

JUN 28 2018

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 262

This is to certify that:

BEAVER SPRINGS OWNERS ASSOC INC
PO BOX 6416
KETCHUM, ID 83340

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)
37-20900	1/6/1975	GROUND WATER	0.134	44.40	12.70	0.011	3.50
37-20901	1/6/1975	GROUND WATER	0.116	46.00	13.10	0.009	3.51
37-22681	1/6/1975	GROUND WATER	0.060	19.25	5.50	0.011	3.50
37-8157	6/30/1983	UNNAMED STREAM	0.000	7.70	2.20	0.000	3.50
Combined Rental Totals			0.310	117.35	33.50	0.009	3.50

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2019. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2018, whichever occurs last.

Annual Rental Fee:

2018 - 2019: \$2,347.00 annually

The full fee for the rental of the above-described right(s) is \$2,347.00 per year for years 2018 - 2019. The rental fee includes an administrative fee of \$234.70 per year for years 2018 - 2019.

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	0.310	54.60	15.60	0.020	3.50
Combined Total	0.310	54.60	15.60	0.020	3.50

* The authorized water usage reflects a reduction from the water right elements rented, to account for a per-acre diversion volume of 3.5 afa for the irrigation of 15.6 acres

Detailed water right conditions are attached.

SUPPORT DATA

IN FILE # 37-8157

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 262

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec. 12, Twp 04N, Rge 17E, BLAINE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.31 CFS

VOLUME
54.60 AF

SEASON OF USE

Water Right No.	From	To
37-20900	4/15	10/31
37-20901	4/15	10/31
37-22681	4/15	10/31
37-8157	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	
04N	17E	1															2.6	0.1	2.7
04N	17E	12	0.5	6.7	4.1	2.2													13.5

Total Acres: 16.2

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 right 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 place of use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 262


10. Use of water under this rental 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. 37.
11. The right holder 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).
12. Rental does not authorize construction of a well.
13. 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.
14. Diversions of ground water under this rental agreement are authorized contingent on non-injury to prior appropriations. This rental may be modified or cancelled upon a showing that the use of water authorized under this rental may be causing injury to prior appropriators.

Idaho Water Resource Board Water Supply Bank Rental Agreement

Effective until December 31, 2019

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



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



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

APR 05 2018

DEPARTMENT OF
WATER RESOURCES

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

Applicant Name: Beaver Springs Owners Association

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)

Attachment	N/A	Yes	
		<input checked="" type="checkbox"/>	Completed <i>Application to Rent Water from the Board's Water Supply Bank</i>
		<input checked="" type="checkbox"/>	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
2	<input checked="" type="checkbox"/>		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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Detailed information on a proposed use of rental water
3F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Authorization from the owner/operator of the rental point(s) of diversion
3H	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water modeling to account for the impacts of the rental request
3J	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only - Proposed Water Right(s)

37-20900

37-20901

1073

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Beaver Springs Owners Association c/o Sun Country Management
 Mailing Address P.O. Box 6416 Ketchum, ID 83340
Street City State Zip Code
 Email Address sunco1007@cox-internet.com Phone Number 208-726-3858

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 Zach Latham Professional Title Hydrologist
 Organization Brockway Engineering PLLC Relationship to Applicant Consultant
 Mailing Address 2016 Washington St. North Suite #4 Twin Falls, ID 83301
 Email Address zach.latham@brockwayeng.com Phone Number 208-736-8543

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**:

Owners association seeks to irrigate an additional 15.6 acres on association property at 0.02 cfs per acre and 3.5 acre-feet per acre with water rights identified or any other available ground water right(s).

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)
0.31 CFS	54.6 AF	0.31 CFS	54.6 AF	15.6 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?	
4/15/18	7/1/18	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> Process application as soon as possible	<input type="checkbox"/> 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):

Applicant seeks to irrigate 15.6 acres of common areas within subdivision utilizing buried pressurized 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
Fire Protection Wells	Ground Water	37-22963

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 15.6 (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:
None.

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)
37-20900	Irrigation	0.20	66.5	19		0.2	66.5	19
37-20901	Irrigation	0.22	99.6	24.9		0.11	43.6	10.3
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	0.31	110.1	29.3
						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**:

Applicant seeks to rent enough acres to irrigate 15.6 acres of physical land at 0.02 cfs per acre and 3.5 acre-feet per acre with water rights identified or any other available ground water right(s).

