

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT NO. 174

RECEIVED

JUN 27 2017

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

KIRK EGBERT
PO BOX 87
TERRETON, ID 83450

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

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
22-7336	10/22/1980	GROUND WATER	0.40	69.5	19.9	0.02	3.49
Rental Totals			0.40	69.5	19.9	0.02	3.49

Term of Rental: This rental shall take effect when all parties have signed it and shall continue in effect until December 31, 2020

Annual Rental Fee:

2017: \$1,181.50
2018 - 2020: \$1,390.00

The full fee for the rental of the above-described right(s) is \$1,181.50 per year for year 2017 and \$1,390.00 per year for years 2018 - 2020. The rental fee includes an administrative fee of \$118.15 per year for 2017 and \$139.00 per year for years 2018 - 2020.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT NO. 174

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


Signature of Renter

6/22/17
Date

Kirk Egbert
Printed Name

President
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, Acting Administrator
Idaho Water Resource Board

Date 6/28/2017

Rental approved by IDWR 

Date 6-28-2017

WATER SUPPLY BANK RENTAL AGREEMENT NO. 174**WATER USE DETAILS****LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER	NWNE	Sec. 2, Twp 07N, Rge 37E,	JEFFERSON County
GROUND WATER	NWNW	Sec. 1, Twp 07N, Rge 37E,	JEFFERSON County
Beneficial Use		Diversion Rate	Volume
IRRIGATION		0.40 CFS	69.50 AF

BENEFICIAL USE & SEASON OF USE

Water Right No.	From	To
22-7336	4/01	11/01

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	37E	1					4.9 L3	5.1 L4	4.9	4.6									19.5
07N	37E	2	0.2 L1			0.2													0.4

Total Acres: 19.9

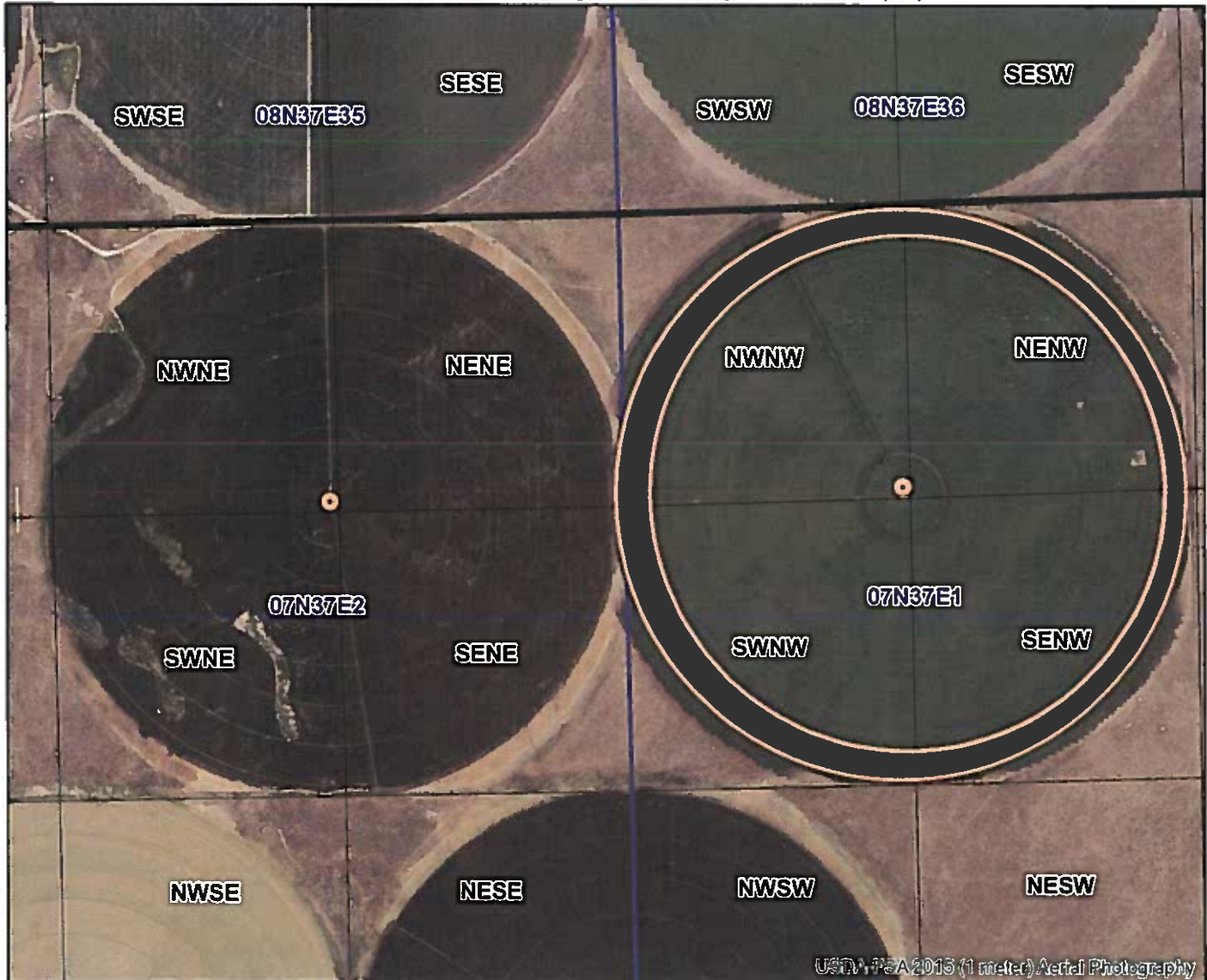
RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
6. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
7. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
8. This rental agreement does not authorize the construction of a well.

