



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 16, 2017

DELL RUDD
3016 W CEDAR LN
AMERICAN FALLS ID 83211

RE: APPLICATION(S) TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Applicant:

In my letter to you, dated May 4, 2017, I stated that I would be recommending that your rental application of March 23, 2017, be denied unless you or your consultant provided an alternative within seven (7) days. As of this date, IDWR has not received either an alternative or an amended rental proposal. Therefore, the Department of Water Resources is returning your application to rent water from the Water Supply Bank ("bank").

This letter is notice that the attached application for rental of water is **denied** for the following reasons:

- the proposed rental would cause injury to existing rights.

Any use associated with your proposed rental request is considered unauthorized and, if occurring, will be subject to any necessary enforcement action.

If you wish to rent water with a new proposal, please reapply using new forms from the Department's website at www.idwr.idaho.gov. If you have any questions regarding this matter, please contact me at (208) 287-4946.

Sincerely,

Michele D. Edl
Water Resource Agent, Sr.

Enclosure: Rental Application(s)

c: IDWR Eastern Regional Office
cc Randall C. Budge rcb@racinelaw.net
Joseph G. Ballstaedt jgb@racinelaw.net
Tim Luke

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

RECEIVED

MAR 23 2017

DEPARTMENT OF
WATER RESOURCES

Applicant Name: Dell Rudd

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

Department Use Only – Proposed Water Right(s)

35-2934 2924

ORIGINAL Page | 1

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**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Dell Rudd

Mailing Address 3016 W. Cedar Lane American Falls Idaho 83211
Street City State Zip Code
 Email Address _____ Phone Number 208-226-7557

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 Randall C. Budge Professional Title Attorney
 Organization Racine Olson Relationship to Applicant Attorney
 Mailing Address P.O. Box 1391, Pocatello, Idaho 83204-1391
 Email Address rcb@racinelaw.net Phone Number 208-232-6101

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:

To provide irrigation water to irrigate 51 acres located in the NENE, Lot 3, SENE, Section 12, Township 7S, R30E pursuant to a pump, motor and well located in the SENE, Section 12, T7S, R30E, B.M., Power County, Idaho.

This is a part of the resolution of Notice of Violation No. E2016-971 Re Water Right No. 35-8966.

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)
1.02 CFS	153 AF	1.02 CFS	153 AF	51 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?	
04/01	05/15	☐ 1	☐ 2	☐ 3	☐ 4	☒ 5	☒ Process application as soon as possible	☐ Return application to applicant

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

** Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):
Existing well, pump and electric motor and mainlines.

- 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
Well	Groundwater	

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 51 (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:

Place of use is covered by water available from Applicant's shares of stock in Aberdeen-Springfield Canal Company. The proposed rental of water is to permit the 51 acres to be irrigated from groundwater using the existing well that has supplied water to the property continuously since 1966, pursuant to Application for Permit 35-8966 which was never issued. Applicant is in the process of engineering and constructing reconnection to the ASCC delivery system hoped to be completed by the 2018 irrigation season.

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)
35-2934	Industrial/stockwat	1.11	241	0		1.11	241	0
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	1.11	241	0
						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**:

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

Yes ☐ No ☒

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☒ No ☐
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☒
If yes, describe:

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☒ No ☐
If yes, describe the date and location of the NOV.
Notice of Violation No. E2016-971 Re Water Right No. 35-8966.

- 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

Dell Rudd
Printed Name of Applicant

3/21/17
Date


Signature of Representative

Randall C. Budge
Printed Name of Representative

3/21/17
Date

Mail to:

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

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

The undersigned hereby appoints the law firm of RACINE OLSON NYE BUDGE & BAILEY, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, my true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow them to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on my behalf.

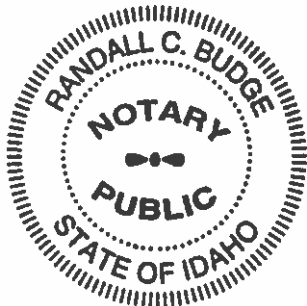
DATED this 14th day of March, 2017.

DELL RUDD
DELL RUDD

STATE OF IDAHO)
 :SS
County of Bannock)

On this 14th day of March, 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared DELL RUDD, known or identified to me to be the person that executed the instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Randall C. Budge
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello, Idaho
Commission expires: 10/11/18



T.75., R.30 E.:

