

Webster, Clay

From: Hipke, Wesley
Sent: Thursday, March 01, 2018 9:48 AM
To: Webster, Clay
Cc: Buyer, Remington
Subject: Withdrawal of Water Supply Bank Lease Application 926 and Rental Application 927

Mr. Webster,

After receiving your letter dated February 23, 2018 concerning our application to lease in and rent out water licensed under water right 37-7842 the Idaho Water Resource Board request the immediate withdrawal from the Water Supply Bank of Lease Application No. 926 and Rental Application No. 927.

We greatly appreciate all of the work you and the Water Bank Staff have put into these applications.

If you need more information please feel free to contact me.

Thanks,
Wesley

Wesley Hipke, P.G.
Recharge Program Manager
Idaho Department of Water Resources
Phone 208.287.4832
Fax 208.287.6700
wesley.hipke@idwr.idaho.gov



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 23, 2018

**IDAHO WATER RESOURCE BOARD
C/O WESLEY HIPKE
322 EAST FRONT ST, PO BOX 83720
BOISE ID 83702**

RE: Water Supply Bank Rental Application 927

Dear Applicant,

On December 21, 2017, the Department of Water Resources (Department) received from you a companion application to lease in and rent out from the Water Supply Bank (Bank) authorized amounts licensed under water right 37-7842, for years 2018-2022 (Lease Application No. 926 and Rental Application No. 927). During a preliminary review of the lease and rental applications, the Bank learned that a contested case is pending before the Department, regarding the validity of water right 37-7842. On January 18, 2018 you submitted new amended applications to request the lease and rental be processed with the authorized amounts associated with the Permit of 37-7842.

Pursuant to Idaho Code 42-1763, the Department may reject and refuse or partially approve upon conditions a rental application that could result in a reduction in the quantity of water available under other existing water rights, or a rental that would conflict with local public interests. The Department believes that issues which may be addressed through the contested case for ground water recharge right 37-7842 involve notions of reductions in water quantities available under other existing water rights, as well as notions of whether applicants have adequately proved historical beneficial use under water right 37-7842. The local public interest concerns involved in this contested case warrant an abundance of caution. The Department has determined that these applications cannot be considered for approval until the contested case for 37-7842 is settled.

If you have any questions about this matter, you can reach me at 208-287-4910.

Clay Webster
Water Rights Supervisor

Cc: IDWR Southern Regional Office (via email)
Kevin Lakey (via email)

RECEIVED

FEB 12 2018

DEPARTMENT OF
WATER RESOURCES

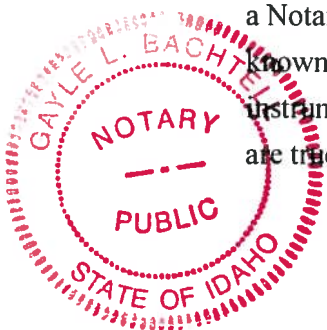
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
SS.
County of Camas)

Edward Reagan, being first duly sworn, deposes and says that he is the designated agent for the publisher of The Courier NEWS, a newspaper published every week in Fairfield, County of Camas, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145, that the annexed advertisement, identified as Water Supply Bank Rental, a copy of which is hereto attached, was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 17th day of January, 2018, and the date of the last publication was on the 24th day of January, 2018.

Edward Reagan

On this 9th day of February, in the year of 2018 before me, a Notary Public, personally appeared Edward Reagan, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



Gayle L. Bachtel

Notary Public for Idaho

Residing in Fairfield

My commission expires: 10-19-2023

----- Cost of Publication

Pica Count 644
of runs 2

Cost for Advert: First run \$ 51.52
Additional runs \$ 45.08
Total Cost \$ 96.60

Legal ad rates:
1st or single run - \$ 0.08 per pica
Additional runs - \$ 0.07 per pica
Table & Figures - \$ 0.09 per pica

*Auto pay
first 2-20-18*

Mail payment to:

THE COURIER NEWS
Post Office Box 339
Fairfield, Idaho 83327

RECEIVED

FEB 12 2018 55/13

FISCAL

AFFIDAVIT of PUBLICATION

State of Idaho
County of Blaine

Pam Morris, being the first duly sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

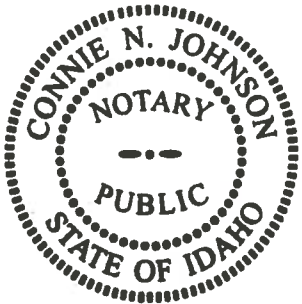
publication of said advertisement was on the 17th day of

January, 20 18, and the date of the last publication was

on the 24th day of January, 20 18

Subscribed and sworn to before me this 24 day of Jan., 20 18.

Connie N. Johnson
NOTARY PUBLIC



RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2018

IDAHO MOUNTAIN EXPRESS
P.O. Box 1013
Ketchum, Idaho 83340
COST OF PUBLICATION

Number of Picas per Line 11.5 **RECEIVED**

Number of Lines in Notice 32 **JAN 29 2018**

Number of Insertions 2 **DEPT OF WATER RESOURCES SOUTHERN REGION**

_____	Lines tabular at	_____	9.0 cents/pica
<u>32</u>	Lines straight at	<u>\$29.44</u>	8.0 cents/pica
<u>32</u>	Subsequent lines at	<u>\$25.76</u>	7.0 cents/pica
TOTAL COST		<u>\$55.20</u>	

COPY OF NOTICE

Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

AMENDED NOTICE OF PROPOSED RENTAL FROM WATER SUPPLY BANK

Notice is hereby given pursuant to IDAPA Rule 37.02.03.030.02 (Water Supply Bank Rule 30.02) that the Idaho Water Resource Board filed an application on January 8, 2018, to rent Permit No. 37-7842 from the Water Supply Bank for five years. The proposed rental in Lincoln County would provide for the diversion of 800.00 cfs and 50,000 af annually from the Big and Little Wood Rivers for ground water recharge within Lincoln County.

Comments may be submitted based on the criteria of Section 42-1763, Idaho Code. Comments should be filed in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098 or emailed to Bank@idwr.idaho.gov on or before **FEBRUARY 5, 2018**. For more information, visit www.idwr.idaho.gov/water-supply-bank.

Gary Spackman, Director

PUBLISH
IDAHO MOUNTAIN EXPRESS
JAN. 17 & 24, 2018

✓ OK Am 2/5/2018

RECEIVED

FEB 14 2018

DEPARTMENT OF WATER RESOURCES

* **Proof of Publication** *

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

ORDER NUMBER 60751

Ruby Aufderheide
(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 25 day of January in the year of 2018 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Noelle R. Smith
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 6-13-2023

PUBLISHED ON: 01/18/2018, 01/25/2018

TOTAL AD COST: 67.20
FILED ON: 1/25/2018

NOELLE R. SMITH
Notary Public
State of Idaho

**AMENDED NOTICE OF PROPOSED RENTAL
FROM WATER SUPPLY BANK**

Notice is hereby given pursuant to IDAPA Rule 37.02.03.030.02 (Water Supply Bank Rule 30.02) that the Idaho Water Resource Board filed an application on January 8, 2018, to rent **Permit No. 37-7842** from the Water Supply Bank for five years. The proposed rental in Lincoln County would provide for the diversion of 800.00 cfs and 50,000 af annually from the Big and Little Wood Rivers for ground water recharge within Lincoln County.

