

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 203

RECEIVED

JAN 22 2018

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

PAUL GUNDERSON

1555 E 1500 N

HAMER, ID 83425

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

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
35-2924	7/21/1965	GROUND WATER	1.09	235.8	59.0
Combined Rental Totals			1.09	235.8	59.0

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

Annual Rental Fee:

2018: \$4,716.00

The full fee for the rental of the above-described right(s) is \$4,716.00 for 2018. The rental fee includes an administrative fee of \$471.60 for 2018.

Total Water Use Authorized Under Rental Agreement [Click here to enter text.](#)

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	1.09	206.5	59.0	0.018	3.5
Combined Total	1.09	206.5	59.0	0.018	3.5

** The authorized water usage reflects a reduction from the water right elements rented, to account for a change in nature of use*

Detailed water right conditions are attached.

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

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

Paul Gundersen 1/11/18
Signature of Renter Date

PAUL GUNDERSON owner
Printed Name Title

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

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

By Brian Patton Date 1/22/2018
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR Ch. Webb Date 1-22-2018

WATER SUPPLY BANK RENTAL AGREEMENT No. 203

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW Sec. 25, Twp 07N, Rge 35E, JEFFERSON County

Beneficial Use
IRRIGATION

Diversion Rate
1.09 CFS

Volume
235.8 AF

BENEFICIAL USE & SEASON OF USE

Water Right No.
35-2924

From
4/1

To
10/31

Diversion Rate
1.09 CFS

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	35E	26	0.5		0.5	33.0										25.0			59.0

Total Acres: 59.0

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
6. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date. This rental for mitigation by non use may be ineffective if the mitigating water right is not in priority.
7. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
8. This rental agreement does not authorize the construction of a well.
9. Prior to diversion and use of water under this approval, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

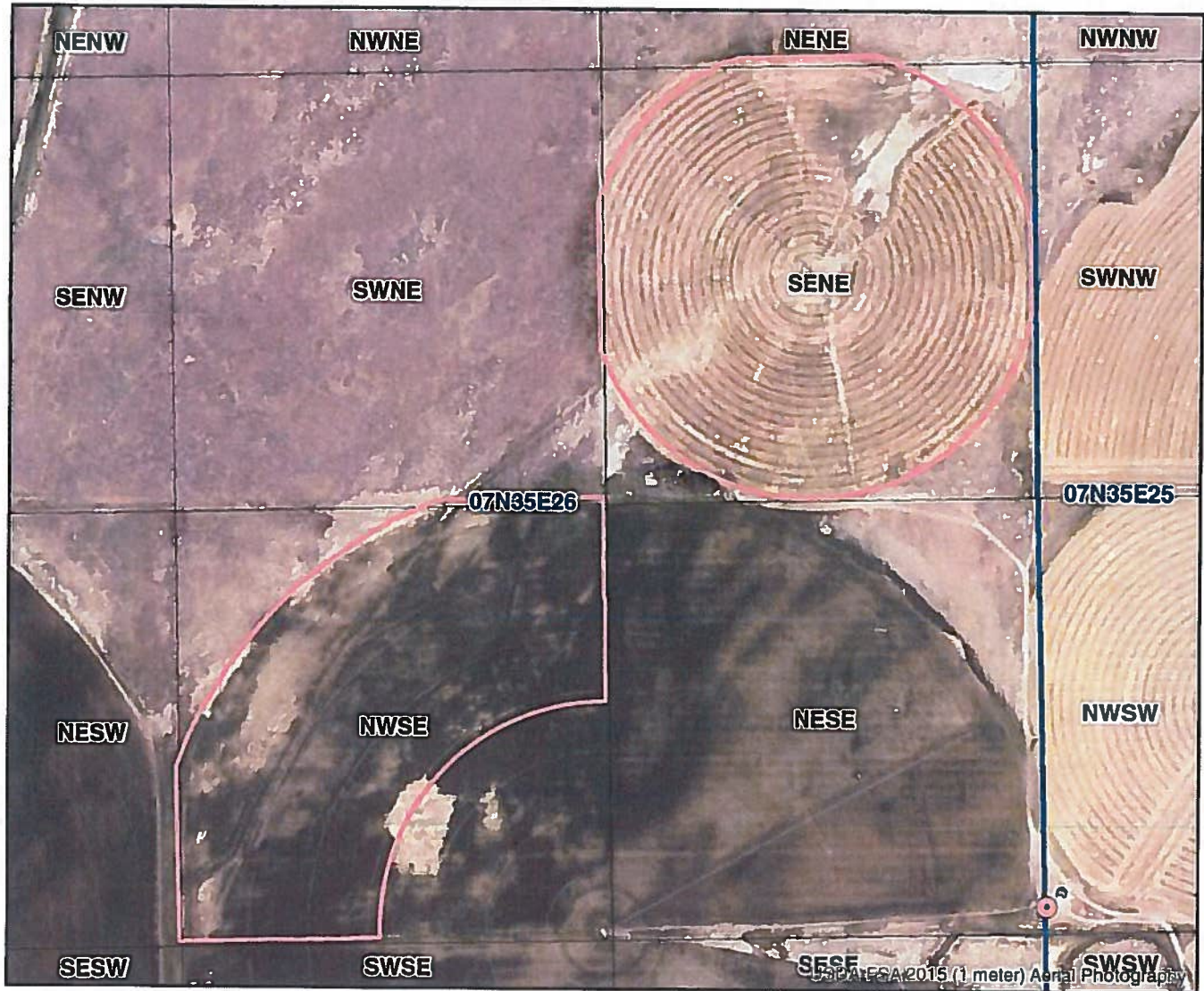
11. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
12. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 110.
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
14. The following rights are also diverted through the point of diversion described above: 31-11604, 31-11688, 31-11689 and 31-7338.



