

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT NO. 43

RECEIVED

JAN 13 2017

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

RANDALL D BURR
1216 S LAKE POINTE WAY
EAGLE, ID 83616

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)
37-7697	1/30/1978	GROUND WATER	0.28	102.4	40.0
		Combined Rental Totals	0.28	*102.4	*40.0

***This rental is limited to the irrigation of 20 acres and a diversion volume of 80 af.**

Term of Rental: This rental shall take effect when all parties have signed it and shall continue in effect until December 31, 2019

Annual Rental Fee:

2017: \$1,740.80
2018: \$2,048.00
2019: \$2,048.00

The full fee for the rental of the above-described right is \$1,740.80 for 2017 and \$2,048.00 per year for years 2018 - 2019. The rental fee includes an administrative fee of \$174.08 for 2017 and \$204.80 per year for years 2018 - 2019.

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

Detailed water right conditions are attached.

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

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

Randall D. Burr

Signature of Renter

01/12/2017

Date

RANDALL D. BURR

Printed Name

DR

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

BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date

1/17/2017

Rental approved by IDWR

Angie Wickett

Date

1-17-2017

WATER SUPPLY BANK RENTAL AGREEMENT No. 43

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec. 14, Twp 02S, Rge 09E,	ELMORE County
GROUND WATER	NWNE	Sec. 14, Twp 02S, Rge 09E,	ELMORE County

Beneficial Use
IRRIGATION

Diversion Rate
0.28 CFS

Volume
80 AF

BENEFICIAL USE & SEASON OF USE

Water Right No.	From	To	Diversion Rate
37-7697	4/15	10/31	0.28 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	
02S	09E	14		20.0															20.0

Total Acres: 20.0

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. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
9. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
10. Diversion and use of the rented portion of right 37-7697 shall not exceed a total diversion rate of 0.28 cfs, a total maximum diversion volume of 80.0 af and the irrigation of 20 acres.

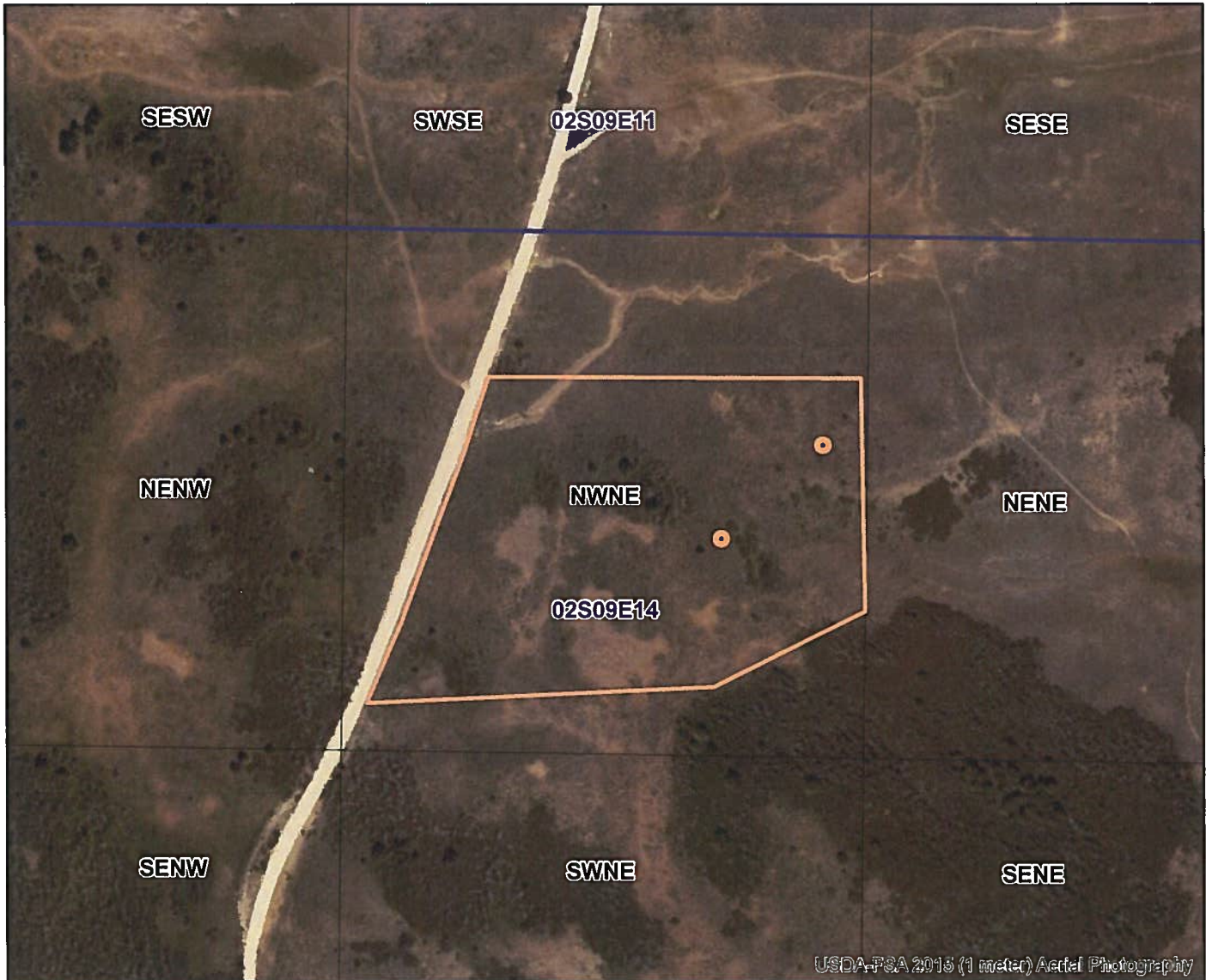
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
12. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37B.
13. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
14. This rental agreement does not authorize the construction of a well.