Comments may be submitted based on the criteria of Section 42-1763, Idaho Code. Comments should be filed in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098 or emailed to Bank@idwr.idaho.gov on or before **February 5, 2018**. For more information, visit www.idwr.idaho.gov/water-supply-bank.

Gary Spackman, Director
Published in the Camas Courier and Idaho Mountain Express on January 17th & 24th, 2018 and Times News on January 18th & 25th, 2018.

RECEIVED
FEB 14 2018
DEPARTMENT OF
WATER RESOURCES

RECEIVED
JAN 31 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

✓ OK AM 2/5/2018

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 60751

Publication

Times News

Contact ID DEPARTMENT OF WATER RESOURCES

Address 1 650 ADDISON AVE W, STE 500

Address 2

City St Zip TWIN FALLS ID 83301

Phone 2087363033

Fax

Section Legals

SubSection

Category 50 Legal

Ad Key 60751-1

Keywords Permit 37-7842 rent from Water Supply Bank

Notes

PO Number

Rate

Legal Notice

Order Price

67.20

Amount Paid

0.00

Amount Due

67.20

Start/End Dates

01/18/2018 - 01/25/2018

Insertions

2

Size

40

Salesperson(s)

Ruby Aufderheide

Taken By

Ruby Aufderheide

Ad Proof

AMENDED NOTICE OF PROPOSED RENTAL FROM WATER SUPPLY BANK

Notice is hereby given pursuant to IDAPA Rule 37.02.03.030.02 (Water Supply Bank Rule 30.02) that the Idaho Water Resource Board filed an application on January 8, 2018, to rent **Permit No. 37-7842** from the Water Supply Bank for five years. The proposed rental in Lincoln County would provide for the diversion of 800.00 cfs and 50,000 af annually from the Big and Little Wood Rivers for ground water recharge within Lincoln County.

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Gary Spackman, Director

Published in the Camas Courier and Idaho Mountain Express on January 17th & 24th, 2018 and Times News on January 18th & 25th, 2018.

✓ ok Am 1-16-2018
E-mail sent to newspaper.

Proof of Legal Notice
received from Times News 1/15/2018

Maline, Denise

From: Maline, Denise
Sent: Thursday, January 11, 2018 11:25 AM
To: Camas Courier
Subject: LEGAL NOTICE - RESUBMITTAL
Attachments: Camas Courier Cover Letter.docx; Amended Legal Notice IWRB recharge right WSB rental.docx

Attached please find **(1)** legal notice being submitted for publication on January 17th & 24th, 2018. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 11, 2018

LEGAL NOTICE DEPARTMENT
CAMAS COURIER
PO BOX 339
FAIRFIELD, ID 83327

RE: Notice of Proposed Rental from Water Supply Bank

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **February 5, 2018**. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, January 11, 2018 11:22 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICES
Attachments: Idaho Mtn Express cover letter.docx; SWC SWID Mit Plan Ad SWC call Jan 2018.docx; Amended Legal Notice IWRB recharge right WSB rental.docx

Attached please find **(2)** legal notices being submitted for publication on January 17th & 24th, 2018. Please feel free to contact me if you have any questions, or if you are not able to run the ads on the dates requested.

Thank you in advance,

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 11, 2018

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Notice of Mitigation Plan Submitted by Southwest and Goose Creek Irrigation Districts
and the Surface Water Coalition

RE: Notice of Proposed Rental from Water Supply Bank

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before February 5, 2018. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, January 11, 2018 11:19 AM
To: Times News
Subject: LEGAL NOTICES
Attachments: Times News cover letter.docx; Times News Ad.doc; SWC SWID Mit Plan Ad SWC call Jan 2018.docx; Amended Legal Notice IWRB recharge right WSB rental.docx

Attached please find **(3)** legal notices being submitted for publication on January 18th & 25th, 2018. Please feel free to contact me if you have any questions, or if you are not able to run the ads on the dates requested.

Thank you in advance,

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 11, 2018

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Notice of Mitigation Plan Submitted by Southwest and Goose Creek Irrigation Districts
and the Surface Water Coalition

RE: Notice of Proposed Rental from Water Supply Bank

RE: Application For Permit No.(s): 2-10546

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before February 5, 2018. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

AMENDED NOTICE OF PROPOSED RENTAL FROM WATER SUPPLY BANK

Notice is hereby given pursuant to IDAPA Rule 37.02.03.030.02 (Water Supply Bank Rule 30.02) that the Idaho Water Resource Board filed an application on January 8, 2018, to rent Permit No. 37-7842 from the Water Supply Bank for five years. The proposed rental in Lincoln County would provide for the diversion of 800.00 cfs and 50,000 af annually from the Big and Little Wood Rivers for ground water recharge within Lincoln County.

Comments may be submitted based on the criteria of Section 42-1763, Idaho Code. Comments should be filed in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098 or emailed to Bank@idwr.idaho.gov on or before **February 5, 2018**. For more information, visit www.idwr.idaho.gov/water-supply-bank.

Gary Spackman, Director

Published in the Camas Courier and Idaho Mountain Express on January 17th & 24th, 2018 and Times News on January 18th & 25th, 2018.

Maline, Denise

From: camascourier@gmx.com
Sent: Tuesday, January 09, 2018 9:03 AM
To: Maline, Denise
Subject: Re: LEGAL NOTICE

From: The Courier News

The Courier News is unable to publish this notice on the requested dates because the January 3rd issue was printed prior to receiving this request.

The next available dates are January 10th & 17th.

Thank you,

Edward Reagan, Editor

Sent: Wednesday, December 27, 2017 at 4:56 PM
From: "Maline, Denise" <Denise.Maline@idwr.idaho.gov>
To: "Camas Courier" <camascourier@gmx.com>
Subject: LEGAL NOTICE

Attached please find (1) legal notice being submitted for publication on January 3rd & 10th, 2018. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov

* per phone call 1-9-2018 → Ed didn't see / check the E-mail until after it was too late to publish on 1/3 & 10.

AFFIDAVIT of PUBLICATION

State of Idaho
County of Blaine

RECEIVED

JAN 16 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

COPY OF NOTICE

Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

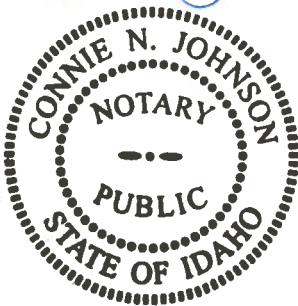
publication of said advertisement was on the 3rd day of

January, 20 18, and the date of the last publication was on the 10th day of January, 20 18

Subscribed and sworn to before me this 10 day of

January, 20 18.

Connie N. Johnson
NOTARY PUBLIC



RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2018

IDAHO MOUNTAIN EXPRESS
P.O. Box 1013
Ketchum, Idaho 83340
COST OF PUBLICATION

Number of Picas per Line 11.5

Number of Lines in Notice 34

Number of Insertions 2

Lines tabular at 9.0 cents/pica

34 Lines straight at \$ 31.28 8.0 cents/pica

34 Subsequent lines at \$ 27.37 7.0 cents/pica

TOTAL COST 58.65

RECEIVED

JAN 24 2018

FISCAL

NOTICE OF PROPOSED RENTAL FROM WATER SUPPLY BANK

Notice is hereby given pursuant to IDAPA Rule 37.02.03.030.02 (Water Supply Bank Rule 30.02) that the Idaho Water Resource Board filed an application on December 12, 2017 (Water Supply Bank Rental Application No. 927) to rent Water Right No. 37-7842 from the Water Supply Bank for five years. The proposed rental in Lincoln County would provide for the diversion of 250.00 cfs and 13,900 af annually from the Big and Little Wood Rivers for ground water recharge within Lincoln County.