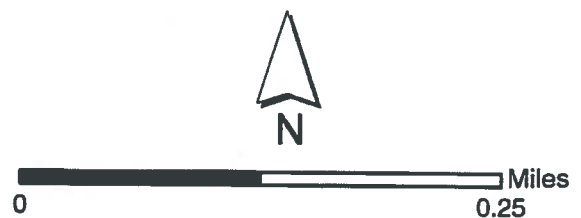
Idaho Water Resource Board
Water Supply Bank Rental Agreement No. 203

Effective until December 31, 2018

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



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



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

RECEIVED

DEC 01 2017

DEPARTMENT OF
WATER RESOURCES

Applicant Name: Paul Gunderson

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)

35-2924

915

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Paul Gunderson

Mailing Address <u>1555 E 1500 N</u>	Hamer	ID	83425
Street	City	State	Zip Code
Email Address _____	Phone Number <u>208-663-4412</u>		

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 <u>Kristin Moore</u>	Professional Title <u>Sen. Water Right Analyst</u>
Organization <u>Rocky Mtn Environmental Assoc.</u>	Relationship to Applicant <u>Consultant</u>
Mailing Address <u>482 Constitution Way Ste 303, Idaho Falls, ID 83402</u>	
Email Address <u>kristin.rmea@gmail.com</u>	Phone Number <u>208-524-2353</u>

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**:

This application is for a small pivot and additional lands within a large pivot that are not covered by an existing water right. The small pivot will require 33.5 acres of water right. The remaining 25.5 acres will be applied to the northwest corner of a large pivot in the NWSE of Section 26, T7N R35E.

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)
1.18 CFS	206.5 AF	1.0 CFS	177 AF	59 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?	
5/1/2018	6/15/2018	☒ 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):

Wells with pumps deliver water to mainlines, which convey water to center pivots.

- 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
T7N R35E SEC 25 NWSW	Ground Water	31-11604, 31-11688, 31-11689, 31-7338

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

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

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

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

Some of the rental POU is covered by the PPU of WR #s 31-11689, 31-11604, 31-11689, 31-12314, which is limited in irrigable acres. Rental increases irrigable acres under the large pivot. WR #31-11228 overlaps the small pivot with 2 acres. The remaining 33.5 acres are covered by proposed rental.