Idaho Water Resource Board
Water Supply Bank Rental Agreement No. 43

Effective until December 31, 2019

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



0  Miles
0.25

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

NOV 04 2016

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Randall D. Burr

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)

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Randall D. Burr

Mailing Address 1216 S. Lake Pointe Way, Eagle, Idaho 83616
Street City State Zip Code
 Email Address rdburr@cableone.net Phone Number (208) 841-6006

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☒ No ☐
 If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative _____ Professional Title _____
 Organization _____ Relationship to Applicant _____
 Mailing Address _____
 Email Address _____ Phone Number _____

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

To irrigate between 15 and 20 acres of new landscaping surrounding new home site and outbulidings including
watering of trees, evaporation from a small pond (~0.10-acre), and to supplement and enhance natural
vegetation.

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)
0.40 CFS	80 AF	0.30 CFS	60 AF	20 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?	
5/1/2017	5/1/2017	☐ 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 ground water wells will pump to a small storage pond from which the stored water will be diverted and distributed via irrigation booster pumps feeding a distribution system of pipes and sprinkler heads.

- 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
Two water wells in the	Groundwater	N/A
T2S, R9E, Sec. 14, NW NE		
(see attached map)		

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 20 (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: 5/1 (mm/dd) to: 11/1 (mm/dd)

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

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

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

N/A

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☐ No ☒

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via IDWR's website.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request. For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
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			
						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:

- 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: Applicant is searching for an existing water right for purchase and transfer to the Place of Use. Alternatively, Applicant may choose to submit an Application For Permit (to appropriate the waters of the State of Idaho).