Section 12: NENE, SENE (P/A) 2015 Aerial Photography

P/D: SENE

● Unauthorized Point of Diversion

Unauthorized Water Use

□ Township/Range

□ Sections

□ QQ

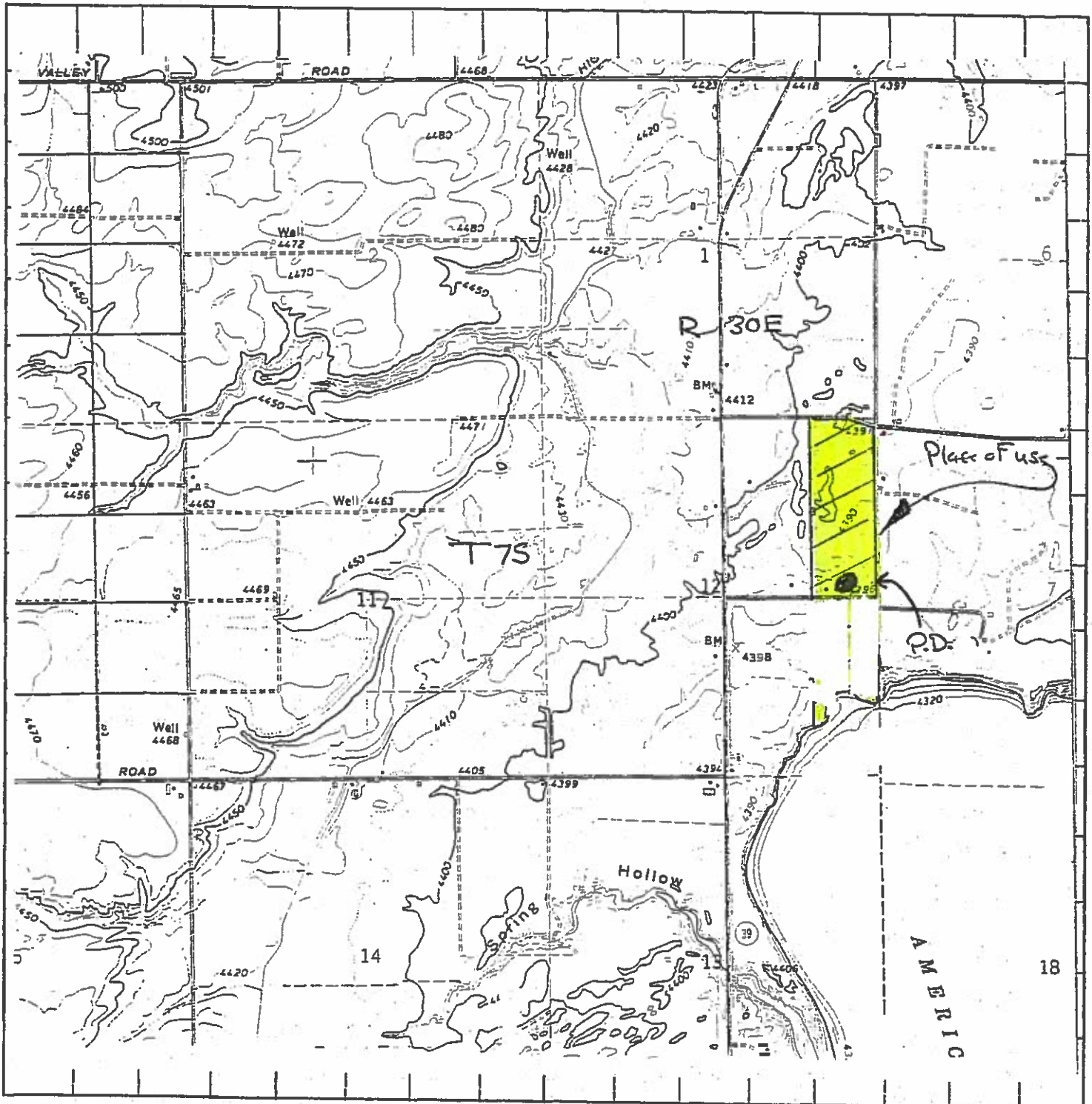
0 190 380 760 Feet

1 inch = 382 feet



T 7S, R 30 E: Sec. 12: NENE, SENE

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Ira Well Radd.
(Applicant)

Water Modeling Requirement Information Sheet

Information on water modeling requirements for rental requests within special administrative areas

Important information on requesting rental water within special administrative areas: Refer to the information below to determine whether the modeling of potential impacts from your rental request is necessary. Use Section 4 of the rental application to identify selected water rights. If you submit an application to rent water from within a special administrative area and water modeling is required, your rental request will be returned if water modeling is not provided.

Water modeling may be required when an application to rent water involves one of two scenarios:

Scenario 1: The rental request proposes to divert water from a regulated water source and/or within a special administrative area AND the distance between the rental point(s) of diversion (POD) and the POD(s) for the leased water right(s) is greater than the administratively established, acceptable distance.

Regulated water sources may areas include:

- A. Ground water resources within the modeled area of the Eastern Snake Plain Aquifer (ESPA) and tributary aquifers;
- B. Ground water within Ground Water Management Areas (GWMAs) or Critical Ground Water Areas (CGWAs);
- C. Water resources within other specified administrative areas, as established by the Idaho Water Resource Board (IWRB) or the Idaho Department of Water Resources.

The distance between any rental POD(s) and the POD(s) for a leased water right to be rented is important. On the ESPA, distance is measured in terms of model cells that cover an area of one square mile. Ground water modeling is not required if lease POD(s) and rental POD(s) are located within the same model cell or within adjacent model cells. If the lease and rental PODs are separated by more than one model cell groundwater modeling must be completed using the IDWR ESPA Transfer Tool and modeling results must be submitted with the rental application. ESPA modeling tools can be accessed and freely downloaded from IDWR's website by visiting: www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.

Ground water modeling may be required within GWMAs, CGWAs or other regulated administrative areas. Applicants who desire to rent water within an established GWMA, CGWA or other regulated administrative area should consult IDWR's website before submitting their application to review the current status of administrative orders related to regulated administrative areas. Consult www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated_areas.htm for information on GWMAs or CGWAs, visit <https://idwr.maps.arcgis.com/home/> to use mapping tools to find other regulated areas.

Applicants interested in renting water within a GWMA, CGWA or other regulated administrative areas should request water rights that have been leased into the Bank from within the same administrative area. Generally, the Bank will not permit a rental of water within a regulated administrative area if the leased water rights are not located within that same administrative area.

Scenario 2: A rental request proposes to divert water from a different but hydraulically connected water source.

Modeling situations may include:

- A. Rental requests that propose to divert surface water rights via ground water POD(s) (wells); and
- B. Rental requests that propose to divert ground water from one aquifer when the right being rented authorizes the diversion of ground water from a hydraulically connected, tributary aquifer.

Rental requests that propose to divert surface water rights from ground water points of diversion may be considered if ground water modeling establishes that the surface and ground water resources are directly and immediately hydraulically connected. An acceptable hydraulic connection occurs when at least 50 percent of the total depletions from a well are detectable from the original water source within a 24 hour period. The existing (leased) POD and proposed (rental) POD must be proximate such that diversion and use of water from the proposed POD would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original POD.

Requests to rent ground water across tributary aquifer sources may be considered if ground water modeling is provided to demonstrate that two aquifers are hydraulically connected and the anticipated impacts of diverting ground water from one source through the other is modeled accordingly.

For more information about rental application requirements, contact IDWR at (208) 287-4800.