Comments may be submitted based on the criteria of Section 42-1763, Idaho Code. Comments should be filed in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098 or emailed to Bank@idwr.idaho.gov on or before January 22, 2018. For more information, visit www.idwr.idaho.gov/water-supply-bank.

Gary Spackman, Director

PUBLISH
IDAHO MOUNTAIN EXPRESS
JAN. 3 & 10, 2018

✓ OK AM 1-19-2018

RECEIVED

JAN 24 2018

DEPARTMENT OF
WATER RESOURCES

****Proof of Publication****

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

ORDER NUMBER 60067

Ruby Aufderheide
(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 11 day of Jan. in the year of 2018 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Maureen Smith
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 6-13-2023

PUBLISHED ON: 01/04/2018, 01/11/2018

TOTAL AD COST: 70.11
FILED ON: 1/11/2018

NOELLE R. SMITH
Notary Public
State of Idaho

**NOTICE OF PROPOSED RENTAL
FROM WATER SUPPLY BANK**

Notice is hereby given pursuant to IDAPA Rule 37.02.03.030.02 (Water Supply Bank Rule 30.02) that the Idaho Water Resource Board filed an application on December 12, 2017 (Water Supply Bank Rental Application No. 927) to rent Water Right No. 37-7842 from the Water Supply Bank for five years. The proposed rental in Lincoln County would provide for the diversion of 250.00 cfs and 13,900 af annually from the Big and Little Wood Rivers for ground water recharge within Lincoln County.

Comments may be submitted based on the criteria of Section 42-1763, Idaho Code. Comments should be filed in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098 or emailed to Bank@idwr.idaho.gov on or before **January 22, 2018**. For more information, visit www.idwr.idaho.gov/water-supply-bank.

Gary Spackman, Director

Published in the Camas Courier and Idaho Mountain Express on January 3rd & 10th, 2018 and Times News on January 4th & 11th, 2018.

RECEIVED

JAN 18 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

RECEIVED

JAN 24 2018

DEPARTMENT OF
WATER RESOURCES

✓ OK SM 1-19-2018

RECEIVED

JAN 24 2018

FISCAL

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 60067

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	70.11
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	70.11
Fax			
Section	Legals	Start/End Dates	01/04/2018 - 01/11/2018
SubSection		Insertions	2
Category	50 Legal	Size	42
Ad Key	60067-1	Salesperson(s)	Ruby Aufderheide
Keywords	Water Supply Bank	Taken By	Ruby Aufderheide
Notes			

Ad Proof

NOTICE OF PROPOSED RENTAL FROM WATER SUPPLY BANK

Notice is hereby given pursuant to IDAPA Rule 37.02.03.030.02 (Water Supply Bank Rule 30.02) that the Idaho Water Resource Board filed an application on December 12, 2017 (Water Supply Bank Rental Application No. 927) to rent Water Right No. 37-7842 from the Water Supply Bank for five years. The proposed rental in Lincoln County would provide for the diversion of 250.00 cfs and 13,900 af annually from the Big and Little Wood Rivers for ground water recharge within Lincoln County.

Comments may be submitted based on the criteria of Section 42-1763, Idaho Code. Comments should be filed in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098 or emailed to Bank@idwr.idaho.gov on or before January 22, 2018. For more information, visit www.idwr.idaho.gov/water-supply-bank.

Gary Spackman, Director

Published in the Camas Courier and Idaho Mountain Express on January 3rd & 10th, 2018 and Times News on January 4th & 11th, 2018.

✓ OK DM 1-2-2018
E-mail sent to newspaper

RECEIVED
JAN 24 2018
FISCAL

Proof of legal notice received
from Times News 1/2/2018

Maline, Denise

From: Maline, Denise
Sent: Wednesday, December 27, 2017 4:56 PM
To: Camas Courier
Subject: LEGAL NOTICE
Attachments: Camas Courier Cover Letter.docx; Legal Notice IWRB recharge right WSB rental.docx

Attached please find (1) legal notice being submitted for publication on January 3rd & 10th, 2018. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
[*denise.maline@idwr.idaho.gov*](mailto:denise.maline@idwr.idaho.gov)

RECEIVED
JAN 24 2018
FISCAL



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

January 10, 2018

Transmitted via U.S. Mail and E-mail

Joseph F. James
Brown and James
125 Fifth Avenue West
Gooding, Idaho 83330
joe@brownjames.com

Re: Idaho Water Resource Board's Applications to lease Permit No. 37-7842 to the Water Supply Bank and rent Permit No. 37-7842 from the Water Supply Bank.

Dear Mr. James,

You are receiving this letter because you represent William Arkoosh; the Estate of Vernon Ravenscroft; Koyle Hydro, Inc.; Koosh, Inc.; and Shorock Hydro, Inc. in contested case no. P-DR-2017-002 regarding the Idaho Water Resource Board's water right 37-7842. I previously wrote to inform you that, on December 12, 2017, the Idaho Water Resource Board submitted applications to lease water right 37-7842 to the Water Supply Bank and rent water right 37-7842 from the Water Supply Bank. I requested comments from you, if any, in writing by January 22, 2018.

On January 8, 2018, the Idaho Water Resource Board submitted the attached lease and rental applications "to amend and supersede the lease and rental application submitted December 12, 2017." Accordingly, the Idaho Water Resource Board's December 12, 2017, applications to lease water right 37-7842 to the Water Supply Bank and rent water right 37-7842 from the Water Supply Bank have been superseded by the attached applications.

If you have any comments regarding the attached January 8, 2018, proposals to lease and rent Permit No. 37-7842, please submit your comments in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098, by **February 5, 2018**.

Sincerely,



Gary Spackman

Enclosures

cc: Ann Vonde (via email)
Brian Patton (via email)



IDAHO WATER RESOURCE BOARD

C.L. "Butch" Otter
Governor

January 8, 2018

RECEIVED

JAN 08 2018

DEPARTMENT OF
WATER RESOURCES

Roger W. Chase
Chairman
Pocatello
District 4

RE: Water Supply Bank Lease Application No. 926 and Rental
Application No. 927

Jeff Raybould
Vice-Chairman
St. Anthony
At Large

To Whom it Concerns,

The Idaho Water Resource Board (IWRB) submitted an application to lease and rent their recharge water right 37-07842 (Lease Application No. 926 and Rental Application No. 927) on December 12, 2017. In recognition of the increased diversion rates and volumes with permit 37-7842, the IWRB is resubmitting the attached lease and rental applications to amend and supersede the lease and rental applications submitted December 12, 2017.

Vince Alberdi
Secretary
Kimberly
At Large

All attachments and modeling for the amended application are the same as submitted for the Rental / Lease that expired on 12/31/2017.

Peter Van Der Meulen
Hailey
At Large

If you have any questions or require more information please feel free to contact me.

John Rusche
Lewiston
At Large

Sincerely,

Albert Barker
Boise
District 2

Wesley Hipke
Recharge Program Manager

John "Bert" Stevenson
Rupert
District 3

Dale Van Stone
Hope
District 1



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

December 29, 2017

Transmitted via U.S. Mail and E-mail

Joseph F. James
Brown and James
125 Fifth Avenue West
Gooding, Idaho 83330
joe@brownjames.com

Re: Idaho Water Resource Board's Applications to lease Water Right 37-7842 to the Water Supply Bank and rent Water Right 37-7842 from the Water Supply Bank.