Idaho Water Resource Board
Water Supply Bank Rental Agreement No. 174
22-7336

Effective until December 31, 2020

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



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



APR 10 2017

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Kirk Egbert

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)

22-7336

8/13

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Kirk Egbert

Mailing Address PO Box 87 Terreton ID 83450
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 Kristin Moore Professional Title Senior Water Right Analyst
 Organization Rocky Mountain Environmental Assoc. Relationship to Applicant consultant
 Mailing Address 482 Constitution Way Ste 303, Idaho Falls, ID 83402
 Email Address kristin.rmea@gmail.com Phone Number 208-524-2353

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**:

Place of Use has a mitigation plan that allows 3.0 acres of water rights to be added to the place of use annually.

This rental would allow irrigation of up to 237.9 acres in 2017 based upon the scheduled acreage from the mitigation plan. Then subsequent years would increase by 3.0 acres under the original rights.

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.4 CFS	69.5 AF	0.4 CFS	69.5 AF	19.9 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?	
May 1, 2017	June 15, 2017	☐ 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):

Two wells with mainlines to two 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
NWNW S1, T7N, R37E	Ground water	31-11954, 31-11410, 31-11414, 34-11428, 31-11947
NWNE S2, T7N, R37E	Ground water	31-11954, 31-11410, 31-11414, 34-11428, 31-11947

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 19.9 (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:

Ground water rights: 31-11954, 31-11410, 31-11414, 34-11428, & 31-11947. Per the mitigation plan authorized from Transfer No. 70815, not all acres can be irrigated. Rental water supplements until these rights are available.

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)
22-7336	Irrigation	1.64	287	82		0.4	69.5	19.9
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.4	69.5	19.9
						CFS	AF	AC

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

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

N/A

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

Yes ☐ No ☒

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

Rental water has been requested for this place of use since 2008. Applicant owns sufficient water rights appurtenant to the property, but is not authorized to use all of the rights this year per the mitigation plan authorized from Transfer No. 70815.

- 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?