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)
35-2924	Irrigation	1.11	241	NA		1.09	235.8	59
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	1.09	235.8	59
						CFS	AF	AC

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

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

N/A

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

Yes ☒ No ☐

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

Yes. IDWR memo indicates water right is fully consumptive. Applied IDWR's proportions to rental application.

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 water right 35-2924 in 2017. No permanent water right has been found available to transfer to this property.

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

If yes, describe:

Yes ☐ No ☒

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV?

Yes ☐ No ☒

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

- D. Additional Information

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.



Signature of Applicant

Paul Gunderson

Printed Name of Applicant

11/27/17

Date

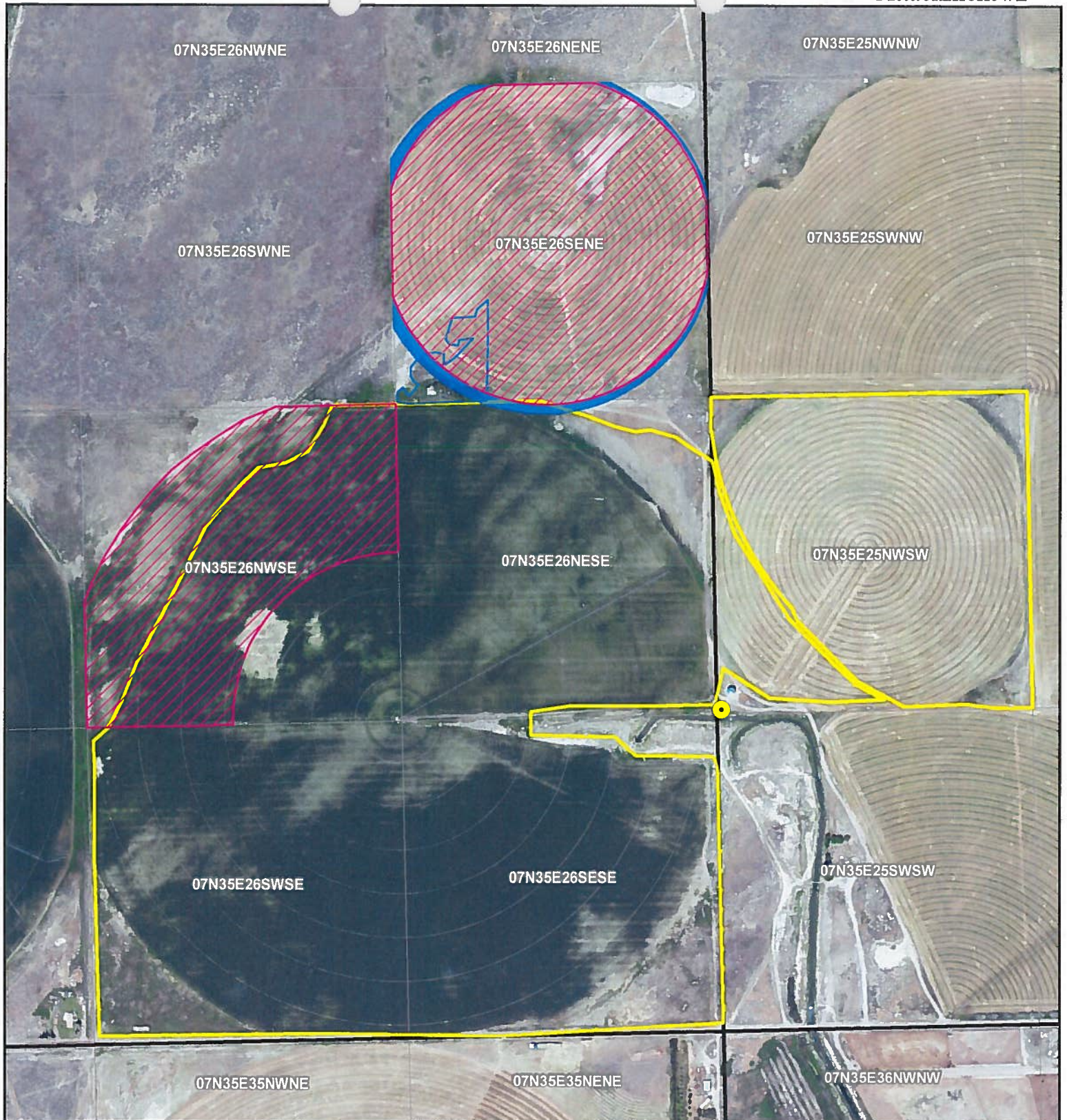
Signature of Representative

Printed Name of Representative

Date

Mail to:

