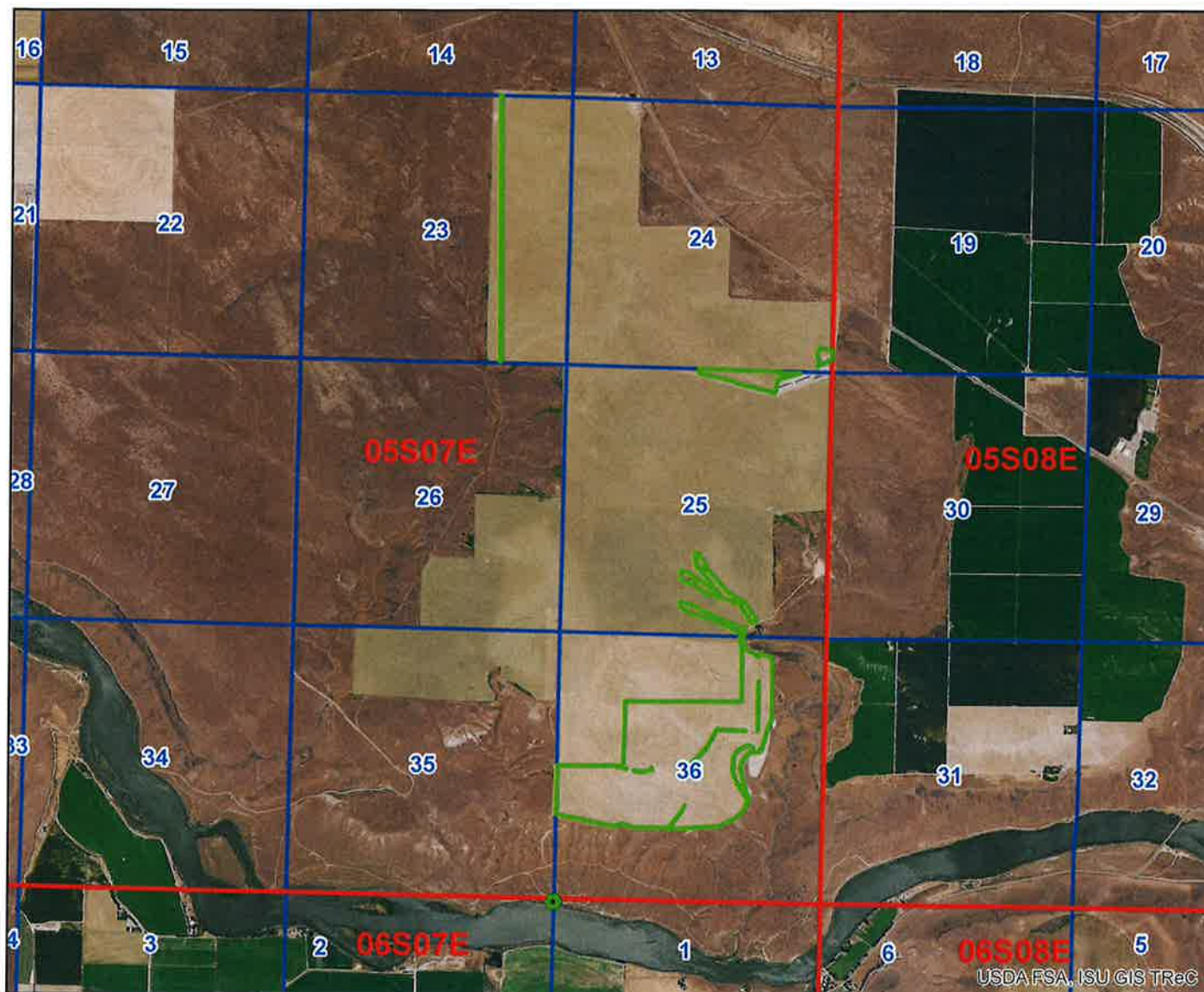
WATER SUPPLY BANK RENTAL AGREEMENT No. 302

9. The following rights are diverted through point(s) of diversion described above: 2-2379, 2-10567 and 2-10450.
10. Rental of rights 2-10450 when combined with with rights 2-2379 and 2-10567 shall not exceed a total diversion rate of 29.81 cfs, a total annual maximum diversion volume of 7719.0 af at the field headgate, and the irrigation of 1600.7 acres.
11. The rate of diversion when combined with all other water rights for the same land shall not exceed 0.02 cfs for each acre of land.
12. Use of water under this agreement may 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. 02.
13. This rental does not grant any right-of-way or easement across the land of another.
14. This rental does authorize irrigation on Federally managed lands.
15. The renter shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

