

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 275

This is to certify that:

CORPORATION OF THE PRESIDING BISHOP
CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
50 E NORTH TEMPLE
SALT LAKE CTY, UT 84150-0001

RECEIVED
OCT 15 2018
DEPARTMENT OF
WATER RESOURCES

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

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
36-16920	8/22/1961	GROUND WATER	0.045	9.20	2.30	0.020	4.00
Combined Rental Totals			0.045	9.20	2.30	0.019	4.00

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 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 2018, whichever occurs last.

Annual Rental Fee:

2018 - 2021: \$184.00 annually

The full fee for the rental of the above-described right(s) is \$184.00 per year for years 2018 - 2021. The rental fee includes an administrative fee of \$18.40 per year for years 2018 - 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	0.045	6.00	1.50	0.030	4.00
Combined Total	0.045	6.00	1.50	0.030	4.00

** The authorized water usage reflects a reduction from the water right elements rented, to account for a per-acre irrigation diversion rate of 0.03 cfs, as authorized under water right 36-4209*

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 275

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:

Matt Davidson
Signature of Renter

10/12/18
Date

Matt Davidson
Printed Name

Water Resource Manager
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 10/16/2018

Rental approved by IDWR Cheryl Wicks

Date 10-16-2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 275

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENE Sec. 34, Twp 09S, Rge 22E, MINIDOKA County

BENEFICIAL USE

IRRIGATION

DIVERSION RATE

0.045 CFS

VOLUME

6.00 AF

SEASON OF USE

Water Right No.

36-16920

From

4/1

To

11/1

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	
09S	22E	34				1.5													1.5

Total Acres: 1.5

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. Use of water under this rental 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.130.
10. Use of water for irrigation purposes under this rental, when combined with irrigation water use authorized under water right 36-4209, shall provide no more than 0.075 cfs for irrigation of 2.5 acres, equivalent to 0.03 cfs per acre at the field headgate for irrigation of the place of use.

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DEPARTMENT OF WATER RESOURCES

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11. This rental agreement does not authorize the construction of a well.
12. 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. 275

Effective until December 31, 2021

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



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



0  Feet
500

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

JUN 11 2018

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKCorporation of the Presiding Bishop of The Church of
Jesus Christ of Latter-day Saints, a Utah corporation sole.

Applicant Name: _____

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)

36-16920

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

- A. Applicant Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole.
- Mailing Address 50 East North Temple, 12th Floor Natural Resources, Salt Lake City, Ut 84150-0012
- Street City State Zip Code
- Email Address mpdavidson@ldschurch.org Phone Number 801-240-3263
- 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 Matt Davidson Professional Title Engineer
- Organization LDSS Church Relationship to Applicant Employee
- Mailing Address 50 East North Temple, 12th Floor Natural Resources, Salt Lake City, Ut 84150-0012
- Email Address mpdavidson@ldschurch.org Phone Number 801-240-3263

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**:

The water will be used to irrigate lawn at a rec field adjacent to a church meeting house. The water will be used until a delivery system is built to convey surface water from the Minidoka Irrigation District (No 483.01). Existing WR 36-4209 currently accounts for 1.0 ac of irrigation. The entire irrigable land is 2.5 ac, we are requesting 1.5ac.

- 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	6.0 AF	1.5 AC

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

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

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

An existing well (WR 36-4209) will be used as the source of the water and it will be used in an existing sprinkler irrigation system located on the landscaped areas.

- 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	groundwater	WR 36-4209

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

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

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

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via [IDWR's website](#).

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.** For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
36-16920		0.32	64.8	16.2		0.03	6.0	1.5
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.03	6.0	1.5
						CFS	AF	AC

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

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

C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☐ No ☒

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☒ No ☐

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

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

If yes, describe:

Yes ☐ No ☒

- 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

Matt Davidson

Printed Name of Applicant

3/26/18

Date



Signature of Representative

Matt Davidson

Printed Name of Representative

3/26/18

Date

Mail to:

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



Corporation of the Presiding Bishop
 of the Church of Jesus Christ
 of Latter-Day Saints
 Special Projects Department
 Natural Resource Services