Dear Mr. James,

You are receiving this letter because you represent William Arkoosh; the Estate of Vernon Ravenscroft; Koyle Hydro, Inc.; Koosh, Inc.; and Shorock Hydro, Inc, in contested case no. P-DR-2017-002 regarding the Idaho Water Resource Board's water right 37-7842. I am writing to inform you that, on December 12, 2017, the Idaho Water Resource Board submitted the enclosed applications to lease water right 37-7842 to the Water Supply Bank and rent water right 37-7842 from the Water Supply Bank. If you have any comments regarding the Idaho Water Resource Board's proposal to lease and rent water right 37-7842, please submit your comments in writing to the Idaho Department of Water Resources, P.O. Box 83720, Boise, ID 83720-0098, by January 22, 2018.

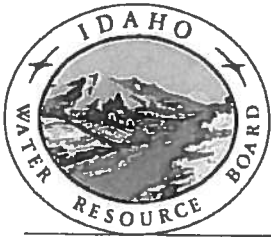
Sincerely,



Gary Spackman

Enclosures

cc: Ann Vonde (via email)
Brian Patton (via email)



IDAHO WATER RESOURCE BOARD

RECEIVED

DEC 12 2017

DEPARTMENT OF
WATER RESOURCES

C.L. "Butch" Otter
Governor

December 7, 2017

Roger W. Chase
Chairman
Pocatello
District 4

Jeff Raybould
Vice-Chairman
St. Anthony
At Large

Vince Alberdi
Secretary
Kimberly
At Large

Peter Van Der Meulen
Hailey
At Large

John Rusche
Lewiston
At Large

Albert Barker
Boise
District 2

John "Bert" Stevenson
Rupert
District 3

Dale Van Stone
Hope
District 1

RE: Application to Lease Water Right 37-07842 to the Water Supply Bank

To Whom it Concerns,

The Idaho Water Resource Board (IWRB) is wishing to submit their recharge water right 37-07842 into the Water Supply Bank (Bank). The IWRB is interested in doing a multi-year lease (and associated rental) similar to the recharge lease/rental that was processed for the IWRB's water right 1-07054. In the case of water right 1-07054, the IWRB paid for the lease application, but there was no rental fee assessed for the rental.

The license for water right 37-07842 is for 250 cfs of water from the Big or Little Wood river systems.

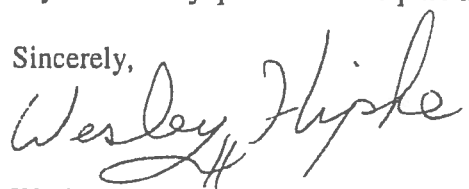
The diversion works along with the Richfield and Dietrich canal systems associated with the Point of Diversion (POD) and Places of Use (POU) are owned and managed by the Big Wood Canal Company (BWCC). BWCC does not have any objections to the proposed lease or associated rental from the Bank for this water right as evident by the 5-year Water Conveyance contract the BWCC has with the IWRB for conducting managed recharge.

The rental application will have potential POU's for Big Wood Water off of the Little Wood River. Water from the Big Wood River (Magic Reservoir) can be diverted down the Big Wood River channel or the water can be conveyed to the Little Wood River through the Richfield canal system. From the Little Wood River water can be diverted to the Dietrich Canal System or the Milner-Gooding Canal.

The application to rent water has POD's with a combined capacity greater than the diversion rate of this water right. The modeling for the rental application was done using the maximum potential diversion for each POD, however, the total combined diversions will never be greater than 250 cfs. Modeling for this application has been provided.

If you have any questions or require more information please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Wesley Hipke". The signature is fluid and stylized, with a large initial 'W' and a long, sweeping underline.

Wesley Hipke
Recharge Program Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 27, 2017

LEGAL NOTICE DEPARTMENT

CAMAS COURIER

PO BOX 339

FAIRFIELD, ID 83327

RE: Notice of Proposed Rental from Water Supply Bank

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office at your earliest convenience. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Wednesday, December 27, 2017 4:57 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express cover letter.docx; Legal Notice IWRB recharge right WSB rental.docx

Attached please find (1) legal notice being submitted for publication on January 3rd & 10th, 2018. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 27, 2017

LEGAL NOTICE DEPARTMENT

IDAHO MOUNTAIN EXPRESS

PO BOX 1013

KETCHUM, ID 83340

RE: Notice of Proposed Rental from Water Supply Bank

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before at your earliest convenience. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Wednesday, December 27, 2017 4:55 PM
To: Times News
Subject: LEGAL NOTICES
Attachments: Times News cover letter.docx; Legal Notice IWRB recharge right WSB rental.docx; Times News ad - 82052.doc

Attached please find (2) legal notices being submitted for publication on January 4th & 11th, 2018. Please feel free to contact me if you have any questions, or if you are not able to run the ads on the dates requested.

Thank you in advance,

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 27, 2017

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 82052

Water Right No(s): 37-7808, 37-8005B, 37-8005C, 37-8005D

RE: Notice of Proposed Rental from Water Supply Bank

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before January 22, 2018. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

NOTICE OF PROPOSED RENTAL FROM WATER SUPPLY BANK

Notice is hereby given pursuant to IDAPA Rule 37.02.03.030.02 (Water Supply Bank Rule 30.02) that the Idaho Water Resource Board filed an application on December 12, 2017 (Water Supply Bank Rental Application No. 927) to rent Water Right No. 37-7842 from the Water Supply Bank for five years. The proposed rental in Lincoln County would provide for the diversion of 250.00 cfs and 13,900 af annually from the Big and Little Wood Rivers for ground water recharge within Lincoln County.

Comments may be submitted based on the criteria of Section 42-1763, Idaho Code. Comments should be filed in writing to the Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098 or emailed to Bank@idwr.idaho.gov on or before **January 22, 2018**. For more information, visit www.idwr.idaho.gov/water-supply-bank.

Gary Spackman, Director

Published in the Camas Courier and Idaho Mountain Express on January 3rd & 10th, 2018 and Times News on January 4th & 11th, 2018.



IDAHO WATER RESOURCE BOARD

RECEIVED

JAN 08 2018

DEPARTMENT OF
WATER RESOURCES

C.L. "Butch" Otter
Governor

January 8, 2018

Roger W. Chase
Chairman
Pocatello
District 4

RE: Water Supply Bank Lease Application No. 926 and Rental
Application No. 927

Jeff Raybould
Vice-Chairman
St. Anthony
At Large

To Whom it Concerns,

Vince Alberdi
Secretary
Kimberly
At Large

The Idaho Water Resource Board (IWRB) submitted an application to lease and rent their recharge water right 37-07842 (Lease Application No. 926 and Rental Application No. 927) on December 12, 2017. In recognition of the increased diversion rates and volumes with permit 37-7842, the IWRB is resubmitting the attached lease and rental applications to amend and supersede the lease and rental applications submitted December 12, 2017.

Peter Van Der Meulen
Hailey
At Large

All attachments and modeling for the amended application are the same as submitted for the Rental / Lease that expired on 12/31/2017.

John Rusche
Lewiston
At Large

If you have any questions or require more information please feel free to contact me.

