

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 240

RECEIVED

APR 23 2018

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

GOLDEN EAGLE RANCH
HOMEOWNERS ASSN INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
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)
37-496D	7/1/1883	BIG WOOD RIVER	1.820	105.0	30.0	0.061	3.5
37-497A	7/1/1892	BIG WOOD RIVER	0.940	105.0	30.0	0.031	3.5
Combined Limit Totals				105.0	30.0		3.5
Combined Rental Totals				2.760	105.0	0.046	3.5

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: \$2,100.00 annually

The full fee for the rental of the above-described right(s) is \$2,100.00 per year for years 2018 - 2019. The rental fee includes an administrative fee of \$210.00 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	0.60	see condition 10	30.00	0.02	Not Stated
Combined Total	0.60	see condition 10	30.00	0.02	Not Stated

* The authorized water usage reflects a reduction from the water right elements rented, to account for enlargement concerns

SUPPORT DATA

Detailed water right conditions are attached.

IN FILE # 37-496D

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 240

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:

Signature of Renter David K. Sias, Jr. Date 4/18/18
Printed Name DAVID K. SIAS, Jr Title TREASURER.

*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 Date 4/24/2018
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR Chay Webb Date 4-24-2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 240

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER NENE Sec. 18, Twp 03N, Rge 18E, BLAINE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.60 CFS

VOLUME
see condition 10

SEASON OF USE

Water Right No.	From	To
37-496D	4/15	10/31
37-497A	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	
03N	18E	7												17.6		8.2	24.2	3.1	53.1
03N	18E	18	15.9	25.7	24.1	13.5	12.9			2.1					12.6	11.9	0.4	0.3	119.4

Acre Limit: 30
Within Total Acres: 172.5

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. Right Nos. 37-496D and 37-497A are limited to the irrigation of a combined total of 30 acres in a single irrigation season.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 240

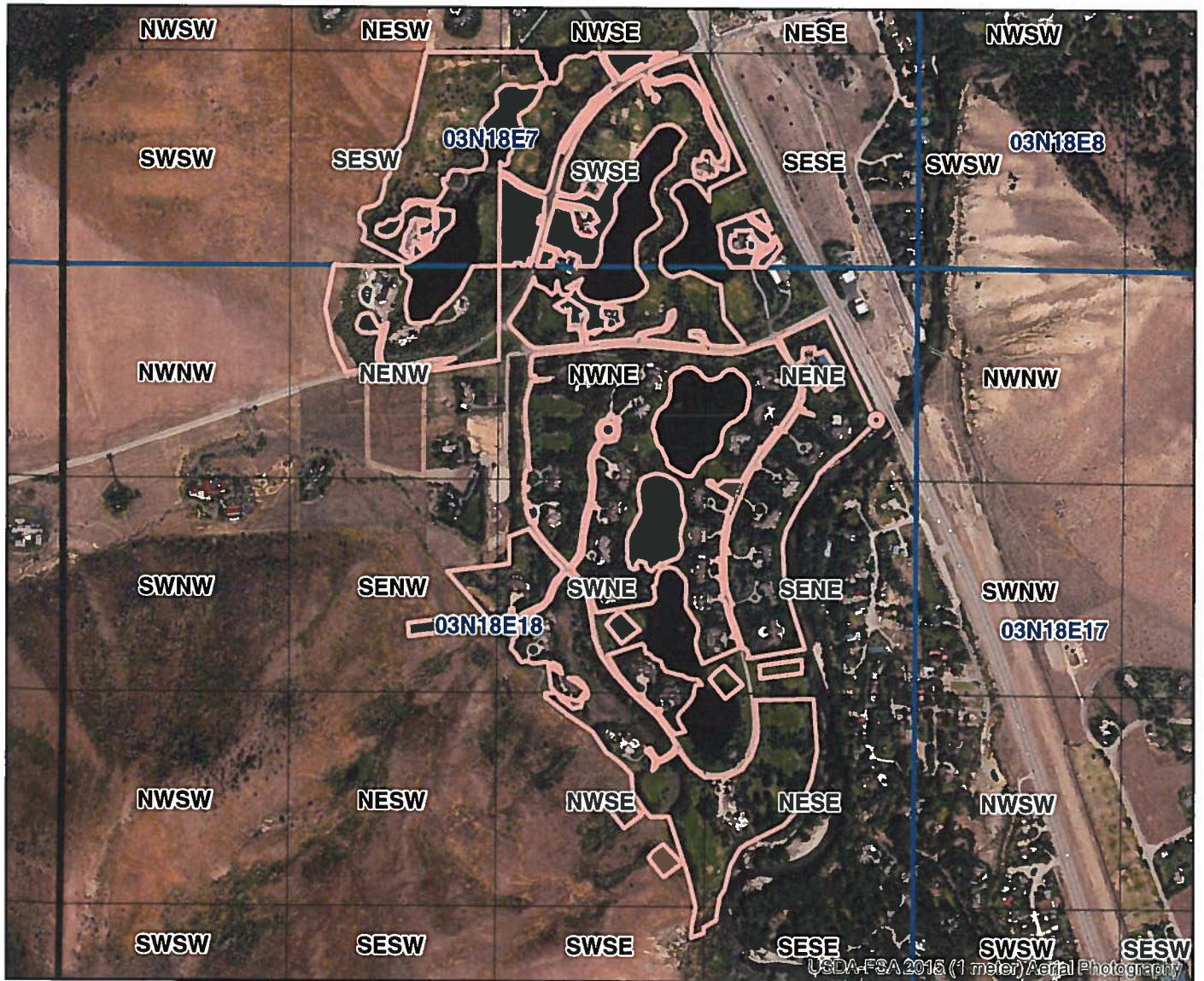
10. The diversion of this rental can only occur when 37-364D and 37-154C are curtailed by priority date. The volume allowed will be in accordance with this table provided.

If priority cutoff of 37-364D and 37-154C occurs from:	Water rights 37-496D and 37-497A are allowed a diversion volume of:
4/15 to 4/21	104.7
4/22 to 4/28	103.8
4/29 to 5/5	102.3
5/6 to 5/12	100.3
5/13 to 5/19	97.7
5/20 to 5/26	94.5
5/27 to 6/2	90.9
6/3 to 6/9	86.7
6/10 to 6/16	81.9
6/17 to 6/23	76.7
6/24 to 6/30	71.0
7/1 to 7/7	65.0
7/8 to 7/14	58.5
7/15 to 7/21	51.7
7/22 to 7/28	45.2
7/29 to 8/4	39.0
8/5 to 8/11	33.0
8/12 to 8/18	27.4
8/19 to 8/25	22.2
8/26 to 9/1	17.4
9/2 to 9/8	13.2
9/9 to 9/15	9.5
9/16 to 9/22	6.3
9/23 to 9/29	3.7
9/30 to 10/6	1.9
10/7 to 10/13	0.8
10/14 to 10/20	0.3
10/21 to 10/27	0.1

Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No 240

Effective until December 31, 2019

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



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



0 Miles 0.5

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

RECEIVED

DEC 29 2017

DEPARTMENT OF
WATER RESOURCESApplicant Name: Golden Eagle Ranch Homeowners Association, Inc.