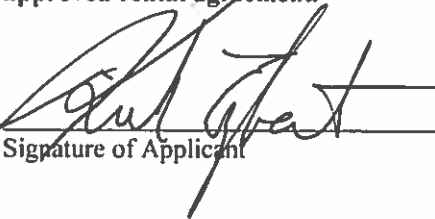
Yes ☐ No ☒

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

Kirk Egbert

Printed Name of Applicant

3/31/17
Date

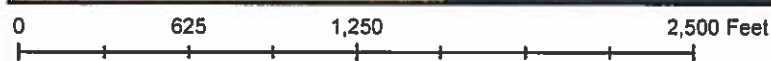
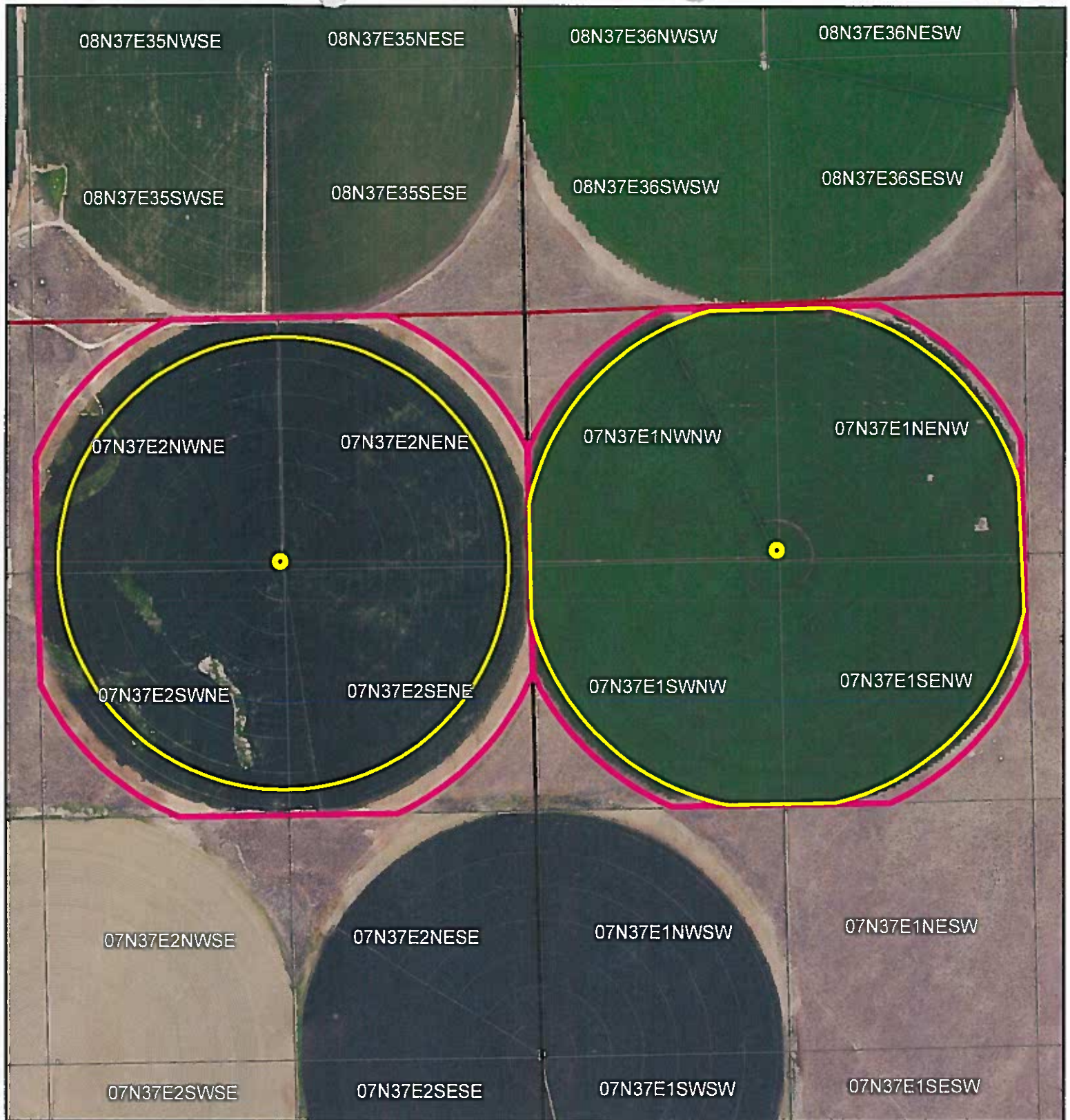
Signature of Representative