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:
N/A.


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:
Not at this time.

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
Applicant seeks to rent enough acres to irrigate 15.6 acres of physical land at 0.02 cfs per acre and 3.5 acre-feet per acre with water rights identified or any other available ground water right(s).

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

KIRAN SOKOLOFF
Printed Name of Applicant

MARCH 23, 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

STATE OF IDAHO
WATER RESOURCE BOARD

Water Modeling Requirement Information Sheet

Information on water modeling requirements for rental requests within special administrative areas

Important information on requesting rental water within special administrative areas: Refer to the information below to determine whether the modeling of potential impacts from your rental request is necessary. Use Section 4 of the rental application to identify selected water rights. **If you submit an application to rent water from within a special administrative area and water modeling is required, your rental request will be returned if water modeling is not provided.**

Water modeling may be required when an application to rent water involves one of two scenarios:

Scenario 1: The rental request proposes to divert water from a regulated water source and/or within a special administrative area AND the distance between the rental point(s) of diversion (POD) and the POD(s) for the leased water right(s) is greater than the administratively established, acceptable distance.

Regulated water sources may areas include:

- A. Ground water resources within the modeled area of the Eastern Snake Plain Aquifer (ESPA) and tributary aquifers;
- B. Ground water within Ground Water Management Areas (GWMAs) or Critical Ground Water Areas (CGWAs);
- C. Water resources within other specified administrative areas, as established by the Idaho Water Resource Board (IWRB) or the Idaho Department of Water Resources.

The distance between any rental POD(s) and the POD(s) for a leased water right to be rented is important. On the ESPA, distance is measured in terms of model cells that cover an area of one square mile. Ground water modeling is not required if lease POD(s) and rental POD(s) are located within the same model cell or within adjacent model cells. If the lease and rental PODs are separated by more than one model cell groundwater modeling must be completed using the IDWR ESPA Transfer Tool and modeling results must be submitted with the rental application. ESPA modeling tools can be accessed and freely downloaded from IDWR's website by visiting: www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.

Ground water modeling may be required within GWMAs, CGWAs or other regulated administrative areas. Applicants who desire to rent water within an established GWMA, CGWA or other regulated administrative area should consult IDWR's website before submitting their application to review the current status of administrative orders related to regulated administrative areas. Consult www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated_areas.htm for information on GWMAs or CGWAs, visit <https://idwr.maps.arcgis.com/home/> to use mapping tools to find other regulated areas.

Applicants interested in renting water within a GWMA, CGWA or other regulated administrative areas should request water rights that have been leased into the Bank from within the same administrative area. Generally, the Bank will not permit a rental of water within a regulated administrative area if the leased water rights are not located within that same administrative area.

Scenario 2: A rental request proposes to divert water from a different but hydraulically connected water source.

Modeling situations may include:

- A. Rental requests that propose to divert surface water rights via ground water POD(s) (wells); and
- B. Rental requests that propose to divert ground water from one aquifer when the right being rented authorizes the diversion of ground water from a hydraulically connected, tributary aquifer.

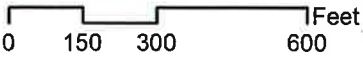
Rental requests that propose to divert surface water rights from ground water points of diversion may be considered if ground water modeling establishes that the surface and ground water resources are directly and immediately hydraulically connected. An acceptable hydraulic connection occurs when at least 50 percent of the total depletions from a well are detectable from the original water source within a 24 hour period. The existing (leased) POD and proposed (rental) POD must be proximate such that diversion and use of water from the proposed POD would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original POD.

Requests to rent ground water across tributary aquifer sources may be considered if ground water modeling is provided to demonstrate that two aquifers are hydraulically connected and the anticipated impacts of diverting ground water from one source through the other is modeled accordingly.

For more information about rental application requirements, contact IDWR at (208) 287-4800.



USDA-FSA-APFO Aerial Photography Field Office





BEAVER SPRINGS OWNERS ASSOC.