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

Yes ☐ No ☒

If yes, specify companion water rights in Section 4

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

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

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

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

MINIMUM REQUIREMENT CHECKLIST

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

Yes

Completed *Application to Rent Water from the Board's Water Supply Bank*

Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank

Attachment N/A Yes

2



A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request

3A



Detailed information on a proposed use of rental water

3F



Authorization from the owner/operator of the rental point(s) of diversion

3H



Water modeling to account for the impacts of the rental request

3J



Documents justifying a rate of flow greater than 0.02 cfs/acre

3K



Authorization from the owner/operator of the property at the proposed rental place(s) of use

4B



Explanation of how the rental water will sufficiently accomplish your rental purposes

4C



Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

37-496D

Combined

37-497A

950

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Golden Eagle Ranch Homeowners Association, Inc.

Mailing Address c/ Sun Country Management, PO Box 1932, 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 James P. Speck Professional Title attorney

Organization Speck & Aanestad, A Professional Corp. Relationship to Applicant attorney

Mailing Address PO Box 987, Ketchum, ID 83340

Email Address jim@speckandaanestad.com Phone Number 208-726-4421

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**:

Irrigation

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)
2.76 CFS	105 AF	2.76 CFS	105 AF	30 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?	
April 15	April 15	☐ 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):

Pump from Big Wood River into series of lakes with pump station at end of most downstream lake; pump from lake to pressurized irrigation system for residential subdivision

- 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
intake in river to pump	Big Wood River	37-154C, 37-364D, 37-14260A, 37-20749, 37-22060

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 30 (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:

37-154C, 37-364D, 37-14260A, 37-20749, 37-22060, 37-2627C, 37-2632 & 37-8854

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)
37-496D	irrigation	1.82	105	30		1.82	105	30
37-497A	irrigation	0.94	105	30		0.94	105	30
Combined		2.76	105	30				
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	2.76	105	30
						CFS	AF	AC

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

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

N/A

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

Yes ☐ No ☒

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

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? Yes ☐ No ☒
If yes, describe:

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒
If yes, describe the date and location of the NOV.

- D. Additional Information

The 30A to be irrigated with the rental water will be within the 172.5A place of use for the Applicant's water rights.
Once the Applicant's 1887 rights are curtailed, the rented rights will irrigate 30A until they too are curtailed at
which time Applicant's supplemental ground water rights will complete the irrigation season.

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

DAVID K. SIAK JR, TREASURER

Printed Name of Applicant

12/27/2017

Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

State of Idaho
Department of Water Resources

Water Right
37-2627C

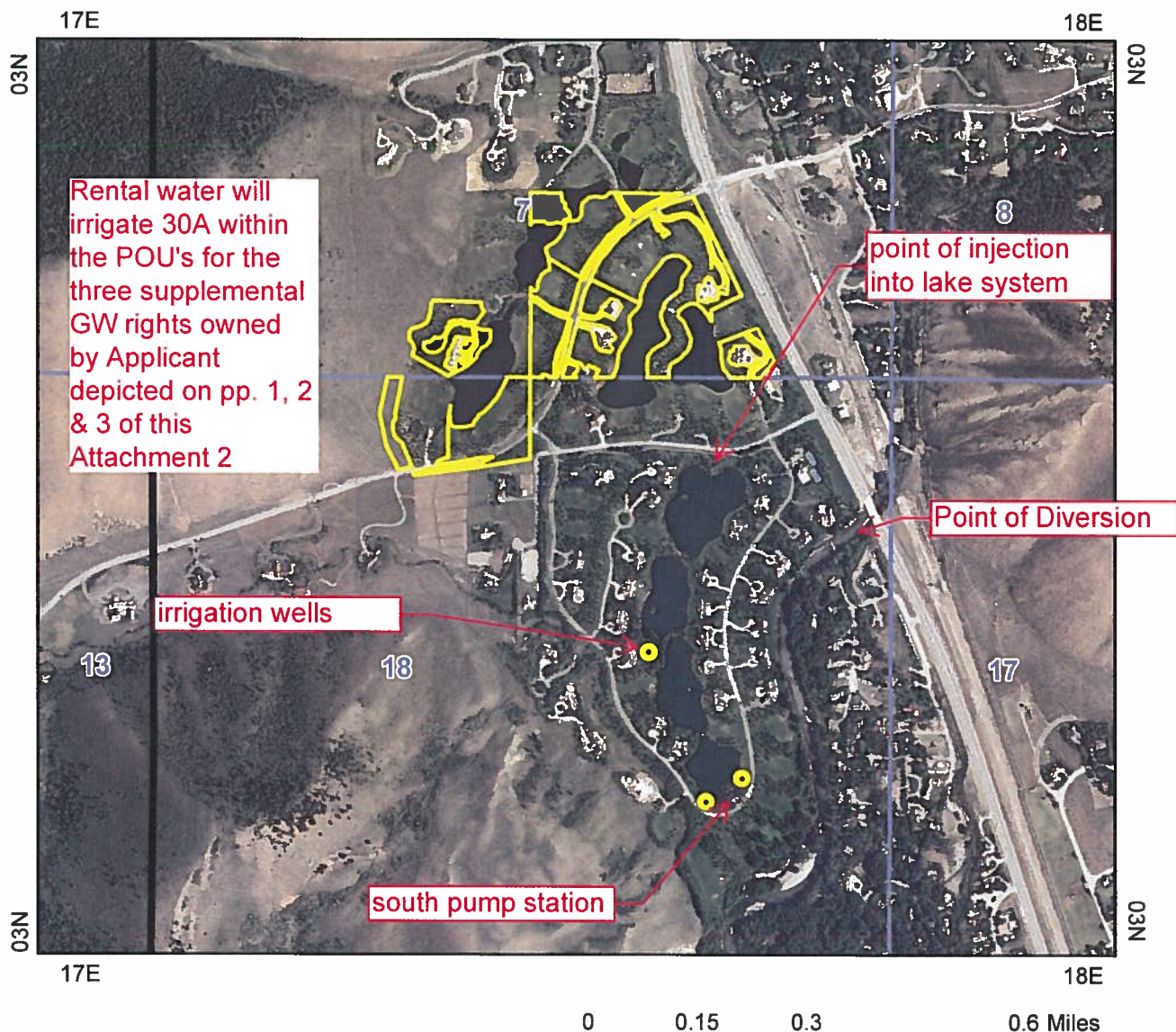
IRRIGATION

RECEIVED

JAN 24 2018

DEPARTMENT OF
WATER RESOURCES

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Golden Eagle Ranch Homeowners Association, Inc.
Application to Rent Water
Attachment 2, p.1