Printed Name of Representative

Date

Mail to:

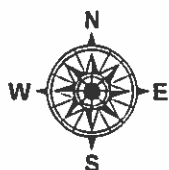
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098



2015 Aerial Photography

Legend

- WR POD
- Irrigated Acres 2017
- WR POU Existing Rights
- Twp & Rng
- Section
- QQ



Application to Rent from WSB

Kirk Egbert

RMEA #14-0152

by: KM

March 28, 2017



Eastern Snake Plain Aquifer Modeling Analysis

The Applicant requires an additional 19.9 acres at the proposed place of use for the 2017 – 2020 irrigation seasons to irrigate additional acres. Water Right 22-7336 is already leased to the Water Supply Bank until 2020. Using ESPAM 2.1 to simulate the depletions of transferring 19.9 acres or 69.5 AFA from the original point of diversion of 22-7336 to the proposed points of diversion (both within the same model cell), 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 TRANS
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO: 22-7336

YEAR: 1980

SEASON: SUMMER

TRANSFER NAME: Egbert WSB 2017

UPDATE DATES

RUN MODEL

GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	44	61	75	45
COLUMN	176	184	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 1980	0	23	23	0	0	0	0
WIN 1980	0	23	23	0	0	0	0
SPR 1981	0	23	23	0	0	0	0
SUM 1981	0	23	23	0	0	0	0
WIN 1981	0	23	23	0	0	0	0
SPR 1982	0	23	23	0	0	0	0
SUM 1982	0	23	23	0	0	0	0
WIN 1982	0	23	23	0	0	0	0
SPR 2016	0	23	23	0	0	0	0
SUM 2016	0	23	23	0	0	0	0
WIN 2016	0	23	23	0	0	0	0
SPR 2017	23	0	23	0	0	0	0
SUM 2017	23	0	23	0	0	0	0
WIN 2017	23	0	23	0	0	0	0
SPR 2018	23	0	23	0	0	0	0
SUM 2018	23	0	23	0	0	0	0
WIN 2018	23	0	23	0	0	0	0
SPR 2019	23	0	23	0	0	0	0
SUM 2019	23	0	23	0	0	0	0
WIN 2019	23	0	23	0	0	0	0
SPR 2020	23	0	23	0	0	0	0
SUM 2020	23	0	23	0	0	0	0
WIN 2020	23	0	23	0	0	0	0
SPR 2021	0	23	23	0	0	0	0
SUM 2021	0	23	23	0	0	0	0
WIN 2021	0	23	23	0	0	0	0
SPR 2129	0	23	23	0	0	0	0
SUM 2129	0	23	23	0	0	0	0
WIN 2129	0	23	23	0	0	0	0
SPR 2130	0	23	23	0	0	0	0

