

RECEIVED

MAR 08 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED WATER SUPPLY BANK RENTAL AGREEMENT No. 21

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

PAM MCCUNE WARTHEN
7061 CANYON CREEK RD
MOUNTAIN HOME, ID 83647

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)
61-12226	10/1/1874	CANYON CREEK	0.19	27.2	6.8	0.03	4.0
Combined Rental Totals			0.19	27.2	6.8	0.03	4.0

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

Annual Rental Fee:

2018: \$544.00

The full fee for the rental of the above-described right(s) is \$544.00 for 2018. The rental fee includes an administrative fee of \$54.40 for 2018.

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.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT

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:

Pam M. Warthen 03/05/18
Signature of Renter Date

PAM M. WARTHEN _____
Printed Name Title

*Title required if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By Brian Patton Date 3/12/2018
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR [Signature] Date 3-12-2018

WATER SUPPLY BANK RENTAL AGREEMENT No. 21

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

CANYON CREEK SENW Sec. 36, Twp 02S, Rge 06E, ELMORE County

Beneficial Use
IRRIGATION

Diversion Rate
0.19 CFS

Volume
27.2 AF

BENEFICIAL USE & SEASON OF USE

Water Right No. **From** **To**
61-12226 4/1 10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	06E	35																2.2	2.2
03S	06E	2	4.6 L1																4.6

Total Acres: 6.8

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 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.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. 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.
6. 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.
7. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
8. 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 diversions.
9. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

11. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.
12. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 61A.
13. This rental does not grant any right-of-way or easement across the land of another.