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

October 22, 2015

MEETINGHOUSE FACILITIES DEPARTMENT

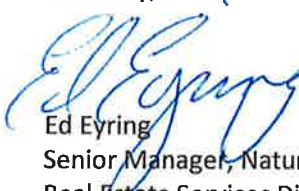
Real Estate Services Division
50 East North Temple Street
Salt Lake City, Utah 84150-0012
Phone: 1-801-240-2915
Facsimile: 1-801-240-4005

To Whom It May Concern:

Matthew Davidson, Professional Engineer (P.E.) was hired by the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah corporation sole (Church), in November of 2010 to manage water related issues for the Church. As an employee, Matt has been authorized by the Church to sign in behalf of and for, all water related applications, change applications, extensions of time, and water right proofs.

As the manager of the Natural Resource Section, in the Real Estate Services Division, Special Projects Department, please accept this letter of explanation of approval to sign on the Church's behalf.

Sincerely,



Ed Eyring
Senior Manager, Natural Resource Services
Real Estate Services Division – Special Projects
Department



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.gov

C.L. "BUTCH" OTTER
Governor

CARY SPACKMAN
Director

October 18, 2018

CORPORATION OF THE PRESIDING BISHOP
CHURCH JESUS CHRIST OF LATTTER-DAY SAINTS
50 E NORTH TEMPLE
SALT LAKE CITY UT 84150-0001

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 36-16920 AGREEMENT 275
WATER RIGHT NO(S). 35-7903B & 35-14308 AGREEMENT 277

Dear Renter:

Please find enclosed a receipts in the amount of **\$440.20** and a copy of a fully executed Water Supply Bank Rental Agreements in connection with the rental of 13.6 acre-feet of water for irrigation of 3.4 acres during 2018. 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 \$396.00 of the rental fee will be paid to the lessor(s) and 10% or \$44.00 will be retained by the Department to offset administrative costs. The overpayment of \$0.20 will be applied to a pending rental that is currently being reviewed.

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

Sincerely,

Water Supply Bank

Enclosures: Receipt No. C105230, C105233 & C105757
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office/Water District # 120
Corey Skinner – IDWR Southern Regional Office
Nathan Erikson – State Water District No. 130
Scott King- SPF Water Engineering LLC



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.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 21, 2018

CORPORATION OF THE PRESIDING BISHOP
CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
50 E NORTH TEMPLE
SALT LAKE CITY UT 84150-0001

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 36-16920**

*****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 \$184.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 9.2 acre-feet. In recognition of an already receipted payment of \$120.00 (Receipt ID C105230), only the remaining balance of \$64.00 is owed for this rental.

Please send a check for \$64.20 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 \$165.60 of the rental fee will be paid to the lessor and 10% or \$18.40 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

Enclosure

c: IDWR Front Desk

Memorandum

To: Water Rights 36-16920 and 36-4209

From: Remington Buyer

Date: September 20, 2018

Re: Water Supply Bank Rental Application 1111, Agreement 275

Purpose/Narrative: Application received June 11, 2018, from the Latter Day Saints (LDS) Church which is requesting a rental authorization to divert ground water for irrigation of 1.5 acres of a grassy field adjacent to an LDS Meetinghouse in Minidoka County. The applicant paid \$120.00 for their rental application (Receipt ID C105230).

Water right 36-4209 is appurtenant to the rental location and authorizes diversions of ground water for domestic uses, and for irrigation of 1.0 acres, with an irrigation duty of water of 4.0 afa/acre and a flow rate of 0.03 cfs/acre. An area of 2.5 acres appears under active irrigation at the church, of which 1.0 acres can be accomplished under 36-4209. This rental is to authorize irrigation of the remaining 1.5 acres.

Authority to File: Application has been signed by Matthew Davidson who represents that he is an engineer employed by the Church, and a letter has been provided from the Natural Resources and Real Estate Services Division of the Church, to establish that Mr. Davidson is authorized to submit the application on behalf of the Church. No concerns about authority to file.

Water Right Validity/Forfeiture Evaluation: The application requests an authorization to rent water right 36-16920, which is leased to the Bank, and there are no concerns about the validity of this right. The rental place of use can be irrigated with surface water delivered via either the A & B Irrigation District, or the Minidoka Irrigation District, as well as with ground water divertible under water right 36-4209. However, irrigation district water is apparently not yet deliverable to the property, and the applicant desires to irrigate more than the 1.0 acres authorized under 36-4209. No concerns about the validity of water associated with irrigation district water rights or water right 36-4209.