Figure 2. Net Transfer Graphs

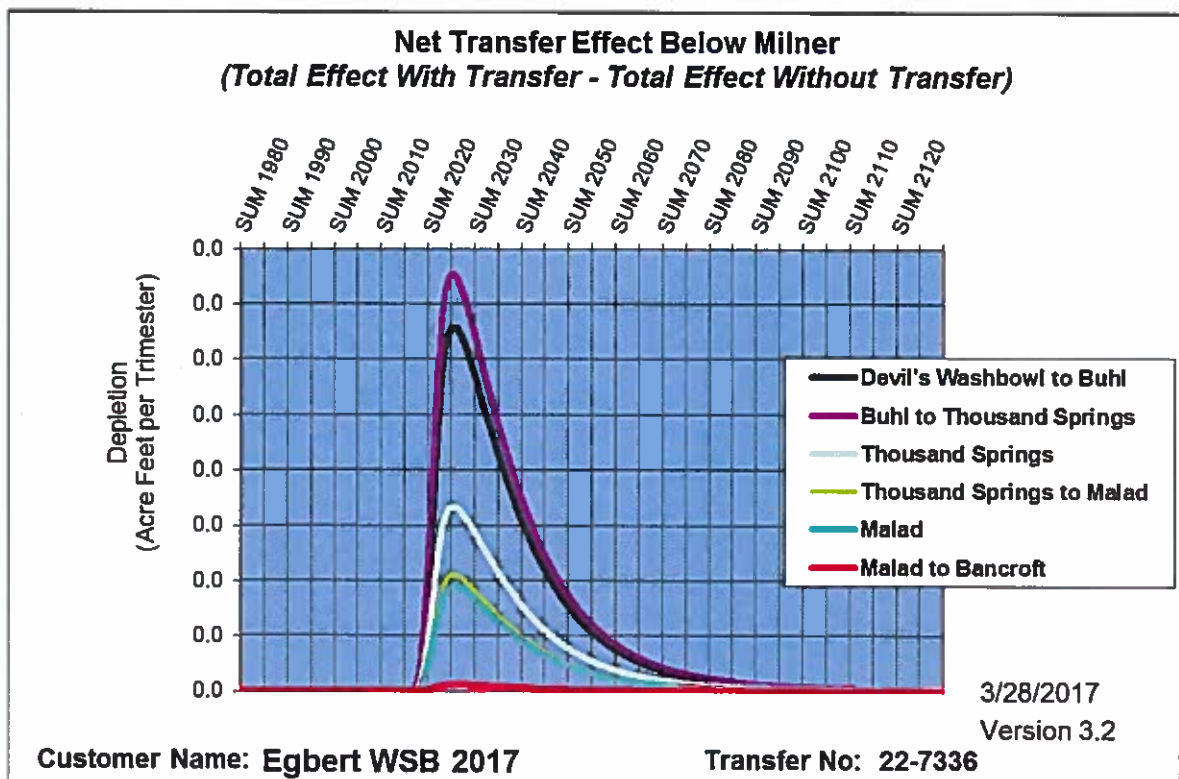
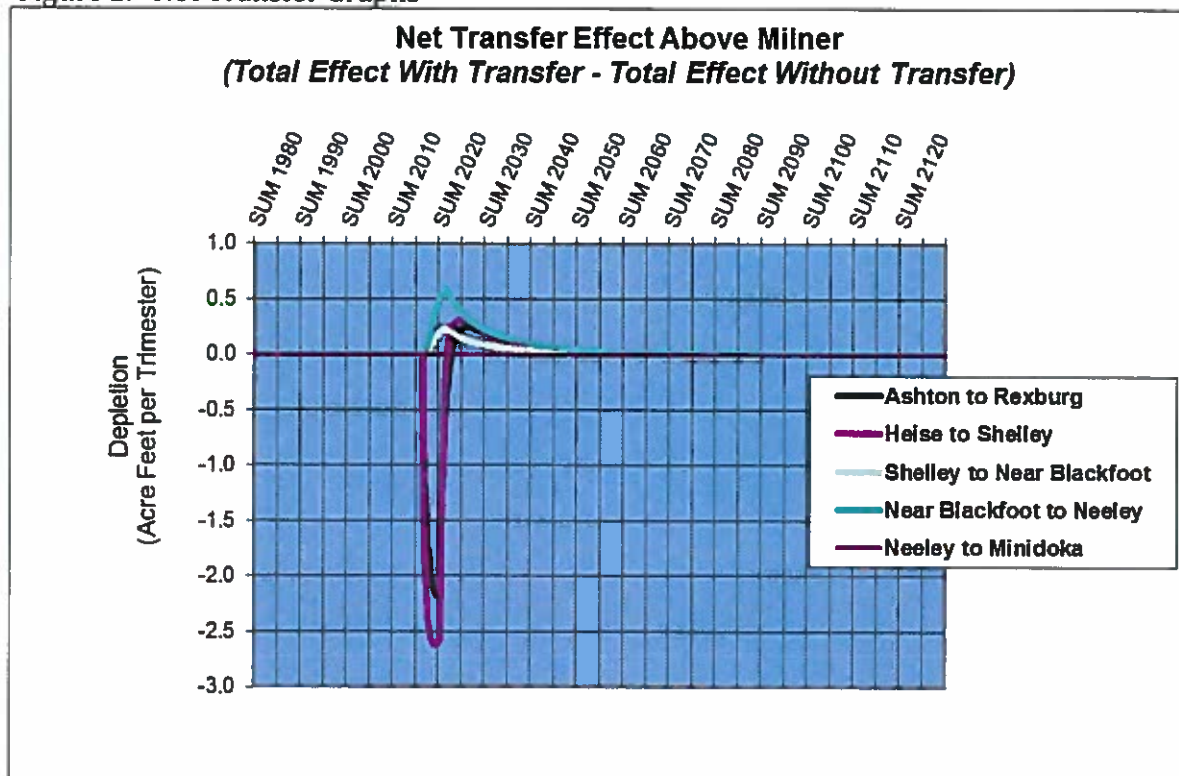