One-Way Analysis of Independent Transfers

New Water Right (GModelo):

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of In. Acres	Priority Date	POD Location	Dedicated Vol. AFA/AFT	Model Node
Transfer 1: Proposed Steady State Impacts following Transfer							
777	777	275.6	68.9	1/1/1960	85285-3	275.6 91.9	SP082075
777	777	275.6	68.9	1/1/1960	85285-3	275.6 91.9	SP068066
Transfer 1: Worst Case Transient State Impacts following Transfer							
777	777	275.6	68.9	1/1/1960	85285-3	275.6 91.9	SP082075
777	777	275.6	68.9	1/1/1960	85285-3	275.6 91.9	SP068066

801.3
50.6
80.3
123.2

Impact by Reach (AF/Trimester)

Ashion to Resburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft to Neeley	Neeley to Minidoka	Dev. Vol. to Buft	Buft to Kspr	Kspr to Kspr	Kspr to Malad	Malad to Bancroft
0.24	75.66	1.39	2.84	0.02	0.05	0.06	0.03	0.02	0.00
1.00	2.99	9.11	30.23	1.15	1.86	2.12	0.94	0.59	0.03
0.24	75.66	1.39	2.84	0.02	0.05	0.06	0.03	0.02	0.00
1.00	75.66	9.11	30.23	1.15	1.86	2.12	0.94	0.59	0.03

Pre-SS
Post-SS

Pre-SS
Post-SS

Steady State Analysis

Mitigation Check 1 - > 10% of Historical:	308.6%	556.6%	965.6%	6830.4%	3408.6%	3406.8%	3406.7%	3406.7%	3406.6%
Mitigation Check 2: > 2 AFT:	0.8	-72.7	7.7	27.4	1.1	2.1	0.9	0.6	0.0
Mitigation Check 3 - > 10% of Total:	2.0%	5.9%	18.0%	59.8%	2.3%	3.7%	1.9%	1.2%	0.1%
Mitigation Required?:	NO	NO	YES	YES	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.8	-72.7	7.7	27.4	1.1	2.1	0.9	0.6	0.0

Transient State Analysis

Mitigation Check 1 - > 10% of Historical:	308.6%	556.6%	965.6%	6830.4%	3408.6%	3406.8%	3406.7%	3406.7%	3406.6%
Mitigation Check 2: > 2.01 AFT:	0.8	0.0	7.7	27.4	1.1	2.1	0.9	0.6	0.0
Mitigation Required?:	NO	NO	YES	YES	NO	YES	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.8	0.0	7.7	27.4	1.1	2.1	0.9	0.6	0.0

Read Me

ENHANCED GROUND-WATER RIGHTS TRANSFER SPREADSHEET

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF WATER

Cells this color are set up for user entries

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

TRANSFER NO:

123

YEAR

1965

TRANSFER NAME:

SEASON

SUMMER

35-2924

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	91	61		
COLUMN	100	164		

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	80	80	0	0	0	0
WIN 1965	0	80	80	0	0	0	0
SPR 1966	0	80	80	0	0	0	0
SUM 1966	0	80	80	0	0	0	0
WIN 1966	0	80	80	0	0	0	0
SPR 1967	0	80	80	0	0	0	0
SUM 1967	0	80	80	0	0	0	0
WIN 1967	0	80	80	0	0	0	0
SPR 1968	0	80	80	0	0	0	0
SUM 1968	0	80	80	0	0	0	0
WIN 1968	0	80	80	0	0	0	0
SPR 1969	0	80	80	0	0	0	0
SUM 1969	0	80	80	0	0	0	0
WIN 1969	0	80	80	0	0	0	0
SPR 1970	0	80	80	0	0	0	0
SUM 1970	0	80	80	0	0	0	0
WIN 1970	0	80	80	0	0	0	0
SPR 1971	0	80	80	0	0	0	0
SUM 1971	0	80	80	0	0	0	0
WIN 1971	0	80	80	0	0	0	0
SPR 1972	0	80	80	0	0	0	0
SUM 1972	0	80	80	0	0	0	0
WIN 1972	0	80	80	0	0	0	0
SPR 1973	0	80	80	0	0	0	0
SUM 1973	0	80	80	0	0	0	0
WIN 1973	0	80	80	0	0	0	0
SPR 1974	0	80	80	0	0	0	0
SUM 1974	0	80	80	0	0	0	0
WIN 1974	0	80	80	0	0	0	0
SPR 1975	0	80	80	0	0	0	0
SUM 1975	0	80	80	0	0	0	0
WIN 1975	0	80	80	0	0	0	0
SPR 1976	0	80	80	0	0	0	0
SUM 1976	0	80	80	0	0	0	0
WIN 1976	0	80	80	0	0	0	0
SPR 1977	0	80	80	0	0	0	0
SUM 1977	0	80	80	0	0	0	0
WIN 1977	0	80	80	0	0	0	0
SPR 1978	0	80	80	0	0	0	0
SUM 1978	0	80	80	0	0	0	0
WIN 1978	0	80	80	0	0	0	0
SPR 1979	0	80	80	0	0	0	0
SUM 1979	0	80	80	0	0	0	0
WIN 1979	0	80	80	0	0	0	0
SPR 1980	0	80	80	0	0	0	0
SUM 1980	0	80	80	0	0	0	0
WIN 1980	0	80	80	0	0	0	0
SPR 1981	0	80	80	0	0	0	0
SUM 1981	0	80	80	0	0	0	0
WIN 1981	0	80	80	0	0	0	0
SPR 1982	0	80	80	0	0	0	0
SUM 1982	0	80	80	0	0	0	0
WIN 1982	0	80	80	0	0	0	0
SPR 1983	0	80	80	0	0	0	0
SUM 1983	0	80	80	0	0	0	0
WIN 1983	0	80	80	0	0	0	0
SPR 1984	0	80	80	0	0	0	0

Entering Dates

Enter the starting year and season of the analysis period. (Spring Summer is Jul, Aug, Sep and Oct) Once you have entered the starting date only needs to be updated. Modifying the date does not affect the model.

Entering Well Locations

Enter the row and column location for the 'TO' well. Enter the row and column location for the 'FROM1' well. Enter the row and column location for the 'FROM2' well. If the 'FROM2' well is not to be used, enter 0. If the 'FROM3' well is not to be used, enter 0. The 'FROM3' well cannot be used if the 'FROM2' well is not to be used.

Running the Model

Once the model cells have been entered, click the 'RUN MODEL' button to generate the model output. The model output needs to be re-run if the location of the wells has changed.