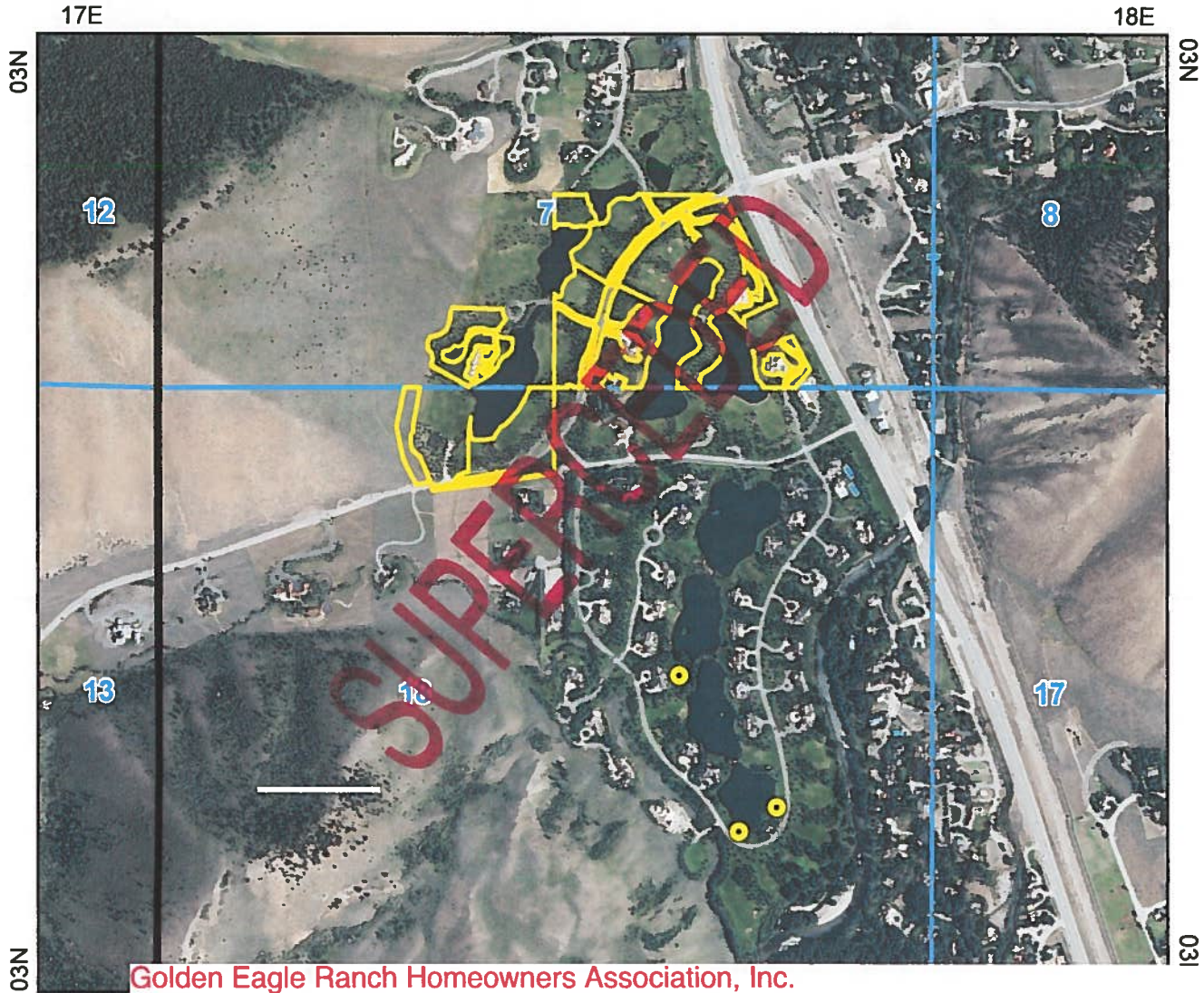


State of Idaho
Department of Water Resources

Water Right
37-2627C

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Golden Eagle Ranch Homeowners Association, Inc.
Application to Rent Water
Attachment 2, p.1

-
- Townships
- PLS Sections

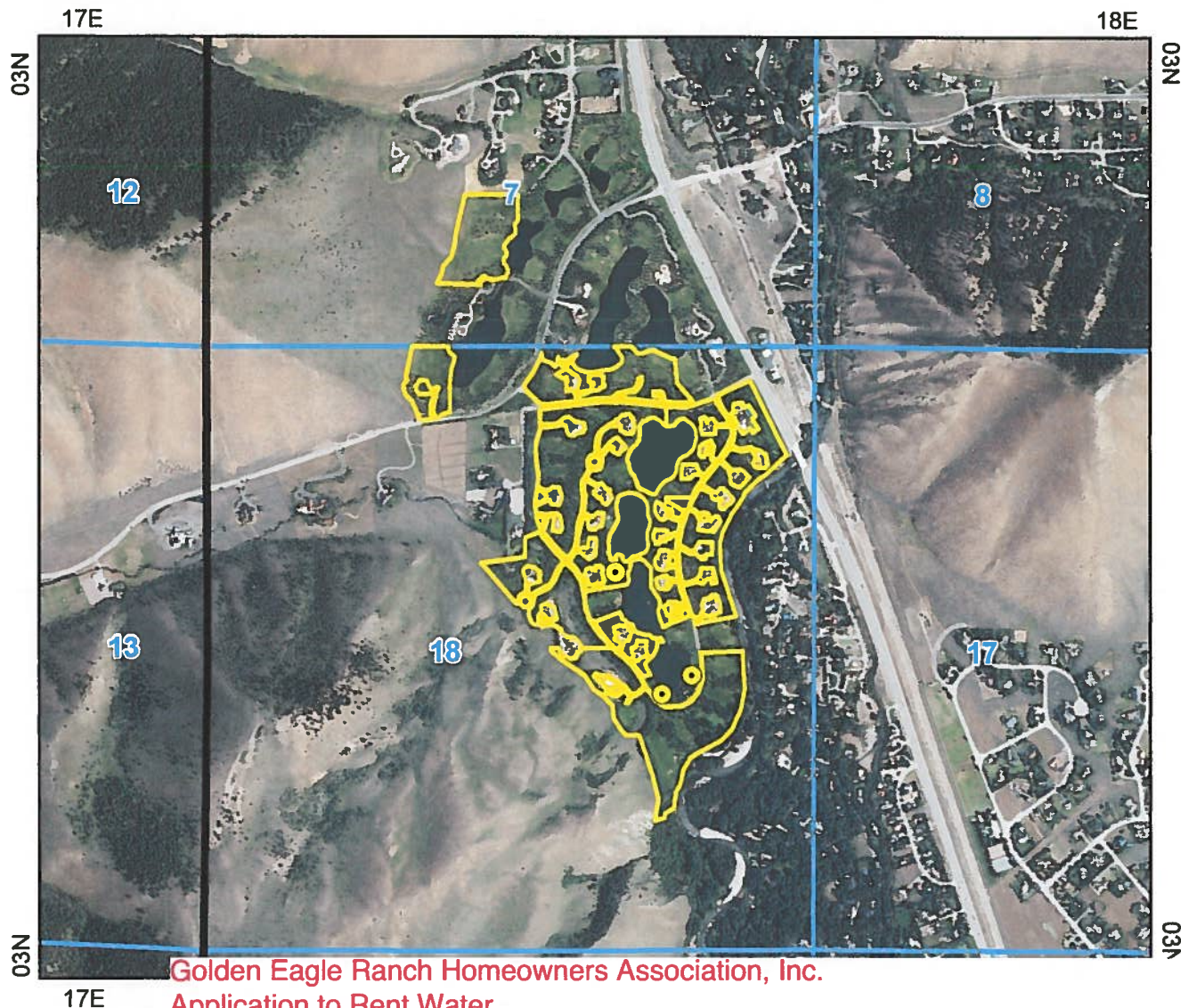


State of Idaho
Department of Water Resources

Water Right
37-2632

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Po
-  Pls
-  Townships
-  PLS Sections



State of Idaho
Department of Water Resources

Water Right
37-8854

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- 
- 
- 
-  PLS Sections
-  Quarter Quarters





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

April 25, 2018

GOLDEN EAGLE RANCH HOA INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM ID 83340

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-496D & 37-497A**

Dear Renter:

Please find enclosed a receipt in the amount of **\$2,100.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 105.0 acre-feet of water for irrigation of 30 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 \$1,890.00 of the rental fee will be paid to the lessor(s) and 10% or \$210.00 will be retained by the Department to offset administrative costs.