Figure 3. Calculated Effects.

Net Transfer Effect (AF/four months)											
	Ashton to	Heise to	Shelley to	Nr Bickft	Neeley to	Dev. Wbl	Buhl to	Kspr	Kspr to	Malad	Malad to
	Rexburg	Shelley	Nr Bickft	Neeley	Minidoka	Buhl	Kspr		Malad		Bancroft
SUM 1980	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1980	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1981	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1981	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1981	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2016	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2016	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2016	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2017	-0.7	-1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2017	-1.2	-1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2017	-1.5	-2.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2018	-1.7	-2.4	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2018	-1.9	-2.5	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2018	-2.0	-2.6	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2019	-2.1	-2.6	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	-2.1	-2.6	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	-2.1	-2.6	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	-2.2	-2.6	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	-2.2	-2.6	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	-2.2	-2.6	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	-1.4	-1.5	0.2	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	-1.0	-0.8	0.2	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	-0.6	-0.4	0.2	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	-0.4	-0.1	0.2	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	-0.2	0.0	0.2	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	-0.1	0.1	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	0.0	0.2	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	0.1	0.2	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	0.1	0.3	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2128	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2129	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2129	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2129	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2130	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: SUM 1980													
Match:		1		Match:		456							
		AtR	His	StNB	NBIN	NM	DWIB	BITS	TS	TSUM	M	MtB	Total
Preexisting Effects @ SS (Last Time Step):		9.23	9.06	1.28	3.33	0.02	0.06	0.07	0.03	0.02	0.02	0.00	23.14
Steady State - Value of Dep. @ Last Time Step:		9.24	9.06	1.28	3.33	0.02	0.06	0.07	0.03	0.02	0.02	0.00	23.14
Is @ Transient State (Max Value Timestep):		9.23	9.06	1.28	3.33	0.02	0.06	0.07	0.03	0.02	0.02	0.00	23.14
Transient State - Max Value of Dep. After Transfer:		9.37	9.28	1.45	3.74	0.02	0.07	0.08	0.03	0.02	0.02	0.00	24.06
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:		0.14	0.20	0.16	0.41	0.00	0.00	0.00	0.00	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

June 29, 2017

KIRK EGBERT
PO BOX 87
TERRETON ID 83450

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 22-7336**

Dear Renter:

Please find enclosed a receipt in the amount of **\$1,181.50** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 69.5 acre-feet of water for irrigation of 19.9 acres during 2017. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$1,063.35 of the rental fee will be paid to the lessor(s) and 10% or \$118.15 will be retained by the Department to offset administrative costs.

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

Sincerely,

 Water Supply Bank

Enclosures: Receipt No. C103777
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office/Water District # 110
Kristin Moore – Rocky Mountain Environmental
Jefferson Clark GWD



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 19, 2017

KIRK EGBERT
PO BOX 87
TERRETON ID 83450

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 22-7336**

*****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 \$1,181.50 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 69.5 acre-feet. An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for \$1,181.50 made payable to the Idaho Department of Water Resources, together with the signed rental agreement, within 14 days so I can complete processing. Pursuant to the Water Supply Bank Rules, 90% or \$1,063.35 of the rental fee will be paid to the lessor(s) and 10% or \$118.15 will be retained by the Department to offset administrative costs.