Getting the Model Output

Once the model has been run, the model output will be displayed. This prepares the data for the next step.

Entering water use data

All water use should be entered in the 'TO' well column. For instructions on multiple wells, see the 'TO' well column.

Entering 'TO' Well Projected Water Use

Enter the projected water use for the 'TO' well. The projected water use should start in the trimester (4-1) of the analysis period.

Entering 'FROM' Well 'With Transfer' Water Use

Enter the 'With Transfer' water use for the 'FROM' well. The 'With Transfer' water use should be entered in the 'FROM' well column. The 'With Transfer' water use should be reduced at the end of the analysis period.

Entering 'FROM' Well 'Without Transfer' Water Use

The 'Without Transfer' water use for the 'FROM' well should be entered in the 'FROM' well column. The projected water use should reflect the 'Without Transfer' water use for the second 'FROM' well in the column. Prior to the expected date of transfer, the water use should be reduced.

Calculating Effect of the Transfer

If only one 'FROM' well is to be used, the water use should be reduced. If only two 'FROM' wells are to be used, the water use should be reduced. Projected water use in the 'TO' well column should be reduced at the end of the analysis period.

Calculating Effect of the Transfer

After all of the above steps have been completed, click the 'CALCULATE EFFECTS' button. The model runs) times the water use by the hydraulic conductivity. After the multiplication has been completed, the model output will be displayed. Here one graph is shown. The graph illustrates the net effects on all wells. EFFECTS worksheet. See the

SUM 1984	0	80	80	0	0	0	0
WIN 1984	0	80	80	0	0	0	0
SPR 1985	0	80	80	0	0	0	0
SUM 1985	0	80	80	0	0	0	0
WIN 1985	0	80	80	0	0	0	0
SPR 1986	0	80	80	0	0	0	0
SUM 1986	0	80	80	0	0	0	0
WIN 1986	0	80	80	0	0	0	0
SPR 1987	0	80	80	0	0	0	0
SUM 1987	0	80	80	0	0	0	0
WIN 1987	0	80	80	0	0	0	0
SPR 1988	0	80	80	0	0	0	0
SUM 1988	0	80	80	0	0	0	0
WIN 1988	0	80	80	0	0	0	0
SPR 1989	0	80	80	0	0	0	0
SUM 1989	0	80	80	0	0	0	0
WIN 1989	0	80	80	0	0	0	0
SPR 1990	0	80	80	0	0	0	0
SUM 1990	0	80	80	0	0	0	0
WIN 1990	0	80	80	0	0	0	0
SPR 1991	0	80	80	0	0	0	0
SUM 1991	0	80	80	0	0	0	0
WIN 1991	0	80	80	0	0	0	0
SPR 1992	0	80	80	0	0	0	0
SUM 1992	0	80	80	0	0	0	0
WIN 1992	0	80	80	0	0	0	0
SPR 1993	0	80	80	0	0	0	0
SUM 1993	0	80	80	0	0	0	0
WIN 1993	0	80	80	0	0	0	0
SPR 1994	0	80	80	0	0	0	0
SUM 1994	0	80	80	0	0	0	0
WIN 1994	0	80	80	0	0	0	0
SPR 1995	0	80	80	0	0	0	0
SUM 1995	0	80	80	0	0	0	0
WIN 1995	0	80	80	0	0	0	0
SPR 1996	0	80	80	0	0	0	0
SUM 1996	0	80	80	0	0	0	0
WIN 1996	0	80	80	0	0	0	0
SPR 1997	0	80	80	0	0	0	0
SUM 1997	0	80	80	0	0	0	0
WIN 1997	0	80	80	0	0	0	0
SPR 1998	0	80	80	0	0	0	0
SUM 1998	0	80	80	0	0	0	0
WIN 1998	0	80	80	0	0	0	0
SPR 1999	0	80	80	0	0	0	0
SUM 1999	0	80	80	0	0	0	0
WIN 1999	0	80	80	0	0	0	0
SPR 2000	0	80	80	0	0	0	0
SUM 2000	0	80	80	0	0	0	0
WIN 2000	0	80	80	0	0	0	0
SPR 2001	0	80	80	0	0	0	0
SUM 2001	0	80	80	0	0	0	0
WIN 2001	0	80	80	0	0	0	0
SPR 2002	0	80	80	0	0	0	0
SUM 2002	0	80	80	0	0	0	0
WIN 2002	0	80	80	0	0	0	0
SPR 2003	0	80	80	0	0	0	0
SUM 2003	0	80	80	0	0	0	0
WIN 2003	0	80	80	0	0	0	0
SPR 2004	0	80	80	0	0	0	0
SUM 2004	0	80	80	0	0	0	0
WIN 2004	0	80	80	0	0	0	0
SPR 2005	0	80	80	0	0	0	0
SUM 2005	0	80	80	0	0	0	0
WIN 2005	0	80	80	0	0	0	0
SPR 2006	0	80	80	0	0	0	0
SUM 2006	0	80	80	0	0	0	0
WIN 2006	0	80	80	0	0	0	0
SPR 2007	0	80	80	0	0	0	0
SUM 2007	0	80	80	0	0	0	0
WIN 2007	0	80	80	0	0	0	0
SPR 2008	0	80	80	0	0	0	0
SUM 2008	0	80	80	0	0	0	0
WIN 2008	0	80	80	0	0	0	0
SPR 2009	0	80	80	0	0	0	0
SUM 2009	0	80	80	0	0	0	0
WIN 2009	0	80	80	0	0	0	0
SPR 2010	0	80	80	0	0	0	0
SUM 2010	0	80	80	0	0	0	0
WIN 2010	0	80	80	0	0	0	0
SPR 2011	0	80	80	0	0	0	0
SUM 2011	0	80	80	0	0	0	0
WIN 2011	0	80	80	0	0	0	0
SPR 2012	0	80	80	0	0	0	0
SUM 2012	0	80	80	0	0	0	0
WIN 2012	0	80	80	0	0	0	0
SPR 2013	0	80	80	0	0	0	0
SUM 2013	0	80	80	0	0	0	0
WIN 2013	0	80	80	0	0	0	0
SPR 2014	0	80	80	0	0	0	0
SUM 2014	0	80	80	0	0	0	0
WIN 2014	0	80	80	0	0	0	0
SPR 2015	0	80	80	0	0	0	0