Albert Barker
Boise
District 2

Sincerely,

Wesley Hipke
Recharge Program Manager

John "Bert" Stevenson
Rupert
District 3

Dale Van Stone
Hope
District 1



IDAHO WATER RESOURCE BOARD

RECEIVED

DEC 12 2017

DEPARTMENT OF
WATER RESOURCES

C.L. "Butch" Otter
Governor

December 7, 2017

Roger W. Chase
Chairman
Pocatello
District 4

Jeff Raybould
Vice-Chairman
St. Anthony
At Large

Vince Alberdi
Secretary
Kimberly
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Hailey
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John Rusche
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John "Bert" Stevenson
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Hope
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RE: Application to Lease Water Right 37-07842 to the Water Supply Bank

To Whom it Concerns,

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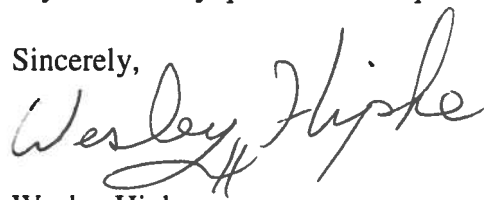
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If you have any questions or require more information please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Wesley Hipke". The signature is fluid and written in dark ink.

Wesley Hipke
Recharge Program Manager

STATE OF IDAHO
WATER RESOURCE BOARD

**APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK**

RECEIVED

JAN 08 2018

DEPARTMENT OF
WATER RESOURCES

Designated Applicant Idaho Water Resource Board
(Select one owner – see item 1A on the application)

Water Right No. 37-07842
(One water right per application)

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

Yes ☒ No ☐

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. Applications that do not meet the minimum requirements will not be processed and may be returned or denied.

MINIMUM REQUIREMENT CHECKLIST

All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

Yes

- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*.
- ☐ Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
- ☒ Confirmation this form has been printed single sided, per requirement of the Water Supply Bank.

Attachment N/A Yes

- | | | | |
|----|-------------------------------------|-------------------------------------|--|
| 1A | ☐ | ☐ | Signatures and contact information for <i>all owners</i> of the water right to be leased or sold on this application. |
| 1B | ☒ | ☐ | An <u>Internal Revenue Service (IRS) Form W-9</u> for the Designated Applicant. |
| 1C | ☒ | ☐ | <i>Notice of Change in Water Right Ownership</i> form (accessible from www.idwr.idaho.gov). |
| 1D | ☐ | ☒ | Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity. |
| 2 | ☐ | ☒ | Description of a water right portion offered to the Water Supply Bank. |
| 3 | ☐ | ☒ | A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov . |
| 4A | ☐ | ☒ | Written consent from irrigation district or water delivery company. |
| 4G | ☐ | ☒ | Evidence demonstrating the water right has not been forfeited pursuant to <u>Section 42-222(2), Idaho Code</u> . |

Department Use Only

Fee Amount \$	Received By:	Date Received:	Receipt #
W-9 received? Yes ☐ No ☐	(Route W-9 to Fiscal)	Name on W-9:	

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant Idaho Water Resource Board

Mailing Address <u>PO Box 83720</u>	<u>Boise</u>	<u>ID</u>	<u>83702</u>
Street	City	State	Zip Code

Email Address _____ Phone Number _____

☒ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☒ No ☐
If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☒ No ☐
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative Wesley Hipke Organization Idaho Department of Water Resources

Professional Title Recharge Project Manager Email Address wesley.hipke@idwr.idaho.gov

Mailing Address PO Box 83720 Boise ID 83702 Phone Number 208-287-4832

☒ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☐ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☒ The full water right is being offered to the Bank.

OR

☐ A part of the water right is being offered to the Bank.

If a portion of the water right is being offered, complete Attachment 2.

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled 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 idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map Attachment 3.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☒ No ☐
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

- B. Please provide a description of the current water diversion and delivery system.

Current water diversion (POD) is part of the Big Wood Canal Company system.

- C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. None

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☒

Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

- E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☒

If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.

- F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. Water available for recharge occurs approximately 3 out of every 10 years. Volumes of water available for recharge are highly variable when they do occur. In the last 5 years recharge occurred only once for 39,240 af in 2017.

- G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒

If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?

If yes, describe.

Yes ☐ No ☒

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

- A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒?

If lease, specify the years when the use of water will be suspended: 2018 to 2022 (maximum lease period 5 calendar years).
(Year) (Year)

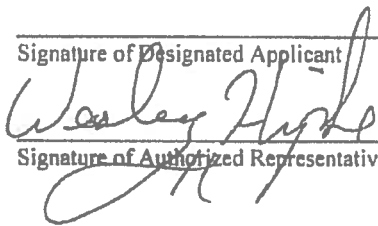
- B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

Signature of Designated Applicant



Printed Name

Wesley Hipke

Date

1/8/2018

Signature of Authorized Representative

Printed Name

Date

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

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

RECEIVED

JAN 08 2018

DEPARTMENT OF
WATER RESOURCESApplicant Name: Idaho Water Resource Board

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)

37-04842

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Idaho Water Resource Board

Mailing Address PO Box 83720 Boise ID 83702
Street City State Zip Code

Email Address _____ Phone Number _____

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 Wesley Hipke Professional Title Recharge Project Manager

Organization Idaho Department of Water Resources Relationship to Applicant IWRB Staff

Mailing Address PO Box 83720 Boise ID 83702

Email Address wesley.hipke@idwr.idaho.gov Phone Number 208-287-4832

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

The proposed use is for recharging the aquifer. If the water right is in priority before irrigation season the canal systems at the Proposed PODs would be used to recharge water along with the specific sites (Proposed POUs).

If the water right is in priority after the irrigation season than the Proposed POUs would be used for recharge.

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)
800 CFS	50,000 AF	10 CFS	1,000 AF	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?	
01/01/2018	12/31/2022	☒ 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):

The Richfield and Dietrich Canal systems along with the Milner-Gooding Canal will be utilized to deliver the water to the canal systems and the specified POUs for managed recharge

- 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
Richfield Canal - Headgate	Big Wood River	
Dietrich Canal - Headgate	Big & Little Wood Rivers	
Milner-Gooding Canal	Big & Little Wood Rivers	
Dry Bed - Big Wood River	Big Wood River	

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 _____ (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: Recharge from: 01/01 (mm/dd) to: 12/31 (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:

N/A

**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)
37-04842	Rehcharge	800	63,000			800	63,000	
<i>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</i>					TOTAL	800	63,000	
						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**:

Any water that is recharged that would otherwise flow out of the Eastern Snake River Plain is a benefit to the aquifer.

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:

Rented 37-7842 in 2017, however the lease/rental expired 12/31/2017, therefore, need to extend the lease.

- 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 ☒

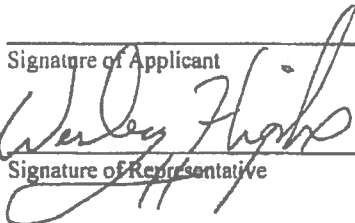
If yes, describe the date and location of the NOV.