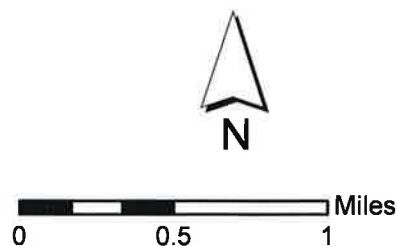
Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 302

Effective until December 31, 2020

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



**STATE OF IDAHO
WATER RESOURCE BOARD**

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

Applicant Name: DeRuyter Properties LP

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)

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

RECEIVED

OCT 03 2018

DEPARTMENT OF
WATER RESOURCES

1. CONTACT INFORMATION

- A. Applicant DeRuyter Properties LP
- Mailing Address PO Box 580, Marsing, ID 83639
- Street City State Zip Code
- Email Address NSDeRuyter@gmail.com Phone Number 208-697-4626
- 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 David Shaw Professional Title Engineer
- Organization ERO Resources Corp Relationship to Applicant Consultant
- Mailing Address 4001 E Main St, Emmett, ID 83617
- Email Address dshaw@eroresources.com Phone Number 208-365-7684

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 continue to irrigate land previously irrigated by water rented under rental agreements no. 166 and 241 that have expired. This rental agreement is for a lesser amount since part of the property has been covered by purchased water right 02-10567.

- 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)
4.37 CFS	984 AF	3.28 CFS	874 AF	218.7 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?	
3/15/2019	4/1/2019	☐ 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 pump and pipeline.

- 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
River Pump	Snake River	02-2379, 02-10567

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

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

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

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

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

- ☒ Irrigation 218.7 (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:

02-2379 and 02-10567 are owned by the applicant and used on adjacent land. This rental application is to cover the remainder of the land that is currently being irrigated under rentals that expire at the end of 2018.

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**:

Request is for standard rate of diversions and annual volume according to IDWR standards. Diversion rate as low as 0.015 cfs/acre and 4 ac-ft/acre would be acceptable if rights for the higher rate are not available.

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:

Applicant is seeking to purchase additional water right(s) for the property but none are available.

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental?

If yes, describe:

Yes ☒ No ☐

If a right becomes available to purchase a transfer will be filed upon purchase, currently no water rights are known to be available for purchase. See water right no. 02-10567.