Injury Evaluation: The applicant has requested ground water that is to be diverted from the Eastern Snake River Plain Aquifer (ESPA) and ground water modeling is required to ensure injury is avoided. Modeling was not provided with the application, however the applicant submitted modeling through a consultant, SPF Engineering, and modeling data does not indicate injury should occur through this rental.

Enlargement of Use: The irrigation duty of water authorized under 36-4209 is 4.0 afa/acre with a diversion rate of 0.03 cfs/acre. Water right 36-16920 authorizes 0.02 cfs/acre and 4.0 afa/acre and is conditioned with language limiting irrigation use under 36-16920 with other water rights to no more than 0.02 cfs/ac.

Because irrigation will be accomplished through diversions of water under 36-4209 and 36-16920, and because 36-4209 authorizes irrigation at a rate per-acre that exceeds conditioned limits under 36-16920, to avoid enlargement, rentals under this water right will be authorized as follows:

Water Right	Rentable/Accessible Elements					Authorized Rental Elements				
	Rate	Vol.	Acres	Rate/AC	Vol/AC	Rate	Vol.	Acres	Rate/AC	Vol/AC
36-16920	0.045	9.2	2.3	0.020	4.0	0.045	6.0	1.5	0.030	4.0
36-4209	0.030	4.0	1.0	0.030	4.0	0.030	4.0	1.0	0.030	4.0
Max combined	0.075	13.2	3.3	0.023	4.0	0.075	10.0	2.5	0.030	4.0

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

Beneficial Use/Conservation of Water Resources: Irrigation use is a beneficial use of water and the diversion rates and volume are consistent with water conservation practices.

Department/Watermaster Comments: Nathan Erikson, Water District 130 Watermaster and IDWR Southern Regional staff had no objections to this rental.

Water Supply Bank Evaluation: It is recommended this rental be approved.

Buyer, Remington

From: Erickson, Nathan
Sent: Friday, September 07, 2018 9:43 AM
To: Webster, Clay; Buyer, Remington
Subject: RE: Water Supply Bank Rental Agreement 275

Remington,

I don't see any problems with approving this rental. The total amount of irrigation and other uses with the rental will still fall below the measurement requirement so no measuring device is required.

Thanks,
Nathan

From: Webster, Clay
Sent: Friday, September 07, 2018 9:16 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Cc: Erickson, Nathan <Nathan.Erickson@idwr.idaho.gov>
Subject: FW: Water Supply Bank Rental Agreement 275

Remington,

Looking further into this issue, I found that the water right in your memo and email has a typo. The water right appurtenant to this property is 36-4209. In order to avoid an enlargement concern, we will have to match the diversion rate of this right (0.03 cfs per acre) with the rental. If they rent 2 acres, we would be able to allow them to irrigate 1.5 acres.

Clay

From: Webster, Clay
Sent: Friday, September 07, 2018 8:03 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: RE: Water Supply Bank Rental Agreement 275

Remington,

In looking at the database, 36-4029 was disallowed in the SRBA. October 12, 2012 the court issued an order establishing the deadline for late claim filings in this and other basins as January 31, 2013. On February 13, 2013 the court all unclaimed water rights listed were disallowed. 36-4029 was listed on that 96 page order. The orders can be viewed on the SRBA court page. <http://164.165.134.61/S3604029XX.HTM>.

Clay

From: Buyer, Remington
Sent: Thursday, September 06, 2018 4:50 PM
To: Erickson, Nathan <Nathan.Erickson@idwr.idaho.gov>
Cc: Webster, Clay <Clay.Webster@idwr.idaho.gov>
Subject: Water Supply Bank Rental Agreement 275

Hi Nathan,

The LDS Church requested a rental of water right 36-16920 to irrigate 1.5 acres of a church property west of Paul. They are authorized to irrigate 1.0 acres of the church with water right 36-4029; the purpose of the rental is to supplement their authorized irrigation water usage, to enable them to irrigate an additional 1.5 acres, for a total of 2.5 acres. The rental review memo, draft agreement and a map is attached. Do you have any concerns about this rental? I don't see a WMIS data point at the church property and wonder if they have all necessary measurement devices and locking mechanisms in place, per the Director's measurement order?