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

Sincerely,

Jean Hursky
for Water Supply Bank

Enclosure(s): Receipt No. C104995
Rental Agreement (copy)

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

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, April 25, 2018 8:32 AM
To: Skinner, Corey; 'Kevin Lakey'; 'James Speck'
Subject: Executed Rental Agreement for Golden Eagle Ranch HOA
Attachments: DOC

This agreement will go out in today's mail. Please contact the Department if you have any questions. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*



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

April 16, 2018

GOLDEN EAGLE RANCH HOA
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM ID 83340

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 37-496D and 37-497A**

*****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 \$2,100.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 105.0 acre-feet. An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for \$2,100.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. Pursuant to the Water Supply Bank Rules, 90% or \$1,890.00 of the rental fee will be paid to the lessor(s) and 10% or \$210.00 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

Enclosure

c: IDWR Front Desk
James Speck – Speck & Aanestad

MEMORANDUM for Rental Application 958

To: Right(s) 37-496D and 37-497A

From: Michele Edl and Clay Webster

Date: April 12, 2018

Re: Review & Analysis of WSB Application #958 to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: On December 29, 2017, James P. Speck (attorney) submitted a WSB rental application on behalf of Golden Eagle Ranch Homeowners Association Inc. The application requested a two-year rental and identified two water rights in the proposal. The rented water is proposed to be used for irrigation of 30 acres within the association's property; a 172.5 acre PPU. This proposal is to use this rental to reduce the amount of ground water pumping occurring under 37-2627C, 37-2632 and 37-8854 when water rights 37-154C and 37-364D are curtailed by priority date.

AUTHORITY TO FILE: According to available Blaine County tax parcel information, none of the HOA's common areas are located within the proposed place-of-use. Instead the proposed rental place-of-use is a composite of properties owned by several individuals. (For reference, the map provided by Mr. Speck appears equivalent to the place-of-use authorized for irrigation under water right 37-2627C.)

IDSOS lists the association as #C119551 and David Sias as the treasurer. Mr. Sias signed the application.

The proposed rental point-of-diversion is an existing POD for rights 37-154C, 37-364D, 37-14260A, 37-20749 and 37-22060 from the Big Wood River. It is the authorized POD for the proposed rental rights.

WATER RIGHT VALIDITY: Rights 37-496D and 37-497A are leased to the bank in part until December 31, 2020. A review of recent aerial photography shows that the rights have been idled at their authorized POUs. The rights are limited to a combined total of 105 AF and 30 acres of irrigation. Sufficient quantities of these rights are available to meet the rental request. With the approval of this rental agreement, the rental availability of both rights will be exhausted because the leased volume would be exhausted.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

Although nominally within the Trust Water Right area, no mitigation is required for this rental. The proposed rights are senior to the Swan Falls agreement and therefore not subordinated to it.

The proposed POD for the rental is located just North of the authorized POD for the leased rights.

ENLARGEMENT OF USE: Because a system of ponds is used to hold and supply co-mingled ground water and surface water for irrigation of the various properties within the Golden Eagle Ranch Subdivisions, enlargement may occur if this rental proposal is approved.

On January 24, 2018, I sent a letter to the HOA's management company and their consultant James P. Speck. (I provided an electronic early-bird copy of the letter via email on January 23, 2018.) The letter requested identification of the point-of-diversion and the specific 30 acres which would be the destination of the rented water. In his response Mr. Speck stated that

"There is no possible way to tell what water is going where for irrigation." Therefore, it is likely that the 30 acres of rented water would be spread over more than 30 acres and would be an illegal enlargement of the water use.

The original rental proposal would result in enlargement of the water use under Rights 37-496D and 37-497A. Because Golden Eagle cannot confine the place of use to a specific 30 acres, and because the diversion rates for Rights 37-496D and 37-497A likely exceed the rate per acre produced by the irrigation system pumping station, water diverted pursuant to Rights 37-496D and 37-497A would be spread disproportionately across the 172.5-acre PPU. Spreading the water across more acres results in an increase in consumptive use, which reduces the amount of water available for use by other water right holders. In this case, the historical 30-acre place of use for Rights 37-496D and 37-497A would have limited the annual consumptive use to about 75 AF (2.5 AF/acre) for the most water consumptive crop in the most consumptive year. Moreover, the consumptive use would have been spread across the irrigation season from beginning to end. With the proposed rental, use of the water on more than 30 acres and concentrating the use into the latter half of the irrigation season would result in an increase in consumptive use during the latter part of the irrigation season.

Based on the analysis above, IDWR would deny the rental proposal to prevent enlargement and injury. However, with limitations intended to prevent enlargement by restricting the use of Rights 37-496D and 37-497A to an estimate of their historic use for 30 acres for the period they are needed, IDWR may be able to approve the proposed rental.

The rate authorized by Rights 37-496D and 37-497A (2.76 cfs total) does not have a combined limit and is more than an inch per acre. Per IDWR's e-mail dated 2/12/2018 for this rental, it can be approved with limiting conditions to prevent enlargement. The current system in place for the irrigation system is capable of providing over 2,000 gpm. This calculates to about 4.46 cfs. The authorized water rights that would still be in priority when this rental would be authorized could provide approximately 4.12 cfs.

$4.12 \text{ cfs} / 172.5 \text{ acres} = 0.02 \text{ cfs per acre}$

To prevent an enlargement we will have to limit the rental to no more than 30/172.5 of the irrigation system rate up to 0.02 cfs per acre. This will address the concerns that this rental could be used to enhance the rate of existing rights across all of the 172.5 acres.

The rental will be limited to 0.02 cfs per acre X 30 acres = 0.60 cfs.

The answer received from Brockway Engineering about our concerns of enlarging the volume portion of the rented rights was addressed with a proposed incremental decreasing volume based on the curtailment of the junior surface water rights 37-154C and 37-364D (see below for a copy of this condition and table).

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest. Minimizing the use of ground water in this area is considered a public good.

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The rented rights are subject to Water District #37. This rental, as originally proposed, was discussed with the WD37 Watermaster and the Southern Region manager. Neither were in favor of approving this application as originally proposed. This rental was again discussed with the WD37 Watermaster and the Southern Regional Manager after addressing these enlargement concerns they both had no more concerns. The following condition has been offered as a prevention of enlargement.

Comments are being requested from the watermaster and Southern Regional Office. (see below for volume condition and curtailment date table).

The diversion of this rental can only occur when 37-364D and 37-154C are curtailed by priority date. The volume allowed will be in accordance with this table provided.