WSB RENTAL 2018

BROCKWAY ENGINEERING, PLLC.
ICB - Date: 4/2/2018

NAIP 2017 AERIAL

 Irrigated area = 15.6 ac.
 Beaver Springs Parcels





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

June 29, 2018

BEAVER SPRINGS OWNERS ASSOC INC
PO BOX 6416
KETCHUM ID 83340

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 37-8157, 37-20900, 37-20901, and 37-22681**

Dear Renter:

Please find enclosed a receipt in the amount of **\$2,347.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 117.35 acre-feet of water for irrigation of 16.2 acres during 201. 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 \$2,112.30 of the rental fee will be paid to the lessor(s) and 10% or \$234.70 will be retained by the Department to offset administrative costs.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Gidd".

 Water Supply Bank

Enclosures: Receipt No. C105306
Rental Agreement (copy)

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



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

June 18, 2018

BEAVER SPRINGS OWNERS ASSOC INC
PO BOX 6416
KETCHUM ID 83340

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 37-8157, 37-20900, 37-20901, and 37-22681

*****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 \$2,347.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 117.35 acre-feet.

Please send a check for \$2,347.00 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 \$2,112.30 of the rental fee will be paid to the lessor(s) and 10% or \$234.70 will be retained by the Department to offset administrative costs.

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

Sincerely,


for Water Supply Bank

Enclosure

c: IDWR Front Desk
Zach Latham – Brockway Engineering

Buyer, Remington

From: Buyer, Remington
Sent: Thursday, June 14, 2018 4:03 PM
To: watermanager@cableone.net; Skinner, Corey
Cc: Webster, Clay
Subject: WSB Rental
Attachments: Rental Agreement.docx; Rental Review Memo.docx; RentalMap.pdf

Kevin, Corey,

Another WSB rental request for your consideration: Beaver Springs (Home) Owners Association is renting ground water rights to authorize irrigation of open space in the neighborhood. Please have a review of the rental documents attached and advise if you have questions, comments or concerns.

Thanks,

Remington

Buyer, Remington

From: Zach Latham <zach.latham@brockwayeng.com>
Sent: Wednesday, June 13, 2018 3:22 PM
To: Buyer, Remington
Subject: RE: WSB Update

Remington,
Let's proceed with your numbers, thank you.

Zach Latham

Hydrologist
Brockway Engineering, P.L.L.C.
2016 Washington Street North, Suite 4
Twin Falls, ID 83301
t. 208-736-8543
c.208-721-2114
f. 208-736-8506