Please advise, and thanks,

Remington

Buyer, Remington

From: Scott King <SKing@spfwater.com>
Sent: Friday, August 31, 2018 4:22 PM
To: Buyer, Remington
Cc: Stanley Sylvanus Postma; Matthew Paul Davidson (mpdavidson@ldschurch.org)
Subject: ESPA Mitigation Analysis for Rental 1111
Attachments: MitAnalysis_Emerson_Rental 1111_1.5ac.pdf; MitAnalysis_Emerson_Rental 1111_2ac.pdf

Hello Remington,

Here is the Mitigation Analysis for the LDS Church's WSB Rental 1111. The model indicates additional mitigation is not required.

Your August 1 letter mentions that 9.0 af is available for rental under 1111, but it looks like only 6 af (1.5 acres) was requested and is needed. Analysis of both 1.5 and 2 acres are attached.

Please let me know if you have any questions.

Thank you,
Scott

Scott N. King, P.E. | Supervising Engineer

SPF Water Engineering, LLC

300 E Mallard Drive, Suite 350 | Boise, ID 83706

phone 208.383.4140 | fax 208.383.4156

email sking@spfwater.com | web www.spfwater.com

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One-Way Analysis of Independent Transfers - Summary

WR No.	Div.	Rate	Con. Vol.	No. of Irr.	Priority	POD	Dedicated Vol	Model
36-16920	(CFS)	(AFA)	Acres	Date	Location	AFA/ AFT	Node	

Rental 1: Input Water Right Conditions Prior to Rental

36-16920	0.03		1.5	8/22/1961	7S14E20NESW	6	2.0	41/14
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Rental 1: Input Water Right Conditions Following Rental

36-16920	0.03		1.5	8/22/1961	9S22E34SENE	6	2	79/50
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Impact by Reach (AF/Trimester)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
0.00	0.01	0.02	0.05	0.00	0.17	0.40	0.48	0.44	0.34	0.02
0.02	0.07	0.21	0.67	0.04	0.32	0.30	0.13	0.08	0.08	0.00
0.00	0.01	0.02	0.05	0.00	0.17	0.40	0.48	0.44	0.34	0.02
0.02	0.07	0.21	0.67	0.04	0.32	0.30	0.13	0.08	0.08	0.00

Steady State Analysis	Mitigation Check 1 - >10% of Historical:	1193.2%	1193.3%	1193.4%	1193.6%	1300.1%	88.1%	-23.3%	-71.9%	-80.6%	-77.3%	-77.0%
	Mitigation Check 2: > 2 AF/T:	0.0	0.1	0.2	0.6	0.0	0.1	-0.1	-0.3	-0.4	-0.3	0.0
	Mitigation Check 3 - >10% of Total:	1.2%	3.6%	10.9%	34.5%	2.0%	16.5%	15.7%	6.9%	4.4%	4.0%	0.2%
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.1	0.2	0.6	0.0	0.1	-0.1	-0.3	-0.4	-0.3	0.0
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	1193.2%	1193.3%	1193.4%	1193.6%	1300.1%	88.1%	-23.3%	-71.9%	-80.6%	-77.3%	-77.0%
	Mitigation Check 2: > 2.01 AF/T:	0.0	0.1	0.2	0.6	0.0	0.1	-0.1	-0.3	-0.4	-0.3	0.0
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.1	0.2	0.6	0.0	0.1	-0.1	-0.3	-0.4	-0.3	0.0

One-Way Analysis of Independent Transfers - Summary

WR No.	Div.	Rate	Con. Vol.	No. of Irr.	Priority	POD	Dedicated Vol	Model
36-16920	(CFS)	(AFA)	Acres	Date	Location	AFA/ AFT	Node	

Rental 1: Input Water Right Conditions Prior to Rental

36-16920	0.03		1.5	8/22/1961	7S14E20NESW	9	3.0	41/14
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Rental 1: Input Water Right Conditions Following Rental