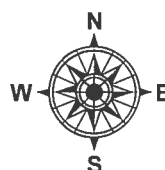
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098



2015 Aerial Photography

Legend

- Proposed POD
- WSB Acres
- WRPOU 31-11228
- WRPOU 31-11228 Actual
- WRPOU 31-12314
- TR
- TRS
- QQ



WSB Rental Application

Paul Gunderson

RMEA #12-0166

by: KM

February 14, 2017



Eastern Snake Plain Aquifer Modeling Analysis

The Applicant requires an additional 59 acres at the proposed place of use to irrigate acres under existing pivot and another small pivot. Water Right 35-2924 is available in the Water Supply Bank for 2018 and 2019 irrigation seasons. It is proposed to rent an equivalent of 59 acres of this commercial water right for the purposes of irrigation at the proposed place of use for one year. The water right has been evaluated by IDWR and assigned a volume of 4 af/acre. The proposed place of use requires a lower consumption of water.

Using ESPAM 2.1 to simulate the depletions of transferring 59 acres at a consumptive volume of 3.0 af/acre (determined from the water right place of use), the affects do not exceed the threshold of 2.0 af/trimester. No mitigation is required.

Figures 1-3 include excerpts from the ESPAM 2.1 simulation.

Figure 1. Data Entry

ENHANCED GROUND-WATER RIGHTS TRANSFER
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON
 TRANSFER NO: 35-2924
 YEAR: 1965
 SEASON: SUMMER
 TRANSFER NAME: Gunderson Rental

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	42	61	75	45
COLUMN	163	164	105	30

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SUM 1965	0	59	59	0	0	0	0
WIN 1965	0	59	59	0	0	0	0
SPR 1966	0	59	59	0	0	0	0
SUM 1966	0	59	59	0	0	0	0
WIN 1966	0	59	59	0	0	0	0
SPR 1967	0	59	59	0	0	0	0
SUM 1967	0	59	59	0	0	0	0
SPR 2017	0	59	59	0	0	0	0
SUM 2017	0	59	59	0	0	0	0
WIN 2017	0	59	59	0	0	0	0
SPR 2018	59	0	59	0	0	0	0
SUM 2018	59	0	59	0	0	0	0
WIN 2018	59	0	59	0	0	0	0
SPR 2019	0	59	59	0	0	0	0
SUM 2019	0	59	59	0	0	0	0
WIN 2113	0	59	59	0	0	0	0
SPR 2114	0	59	59	0	0	0	0
SUM 2114	0	59	59	0	0	0	0
WIN 2114	0	59	59	0	0	0	0
SPR 2115	0	59	59	0	0	0	0