SUM 2015	0	80	80	0	0	0	0
WIN 2015	0	80	80	0	0	0	0
SPR 2016	0	80	80	0	0	0	0
SUM 2016	0	80	80	0	0	0	0
WIN 2016	0	80	80	0	0	0	0
SPR 2017	51	0	80	0	0	0	0
SUM 2017	51	0	80	0	0	0	0
WIN 2017	51	0	80	0	0	0	0
SPR 2018	51	0	80	0	0	0	0
SUM 2018	51	0	80	0	0	0	0
WIN 2018	51	0	80	0	0	0	0
SPR 2019	51	0	80	0	0	0	0
SUM 2019	51	0	80	0	0	0	0
WIN 2019	51	0	80	0	0	0	0
SPR 2020	51	0	80	0	0	0	0
SUM 2020	51	0	80	0	0	0	0
WIN 2020	51	0	80	0	0	0	0
SPR 2021	51	0	80	0	0	0	0
SUM 2021	51	0	80	0	0	0	0
WIN 2021	51	0	80	0	0	0	0
SPR 2022	51	0	80	0	0	0	0
SUM 2022	51	0	80	0	0	0	0
WIN 2022	51	0	80	0	0	0	0
SPR 2023	51	0	80	0	0	0	0
SUM 2023	51	0	80	0	0	0	0
WIN 2023	51	0	80	0	0	0	0
SPR 2024	51	0	80	0	0	0	0
SUM 2024	51	0	80	0	0	0	0
WIN 2024	51	0	80	0	0	0	0
SPR 2025	51	0	80	0	0	0	0
SUM 2025	51	0	80	0	0	0	0
WIN 2025	51	0	80	0	0	0	0
SPR 2026	51	0	80	0	0	0	0
SUM 2026	51	0	80	0	0	0	0
WIN 2026	51	0	80	0	0	0	0
SPR 2027	51	0	80	0	0	0	0
SUM 2027	51	0	80	0	0	0	0
WIN 2027	51	0	80	0	0	0	0
SPR 2028	51	0	80	0	0	0	0
SUM 2028	51	0	80	0	0	0	0
WIN 2028	51	0	80	0	0	0	0
SPR 2029	51	0	80	0	0	0	0
SUM 2029	51	0	80	0	0	0	0
WIN 2029	51	0	80	0	0	0	0
SPR 2030	51	0	80	0	0	0	0
SUM 2030	51	0	80	0	0	0	0
WIN 2030	51	0	80	0	0	0	0
SPR 2031	51	0	80	0	0	0	0
SUM 2031	51	0	80	0	0	0	0
WIN 2031	51	0	80	0	0	0	0
SPR 2032	51	0	80	0	0	0	0
SUM 2032	51	0	80	0	0	0	0
WIN 2032	51	0	80	0	0	0	0
SPR 2033	51	0	80	0	0	0	0
SUM 2033	51	0	80	0	0	0	0
WIN 2033	51	0	80	0	0	0	0
SPR 2034	51	0	80	0	0	0	0
SUM 2034	51	0	80	0	0	0	0
WIN 2034	51	0	80	0	0	0	0
SPR 2035	51	0	80	0	0	0	0
SUM 2035	51	0	80	0	0	0	0
WIN 2035	51	0	80	0	0	0	0
SPR 2036	51	0	80	0	0	0	0
SUM 2036	51	0	80	0	0	0	0
WIN 2036	51	0	80	0	0	0	0
SPR 2037	51	0	80	0	0	0	0
SUM 2037	51	0	80	0	0	0	0
WIN 2037	51	0	80	0	0	0	0
SPR 2038	51	0	80	0	0	0	0
SUM 2038	51	0	80	0	0	0	0
WIN 2038	51	0	80	0	0	0	0
SPR 2039	51	0	80	0	0	0	0
SUM 2039	51	0	80	0	0	0	0
WIN 2039	51	0	80	0	0	0	0
SPR 2040	51	0	80	0	0	0	0
SUM 2040	51	0	80	0	0	0	0
WIN 2040	51	0	80	0	0	0	0
SPR 2041	51	0	80	0	0	0	0
SUM 2041	51	0	80	0	0	0	0
WIN 2041	51	0	80	0	0	0	0
SPR 2042	51	0	80	0	0	0	0
SUM 2042	51	0	80	0	0	0	0
WIN 2042	51	0	80	0	0	0	0
SPR 2043	51	0	80	0	0	0	0
SUM 2043	51	0	80	0	0	0	0
WIN 2043	51	0	80	0	0	0	0
SPR 2044	51	0	80	0	0	0	0
SUM 2044	51	0	80	0	0	0	0
WIN 2044	51	0	80	0	0	0	0
SPR 2045	51	0	80	0	0	0	0
SUM 2045	51	0	80	0	0	0	0
WIN 2045	51	0	80	0	0	0	0
SPR 2046	51	0	80	0	0	0	0