36-16920	0.03		1.5	8/22/1961	9S22E34SENE	9	3	79/50
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Impact by Reach (AF/Trimester)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
0.00	0.01	0.02	0.08	0.00	0.26	0.59	0.72	0.66	0.51	0.03
0.04	0.11	0.32	1.00	0.06	0.48	0.46	0.20	0.13	0.12	0.01
0.00	0.01	0.02	0.08	0.00	0.26	0.59	0.72	0.66	0.51	0.03
0.04	0.11	0.32	1.00	0.06	0.48	0.46	0.20	0.13	0.12	0.01

Steady State Analysis	Mitigation Check 1 - >10% of Historical:	1193.2%	1193.3%	1193.4%	1193.6%	1300.1%	88.1%	-23.3%	-71.9%	-80.6%	-77.3%	-77.0%
	Mitigation Check 2: > 2 AF/T:	0.0	0.1	0.3	0.9	0.1	0.2	-0.1	-0.5	-0.5	-0.4	0.0
	Mitigation Check 3 - >10% of Total:	1.2%	3.6%	10.9%	34.5%	2.0%	16.5%	15.7%	6.9%	4.4%	4.0%	0.2%
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.1	0.3	0.9	0.1	0.2	-0.1	-0.5	-0.5	-0.4	0.0
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	1193.2%	1193.3%	1193.4%	1193.6%	1300.1%	88.1%	-23.3%	-71.9%	-80.6%	-77.3%	-77.0%
	Mitigation Check 2: > 2.01 AF/T:	0.0	0.1	0.3	0.9	0.1	0.2	-0.1	-0.5	-0.5	-0.4	0.0
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.1	0.3	0.9	0.1	0.2	-0.1	-0.5	-0.5	-0.4	0.0

Buyer, Remington

From: Buyer, Remington
Sent: Tuesday, August 21, 2018 10:22 AM
To: 'Matthew Paul Davidson'
Cc: Stanley Sylvanus Postma
Subject: RE: Status Emerson Water Bank Application
Attachments: Water Supply Bank Rental Applications 1110 and 1111

Matt,

I'm following up on my email and letters to you from earlier this month. We still need to obtain from the LDS Church ground water modeling for both rental applications 1110 and 1111 and we need to confirm which 1.9 acres are to be covered at the Binghamman County church. Our office provided thirty days for receipt of the necessary information. If we don't receive the necessary information by September first, we will return the rental applications to you.

If you have not already done so, please forward to us the requested information. You can contact me if you have any questions.

Regards,

Remington Buyer

Water Supply Bank Coordinator
Idaho Department of Water Resources
322 East Front Street, Boise, ID, 83720
T: (208) 287-4918 | F: (208) 287-6700

From: Matthew Paul Davidson [mailto:mpdavidson@ldschurch.org]
Sent: Thursday, August 09, 2018 11:31 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Cc: Stanley Sylvanus Postma <StanleyPostma@ldschurch.org>
Subject: Status Emerson Water Bank Application

Remington,

Just wanted to follow up on this application we submitted in March of this year, see attached.

Thanks.

Matthew Davidson | P.E., Water Resources
NATURAL RESOURCES SERVICES - MEETINGHOUSE FACILITIES DEPARTMENT
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS | CORP. OF PRESIDING BISHOP
50 East North Temple Street, 12th Floor | Salt Lake City, UT 84150-0012
Phone: 801-240-3263 | Cell: 801-835-2547 | E-mail: mpdavidson@ldschurch.org

Buyer, Remington

From: Buyer, Remington
Sent: Wednesday, August 01, 2018 4:18 PM
To: 'mpdavidson@ldschurch.org'
Cc: Condon, Mary
Subject: Water Supply Bank Rental Applications 1110 and 1111
Attachments: Information Request Letter.pdf

Matt,

Please find attached to this email a copy of an information request letter being issued today to you by our office. As is explained in the letter, our office requires additional information from you to continue processing Water Supply Bank rental applications 1110 and 1111. Effectively, both rental applications are missing ground water modeling be submitted. Answers to ground water modeling questions on the rental application forms indicated that modeling was being provided with the applications, however we did not receive any modeling with the applications. Information on how to complete ground water modeling for rental applications can be found online, [on our website](#).