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

Sincerely,

Water Supply Bank

Enclosure

c: IDWR Front Desk
Kristin Moore – Rocky Mountain Environmental

Webster, Clay

From: Cefalo, James
Sent: Wednesday, June 14, 2017 7:24 PM
To: Webster, Clay
Subject: RE: Region and Watermaster comments on Rental application 110 for Egbert

Clay,

I don't have any concerns with the proposed WSB rental.

James

From: Webster, Clay
Sent: Wednesday, June 14, 2017 2:14 PM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: Region and Watermaster comments on Rental application 110 for Egbert

James,

We are currently processing this rental application. Do you have any concerns? Thanks

Clay

MEMORANDUM

To: Water Right 22-7336

From: Clay Webster

Date: 6/13/2017

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

PURPOSE/NARRATIVE: The department received this application on April 10, 2017 from Kristin Moore of Rocky Mountain Environmental on behalf of Kirk Egbert. The application proposes to rent 0.40 cfs and 69.5 af to irrigate 19.9 acres of a two pivot system located in the NE and NW quarters of T07NR37E just south of the Jefferson County-Fremont County line. The pair of pivots are the authorized POU for five water rights. One of the five, 31-11410, is also providing mitigation for a transfer which was approved in 2009. The mitigation plan extends for 35 years and by my count, 2017 is year 9 of the plan. This request is for 4 years. Rights 31-11410, 31-11414 and 31-11428 have the following limit schedule;

For year 9, irrigation is limited to 2.96 cfs, 457.4 afa and 150 acres of the POU.

For year 10, irrigation is limited to 3.06 cfs, 472.4 afa and 155 acres of the POU.

For year 11, irrigation is limited to 3.12 cfs, 481.4 afa and 158 acres of the POU.

For year 12, irrigation is limited to 3.18 cfs, 490.4 afa and 161 acres of the POU.

The other rights (31-11947 and 31-11954) are additive to these and provide an additional 54 acres. Approval of this rental will provide an additional 19.9 acres worth of irrigation. With this rental included, the two pivots will be authorized to;

irrigate 223.9 acres in 2017($150+54.0+19.9=223.9$)

irrigate 228.9 acres in 2018($155+54.0+19.9=228.9$)

irrigate 231.9 acres in 2019($158+54.0+19.9=231.9$)

irrigate 234.9 acres in 2020($161+54.0+19.9=234.9$)

AUTHORITY TO FILE: According to available Jefferson County taxlot information, the proposed place-of-use is owned by Kirk Egbert. Mr. Egbert signed the application. The proposed rental points-of-diversion are two wells located within the Egbert property. The wells are WMIS A0016369 and A0016370. They are the authorized PODs for the water rights 31-11410, 31-11414, 31-11428, 31-11947 and 31-11954.

WATER RIGHT VALIDITY:

Right 22-7336 was decreed in the SRBA on November 24, 2008. It was leased to the WSB from 2010 through 2015 and then again in 2016 through 2020. No apparent irrigation has occurred at the authorized place-of-use. Forfeiture is not a concern at this time.

INJURY TO OTHER WATER RIGHTS: ESPA modeling was provided by Rocky Mountain Environmental Associates, Inc. The modeling indicates that no additional mitigation is needed. I checked the modeling and confirmed that no mitigation is needed. I have no other injury concerns at this time.

ENLARGEMENT OF USE: No concerns are anticipated.

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 #110-Mud Lake Area. Comment will be solicited from the Watermaster and Eastern Region.

Water rented from the WSB must be dedicated to certain acres. The map provided in the application shows the full pivot acres not just the rental acres. I created a shape around one of the pivots to account for the usage of the rental water under a POU that corresponds with the authorized acres under this rental.

Egbert Rental 2017