- 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

Nicolaas J. DeRuyter

Printed Name of Applicant

10-1-18

Date

Signature of Representative

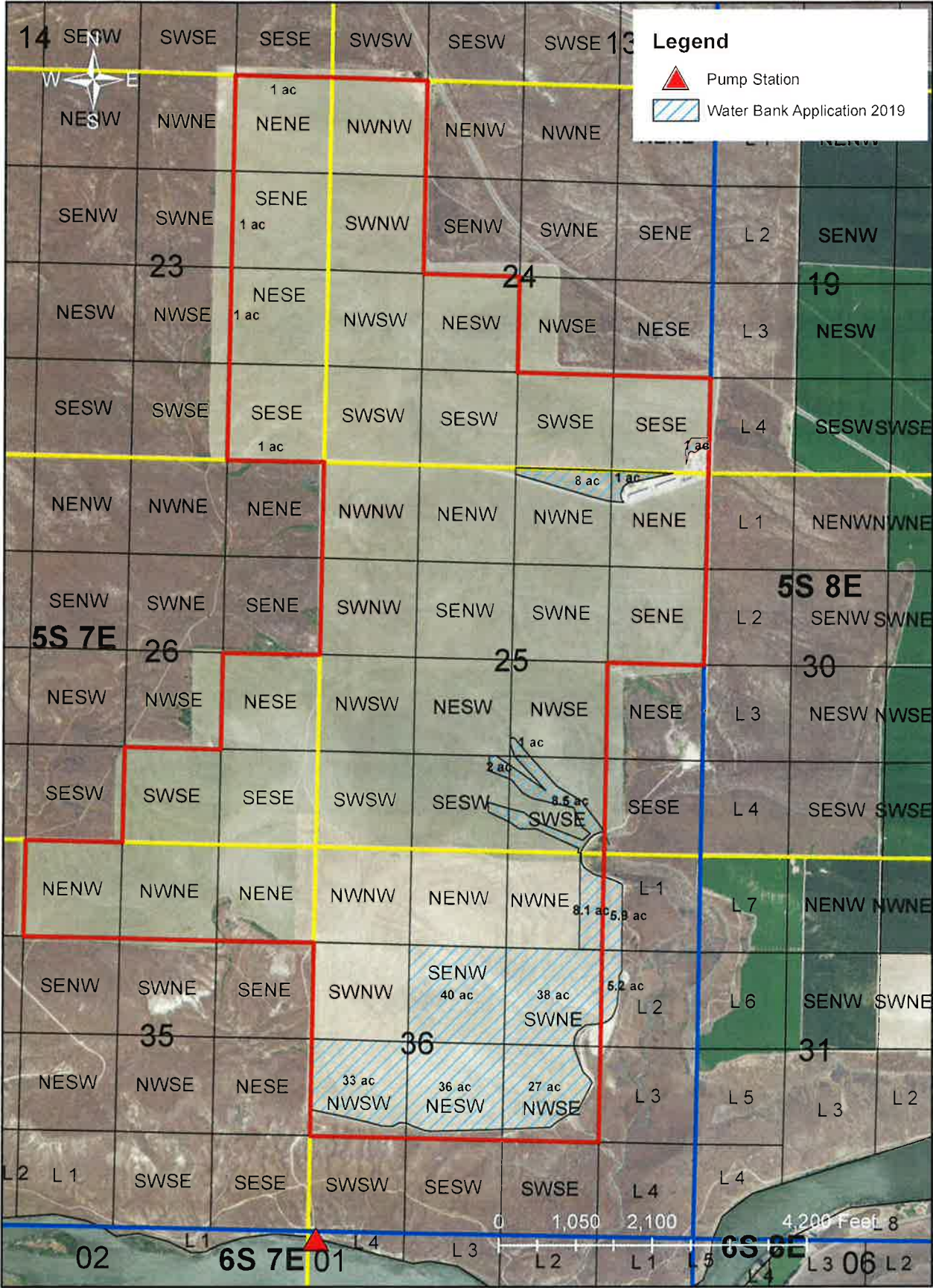
Printed Name of Representative

Date

Mail to:

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

Application for Water Bank Rental





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 28, 2019

DE RUYTER PROPERTIES LP
13027 SUNNYSLOPE RD
CALDWELL ID 83607-9355

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 2-10450, AGREEMENT 302**

Dear Renter:

Please find enclosed a receipt in the amount of **\$19,680.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 984.0 acre-feet of water for irrigation of 218.7 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 \$17,712.00 of the rental fee will be paid to the lessor(s) and 10% or \$1,968.00 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. C106459
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Nick Miller – IDWR Western Regional Office
Rob Whitney – State Water District No. 02
Jes Erling - IDWR
David Shaw – ERO Resources Corp
Cherie Palmer - IDWR Compliance Bureau



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 12, 2019

DE RUYTER PROPERTIES LP
13027 SUNNYSLOPE RD
CALDWELL ID 83607-9355

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 2-10450, AGREEMENT 302

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 \$19,680.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 984.0 acre-feet.

Please send a check for \$19,680.00 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 \$17,712.00 of the rental fee will be paid to the lessor(s) and 10% or \$1,968.00 will be retained by the Department to offset administrative costs.

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

Sincerely,

Water Supply Bank

Enclosure

c: IDWR Front Desk
David Shaw – ERO Resources Corp

MEMORANDUM FOR AGREEMENT # 302

To: Water Right(s) 2-10450

From: Mary Condon

Date: February 21, 2019

Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: Rental Application received on October 3, 2019, with a November 1, priority processing date, requesting additional years similar to recently expired rentals. Request is for five years, while available right to rent is only available for two under current lease. There is a reduction in total acres needed for rental after water right 2-10567 was transferred to the place of use. Additionally, the 2018 rental addressed previous concerns of irrigating and crop harvesting on land not belonging to the DeRuyters. Include attachment 3k from 2018 rental consent from Howard to irrigate property.