zach.latham@brockwayeng.com

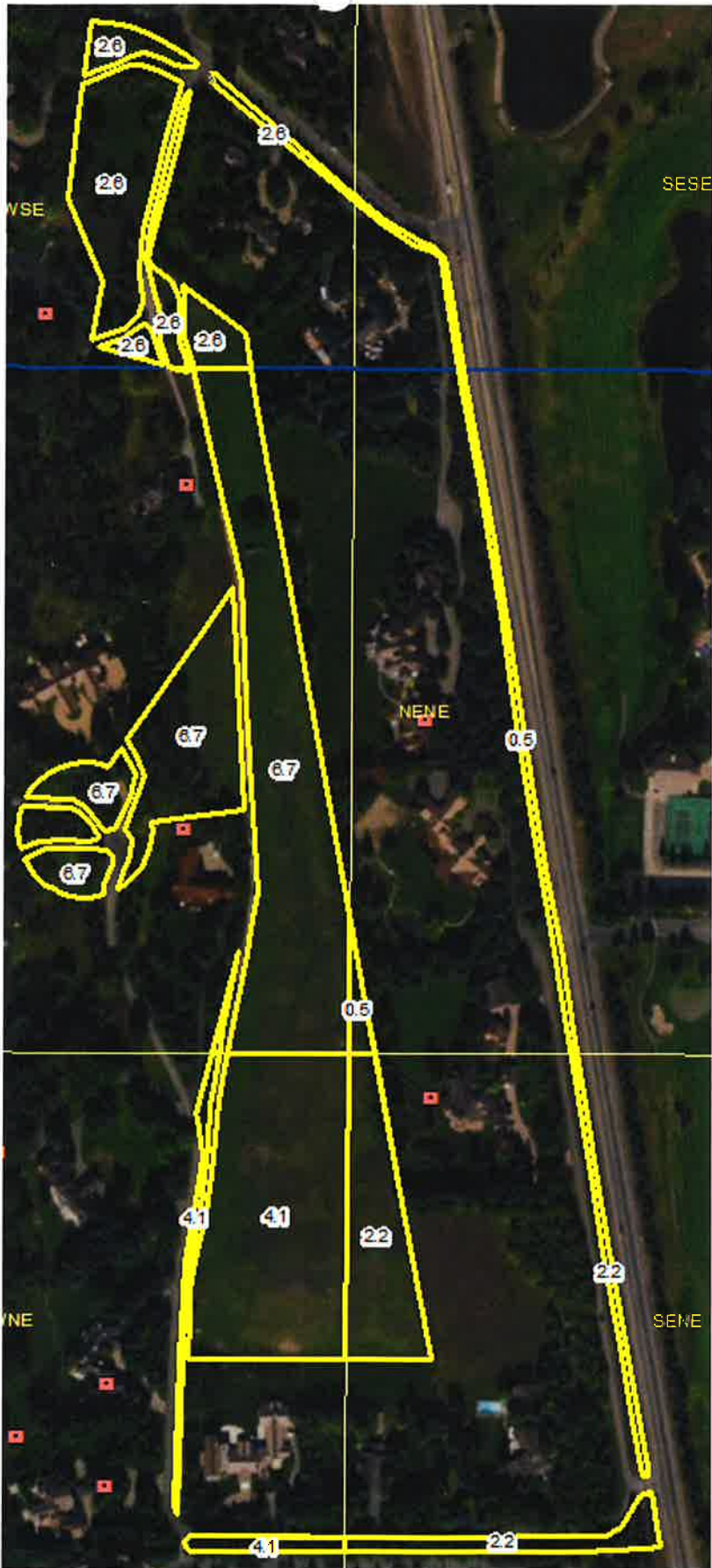
All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Buyer, Remington [mailto:Remington.Buyer@idwr.idaho.gov]
Sent: Wednesday, June 13, 2018 3:18 PM
To: Zach Latham
Subject: RE: WSB Update

Zach,

A question about the irrigable area to be covered: the rental application from Brockway requested water sufficient to cover 15.6 acres, however the map provided showed 15.7 acres. When I tried to delineate the same acres to be covered in our mapping system, I find that there is 16.2 acres to be covered under this rental.

Specifically, where you have 7.0 acres in the NWNE QQ of section 12, I have 6.7, however where you have 0.3 in the NENE QQ and 1.6 acres in the SENE QQ, I have 0.5 acres and 2.2 acres respectively. Here are the areas I've calculated:



We can proceed with the QQ numbers per the rental application map (15.7 acres) or with the QQ acres above (16.2 acres). Please advise whether your clients have a specific preference.

Thanks,

Remington

From: Zach Latham [<mailto:zach.latham@brockwayeng.com>]
Sent: Wednesday, June 13, 2018 2:42 PM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: RE: WSB Update

Thanks for this update, I will forward it along to those respective parties.

Zach Latham

Hydrologist
Brockway Engineering, P.L.L.C.
2016 Washington Street North, Suite 4
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All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Buyer, Remington [<mailto:Remington.Buyer@idwr.idaho.gov>]
Sent: Tuesday, June 12, 2018 4:32 PM
To: Zach Latham
Subject: WSB Update

Zach,

I wanted you to know that I've completed processing on the Fergusson Berman Trust rental today and will begin processing the Beaver Springs Owner's Association rental tomorrow.

Regards,

Remington



Virus-free. www.avg.com

Memorandum

To: Water Rights 37-20900 & 37-22681

From: Remington Buyer

Date: June 13, 2018

Re: Water Supply Bank Rental Application 1073

Purpose/Narrative: This rental application was received on April 05, 2018 from Kiril Sokoloff, the treasurer of (and property owner within) the Beaver Springs (Home) Owners Association, which is a residential neighborhood located north of Ketchum. The rental application requests an authorization to irrigate approximately 16.0 acres of neighborhood common space.

The applicant has filed the rental application through a consulting-engineer representative, Brockway Engineering, and they have requested to rent water rights 37-20900 and 37-20901.

Authority to File: Kiril Sokoloff is listed with the Idaho Secretary of State's office as treasurer of Beaver Springs. No concerns about authority to file.