SUM 2046	51	0	80	0	0	0	0
WIN 2046	51	0	80	0	0	0	0
SPR 2047	51	0	80	0	0	0	0
SUM 2047	51	0	80	0	0	0	0
WIN 2047	51	0	80	0	0	0	0
SPR 2048	51	0	80	0	0	0	0
SUM 2048	51	0	80	0	0	0	0
WIN 2048	51	0	80	0	0	0	0
SPR 2049	51	0	80	0	0	0	0
SUM 2049	51	0	80	0	0	0	0
WIN 2049	51	0	80	0	0	0	0
SPR 2050	51	0	80	0	0	0	0
SUM 2050	51	0	80	0	0	0	0
WIN 2050	51	0	80	0	0	0	0
SPR 2051	51	0	80	0	0	0	0
SUM 2051	51	0	80	0	0	0	0
WIN 2051	51	0	80	0	0	0	0
SPR 2052	51	0	80	0	0	0	0
SUM 2052	51	0	80	0	0	0	0
WIN 2052	51	0	80	0	0	0	0
SPR 2053	51	0	80	0	0	0	0
SUM 2053	51	0	80	0	0	0	0
WIN 2053	51	0	80	0	0	0	0
SPR 2054	51	0	80	0	0	0	0
SUM 2054	51	0	80	0	0	0	0
WIN 2054	51	0	80	0	0	0	0
SPR 2055	51	0	80	0	0	0	0
SUM 2055	51	0	80	0	0	0	0
WIN 2055	51	0	80	0	0	0	0
SPR 2056	51	0	80	0	0	0	0
SUM 2056	51	0	80	0	0	0	0
WIN 2056	51	0	80	0	0	0	0
SPR 2057	51	0	80	0	0	0	0
SUM 2057	51	0	80	0	0	0	0
WIN 2057	51	0	80	0	0	0	0
SPR 2058	51	0	80	0	0	0	0
SUM 2058	51	0	80	0	0	0	0
WIN 2058	51	0	80	0	0	0	0
SPR 2059	51	0	80	0	0	0	0
SUM 2059	51	0	80	0	0	0	0
WIN 2059	51	0	80	0	0	0	0
SPR 2060	51	0	80	0	0	0	0
SUM 2060	51	0	80	0	0	0	0
WIN 2060	51	0	80	0	0	0	0
SPR 2061	51	0	80	0	0	0	0
SUM 2061	51	0	80	0	0	0	0
WIN 2061	51	0	80	0	0	0	0
SPR 2062	51	0	80	0	0	0	0
SUM 2062	51	0	80	0	0	0	0
WIN 2062	51	0	80	0	0	0	0
SPR 2063	51	0	80	0	0	0	0
SUM 2063	51	0	80	0	0	0	0
WIN 2063	51	0	80	0	0	0	0
SPR 2064	51	0	80	0	0	0	0
SUM 2064	51	0	80	0	0	0	0
WIN 2064	51	0	80	0	0	0	0
SPR 2065	51	0	80	0	0	0	0
SUM 2065	51	0	80	0	0	0	0
WIN 2065	51	0	80	0	0	0	0
SPR 2066	51	0	80	0	0	0	0
SUM 2066	51	0	80	0	0	0	0
WIN 2066	51	0	80	0	0	0	0
SPR 2067	51	0	80	0	0	0	0
SUM 2067	51	0	80	0	0	0	0
WIN 2067	51	0	80	0	0	0	0
SPR 2068	51	0	80	0	0	0	0
SUM 2068	51	0	80	0	0	0	0
WIN 2068	51	0	80	0	0	0	0
SPR 2069	51	0	80	0	0	0	0
SUM 2069	51	0	80	0	0	0	0
WIN 2069	51	0	80	0	0	0	0
SPR 2070	51	0	80	0	0	0	0
SUM 2070	51	0	80	0	0	0	0
WIN 2070	51	0	80	0	0	0	0
SPR 2071	51	0	80	0	0	0	0
SUM 2071	51	0	80	0	0	0	0
WIN 2071	51	0	80	0	0	0	0
SPR 2072	51	0	80	0	0	0	0
SUM 2072	51	0	80	0	0	0	0
WIN 2072	51	0	80	0	0	0	0
SPR 2073	51	0	80	0	0	0	0
SUM 2073	51	0	80	0	0	0	0
WIN 2073	51	0	80	0	0	0	0
SPR 2074	51	0	80	0	0	0	0
SUM 2074	51	0	80	0	0	0	0
WIN 2074	51	0	80	0	0	0	0
SPR 2075	51	0	80	0	0	0	0
SUM 2075	51	0	80	0	0	0	0
WIN 2075	51	0	80	0	0	0	0
SPR 2076	51	0	80	0	0	0	0
SUM 2076	51	0	80	0	0	0	0
WIN 2076	51	0	80	0	0	0	0
SPR 2077	51	0	80	0	0	0	0