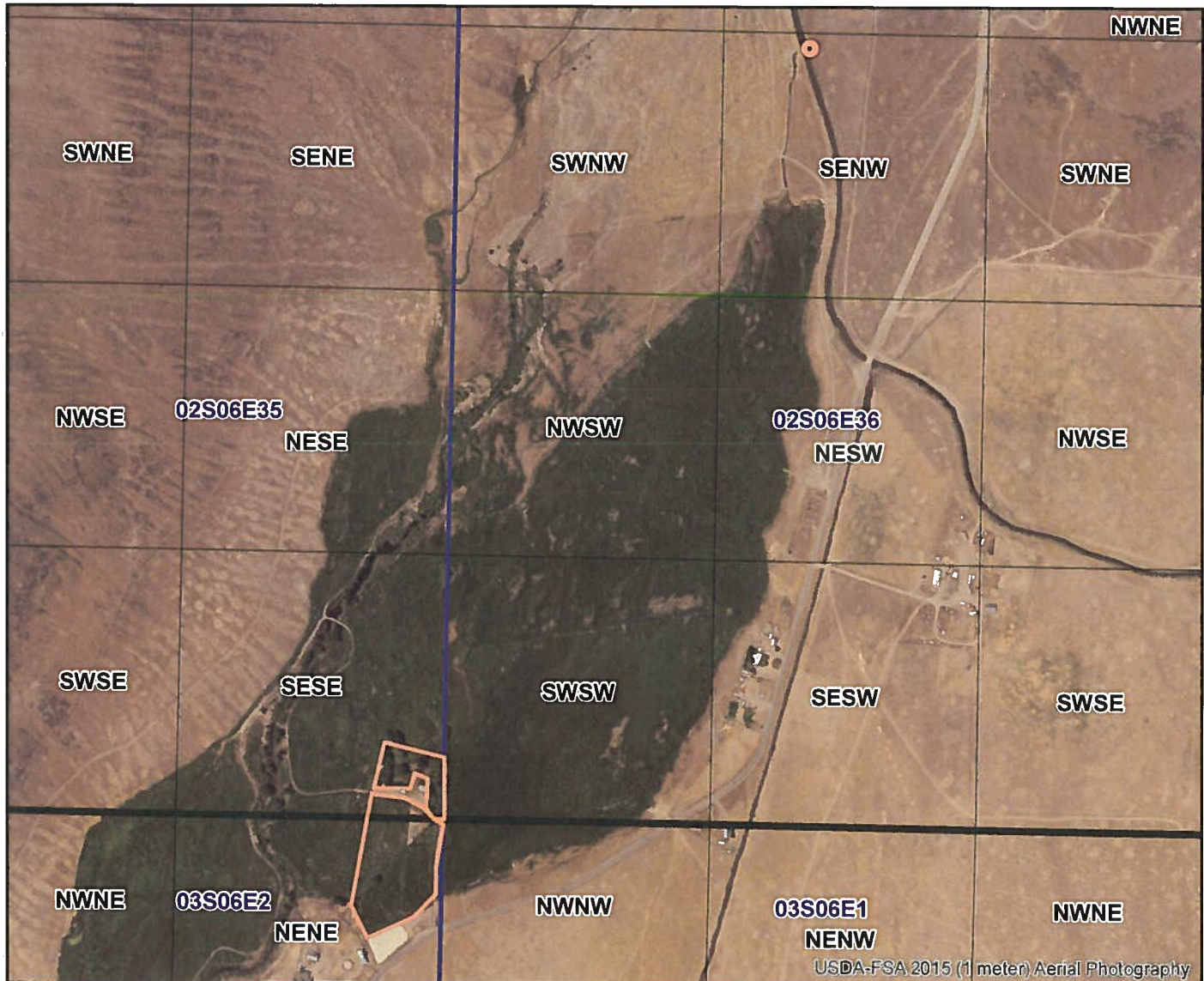


Idaho Water Resource Board

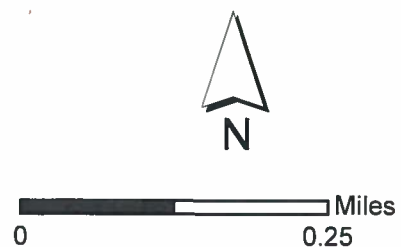
Attachment to Amended Water Supply Bank Rental Agreement No 21

Effective until December 31, 2018

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



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



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

JAN 17 2018

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: PAM M. WARTHEN

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

Department Use Only – Proposed Water Right(s)

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant PAM M. WARTHEIV

Mailing Address 7061 Canyon Creek Road Mountain Home, IDAHO 83647

Street City State Zip Code

Email Address warthenpm@gmail.com Phone Number Cell (208) 599-0521
Home (208) 587-8736

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☐ No ☒

If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative _____ Professional Title _____

Organization _____ Relationship to Applicant _____

Mailing Address _____

Email Address _____ Phone Number _____

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

IRRIGATION - HAYFIELD - PASTURE

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)
<u>0.2</u> CFS	<u>27.2</u> AF	CFS	<u>27.2</u> AF	<u>6.8</u> 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?	
<u>04/03/18</u>	<u>04/30/18</u>	☐ 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):

HEADGATE AT 02506E 25 SENW, WATERMASTER TO DIVERT TO
CANAL/DITCH, ACROSS FRELAND PROPERTY, TO MY PROPERTY

- 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	
HEADGATE TO CANAL/DITCH	CANYON CREEK	61-00246	61-00254
		61-00247	
		61-00253	
		61-00255	

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

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

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

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

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

- ☐ Irrigation 6.8 (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:

WATER RIGHTS NO? 61-252C AND 61-10033A ARE LOCATED ON MY PROPERTY (POU)
WATER WAS BLOCKED FROM MY PROPERTY IN 2015 BY NEIGHBOR. WATER IS NEEDED
FOR IRRIGATION PURPOSES UNTIL WATER RIGHTS ARE RESTORED TO MY PROPERTY.

**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)
61-12226	IRRIGATION	0.2	27.2	6.8		0.2	27.2	6.8
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	0.2 CFS	27.2 AF	6.8 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**:

NOT APPLICABLE

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:

THIS REQUEST FOR 6.8 ACRES IS A MODIFICATION OF THE
2.2 ACRES I HAD PREVIOUSLY RENTED IN 2016 AND 2017.

- 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

REMINGTON BUYER NOTIFIED ME THAT WATER RIGHT 61-12226 IS
SCHEDULED TO BE RELEASED FROM THE WATER SUPPLY BANK AT THE END
OF 2018. HOWEVER, I REQUESTED 5 YEARS IN CASE MORE YEARS BECOME
AVAILABLE.

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.