- D. Additional Information

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



Printed Name of Applicant

Wesley Hipke

Date

1/8/2018

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

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

RECEIVED

JAN 08 2018

**DEPARTMENT OF
WATER RESOURCES**

Applicant Name: Idaho Water Resource Board

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)

37-04842

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Idaho Water Resource Board

Mailing Address PO Box 83720 Boise ID 83702
Street City State Zip Code

Email Address _____ Phone Number _____

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 Wesley Hipke Professional Title Recharge Project Manager

Organization Idaho Department of Water Resources Relationship to Applicant IWRB Staff

Mailing Address PO Box 83720 Boise ID 83702

Email Address wesley.hipke@idwr.idaho.gov Phone Number 208-287-4832

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

The proposed use is for recharging the aquifer. If the water right is in priority before irrigation season the canal systems at the Proposed PODs would be used to recharge water along with the specific sites (Proposed POUs).
If the water right is in priority after the irrigation season than the Proposed POUs would be used for recharge.

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)
800 CFS	50,000 AF	10 CFS	1,000 AF	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?	
01/01/2018	12/31/2022	☒ 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):

The Richfield and Dietrich Canal systems along with the Milner-Gooding Canal will be utilized to deliver the water to the canal systems and the specified POUs for managed recharge

- 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
Richfield Canal - Headgate	Big Wood River	
Dietrich Canal - Headgate	Big & Little Wood Rivers	
Milner-Gooding Canal	Big & Little Wood Rivers	
Dry Bed - Big Wood River	Big Wood River	

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 _____ (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: Recharge from: 01/01 (mm/dd) to: 12/31 (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:

N/A

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)
37-04842	Rehcharge	800	63,000			800	63,000	
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	800	63,000	
						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**:

Any water that is recharged that would otherwise flow out of the Eastern Snake River Plain is a benefit to the aquifer.

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:

Rented 37-7842 in 2017, however the lease/rental expired 12/31/2017, therefore, need to extend the lease.

- 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 ☒

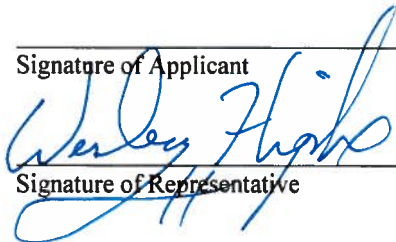
If yes, describe the date and location of the NOV.

- D. Additional Information

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



Printed Name of Applicant

Wesley Hipke

Date

1/8/2018

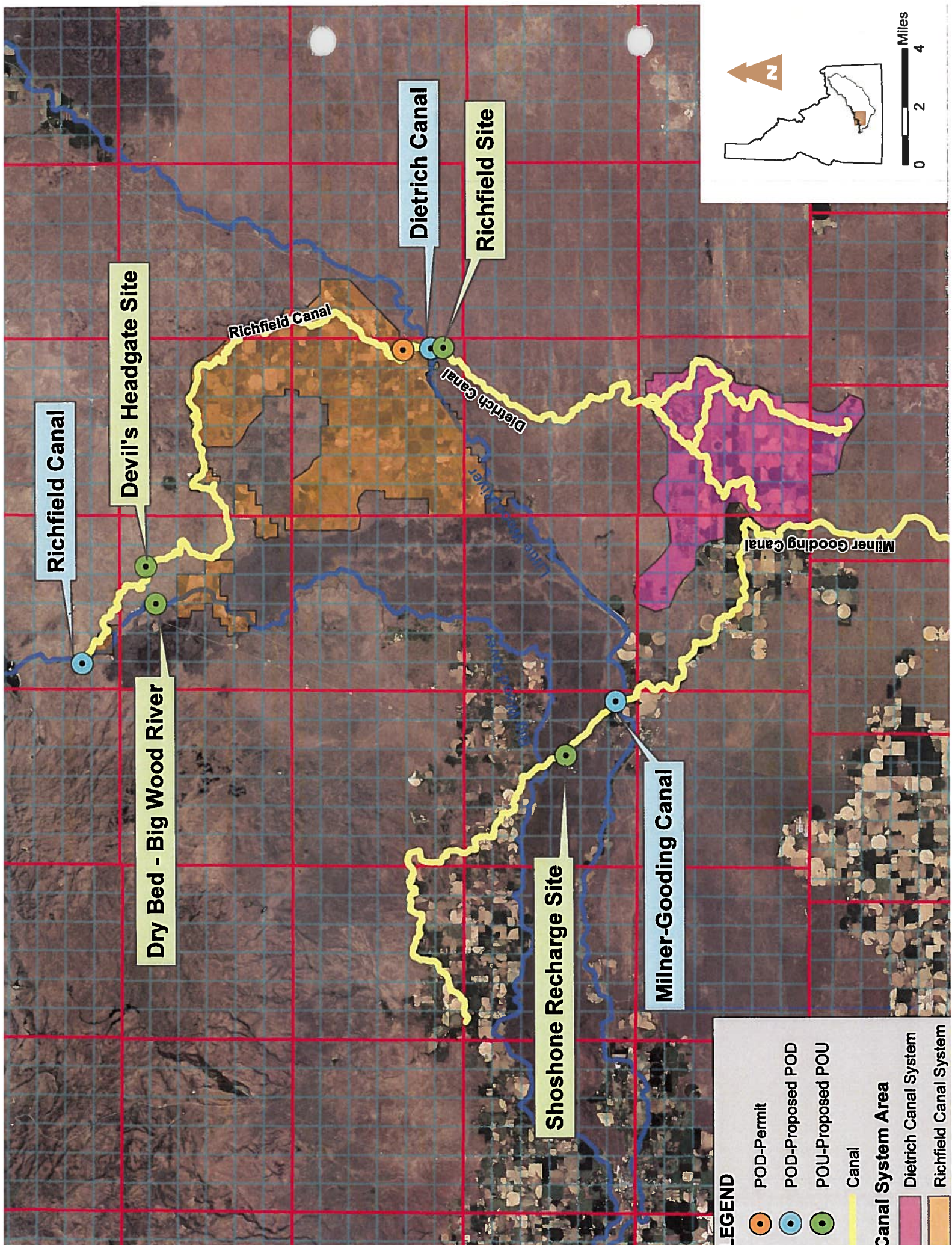
Signature of Representative

Printed Name of Representative

Date

Mail to:

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



Richfield Canal

Devil's Headgate Site

Dry Bed - Big Wood River

Shoshone Recharge Site

Milner-Gooding Canal

Dietrich Canal

Richfield Site

Richfield Canal

Dietrich Canal

Milner Gooding Canal

LEGEND

- POD-Permit
- POD-Proposed POD
- POU-Proposed POU
- Canal

Canal System Area

- Dietrich Canal System
- Richfield Canal System



**STATE OF IDAHO
WATER RESOURCE BOARD**

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

RECEIVED

DEC 12 2017

DEPARTMENT OF
WATER RESOURCESApplicant Name: Idaho Water Resource Board

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	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			
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)

37-07842

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Idaho Water Resource Board

Mailing Address PO Box 83720 Boise ID 83702
Street City State Zip Code
Email Address _____ Phone Number _____

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 Wesley Hipke Professional Title Recharge Project Manager
Organization Idaho Department of Water Resources Relationship to Applicant IWRB Staff
Mailing Address PO Box 83720 Boise ID 83702
Email Address wesley.hipke@idwr.idaho.gov Phone Number 208-287-4832

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

The proposed use is for recharging the aquifer. If the water right is in priority before irrigation season the canal systems at the Proposed PODs would be used to recharge water along with the specific sites (Proposed POU's).
If the water right is in priority after the irrigation season than the Proposed POU's would be used for recharge.