Additionally, to avoid enlargement in the rental use of water rights 35-7903B and 35-14308, the number of irrigable acres needs to be reduced under these rights, to increase their per-acre diversion rates to 0.02 cfs/acre, which is the diversion rate presently authorized under water right 35-8152. However, due to the limited extent of water use that can be rented under water rights 35-7903B and 35-14308, it appears that the maximum irrigable area possible at the Bingham County Meetinghouse is going to be 1.9 acres, not 3.0 acres, as requested. As such, we'll need you to confirm to us which 1.9 acres should be irrigated under rental 1110.

If you have any questions about the above, you can reach me in the office tomorrow, August 2nd. I will be out of office on Friday August 3rd through Friday August 10th, returning to work on Monday, August 13th. If you can provide the requested information in advance of the 13th, please address it to the attention of Mary Condon (cc'd), who works with me in the Water Supply Bank. Mary may be able to continue processing on your applications while I am away. Else, I will look for the information once I'm back.

Regards,

Remington Buyer

Water Supply Bank Coordinator
Idaho Department of Water Resources
322 East Front Street, Boise, ID, 83720
T: (208) 287-4918 | F: (208) 287-6700



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.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 1, 2018

MATT DAVIDSON
LDS CHURCH
50 E NORTH TEMPLE, 12TH FLOOR
SALT LAKE CITY UT 84150-0012

**RESPONSE DEADLINE:
SEPTEMBER 1, 2018**

RE: Action Required on WSB Rental Application Numbers 1110 and 1111

Sir,

The Department of Water Resources (Department) has reviewed your application to rent water rights from the Water Supply Bank. The following items are required to continue processing of your application:

- Ground water modeling information for both applications 1110 and 1111; and
- Confirmation of 1.9 acres to be irrigated at Bingham County Meetinghouse

Because rental applications 1110 and 1111 both propose a diversion of ground water from the Eastern Snake Plain Aquifer (ESPA), evaluation of ESPA ground water modeling for both rental requests is required to ensure no injury occurs to prior appropriated water rights. Question 3H on both rental applications was answered in the affirmative, indicating that modeling was being provided with the applications, however no modeling was included with the paper applications received by our office.

Additionally, rental application 1110 (specific to the Bingham County Meetinghouse) will augment water right 35-8152, which authorizes irrigation of up to 1.0 acres, with a diversion rate of 0.02 cfs/acre. Application 1110 requested a rental of water rights 35-14308 and 35-7903B to satisfy irrigation of a 3.0 acre field. Water rights 35-14308 and 35-7903B authorize irrigation diversion rates of 0.016 cfs/acre and 0.011 cfs/acre, respectively. In order to avoid enlargement in water use, the total acres authorized to be irrigated via a rental of these water rights should be reduced, to enable a per-acre irrigation diversion rate of 0.02 cfs/acre, in alignment with water right 35-8152. The maximum area irrigable via an acre-reduced rental of water rights 35-14308 and 35-7903B is 1.9 acres. As such, once modeling is received and evaluated for application 1110 (for the movement of water rights 35-14308 and 35-7903B to the point of diversion associated with water right 35-8152) the Water Supply Bank can authorize a combined rental diversion rate of 0.038 cfs and 7.60 acre feet annually, for irrigation of 1.9 acres, once you identify for our office the specific 1.9 acres of the 3.0 acre field that will be irrigated.

Please note diversions of ground water for purposes associated with your rental request are not authorized until all rental fees are paid and you and the Department have both signed and executed the rental agreements. Our office did receive rental payments of \$120 (receipt ID C105230) and \$228 (receipt ID C105233) for both rental applications. My estimates are that 12.8 af may be rented under application 1110, while 9.0 af may be rented under application 1111. At the current rental rate is \$20/af, your rental payments may be \$436, which would require an additional payment of \$88. In any event, rental fees will not be requested until a favorable recommendation can be made regarding your rental requests. Please provide our office with the items listed above before the response deadline listed at the top of this letter so that we can continue processing your applications.

If you have any questions, please contact me at 208-287-4918.

Regards,

Remington Buyer
Water Supply Bank Coordinator