Pam M. Warthen

Signature of Applicant

PAM M. WARTHEN

Printed Name of Applicant

01-10-18

Date

Signature of Representative

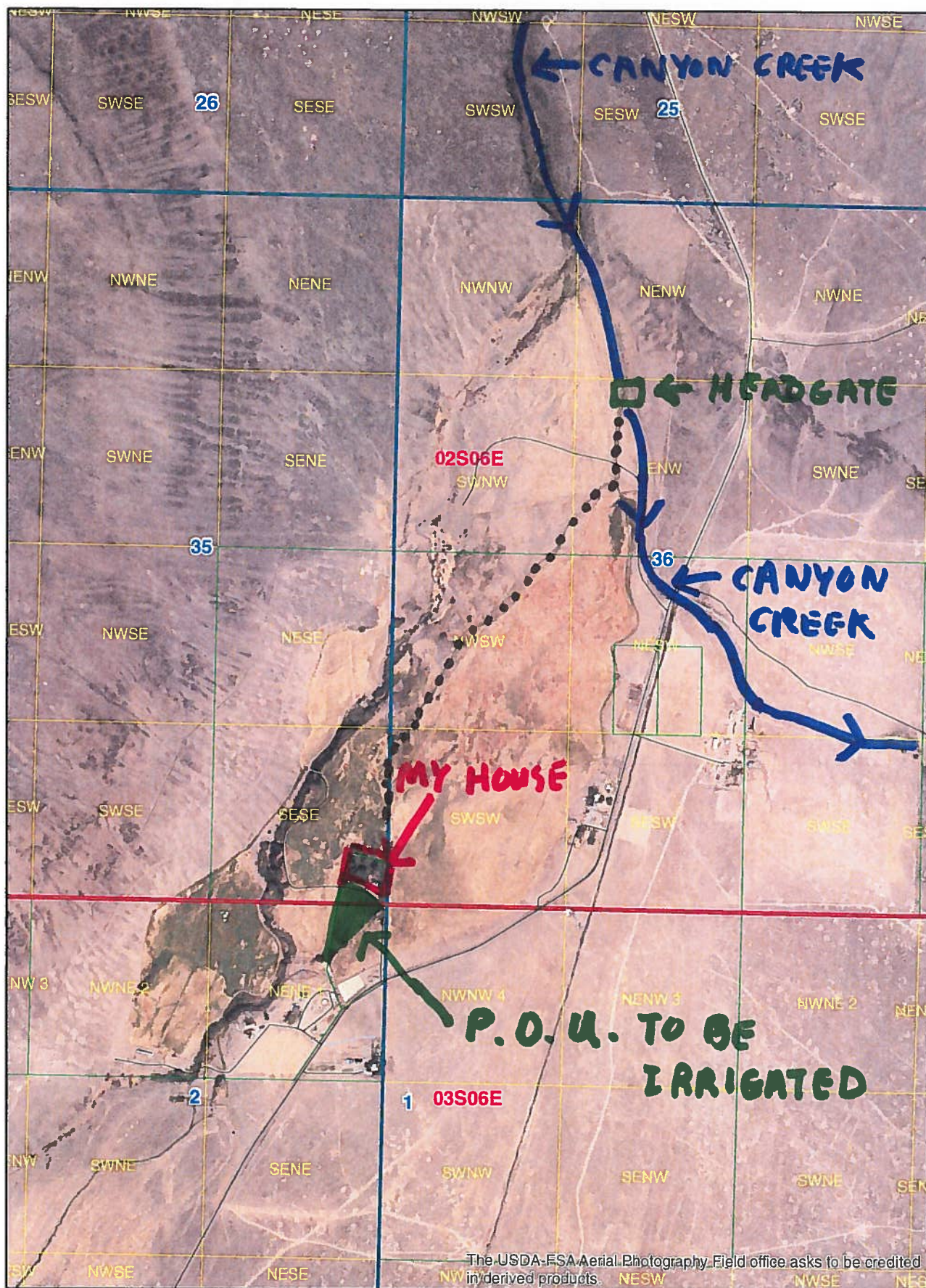
Printed Name of Representative

Date

Mail to:

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

ATTACHMENT 2



ATTACHMENT 3F

January 8, 2018

To Whom It May Concern:

Water can be delivered to Pam Warthen, through the Ireland Ranch diversion and ditch. The Ireland family has allowed her to do so in the past and is willing to continue as long as it doesn't develop into an easement.

Ireland Ranch decreed water rights.

Decree #	Priority	Amount
61-00246	03/01/1876	1.2 C.F.S.
61-00247	06/01/1876	1.0 C.F.S.
61-00253	04/01/1884	1.0 C.F.S.
61-00255	03/15/1885	1.6 C.F.S.
61-00254	03/31/1885	1.0 C.F.S.



Terry Seegrist, Water Master 61-A
140 S. 3rd E.
Mountain Home, ID 83647



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

March 13, 2018

PAM MCCUNE WARTHEN
7061 CANYON CREEK RD
MOUNTAIN HOME ID 83647

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 61-12226**

Dear Renter:

Please find enclosed a receipt in the amount of **\$544.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 27.2 acre-feet of water for irrigation of 6.8 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 \$489.60 of the rental fee will be paid to the lessor(s) and 10% or \$54.40 will be retained by the Department to offset administrative costs.