Water Right Validity/Forfeiture Evaluation: It is proposed that water rights 37-20900 and 37-22681 be rented to satisfy this rental. These water rights are valid and available for rental.

Water rights 37-20900 and 37-22681 authorize irrigation of 30.0 acres in Elkhorn Village, through diversions of ground water. These irrigation water rights were originally developed and licensed as a portion of water right 37-7416, which authorized diversions of ground water from the Eastern Snake Plain Aquifer (ESPA) for irrigation of lands due west of Dietrich, in Lincoln County. In 1988, IDWR approved Transfer 3458, which split water right 37-7416 into parts A and B, and authorized the relocation of 37-7416B to its current location in Elkhorn Village. 37-7416B was subsequently split into 37-20900 and 37-20901.

Water right 37-20900 was decreed through the Snake River Basin Adjudication (SRBA) in 2010, and it was then split into water rights 37-20900 and 37-22681 in 2012. Following the split, water right 37-20900 was immediately leased to the Bank, while 37-22681 was not leased into the Bank until 2016. Both rights are now under active lease to the Bank, and they are valid and available for rental.

Injury Evaluation: It is inconclusive from a review of water right documentation whether ground water has ever been diverted and beneficially used for irrigation of the present place of use for water rights 37-20900 and 37-22681. The place of use for these rights is also authorized to be irrigated with ground water diverted and delivered under water rights held by the Sun Valley Water & Sewer District (SVWSD). It is conceivable that the irrigable place of use has only ever been historically irrigated with SVSWD water and that ground water may not ever have been diverted under 37-20900 or 37-22681 at their present location. This concept is supported by Wood River Valley modeling work which estimates that as little as one acre foot of ground water flows out annually from Elkhorn Village to the Wood River aquifer (indicating that there may not be sufficient ground water available below Elkhorn Village to support water diversions under these two rights.

Because these water rights are valid, decreed irrigation ground water rights, they can be considered for this rental request. However, if ground water has never historically been diverted in Elkhorn Village via these rights, then diversions of Wood River Valley aquifer ground water via a rental of these water rights may contribute to a real increased consumptive use of ground water within the northern reaches of the Valley.

As such, it is recommended that this rental of water rights 37-20900 and 37-22681 be conditioned to acknowledge the right of Wood River Valley water users to petition the Director to modify and/or cancel this rental, upon a showing that this rental is causing injury.

Enlargement of Use: There are no irrigation water rights appurtenant to the acres proposed to be irrigated under this rental. The well proposed to be used authorizes diversions of 0.04 cfs for fire protection purposes. No enlargement is anticipated via this rental.

Local Public Interest: No information indicates this rental is contrary to local public interests.

Beneficial Use/Conservation of Water Resources: The rates of diversion are consistent with irrigation water conservation practices.

Department/Watermaster Comments: Watermaster and regional comments will be requested.

Water Supply Bank Evaluation: Subject to no objections from IDWR regional office staff, or the Water District 37 Watermaster, it is recommended this rental be approved.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
APR 05 2018
DEPARTMENT OF
WATER RESOURCES

April 4th, 2018

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

Re: Water Supply Bank Rental Application; Beaver Springs Owners Association.

Remington,

On behalf of the Beaver Springs Owners Association, Brockway Engineering is submitting a Water Supply Bank rental application which proposes to rent an adequate amount of water from 37-20900, 37-20901 OR any other available ground water right sufficient to provide 0.02 cfs or 9 gpm per acre for the irrigation of 15.6 acres on the BSOA property in Ketchum, ID. BSOA seeks to be able to irrigate 15.6 acres during the 2018 and 2019 irrigation seasons to allow native grasses to be established and there appears to be an adequate amount of ground water leased to the WSB to allow this rental to be fulfilled.

Please copy our office on all correspondence regarding this water supply bank rental application. Thank you for your assistance and if you have questions or comments, please don't hesitate to give me a call.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

Regards,

Sheila Daniels on behalf of

Zach Latham, M.S., Hydrologist

Enc: (1) Beaver Springs Owners Association Rental Application and Map.

Cc: Beaver Springs Owners Association c/o Sun Country Management

2016 NORTH
WASHINGTON
STREET • SUITE 4

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