SUM 2077	51	0	80	0	0	0	0
WIN 2077	51	0	80	0	0	0	0
SPR 2078	51	0	80	0	0	0	0
SUM 2078	51	0	80	0	0	0	0
WIN 2078	51	0	80	0	0	0	0
SPR 2079	51	0	80	0	0	0	0
SUM 2079	51	0	80	0	0	0	0
WIN 2079	51	0	80	0	0	0	0
SPR 2080	51	0	80	0	0	0	0
SUM 2080	51	0	80	0	0	0	0
WIN 2080	51	0	80	0	0	0	0
SPR 2081	51	0	80	0	0	0	0
SUM 2081	51	0	80	0	0	0	0
WIN 2081	51	0	80	0	0	0	0
SPR 2082	51	0	80	0	0	0	0
SUM 2082	51	0	80	0	0	0	0
WIN 2082	51	0	80	0	0	0	0
SPR 2083	51	0	80	0	0	0	0
SUM 2083	51	0	80	0	0	0	0
WIN 2083	51	0	80	0	0	0	0
SPR 2084	51	0	80	0	0	0	0
SUM 2084	51	0	80	0	0	0	0
WIN 2084	51	0	80	0	0	0	0
SPR 2085	51	0	80	0	0	0	0
SUM 2085	51	0	80	0	0	0	0
WIN 2085	51	0	80	0	0	0	0
SPR 2086	51	0	80	0	0	0	0
SUM 2086	51	0	80	0	0	0	0
WIN 2086	51	0	80	0	0	0	0
SPR 2087	51	0	80	0	0	0	0
SUM 2087	51	0	80	0	0	0	0
WIN 2087	51	0	80	0	0	0	0
SPR 2088	51	0	80	0	0	0	0
SUM 2088	51	0	80	0	0	0	0
WIN 2088	51	0	80	0	0	0	0
SPR 2089	51	0	80	0	0	0	0
SUM 2089	51	0	80	0	0	0	0
WIN 2089	51	0	80	0	0	0	0
SPR 2090	51	0	80	0	0	0	0
SUM 2090	51	0	80	0	0	0	0
WIN 2090	51	0	80	0	0	0	0
SPR 2091	51	0	80	0	0	0	0
SUM 2091	51	0	80	0	0	0	0
WIN 2091	51	0	80	0	0	0	0
SPR 2092	51	0	80	0	0	0	0
SUM 2092	51	0	80	0	0	0	0
WIN 2092	51	0	80	0	0	0	0
SPR 2093	51	0	80	0	0	0	0
SUM 2093	51	0	80	0	0	0	0
WIN 2093	51	0	80	0	0	0	0
SPR 2094	51	0	80	0	0	0	0
SUM 2094	51	0	80	0	0	0	0
WIN 2094	51	0	80	0	0	0	0
SPR 2095	51	0	80	0	0	0	0
SUM 2095	51	0	80	0	0	0	0
WIN 2095	51	0	80	0	0	0	0
SPR 2096	51	0	80	0	0	0	0
SUM 2096	51	0	80	0	0	0	0
WIN 2096	51	0	80	0	0	0	0
SPR 2097	51	0	80	0	0	0	0
SUM 2097	51	0	80	0	0	0	0
WIN 2097	51	0	80	0	0	0	0
SPR 2098	51	0	80	0	0	0	0
SUM 2098	51	0	80	0	0	0	0
WIN 2098	51	0	80	0	0	0	0
SPR 2099	51	0	80	0	0	0	0
SUM 2099	51	0	80	0	0	0	0
WIN 2099	51	0	80	0	0	0	0
SPR 2100	51	0	80	0	0	0	0
SUM 2100	51	0	80	0	0	0	0
WIN 2100	51	0	80	0	0	0	0
SPR 2101	51	0	80	0	0	0	0
SUM 2101	51	0	80	0	0	0	0
WIN 2101	51	0	80	0	0	0	0
SPR 2102	51	0	80	0	0	0	0
SUM 2102	51	0	80	0	0	0	0
WIN 2102	51	0	80	0	0	0	0
SPR 2103	51	0	80	0	0	0	0
SUM 2103	51	0	80	0	0	0	0
WIN 2103	51	0	80	0	0	0	0
SPR 2104	51	0	80	0	0	0	0
SUM 2104	51	0	80	0	0	0	0
WIN 2104	51	0	80	0	0	0	0
SPR 2105	51	0	80	0	0	0	0
SUM 2105	51	0	80	0	0	0	0
WIN 2105	51	0	80	0	0	0	0
SPR 2106	51	0	80	0	0	0	0
SUM 2106	51	0	80	0	0	0	0
WIN 2106	51	0	80	0	0	0	0
SPR 2107	51	0	80	0	0	0	0
SUM 2107	51	0	80	0	0	0	0
WIN 2107	51	0	80	0	0	0	0
SPR 2108	51	0	80	0	0	0	0

SUM 2108	51	0	80	0	0	0	0
WMN 2108	51	0	80	0	0	0	0
SPR 2109	51	0	80	0	0	0	0
SUM 2109	51	0	80	0	0	0	0
WMN 2109	51	0	80	0	0	0	0
SPR 2110	51	0	80	0	0	0	0
SUM 2110	51	0	80	0	0	0	0
WMN 2110	51	0	80	0	0	0	0
SPR 2111	51	0	80	0	0	0	0
SUM 2111	51	0	80	0	0	0	0
WMN 2111	51	0	80	0	0	0	0
SPR 2112	51	0	80	0	0	0	0
SUM 2112	51	0	80	0	0	0	0
WMN 2112	51	0	80	0	0	0	0
SPR 2113	51	0	80	0	0	0	0
SUM 2113	51	0	80	0	0	0	0
WMN 2113	51	0	80	0	0	0	0
SPR 2114	51	0	80	0	0	0	0
SUM 2114	51	0	80	0	0	0	0
WMN 2114	51	0	80	0	0	0	0
SPR 2115	51	0	80	0	0	0	0



State of Idaho

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GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 4, 2017

DELL RUDD
3016 W CEDAR LN
AMERICAN FALLS ID 83211

RE: Application to Rent Water Right 35-2924 - Denied

Mr. Rudd,

On March 23, 2017, IDWR received an application to rent water from the Idaho Water Resource Board's Water Supply Bank (WSB). The application proposed to rent Water Right 35-2934 (which is a typo of 35-2924) for the 2017 through 2021 irrigation seasons. The application was submitted on your behalf by Racine Olson Attorneys and was intended to resolve a pending Notice of Violation (NOV). I was assigned to review the application, and if possible to process it.

A required part of the rental application was an analysis showing that the water use authorized by 35-2924 could be moved from its native place-of-use to your property in section 12, Township 7S, Range 30E without causing a depletion to the Snake River. Although Racine Olson provided the required modeling analysis, that analysis showed that the rental could not be accomplished without depleting at least one reach of Snake River. No alternative water rights were proposed for the rental and no mitigation plan was provided which would offset the depletions found by the modeling.

Therefore, I am recommending that the proposed application to rent water from Right 35-2924 for 2017-2021 be denied.

I have already consulted with both your representative at Racine Olson and with Bureau Chief, Tim Luke about alternative solutions to the pending NOV. If you wish, you may submit a new rental proposal and the WSB staff will make every effort to review and process it for the coming irrigation season. But in order to promptly process an alternative proposal, the WSB will need to receive it within the next seven (7) days. After May 1, the number of staff-hours devoted to WSB processing has been significantly reduced. I myself have been assigned to other priority processes and I am hoping to quickly resolve the remaining applications assigned to me.

If you have questions about the WSB processing, please call me at 208-287-4946.

Sincerely,

A handwritten signature in black ink, appearing to read "Michele D. Edl", with a stylized flourish at the end.

Michele D. Edl

EC: Randall C. Budge rcb@racinelaw.net
Joseph G. Ballstaedt jgb@racinelaw.net
Tim Luke

Edl, Michele

From: Edl, Michele
Sent: Wednesday, April 26, 2017 4:24 PM
To: 'Joseph G. Ballstaedt'
Subject: FW: 35-2543 Aberdeen Springfield lease rental

I was a pleasure to speak with you. Thank you for taking on the other side of the equation.

Michele

208-287-4946

From: Edl, Michele
Sent: Wednesday, April 26, 2017 10:02 AM
To: Luke, Tim <Tim.Luke@idwr.idaho.gov>
Cc: Skaggs, Pam <Pam.Skaggs@idwr.idaho.gov>; Webster, Clay <Clay.Webster@idwr.idaho.gov>
Subject: 35-2543 Aberdeen Springfield lease rental

Tim,

On March 23rd, when IDWR received the rental proposal submitted on behalf of Dell Rudd, the Aberdeen Springfield Canal Company did not have water right 35-2543 (ASCC ground water) leased into the bank.