If priority cutoff of 37-364D and 37-154C occurs from:	Water rights 37-496D and 37-497A are allowed a diversion volume of:
4/15 to 4/21	104.7
4/22 to 4/28	103.8
4/29 to 5/5	102.3
5/6 to 5/12	100.3
5/13 to 5/19	97.7
5/20 to 5/26	94.5
5/27 to 6/2	90.9
6/3 to 6/9	86.7
6/10 to 6/16	81.9
6/17 to 6/23	76.7
6/24 to 6/30	71.0
7/1 to 7/7	65.0
7/8 to 7/14	58.5
7/15 to 7/21	51.7
7/22 to 7/28	45.2
7/29 to 8/4	39.0
8/5 to 8/11	33.0
8/12 to 8/18	27.4
8/19 to 8/25	22.2
8/26 to 9/1	17.4
9/2 to 9/8	13.2
9/9 to 9/15	9.5
9/16 to 9/22	6.3
9/23 to 9/29	3.7
9/30 to 10/6	1.9
10/7 to 10/13	0.8
10/14 to 10/20	0.3
10/21 to 10/27	0.1

Webster, Clay

From: Webster, Clay
Sent: Friday, April 06, 2018 10:54 AM
To: Skinner, Corey; 'watermanager@cableone.net'
Subject: Water Supply Bank Rental Application 958 Golden Eagle HOA
Attachments: Memo-Golden Eagle Ranch Rental Application 958.docx; Move.pdf; RE: Re: Golden Eagle Ranch HOA/Water Rights; RE: RE: Pump Rating @ WR POD

Corey and Kevin,

We are currently processing this rental application for Golden Eagle HOA. You may recall discussing this one with Michele earlier this year. We had some enlargement concerns when we started processing this one. Those concerns have been addressed. I have attached the memo, a map and some correspondence between the attorney and the consultants. Do you have any concerns? Thanks.

Sincerely,
Clay Webster
Water Rights Supervisor
clay.webster@idwr.idaho.gov
208-287-4910
Idaho Department of Water Resources (IDWR)

Golden Eagle Ranch HOA Rental Application 2018-2019



Webster, Clay

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Monday, April 02, 2018 10:21 AM
To: Webster, Clay
Cc: 'David Sias'; 'James Speck'; 'Charles G. Brockway'
Subject: RE: RE: Pump Rating @ WR POD

Clay,

I was informed that the Golden Eagle irrigation system has three 60 hp motors that can supply 2,000+ gpm at full capacity to the irrigation system.

It is my understanding that the rental for 2018 will be 0.60 cfs.

Can you give me an estimated time of completion of the rental agreement?

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

Webster, Clay

From: Webster, Clay
Sent: Tuesday, March 20, 2018 8:18 AM
To: 'James Speck'
Cc: Keen, Shelley; 'Greg Sullivan'
Subject: RE: RE: Re: Golden Eagle Ranch HOA/Water Rights

Jim,

I am reviewing the submittal received on the 8th. I'll need a description of the rate provided by the current pumping station that pressurizes the irrigation system. We will have to limit the rental to no more than 30/172.5 of that rate up to the inch per acre. This will address the concerns that this rental could be used to enhance the rate of existing rights' across all of the 172.5 acres.

Clay

-----Original Message-----

From: James Speck [mailto:jim@speckandaanestad.com]
Sent: Friday, March 16, 2018 1:51 PM
To: Webster, Clay <Clay.Webster@idwr.idaho.gov>; Keen, Shelley <Shelley.Keen@idwr.idaho.gov>; Greg Sullivan <greg.sullivan@brockwayeng.com>
Cc: charles.g.brockway@brockwayeng.com; 'David Sias' <dksias@cs.com>; James Speck <jim@speckandaanestad.com>
Subject: RE: RE: Re: Golden Eagle Ranch HOA/Water Rights

Clay et al,

What is the status of this WSB rental application? Thanks.

Jim

-----Original Message-----

From: Greg Sullivan
Sent: Thursday, March 08, 2018 4:00 PM
To: clay.webster@idwr.idaho.gov; 'Keen, Shelley'
Cc: charles.g.brockway@brockwayeng.com; 'David Sias'; James Speck

Clay,

See the attached document regarding the Golden Eagle Rental. The bulleted items identify possible conditions to be included in the rental of water rights 37-496D and 37-497A.

Please let us know if there is any additional information that IDWR needs to process this rental application.

Thank you,

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301

208-736-8543

Attachment(s): Golden Eagle Proposed Rental Conditions.pdf

- The rental of 37-496D and 37-497A will be limited to 30.0 acres for the 2018 irrigation season.
- The rental of 30.0 acres from water rights 37-496D and 37-497A will be limited to a diversion rate of 0.60 cfs (270 gpm) or 0.02 cfs/acre.
- The diversion of 37-496D and 37-497A for this rental can only occur when Golden Eagles Big Wood River water rights 37-364D and 37-154C are curtailed.
- The volume of allowed irrigation water under the rental of 37-496D and 37-497A is dependent on the curtailment date of water rights 37-364D and 37-154C. The chart below lists possible curtailment periods and the associated volume of water that is required to irrigate 30.0 acres from 37-496D and 37-497A. Daily volume requirements for the 30.0 acre provided on the attached spreadsheet.

Weekly Remaining Diversion Volume for 37-496D & 37-497A	
If priority cutoff of 37-364D and 37-154C occurs from:	Water rights 37-496D and 37-497A are allowed a diversion volume of:
4/15 to 4/21	104.7
4/22 to 4/28	103.8
4/29 to 5/5	102.3
5/6 to 5/12	100.3
5/13 to 5/19	97.7
5/20 to 5/26	94.5
5/27 to 6/2	90.9
6/3 to 6/9	86.7
6/10 to 6/16	81.9
6/17 to 6/23	76.7
6/24 to 6/30	71.0
7/1 to 7/7	65.0
7/8 to 7/14	58.5
7/15 to 7/21	51.7
7/22 to 7/28	45.2
7/29 to 8/4	39.0
8/5 to 8/11	33.0
8/12 to 8/18	27.4
8/19 to 8/25	22.2
8/26 to 9/1	17.4
9/2 to 9/8	13.2
9/9 to 9/15	9.5
9/16 to 9/22	6.3
9/23 to 9/29	3.7
9/30 to 10/6	1.9
10/7 to 10/13	0.8
10/14 to 10/20	0.3
10/21 to 10/27	0.1

Daily Precipitation Deficit and Diversion Volume Analysis

From Allen & Robison (2012), daily values interpolated from monthly values
CGB 2/27/2018

This table can be used to determine the diversion volume allowed under 37-496D and 37-497A for the remainder of the season after a particular cutoff date of Golden Eagle's 1887 water rights 37-364D and 37-154C. For example, if the 1887 rights are cut on July 15, the diversion volume allowed under 37-496D and 37-497A would be 54.6 acre-feet.

Station: Hailey, Idaho
Crop: Pasture - Low Management
Total seasonal Pdef 19.7 inches
Water right acres 37-496D & 37-497A 30.0
Water right diversion volume 105 afa

Date	Daily Pdef (mm/d)	Daily Pdef (in/d)	Cumulative (in)	Remaining Pdef (in)	Proportional diversion volume remaining (af)
15-Apr	0.250	0.010	0.010	19.65	104.9
16-Apr	0.304	0.012	0.022	19.63	104.9
17-Apr	0.358	0.014	0.036	19.62	104.8
18-Apr	0.412	0.016	0.052	19.60	104.7
19-Apr	0.466	0.018	0.070	19.59	104.6
20-Apr	0.520	0.020	0.091	19.57	104.5
21-Apr	0.574	0.023	0.114	19.54	104.4
22-Apr	0.628	0.025	0.138	19.52	104.3
23-Apr	0.682	0.027	0.165	19.49	104.1
24-Apr	0.736	0.029	0.194	19.46	104.0
25-Apr	0.790	0.031	0.225	19.43	103.8
26-Apr	0.844	0.033	0.258	19.40	103.6
27-Apr	0.898	0.035	0.294	19.36	103.4
28-Apr	0.952	0.037	0.331	19.32	103.2
29-Apr	1.006	0.040	0.371	19.29	103.0
30-Apr	1.060	0.042	0.413	19.24	102.8
1-May	1.114	0.044	0.456	19.20	102.6
2-May	1.168	0.046	0.502	19.15	102.3
3-May	1.222	0.048	0.551	19.11	102.1
4-May	1.276	0.050	0.601	19.06	101.8
5-May	1.330	0.052	0.653	19.00	101.5
6-May	1.384	0.054	0.708	18.95	101.2
7-May	1.438	0.057	0.764	18.89	100.9
8-May	1.492	0.059	0.823	18.83	100.6
9-May	1.546	0.061	0.884	18.77	100.3
10-May	1.600	0.063	0.947	18.71	99.9
11-May	1.654	0.065	1.012	18.64	99.6