AUTHORITY TO FILE: Application to rent is signed by Nicolaas DeRuyter, authorized agent for DeRuyter Properties on Idaho Secretary of State annual report for 2018, and owns all but 10.1 acres of the property under rental water. The other is owned by Mr. Howard, who gave consent to DeRuyter to water the land, dated 8/22/2017 (attachment 3K in 2018 rental application). Rental POD is on BLM land, with two water rights (2-2379 & 2-10567) owned by DeRuyter diverted from them. Rental does not give access to government lands. No concerns with authority to File.

WATER RIGHT VALIDITY: Water Right 2-10450 was decreed in 2008, and has been in the bank since 1991. No concerns of validity.

INJURY TO OTHER WATER RIGHTS: Water Right 2-10450 is upstream from the rental point of diversion on the Snake River approximately 21 miles. No injury through the rental of this right is apparent.

ENLARGEMENT OF USE: Rental is for lands not currently covered by a water right, but used in conjunction with water rights 2-2379 and 2-10567. Headgate standard for the rental place of use is 4.0, however the largest water right 2-2379 on the property for irrigation is at 4.9 af/acre, and the newly transferred right 2-10576 was moved in at 4.5 af/acre. There are no combined limits on these two rights, and are treated additive, with a combined 4.9 af/acre. The water right rented is at 4.0 af/acre, which will be raised to 4.5 af/acre to their requested volume per acre; It will be noted here, that the rental location currently only uses approximately 3.2 af/acre, based off of 2018 WMIS data. The rate based off of 2018 WMIS data (calculated off of the combined rental acres and irrigable acres under their rights at 1600.7), is at their combined rate per acre of 0.0186 cfs/acre. In order to prevent any enlargement of the rented right and currently authorized water rights, the rental will be at 0.019 cfs per acre and 4.5 af/acre, no enlargement is expected through the rental of this right when used with the other rights.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: Rental is within Water District #02. Rental POU HG standard is 4.0, SOU 3/15-11/15, Rented right SOU 4/1-10/31, Request for comment sent to region manager and water master on 2/22/2019

Rental POD

water right	priority	source	cfs	vol	acres	cfs/acre	vol/acre	Water District	owner	county	Decreed	SOU
2-2379	09/03/195	Snake	23.67	6060	1232	0.019	4.9	#02	DeRuyter	elmore	2/19/2009	03/15-11/15
2-10567	12/4/1963	Snake	1.98	675	150	0.013	4.5	#02	DeRuyter	elmore	4/5/2010	3/15-11/15
			25.65	6735	1382	0.019	4.9					