Figure 2. Net Transfer Graphs

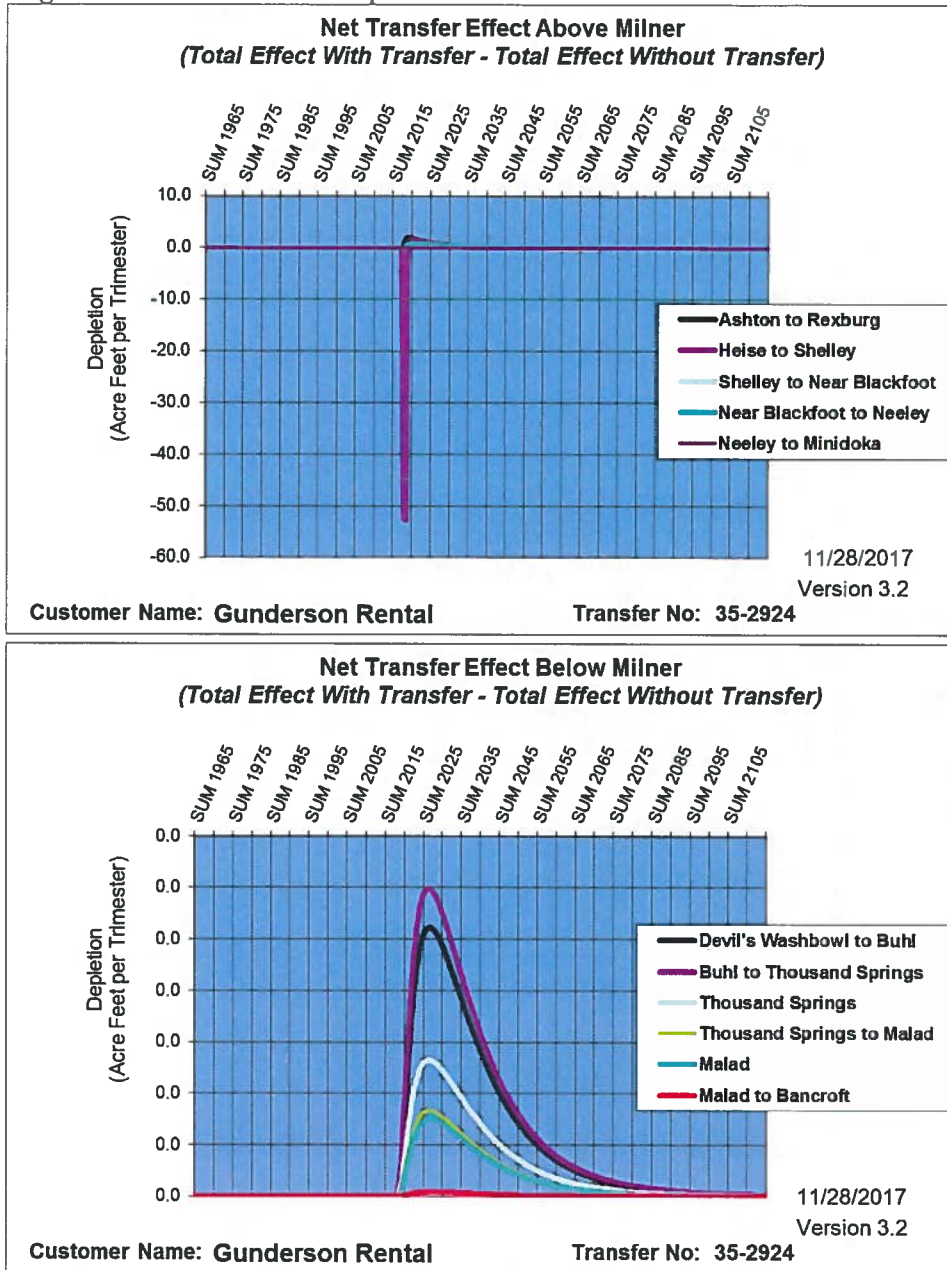


Figure 3. Calculated Affects.

Enter First Time Step of Transfer: SUM 1965													
Match:	1	Match:	456										
	AtR	HiS	StNB	NBN	NIM	DWIB	BiTS	TS	TSIM	M	MTB	Total	
Preexisting Effects @ SS (Last Time Step)	0.18	55.57	1.02	2.08	0.01	0.04	0.04	0.02	0.01	0.01	0.00	58.99	Total Effect
dy State - Value of Dep. @ Last Time Step	0.18	55.57	1.02	2.09	0.01	0.04	0.04	0.02	0.01	0.01	0.00	59.00	Total Effect
ts @ Transient State (Max Value Timestep)	0.18	55.57	1.02	2.08	0.01	0.04	0.04	0.02	0.01	0.01	0.00	58.99	Total Effect
nt State - Max. Value of Dep. After Transfer	2.16	57.12	1.34	2.93	0.02	0.05	0.06	0.02	0.02	0.01	0.00	63.74	Total Effect
Steady State Change:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	1.98	1.55	0.33	0.85	0.00	0.01	0.01	0.01	0.00	0.00	0.00		