12-May	1.708	0.067	1.079	18.58	99.2
13-May	1.762	0.069	1.149	18.51	98.9
14-May	1.816	0.071	1.220	18.44	98.5
15-May	1.870	0.074	1.294	18.36	98.1
16-May	1.922	0.076	1.369	18.29	97.7
17-May	1.975	0.078	1.447	18.21	97.3
18-May	2.027	0.080	1.527	18.13	96.8
19-May	2.079	0.082	1.609	18.05	96.4
20-May	2.131	0.084	1.693	17.96	96.0
21-May	2.184	0.086	1.779	17.88	95.5
22-May	2.236	0.088	1.867	17.79	95.0
23-May	2.288	0.090	1.957	17.70	94.5
24-May	2.340	0.092	2.049	17.61	94.1
25-May	2.393	0.094	2.143	17.51	93.6
26-May	2.445	0.096	2.239	17.42	93.0
27-May	2.497	0.098	2.338	17.32	92.5
28-May	2.549	0.100	2.438	17.22	92.0
29-May	2.602	0.102	2.540	17.12	91.4
30-May	2.654	0.104	2.645	17.01	90.9
31-May	2.706	0.107	2.751	16.90	90.3
1-Jun	2.758	0.109	2.860	16.80	89.7
2-Jun	2.811	0.111	2.971	16.69	89.1
3-Jun	2.863	0.113	3.083	16.57	88.5
4-Jun	2.915	0.115	3.198	16.46	87.9
5-Jun	2.967	0.117	3.315	16.34	87.3
6-Jun	3.020	0.119	3.434	16.22	86.7
7-Jun	3.072	0.121	3.555	16.10	86.0
8-Jun	3.124	0.123	3.678	15.98	85.4
9-Jun	3.176	0.125	3.803	15.85	84.7
10-Jun	3.229	0.127	3.930	15.73	84.0
11-Jun	3.281	0.129	4.059	15.60	83.3
12-Jun	3.333	0.131	4.190	15.47	82.6
13-Jun	3.385	0.133	4.324	15.33	81.9
14-Jun	3.438	0.135	4.459	15.20	81.2
15-Jun	3.490	0.137	4.596	15.06	80.4
16-Jun	3.529	0.139	4.735	14.92	79.7
17-Jun	3.567	0.140	4.876	14.78	79.0
18-Jun	3.606	0.142	5.018	14.64	78.2
19-Jun	3.645	0.143	5.161	14.49	77.4
20-Jun	3.683	0.145	5.306	14.35	76.7
21-Jun	3.722	0.147	5.453	14.20	75.9
22-Jun	3.761	0.148	5.601	14.06	75.1
23-Jun	3.799	0.150	5.750	13.91	74.3
24-Jun	3.838	0.151	5.902	13.75	73.5

25-Jun	3.877	0.153	6.054	13.60	72.7
26-Jun	3.915	0.154	6.208	13.45	71.8
27-Jun	3.954	0.156	6.364	13.29	71.0
28-Jun	3.993	0.157	6.521	13.13	70.2
29-Jun	4.031	0.159	6.680	12.98	69.3
30-Jun	4.070	0.160	6.840	12.82	68.5
1-Jul	4.109	0.162	7.002	12.65	67.6
2-Jul	4.147	0.163	7.165	12.49	66.7
3-Jul	4.186	0.165	7.330	12.33	65.8
4-Jul	4.225	0.166	7.496	12.16	65.0
5-Jul	4.263	0.168	7.664	11.99	64.1
6-Jul	4.302	0.169	7.834	11.82	63.2
7-Jul	4.341	0.171	8.004	11.65	62.2
8-Jul	4.379	0.172	8.177	11.48	61.3
9-Jul	4.418	0.174	8.351	11.31	60.4
10-Jul	4.457	0.175	8.526	11.13	59.5
11-Jul	4.495	0.177	8.703	10.95	58.5
12-Jul	4.534	0.179	8.882	10.77	57.6
13-Jul	4.573	0.180	9.062	10.59	56.6
14-Jul	4.611	0.182	9.243	10.41	55.6
15-Jul	4.650	0.183	9.426	10.23	54.6
16-Jul	4.621	0.182	9.608	10.05	53.7
17-Jul	4.591	0.181	9.789	9.87	52.7
18-Jul	4.562	0.180	9.969	9.69	51.7
19-Jul	4.533	0.178	10.147	9.51	50.8
20-Jul	4.503	0.177	10.324	9.33	49.8
21-Jul	4.474	0.176	10.501	9.16	48.9
22-Jul	4.445	0.175	10.676	8.98	48.0
23-Jul	4.415	0.174	10.849	8.81	47.0
24-Jul	4.386	0.173	11.022	8.63	46.1
25-Jul	4.356	0.172	11.194	8.46	45.2
26-Jul	4.327	0.170	11.364	8.29	44.3
27-Jul	4.298	0.169	11.533	8.12	43.4
28-Jul	4.268	0.168	11.701	7.95	42.5
29-Jul	4.239	0.167	11.868	7.79	41.6
30-Jul	4.210	0.166	12.034	7.62	40.7
31-Jul	4.180	0.165	12.198	7.46	39.8
1-Aug	4.151	0.163	12.362	7.29	39.0
2-Aug	4.122	0.162	12.524	7.13	38.1
3-Aug	4.092	0.161	12.685	6.97	37.2
4-Aug	4.063	0.160	12.845	6.81	36.4
5-Aug	4.034	0.159	13.004	6.65	35.5
6-Aug	4.004	0.158	13.162	6.49	34.7
7-Aug	3.975	0.156	13.318	6.34	33.9