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

Sincerely,

Water Supply Bank

Enclosures: Receipt No. C104747
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Angie Grimm – IDWR Western Regional Office
Terry Seegrist – State Water District No. 61A

RECEIVED

MAR 08 2018

DEPARTMENT OF
WATER RESOURCES

Pam McCune Warthen
7061 Canyon Creek Road
Mountain Home, Idaho 83647

March 5, 2018

RE: Water Supply Bank Rental Agreement Rental Fees for 2018

IDWR:

Attached is my Water Supply Bank Agreement for 2018. My rental fee of \$544.00 is also attached.

I have also attached a copy of the letter I received the same day listing the fee for the *original rental*.

Due to the fact that this is an amended rental agreement, I assume that Mary Condon will be notified that the fee has increased and also that it has been paid.

Thank you for your time and assistance in completing this rental agreement for me.

Sincerely,



Pam M. Warthen

Attachments



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

February 26, 2018

PAM MCCUNE WARTHEN
7061 CANYON CREEK RD
MOUNTAIN HOME ID 83647

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 61-12226**

*****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 \$544.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 27.2 acre-feet.

Please send a check for \$544.00 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 \$489.60 of the rental fee will be paid to the lessor(s) and 10% or \$54.40 will be retained by the Department to offset administrative costs.

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

Sincerely,


for Water Supply Bank

Enclosure

c: IDWR Front Desk

MEMORANDUM FOR AMENDED AGREEMENT # 21

To: Water Rights 61-12226
From: Clay Webster
Date: 2/12/2018
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: The department received the application to amend the approved agreement on Jan 17, 2017. The new application wishes to rent the sum of the leased portion of water right 61-12226. This would increase the amount rented from 0.06 cfs, 8.8 af to irrigate 2.2 acres to 0.19 cfs, 27.2 af to irrigate 6.8 acres. The application also indicates that the POD would be changed from the rental's current location to the next diversion south. The applicant requested a five year rental, however the lease on this right expires at the end of 2018. This amended agreement can only be approved for 2018.

AUTHORITY TO FILE: Pam Warthen signed this rental application she currently owns the place of use per Elmore County tax data. Terry Seegrist, the watermaster of water district 61A provided a letter stating that she has permission to utilize the Ireland Ranch diversion and ditch as long as it doesn't develop into an easement. The condition will be added to the rental stating that it does not grant an easement across the land of another.

WATER RIGHT VALIDITY: 61-12226 was transferred from a portion of 61-250 which was decreed in the SRBA in 2000. A portion of 61-12226 was leased into the WSB in 2014. I have no validity concerns.

INJURY TO OTHER WATER RIGHTS: The proposal moves the POD downstream from the leased diversion point, injury does not appear to be an issue. Both the rental and the lease properties are in the Trust Area.

ENLARGEMENT OF USE: The rental applicant states that there are no irrigation shares or water rights for the property. Our records indicate water right 61-10033A owned by Theodore Hoffman for irrigation from storage of 6.5 acres is associated with the rental property. Water right 61-252C for irrigation of 6.5 acres owned by Chester Tindall appears to be associated with the rental property. However, the department has been provided with a deed that shows that the water rights were retained and severed from the property when the Warthens purchased the property (see water rights 61-252C and 61-10033A Change of Ownership thru Acknowledgement Letter – Updated Not Processed). Water Right 61-11802 is a domestic right owned by Pam Warthen for the property. There is also a large portfolio of irrigation water rights owned by Mountain Home Irrigation District that overlap the rental property. However, the applicant states that she does not have shares to irrigate from the property.

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

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is subject to Water District 61A. I spoke with the watermaster (Terry Seegrist) about this rental applications. He had concerns about the 2015 rental. This change in POD addressed his past concerns. I have added condition 246 to address easement concerns of the POD owners.

RECEIVED

JAN 17 2018

DEPARTMENT OF
WATER RESOURCES

Pam M. Warthen
7061 Canyon Creek Road
Mountain Home Idaho 83647

January 10, 2018

IDWR
P.O. Box 83720
Boise, Idaho 83720-0098

Re: 2018 Water Rental

To Whom It May Concern:

Enclosed is my completed application to be used to "upgrade" the current water rental agreement for Water Right 61-12226 that I have rented for 2016 and 2017. I have also attached the required "attachments" for my request.

It is my understanding that after the application is reviewed and if it is determined that the IDWR can move forward with this rental, that I will be notified of the rental fee for this "upgrade". Therefore, I am not sending in the fee of \$176.00 for the 2018 year until I receive further notice of the change in fees.

However, if it is not approved for some reason, I would want to continue to rent the 2.2 acres. At that time I would send payment as requested.

If there is any other information needed, please contact me.

Thank you



Pam M. Warthen

Home: (208) 587-8736
Cell: (208) 599-0521
Email: warthenpm@gmail.com

Enclosure