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 23, 2018

PAUL GUNDERSON
1555 E 1500 N
HAMER ID 83425

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 35-2924**

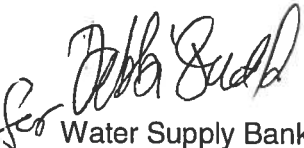
Dear Renter:

Please find enclosed a receipt in the amount of **\$4,716.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 235.8 acre-feet of water for irrigation of 59.0 acres during 2018. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$4,244.40 of the rental fee will be paid to the lessor(s) and 10% or \$471.60 will be retained by the Department to offset administrative costs.

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

Sincerely,


for Water Supply Bank

Enclosures: Receipt No. C104554
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office/Water District # 120
Kristin Moore – Rocky Mountain Environmental



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 11, 2018

PAUL GUNDERSON
1555 E 1500 N
HAMER ID 83425

RE: **APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 35-2924**

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

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, together with the rental fee described below, the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

A rental fee of \$4,716.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 235.8 acre-feet.

Please send a check for \$4,716.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. Pursuant to the Water Supply Bank Rules, 90% or \$4,244.40 of the rental fee will be paid to the lessor(s) and 10% or \$471.60 will be retained by the Department to offset administrative costs.

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

Sincerely,

for Water Supply Bank

Enclosure

c: IDWR Front Desk
Kristin Moore – Rocky Mountain Environmental

MEMORANDUM

To: Right 35-2924

From: Michele Edl (Sandra Thiel, 2018)

Date: January 2, 2018

Re: Review & Analysis of Paul Gunderson's Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: On December 1, 2017, Kristin Moore from Rocky Mountain Environmental Associates Inc. submitted a water supply bank rental on behalf of Paul Gunderson. The application proposes the rental of water for 59 acres and requests the use of right 35-2924 for the 2018 irrigation season.

There have been previous rentals at the place of use. In 2016, Mr. Gunderson rented a portion of right 35-2924 in response to a notice of violation. See Enforcement action E2016-959. During the 2016 season rented rights 22-4046 (44.0 acres) and 35-2924 (15.0 acres) provided irrigation. In 2017 Mr. Gunderson rented right 35-2924 to irrigate 59 acres.

AUTHORITY TO FILE: According to the 2017 Jefferson County parcel data, Paul Gunderson owns the proposed place of use and point of diversion Mr. Gunderson signed the application. The existing well is the authorized point of diversion for his rights: 31-11604, 31-11688, 31-11689 and 31-7338.

WATER RIGHT VALIDITY: Right 35-2924 is fully leased to the bank until December 31, 2019. The right is for industrial use and was decreed with rate and volume only. In a September 22, 2014 memo to the water right file, Cherie Palmer associated 60.3 acres with the leased rate and volume. The available water measurement information system data shows no diversion information.

INJURY TO OTHER WATER RIGHTS: No injury is apparent. Kristin Moore provided ESPA modeling for this rental. The modeling run showed that no mitigation is required.

ENLARGEMENT OF USE: No enlargement is anticipated. Both the lease and the rental locations have the same standard season-of-use.

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

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The rented right(s) are subject to Water District #120 and Eastern region. James Cefalo responded with no comments.

Thiel, Sandra

From: Cefalo, James
Sent: Tuesday, January 02, 2018 11:43 AM
To: Thiel, Sandra
Subject: RE: Water supply bank rental for Paul Gunderson

Sandra,

I don't have any comments or concerns for the proposed WSB Rental. It appears Mr. Gunderson is proposing to move forward with a rental that has been approved in the past.

James

From: Thiel, Sandra
Sent: Tuesday, January 02, 2018 11:36 AM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: Water supply bank rental for Paul Gunderson

Happy New Year James, the attached document describes a water supply bank rental. Please let me know if you have any questions or concerns.

Sandra Beer Thiel
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