8-Aug	3.945	0.155	13.473	6.18	33.0
9-Aug	3.916	0.154	13.628	6.03	32.2
10-Aug	3.887	0.153	13.781	5.88	31.4
11-Aug	3.857	0.152	13.932	5.72	30.6
12-Aug	3.828	0.151	14.083	5.57	29.8
13-Aug	3.799	0.150	14.233	5.42	29.0
14-Aug	3.769	0.148	14.381	5.27	28.2
15-Aug	3.740	0.147	14.528	5.13	27.4
16-Aug	3.692	0.145	14.674	4.98	26.6
17-Aug	3.644	0.143	14.817	4.84	25.8
18-Aug	3.596	0.142	14.959	4.70	25.1
19-Aug	3.548	0.140	15.098	4.56	24.3
20-Aug	3.500	0.138	15.236	4.42	23.6
21-Aug	3.452	0.136	15.372	4.28	22.9
22-Aug	3.404	0.134	15.506	4.15	22.2
23-Aug	3.355	0.132	15.638	4.02	21.5
24-Aug	3.307	0.130	15.768	3.89	20.8
25-Aug	3.259	0.128	15.897	3.76	20.1
26-Aug	3.211	0.126	16.023	3.63	19.4
27-Aug	3.163	0.125	16.148	3.51	18.7
28-Aug	3.115	0.123	16.270	3.39	18.1
29-Aug	3.067	0.121	16.391	3.27	17.4
30-Aug	3.019	0.119	16.510	3.15	16.8
31-Aug	2.971	0.117	16.627	3.03	16.2
1-Sep	2.923	0.115	16.742	2.91	15.6
2-Sep	2.875	0.113	16.855	2.80	15.0
3-Sep	2.827	0.111	16.966	2.69	14.4
4-Sep	2.779	0.109	17.076	2.58	13.8
5-Sep	2.731	0.108	17.183	2.47	13.2
6-Sep	2.683	0.106	17.289	2.37	12.6
7-Sep	2.635	0.104	17.393	2.26	12.1
8-Sep	2.586	0.102	17.495	2.16	11.5
9-Sep	2.538	0.100	17.594	2.06	11.0
10-Sep	2.490	0.098	17.692	1.96	10.5
11-Sep	2.442	0.096	17.789	1.87	10.0
12-Sep	2.394	0.094	17.883	1.77	9.5
13-Sep	2.346	0.092	17.975	1.68	9.0
14-Sep	2.298	0.090	18.066	1.59	8.5
15-Sep	2.250	0.089	18.154	1.50	8.0
16-Sep	2.183	0.086	18.240	1.42	7.6
17-Sep	2.116	0.083	18.324	1.33	7.1
18-Sep	2.049	0.081	18.404	1.25	6.7
19-Sep	1.982	0.078	18.482	1.17	6.3
20-Sep	1.915	0.075	18.558	1.10	5.9

21-Sep	1.848	0.073	18.630	1.03	5.5
22-Sep	1.781	0.070	18.701	0.96	5.1
23-Sep	1.714	0.067	18.768	0.89	4.7
24-Sep	1.647	0.065	18.833	0.82	4.4
25-Sep	1.580	0.062	18.895	0.76	4.1
26-Sep	1.513	0.060	18.955	0.70	3.7
27-Sep	1.446	0.057	19.012	0.64	3.4
28-Sep	1.379	0.054	19.066	0.59	3.2
29-Sep	1.312	0.052	19.118	0.54	2.9
30-Sep	1.245	0.049	19.167	0.49	2.6
1-Oct	1.178	0.046	19.213	0.44	2.4
2-Oct	1.111	0.044	19.257	0.40	2.1
3-Oct	1.044	0.041	19.298	0.36	1.9
4-Oct	0.977	0.038	19.336	0.32	1.7
5-Oct	0.910	0.036	19.372	0.28	1.5
6-Oct	0.843	0.033	19.405	0.25	1.3
7-Oct	0.776	0.031	19.436	0.22	1.2
8-Oct	0.709	0.028	19.464	0.19	1.0
9-Oct	0.642	0.025	19.489	0.17	0.9
10-Oct	0.575	0.023	19.512	0.14	0.8
11-Oct	0.508	0.020	19.532	0.12	0.7
12-Oct	0.441	0.017	19.549	0.11	0.6
13-Oct	0.374	0.015	19.564	0.09	0.5
14-Oct	0.307	0.012	19.576	0.08	0.4
15-Oct	0.240	0.009	19.585	0.07	0.4
16-Oct	0.225	0.009	19.594	0.06	0.3
17-Oct	0.210	0.008	19.602	0.05	0.3
18-Oct	0.195	0.008	19.610	0.05	0.2
19-Oct	0.180	0.007	19.617	0.04	0.2
20-Oct	0.165	0.006	19.624	0.03	0.2
21-Oct	0.150	0.006	19.630	0.03	0.1
22-Oct	0.135	0.005	19.635	0.02	0.1
23-Oct	0.120	0.005	19.640	0.02	0.1
24-Oct	0.105	0.004	19.644	0.01	0.1
25-Oct	0.090	0.004	19.647	0.01	0.0
26-Oct	0.075	0.003	19.650	0.01	0.0
27-Oct	0.060	0.002	19.653	0.00	0.0
28-Oct	0.045	0.002	19.654	0.00	0.0
29-Oct	0.030	0.001	19.656	0.00	0.0
30-Oct	0.015	0.001	19.656	0.00	0.0
31-Oct	0.000	0.000	19.656	0.00	0.0

Keen, Shelley

From: Keen, Shelley
Sent: Monday, February 12, 2018 5:26 PM
To: jim@speckandaanestad.com
Cc: Webster, Clay
Subject: Golden Eagle HOA Proposed Rental -- A possible solution

Jim,

After speaking with you and David Sias yesterday, Clay and I and a couple other IDWR staff members once again discussed whether there are any options for approving Golden Eagle Ranch HOA's ("Golden Eagle") proposed rental of Rights 37-496D and 37-497A.

As you'll recall from our discussion, the rental proposal, in its current form, would result in enlargement of the water use under Rights 37-496D and 37-497A. Because Golden Eagle cannot confine the place of use to a specific 30 acres, and because the diversion rates for Rights 37-496D and 37-497A likely exceed the rate per acre produced by the irrigation system pumping station, water diverted pursuant to Rights 37-496D and 37-497A would be spread disproportionately across the 172.5-acre PPU. Spreading the water across more acres results in an increase in consumptive use, which reduces the amount of water available for use by other water right holders. In this case, the historical 30-acre place of use for Rights 37-496D and 37-497A would have limited the annual consumptive use to about 75 AF (2.5 AF/acre) for the most water consumptive crop in the most consumptive year. Moreover, the consumptive use would have been spread across the irrigation season from beginning to end. With the proposed rental, use of the water on more than 30 acres and concentrating the use into the latter half of the irrigation season would result in an increase in consumptive use during the latter part of the irrigation season.

Based on the analysis above, as we discussed, IDWR would deny the rental proposal to prevent enlargement and injury. However, if Golden Eagle is willing to accept limitations intended to prevent enlargement by restricting the use of Rights 37-496D and 37-497A to an estimate of their historic use for 30 acres for the period they are needed, IDWR may be able to approve the proposed rental. Specifically, IDWR proposes to:

- Limit the rented rights, in combination, to 30/172.5 of the diversion rate produced by the pumping station that pressurizes the irrigation system. This would keep the diversion rate for the rented rights proportional to their share of the PPU. (Since the irrigation system is not currently in use, IDWR would need Golden Eagle to provide a description of the system and a pumping rate estimate prepared by a qualified professional.)
- Limit the rights to a combined annual total of 52.5 AF. This would approximate the historic use of the rented rights during the latter half of the irrigation season. (The 52.5 limit is calculated as follows: 30 acres * 3.5 AF field headgate volume per acre * 0.5 of the irrigation season.)
- State on the rental that diversion pursuant to Rights 37-496D and 37-497A may occur only when Golden Eagle's 1887 Big Wood River water rights (37-364D and 37-154C) are curtailed. (For simplicity in calculating the annual volume limit of 52.5 AF, curtailment was estimated to occur about halfway through the irrigation season.)