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)
250 CFS	13,900 AF	10 CFS	1,000 AF	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?	
01/01/2018	12/31/2022	☒ 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):

The Richfield and Dietrich Canal systems along with the Milner-Gooding Canal will be utilized to deliver the water to the canal systems and the specified POUs for managed recharge

- 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
Richfield Canal - Headgate	Big Wood River	
Dietrich Canal - Headgate	Big & Little Wood Rivers	
Milner-Gooding Canal	Big & Little Wood Rivers	
Dry Bed - Big Wood River	Big Wood River	

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 _____ (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: Recharge from: 01/01 (mm/dd) to: 12/31 (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:

N/A

**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)
37-07842	Rehcharge	250	13,900			250	13,900	
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	250	13,900	
						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**:

Any water that is recharged that would otherwise flow out of the Eastern Snake River Plain is a benefit to the aquifer.

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:

Rented 37-7842 in 2017, however the lease/rental expires 12/31/2017, therefore, need to extend the lease.

- 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 ☒

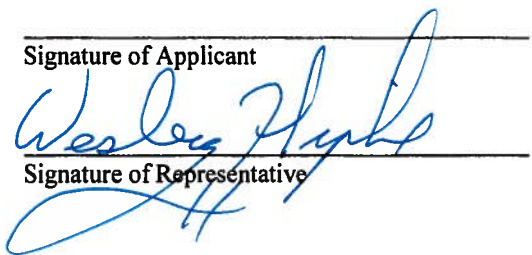
If yes, describe the date and location of the NOV.

- D. Additional Information

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



Printed Name of Applicant

Wesley Hipke

Printed Name of Representative

Date

12/7/2017

Date

Mail to:

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

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

DEC 12 2017

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Idaho Water Resource Board

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)

37-07842

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant Idaho Water Resource Board

Mailing Address <u>PO Box 83720</u>	<u>Boise</u>	<u>ID</u>	<u>83702</u>
Street	City	State	Zip Code

Email Address _____ Phone Number _____

☒ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☒ No ☐
If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☒ No ☐
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative Wesley Hipke Organization Idaho Department of Water Resources

Professional Title Recharge Project Manager Email Address wesley.hipke@idwr.idaho.gov

Mailing Address PO Box 83720 Boise ID 83702 Phone Number 208-287-4832

☒ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☐ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☒ The full water right is being offered to the Bank.

OR

☐ A part of the water right is being offered to the Bank.

If a portion of the water right is being offered, complete Attachment 2.

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled 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 idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☒ No ☐
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

- B. Please provide a description of the current water diversion and delivery system.

Current water diversion (POD) is part of the Richfield canal system.

- C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. None

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☒

Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

- E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☒

If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.

- F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. Water available for recharge occurs approximately 3 out of every 10 years. Volumes of water available for recharge are highly variable when they do occur. In the last 5 years recharge occurred only once for 39,240 af in 2017.

- G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒

If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?

If yes, describe.

Yes ☐ No ☒

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

- A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒?

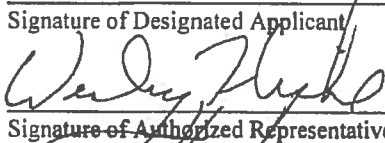
If lease, specify the years when the use of water will be suspended: 2018 to 2022 (maximum lease period 5 calendar years).
(Year) (Year)

- B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.
-
-

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

Signature of Designated Applicant

Signature of Authorized Representative

Printed Name
Wesley Hipke
Printed Name

Date
12/7/2017
Date

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

WATER CONVEYANCE CONTRACT
BETWEEN THE IDAHO WATER RESOURCE BOARD
AND THE BIG WOOD CANAL COMPANY

CONTRACT No. CON01075

THIS AGREEMENT is made and entered into this 9 day of Jan, 2015, by and between the IDAHO WATER RESOURCE BOARD (Board) and the BIG WOOD CANAL COMPANY (BWCC).

RECITALS

A. The Board was created under Article XV, Section 7 of the Constitution of the State of Idaho, with the power to construct and operate water projects.

B. BWCC operates and maintains an irrigation delivery system.

C. The Board and BWCC seek to enter into a contract to deliver water over the next five years into the BWCC system for the purpose of aquifer recharge to assist with stabilizing the Eastern Snake Plain Aquifer.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **DESIGNATION OF PROJECT MANAGERS**

A. The Board's Project Manager shall be Neal Farmer, of the Idaho Department of Water Resources. The Director of the Department may change the Board's Project Manager at any time by written notice served on BWCC.

B. BWCC's Project Manager shall be Lynn Harmon, BWCC Manager. BWCC may change Project Manager at any time by written notice served to the Idaho Department of Water Resources.

2. **STATEMENT OF PURPOSE**

The purpose of this Contract is to provide the conditions for the delivery of water into the BWCC Canal and to any other approved recharge sites for the purposes of managed recharge to assist with stabilizing the Eastern Snake Plain Aquifer. The IWRB shall not make available any water delivered under this agreement to use as mitigation credits.

3. SCOPE OF WORK TO BE PERFORMED

A. BWCC shall, utilizing its forces, deliver the Board's recharge water right (37-7842) or other waters that may be legally available to the Board for aquifer recharge at the request of the Board and when in priority as determined by the Watermaster of Water District No. 37, pursuant to Exhibit A, Notice to Proceed, attached hereto labeled as Exhibit A and incorporated by this reference. The Board shall authorize water deliveries at every level in the graduated payment schedule described under each Notice to Proceed. Recharge may occur during the non-irrigation season, or during the irrigation season if the Board's recharge right is in priority and if BWCC has an acceptable off-canal delivery location and capacity in their system.

B. The time authorized for recharge will be established in the Notice to Proceed, except that BWCC may reduce or cease delivery of Board's water at its discretion to provide for the needs of its shareholders.

C. No diversion of recharge water shall occur until a Notice to Proceed has been issued by the Board specifically authorizing the date to begin diverting water for recharge and the quantity of water to be diverted.

D. BWCC will provide an accounting of the Board's water delivered to its canal system including an accounting of any of the Board's water not recharged and spilled back to the Snake and Wood Rivers. In computing accomplished recharge, a conversion factor of 1.9835 acre-feet per day (a-f/d) per cubic feet per second (cfs) shall be used. Miner's inches shall be defined as 50 inches equal to 1 cfs. Discrepancies in flow or volume measurements between the Board and the BWCC shall be resolved before payment will be made.

E. There shall be an acceptable method of measuring delivered water and any spilled water. Water delivered and compensation owed shall be documented for each level under the graduated payment schedule. Intervals between authorizations under the Notice to Proceed shall provide an opportunity for the Board to review cumulative water deliveries and total compensation owed.

F. Intervals between authorizations under the Notice to Proceed shall also provide an opportunity for the Board to assess any exposure to liability that may have arisen since the authorization under the previous Notice to Proceed.

G. If spill from the canal system occurs while only the Board's recharge right or other water specifically identified for recharge purposes are being diverted, the spilled water shall be subtracted from the volume of diverted water. The spilled recharge water shall not be credited as accomplished recharge.

H. If spill from the canal system occurs while diversions for irrigation and recharge are occurring, the spilled water shall be assumed to be in the same proportion of irrigation to recharge as is diverted into the system. The spilled recharge water shall not be credited as accomplished recharge.

4. COMPENSATION AND INVOICES

A. The Board shall pay the BWCC per acre-foot for accomplished recharge, up to an amount not to exceed fifty thousand dollars (\$50,000.00) annually for the term of this contract.