howard land

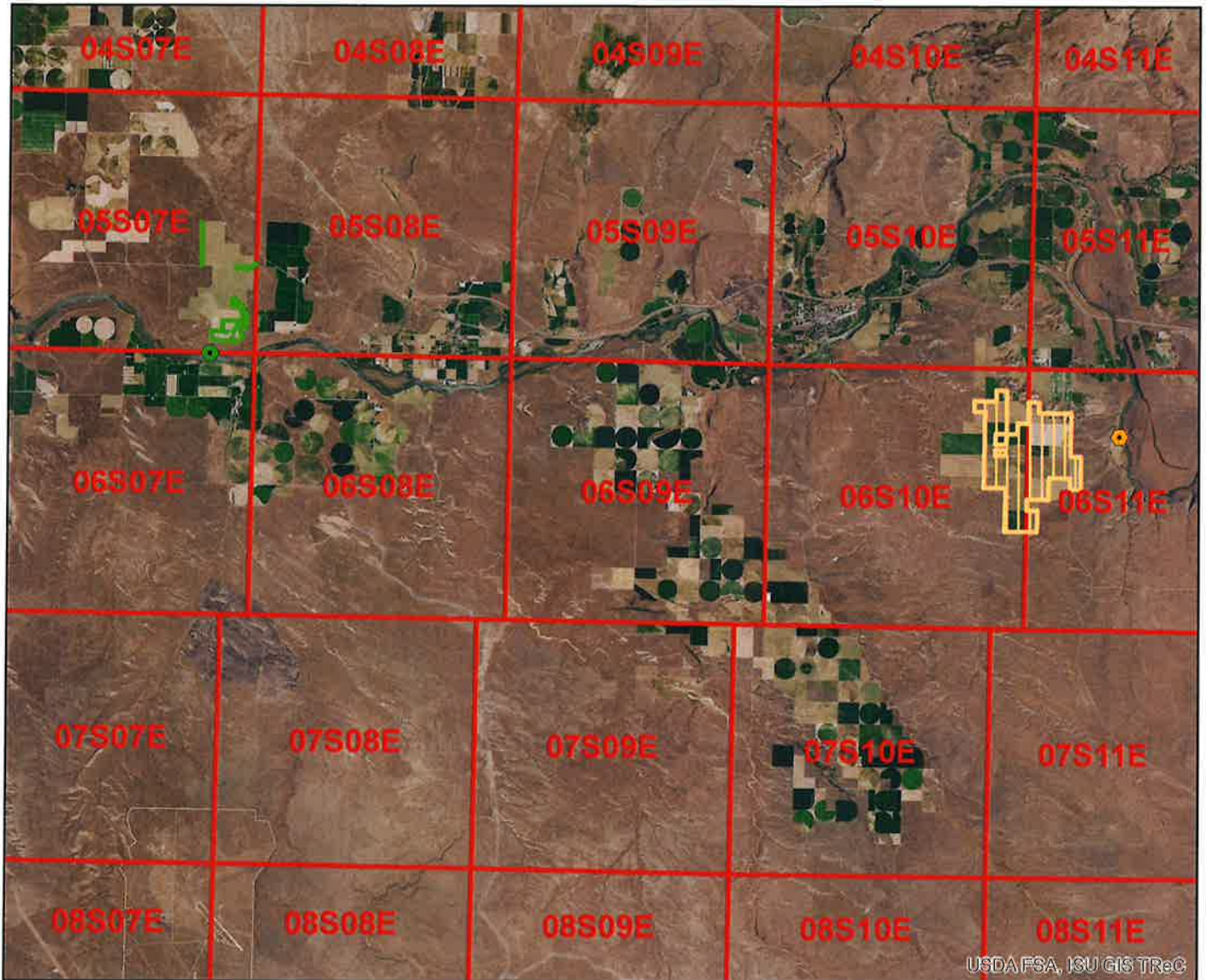
					10.1							
		At 4.5 HG	4.155	984	218.7	0.019	4.5		Rental fee	\$ 19,680.00	\$ 17,712.00	\$ 1,968.00
		combined	29.805	7719	1600.7	0.019	4.8		Total	Owner	Admin	4/1-10/31
need		Snake	4.37	984	218.7	0.020	4.5					
minimum		Snake	3.28	874	218.7	0.015	4.0					
2-10450		Snake	7.92	1584	396	0.020	4					
			6.688	1584	352	0.019	4.5					
		above area HG	4.921	984	246.0	0.02	4					
		limited to	4.155	984	218.7	0.019	4.5					
		or at HG	4.374	874.8	218.7	0.020	4.0					
		limited to	4.155	874.8	218.7	0.019	4.0					

Leased Rights

water right	priority	source	cfs	vol	acres	cfs/acre	vol/acre	Water District	owner	Expiration	Contract ID
2-4013	3/15/1954	Snake	1.62	324	81	0.020	4	#02	H W & K	2019	843
2-7287	6/25/1979	Snake	2	500	100	0.020	5		Flopet	2021	
		dirks	0.48	120	24	0.020	5				
			1.52	380	76	0.020	5				
2-10506			0	0	0	#DIV/0!	#DIV/0!		state of idaho	2019	
2-2262			0	0	0	#DIV/0!	#DIV/0!				
2-10450	2/25/1963	Snake	7.92	1584	396	0.020	4			2020	
2-10434			0	0	0	#DIV/0!	#DIV/0!			rented	
2-2186			0	0	0	#DIV/0!	#DIV/0!			rented	

Idaho Water Resource Board

Move Map 2-10450
2019-2020



USDA FSA, ISU GIS TRcC

- Active Water Supply Bank Lease POD
- Active Water Supply Bank Lease POU
- Authorized Rental Point of Diversion
- Authorized Rental Place of Use
- Township/Range



0 5 10 Miles

Condon, Mary

From: Condon, Mary
Sent: Wednesday, October 10, 2018 3:16 PM
To: 'Dave Shaw'
Subject: DeRuyter Rental Application

Good afternoon, Dave,

The DeRuyter Rental Application for 2019 thru 2023 is missing the first page. Please scan and send to me so I can include it.

Best,
Mary

Mary Condon
Water Supply Bank Specialist
Planning & Projects Bureau
Idaho Department of Water Resources
Main: (208) 287-4936
Fax: (208) 287-6700