Because Golden Eagle would be renting the rights in their entirety, i.e. 30 acres of irrigation, the annual rental fee would still be based on 105 AF.

Please let me know within 14 days if Golden Eagle wants to pursue the rental with these limitations.

Regards,

Shelley

Shelley Keen
Water Rights Section Manager
Idaho Department of Water Resources
Shelley.Keen@idwr.idaho.gov
208-287-4947

Water Right No.	Rented Vol (AF)	Lessor Fee (90%)	Administrative Fee (10%)	Total Fee @ \$20 (2018-19)	Rental Amounts				
Golden Eagle Ranch HOA					Rate	Acres			
37-497A	105.0				0.60	30.00			
37-496D	105.0	\$1,890.00	\$210.00	\$2,100.00		30			
Total	105.0	\$1,890.00	\$210.00	\$2,100.00	0.60	30.00			
calculated by Michele Edl									
37-496D	rate	volume	acre	af/ac	cfs/ac	timester vol	comment		
leased	1.82	105	30	3.5	0.061		limited		
HOA request	1.82	105	30	3.500	0.061				
HOA use	0.396	105	30	3.500	0.013		HG=3.5	SOU=4/15-10/31=200	
remaining	1.424	0	0				lease fully appropriated		
							0.65942029		
							0.34057971		
37-497A									
leased	0.94	105	30	3.5	0.031				
HOA request	0.94	105	30	3.5	0.031				
HOA use	0.204	105	30	3.5	0.007				
remaining	0.736	0	0				lease fully appropriated		
total requested	2.76	105	30	3.500	0.092				
total rented	0.6	105	30	3.500	0.020		> 1 inch per acre?		
check sum	0.600								

Edl, Michele

From: James Speck <jim@speckandaanestad.com>
Sent: Wednesday, January 24, 2018 11:20 AM
To: Edl, Michele
Cc: sunco1007@cox-internet.com; David Sias; Buyer, Remington
Subject: RE: rental application for Golden Eagle Ranch HOA
Attachments: attachmnt 2 - p1 - annotated.pdf

Michele,

Attached is a copy of the first page of the Attachment 2 to our Application to Rent on which I have added other features of the HOA water delivery system. Note the following:

- The point of diversion of the rented water will be the Big Wood River pump station used by the Association to divert all of its Big Wood River water rights. This location is on the Attachment to our Application.
- All of the Association's irrigation water rights from the Big Wood River and from the irrigation wells are pumped directly to the point of injection into the upper lake of Phase 1 of the Subdivision at the point identified.
- All of the irrigation water then flows down through the four ponds to the south pump station where it is pressurized and distributed to irrigate a total of 172.5A throughout both phases of the subdivision. There is no possible way to tell what water is going where for irrigation.
- When the Association's 1887 water rights are cut, the 1883 rights irrigate 14.1A and the well rights irrigate the other 158.4A.
- The rented water will be used to reduce the use of the wells by the 30A they can irrigate until they too are cut for priority.
- It is impossible to control the location irrigated by water from the river pump station or by water from the wells which is why we simply said it will be used to irrigate 30A within the 158.4 POU of the ground water rights. If necessary, we can arbitrarily pick out 30 of those 158.4A and designate them as the POU for the rental even though we can't control where the rental water actually goes.

Please let me know as soon as possible what Remington and you would like us to do. Thank you.

Jim

From: Edl, Michele [<mailto:Michele.Edl@idwr.idaho.gov>]
Sent: Tuesday, January 23, 2018 2:52 PM
To: James Speck
Cc: sunco1007@cox-internet.com
Subject: rental application for Golden Eagle Ranch HOA

Jim Speck,

I have been assigned to process the WSB rental that you submitted on behalf of Golden Eagle Ranch Homeowners Association, Inc. I have attached an early bird copy of a letter which will be mailed from the state office tomorrow.

Respectfully,
Michele Edl



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

January 24, 2018

RESPONSE DEADLINE

February 7, 2018

JAMES P SPECK
SPECK & AANESTAD A PROFESSIONAL CORP
PO BOX 987
KETCHUM ID 83340

**RE: ADDITIONAL INFORMATION REQUEST FOR PROCESSING APPLICATION TO
RENT WATER FROM THE WATER SUPPLY BANK**

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

Dear Applicant:

The Department of Water Resources ("Department") acknowledges receipt of your Application to Rent Water from the Water Supply Bank ("Bank"). A preliminary review of your application has been completed and it has been determined that additional information is required to continue processing.

Please provide the following information within fourteen (14) days of the date of this letter or the application will be returned:

- The specific 30 acres within the 172.5-acre PPU, to which the rented water will be put to beneficial use.
- The specific point-of-diversion from which the rented water will be diverted.

Please provide the required information within fourteen (14) days. If sufficient information is not received within fourteen days, your application will be returned to you unprocessed and you will have to re-file your application.

Sincerely,

Michele Edl
Water Resource Agent, Sr

ec: GOLDEN EAGLE RANCH HOMEOWNERS ASSOCIATION INC
SUN COUNTRY MANAGEMENT

No. C 119551	Due no later than May 31, 2017 Annual Report Form		2. Registered Agent and Address (NO PO BOX)		
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE			JOHN FREY 675 E SUN VALLEY RD STE I-1 KETCHUM ID 83340		
		1. Mailing Address: Correct in this box if needed. GOLDEN EAGLE RANCH HOMEOWNERS ASSOCIATION, INC. C/O SUN COUNTRY MANAGEMENT PO BOX 1932 KETCHUM ID 83340		3. <u>New</u> Registered Agent Signature:*	
		4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).			
Office Held	Name	Street or PO Address	City	State	Country Postal Code
DIRECTOR	LESLEY ANDRUS	35 GREENHORN ROAD	HAILEY	ID	USA 83333
DIRECTOR	JOSEPH FASTOW	3 BETHESDA METRO CENTER #630	BETHESDA	MD	USA 20814
PRESIDENT	SCOTT NELSON	120 TAIL FEATHER LANE	HAILEY	ID	USA 83333-7250
VICE PRESIDENT	BOB RENIERS	P.O. BOX 6559	KETCHUM	ID	USA 83340-7250
TREASURER	DAVID SIAS	115 S. GOLDEN EAGLE DRIVE	HAILEY	ID	USA 83340
5. Organized Under the Laws of:		6. Annual Report must be signed.*			
ID		Signature: JOHN J FREY		Date: 03/22/2017	
C 119551		Name (type or print): JOHN J FREY		Title: AGENT	
Processed 03/22/2017		* Electronically provided signatures are accepted as original signatures.			

RECEIVED

DEC 29 2017

DEPARTMENT OF
WATER RESOURCES

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

December 28, 2017

Via Federal Express

Mr. Remington Buyer
Idaho Department of Water Resources
322 E. Front Street
Boise, ID 83702

**RE: Golden Eagle Ranch Homeowners Association, Inc.
Water Right Nos. 37-496D & 37-497A**

Dear Remington:

Enclosed you will find the *original* and one (1) copy of an Application to Rent Water From The Board's Water Supply Bank for the above-referenced Water Rights. If it meets with your approval, please process and receipt date-stamp the copy of the Application and return it to me in the enclosed self-addressed, postage-paid envelope.

If you have questions, please contact me. Thank you for your assistance.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS:kdI

Enclosures

cc: Golden Eagle Ranch Homeowners Association, Inc. w/ copy of form