B. Graduated Payment Schedule compensation will be based on the following payment plan:

Number of Days Water Delivered within the Recharge Season during the Year (between when recharge water right turns on in fall and turns off the following spring)	Payment rate per AF delivered within Annual Recharge Season
1-to-25 days	\$3/AF
26-to-50 days	\$5/AF
51-to-80 days	\$7/AF
81-to-120 days	\$10/AF
More than 120 days	\$14/AF

C. No payment is authorized under this Contract unless a Notice to Proceed has been issued by the Board specifically authorizing the date to begin diverting water for recharge and the quantity of water to be diverted.

D. The amount of water recharged shall be calculated as the amount of the Board's recharge water or other waters legally available for recharge purposes, diverted into the BWCC canal less any water identified for recharge purposes that is spilled back to the Snake River System. During times of irrigation deliveries, only that recharge that occurs at designated off-canal sites shall be recognized.

E. BWCC shall submit an invoice for payment to the Board following each recharge season upon successful completion of recharge water delivery, however the sum total of invoices submitted during the term of this contract shall not exceed two hundred fifty thousand dollars (\$250,000). Under no circumstance shall payment authorized under the Notice to Proceed exceed the total amount of compensation authorized under the Contract. The Board shall approve the invoice and provide payment within 30 days from the receipt of the invoice.

F. The Board is contemplating advancing funds to BWCC for infrastructure modifications necessary to accommodate winter-time recharge deliveries under a companion contract. If such funds are advanced by the Board and accepted by BWCC, and BWCC does not deliver at total of 3,600 acre-feet to recharge during the initial term and subsequent terms of this contract, BWCC shall return said funds to the Board.

5. INSPECTIONS BY THE BOARD

The Board's Project Manager, or his designee, together with the BWCC's Project Manager or his designee, shall inspect or review the work for compliance with the Scope of Work during the term of this Contract.

6. RECORD KEEPING

BWCC shall establish and keep for a period of three years following final disbursement by the Board such financial records as will fully disclose the amount and disposition of the total payment, the purpose or undertaking for which such funds were used, and such other records as the Board may reasonably prescribe.

7. TERM

The initial term of this contract shall be one (1) year and shall be extended automatically each year under the same terms and conditions up to maximum of four (4) extensions covering a total of five (5) years unless terminated by either party. Either party may terminate the contract by providing written notice to the other 30 days before the end of the annual term.

8. GENERAL TERMS AND CONDITIONS

BWCC shall abide by all applicable terms and conditions contained in the Standard Contract Provisions, Idaho Water Resource Board, attached hereto as "Attachment A" and incorporated herein by this reference.

9. DUPLICATE ORIGINAL

This contract is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

IN WITNESS WHEREOF, the parties have executed this contract on the date following their respective signatures.

IDAHO WATER RESOURCE BOARD

322 East Front Street

P.O. Box 83720

Boise, ID 83720-9998

FOR

Roger Chase
Chairman

Idaho Water Resource Board

1/9/15

Date

BIG WOOD CANAL COMPANY

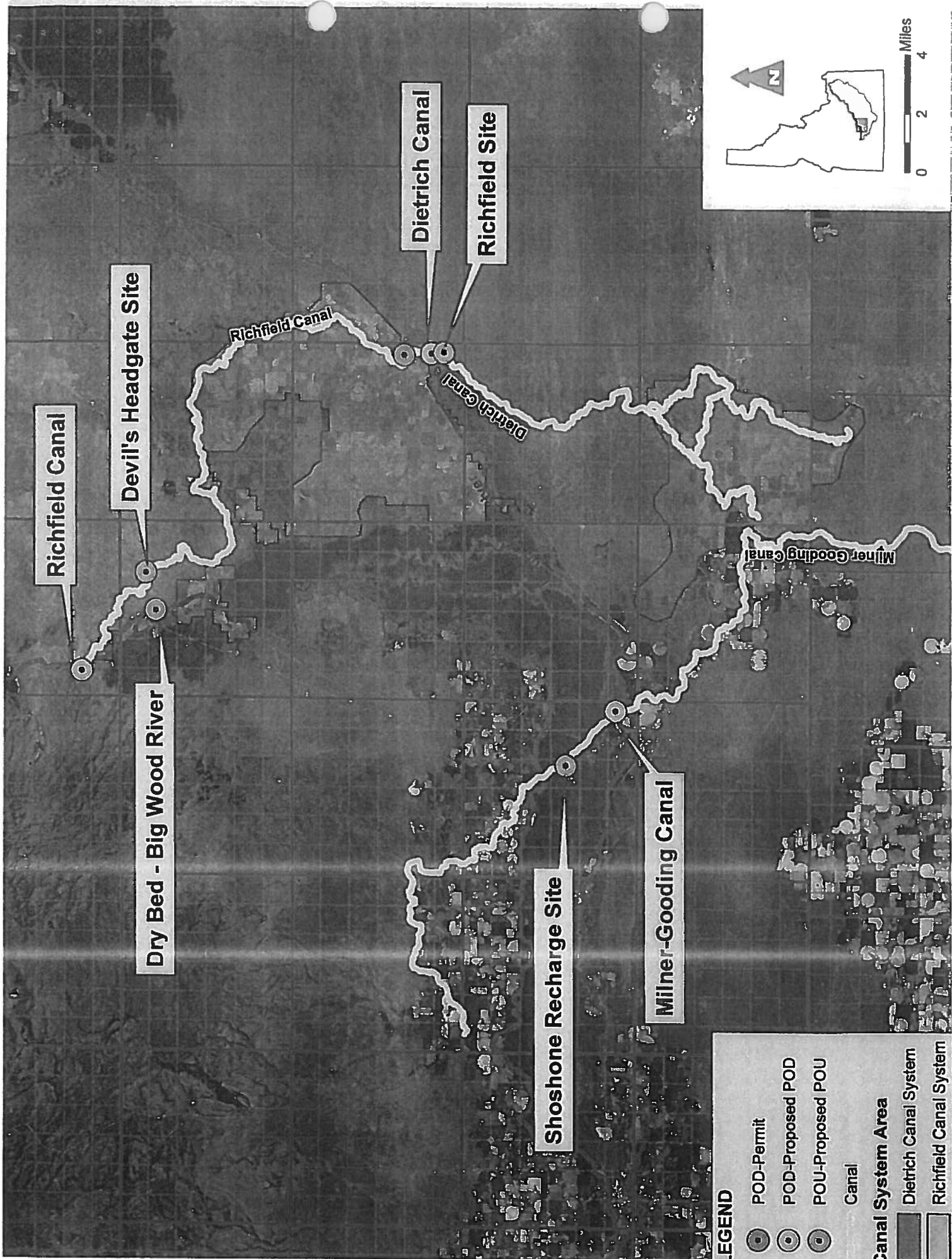
409 Apple Street

Shoshone, ID 83352

Carl Lindstrom
Board Chairman
Big Wood Canal Company

1/2/2015

Date



Richfield Canal

Devil's Headgate Site

Dry Bed - Big Wood River

Shoshone Recharge Site

Milner-Gooding Canal

Dietrich Canal

Richfield Site

Richfield Canal

Dietrich Canal

Milner Gooding Canal

LEGEND

- POD-Permit
- POD-Proposed
- POU-Proposed
- Canal

- Canal System Area
- Dietrich Canal System
 - Richfield Canal System