The right that was and is currently earmarked for Mr. Rudd is 35-2924 (Rhodehouse). The modeling provided with the application showed that the right was insufficient to mitigate for Mr. Rudd's irrigation. I am troubled that the representative knew it didn't work but submitted it to us without an alternative.

I have tried every trick I know but 35-2924 (Rhodehouse) doesn't satisfy the mitigation criteria in all reaches of the Snake River.

Prompted by our discussion this morning, I looked for new ASCC lease applications. Only one of the ASCC groundwater rights has been proposed for lease to the bank. A paired lease and rental package came in on March 31, 2017. ASCC is proposing to lease and rent their own right, 35-2543 for themselves. So as far as the bank is concerned, the right is not available for anyone else to rent.

If instead right 35-2543 (ASCC ground water) needs to be leased in and set aside for Mr. Rudd, then the bank needs to have that arrangement negotiated for us. And then a new lease and rental package should be provided to us for processing.

I have also been assigned to process that ASCC self-serve, lease-rental application package and it will probably be the last WSB process that I complete before I move on to other priority tasks.

Michele

One-Way Analysis of Independent Transfers

minimized rental use maximize rental idle for Rudd 2017 only

WR No.	Div.	Rate	Can. Vol.	No. of Int.	Priority	POD	Dedicated Vol.	Model
(CFS)	(AF/A)	Acres	Date	Location	AF/A	AFT	Node	
Transfer 1: Proposed Steady State Impacts following Transfer								
777	777	275.6	68.9	1/1/1960	8S26E-3	275.6	91.9	SP082075
777	777	275.6	68.9	1/1/1960	8S26E-3	275.6	91.9	SP089066
Transfer 1: Worst Case Transient State Impacts following Transfer								
777	777	275.6	68.9	1/1/1960	8S26E-3	275.6	91.9	SP082075
777	777	275.6	68.9	1/1/1960	8S26E-3	275.6	91.9	SP089066

Impact by Reach (AF/Quarter)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickit	Nr Bickit To Neeley	Neeley to Mindoka	Dev. Wd. To Buhl	Buhl to Kspr	Kspr to Kspr	Kspr to Maled	Maled to Bancroft
0.24	75.35	1.38	2.82	0.02	0.05	0.06	0.03	0.02	0.02
0.24	75.35	1.38	2.82	0.02	0.05	0.06	0.03	0.02	0.02
0.24	75.35	1.38	2.82	0.02	0.05	0.06	0.03	0.02	0.02
0.24	75.35	2.63	10.65	0.35	0.27	0.32	0.14	0.09	0.08

Steady State Analysis

Mitigation Check 1 - >10% of Historical:	-0.1%	0.0%	0.0%	0.0%	0.1%	0.1%	0.1%	0.1%	0.1%
Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total:	0.3%	94.2%	1.7%	3.5%	0.0%	0.1%	0.0%	0.0%	0.0%
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - >10% of Historical:	-0.1%	0.0%	90.3%	277.1%	2016.3%	411.6%	437.9%	429.1%	424.2%	396.8%	373.6%
Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	1.2	7.8	0.3	0.2	0.3	0.1	0.1	0.1	0.0
Mitigation Required?:	NO	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	1.2	7.8	0.3	0.2	0.3	0.1	0.1	0.1	0.0



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

October 4, 2016

IRA DELL RUDD
3016 W CEDAR LN
AMERICAN FALLS, ID 83211

CERTIFIED MAIL

**RE: Notice of Violation No. E2016-971
Order to Cease and Desist Unauthorized Diversion**

Dear Mr. Rudd,

The purpose of this letter is to notify you that a violation of State Law is hereby attributed to you by the Idaho Department of Water Resources ("Department"). This Notice of Violation ("NOV") is issued pursuant to Idaho Code §42-1701B. The violation is associated with the unauthorized diversion and use of ground water to irrigate 50.0 acres within the E ½, NE ¼, Section 12, T07S, R30E, B.M. (map attached).

Using 2015 and 2016 aerial photography the Department discovered that 50.0 acres are being irrigated without a valid ground water right. On August 25, 2016 Department staff conducted a field investigation and observed the 50.0 acres described above being irrigated by wheel lines from a ground water well located in Lot 1 (NENE), Section 12, T07S, R30E, B.M.. According to Department records, there are no valid ground water rights associated with the 50.0 acres described above.

The violation(s) of Title 42, Idaho Code attributed to you is listed below:

- 1) Idaho Code §42-351(1) – Diversion and use of water without a valid water right.

As authorized by Idaho Code §42-351, and in accordance with Idaho Code §42-1701B, the Department requires the following immediate redress and payment of civil penalties associated with the violation(s):

- 1) Cease and desist the irrigation of the 50.0 acres not covered by a valid ground water right.
- 2) Payment of a civil penalty in the amount of thirty thousand dollars (\$30,000) for the unauthorized irrigation of 50.0 acres in 2015 and 2016 (\$300/acre/year).



2015 Aerial Photography

- Unauthorized Point of Diversion
- Unauthorized Water Use
- Township/Range
- Sections
- QQ

0 190 380 760 Feet

1 inch = 382 feet



Failure to comply with these requirements may be cause for the Department to seek curtailment of the unauthorized use and/or initiate a civil action through the Attorney General's Office in district court.

Any objections you may have to the provisions of this NOV may be presented at a compliance conference. **A compliance conference must be requested within fourteen (14) days of receiving this notice.** The recipient of a NOV will be provided an opportunity to address the alleged violation and present a plan to assure future compliance. Any agreement reached between the Department and the recipient of the NOV will be formalized through a Consent Order and Agreement.

Please contact me directly at (208) 287-4934 if you have questions regarding this matter.

Respectfully,



Brian W. Ragan
Water Compliance Bureau

CC: James Cefalo, Water District 120 Watermaster
Blake Jordan, IDWR Idaho Falls