- 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
N/A

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

Randall D. Burr

Printed Name of Applicant

10/25/16

Date

Signature of Representative

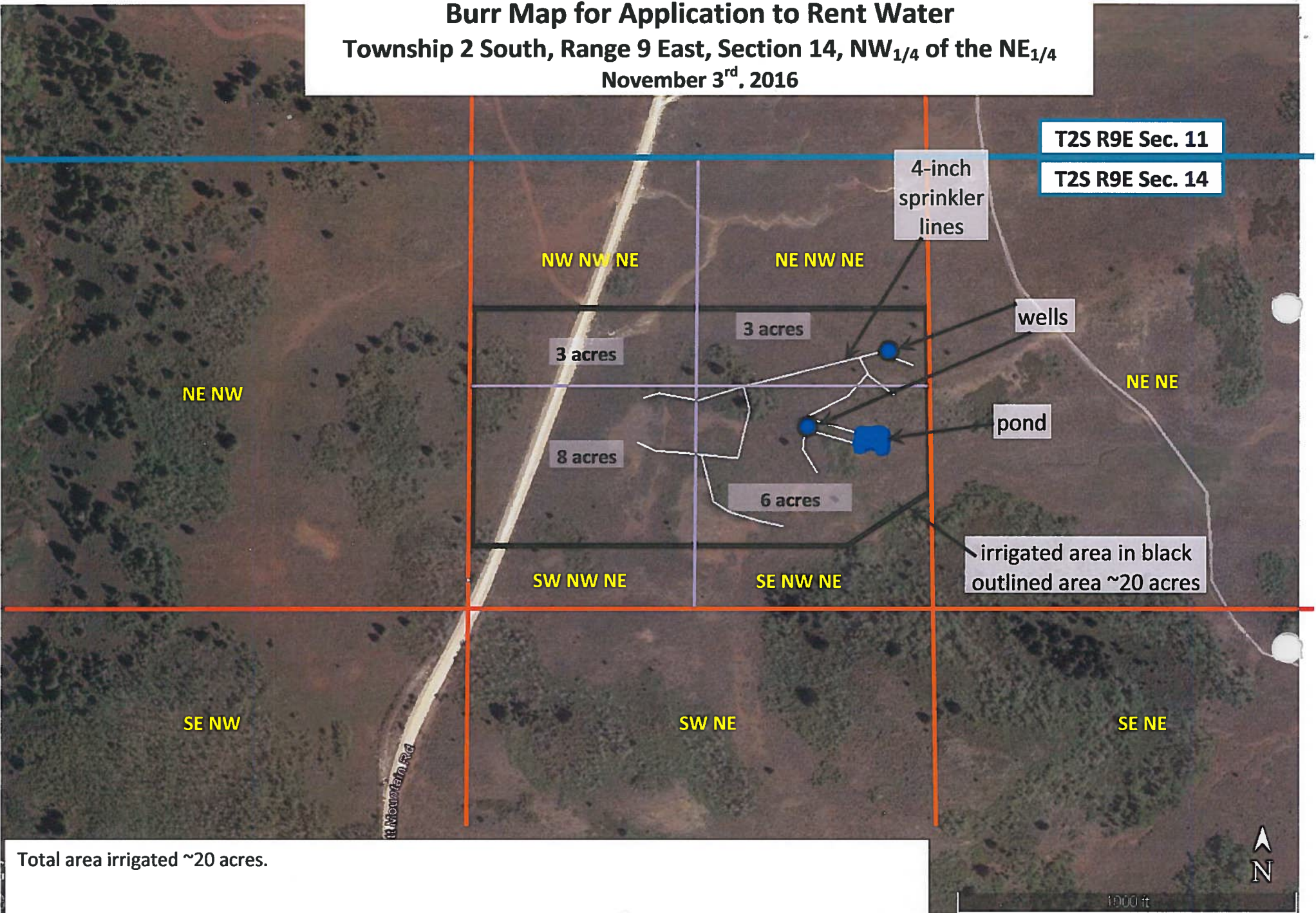
Printed Name of Representative

Date

Mail to:

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

Burr Map for Application to Rent Water
Township 2 South, Range 9 East, Section 14, NW_{1/4} of the NE_{1/4}
November 3rd, 2016



Total area irrigated ~20 acres.



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 18, 2017

RANDALL D BURR
1216 S LAKE POINTE WAY
EAGLE ID 83616

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 37-7697**

Dear Renter:

Please find enclosed a receipt in the amount of **\$1,740.80** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 102.4 acre-feet of water for irrigation of 20.0 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 \$1,566.72 of the rental fee will be paid to the lessor(s) and 10% or \$174.08 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. C102897
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Corey Skinner – IDWR Southern Regional Office
Rusty Kramer – State Water District No. 37B



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 10, 2017

RANDALL D BURR
1216 S LAKE POINTE WAY
EAGLE ID 83616

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 37-7697**

*****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 \$1,740.80 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 102.4 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 \$1,740.80 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 \$1,566.72 of the rental fee will be paid to the lessor(s) and 10% or \$174.08 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

Thiel, Sandra

From: Skinner, Corey
Sent: Thursday, December 15, 2016 3:14 PM
To: Thiel, Sandra
Cc: Walker, Benny
Subject: RE: water supply bank rental of right 37-7697 by Randall Burr
Attachments: LeaseRentalMap.pdf; Burr Rental Review Memo.docx

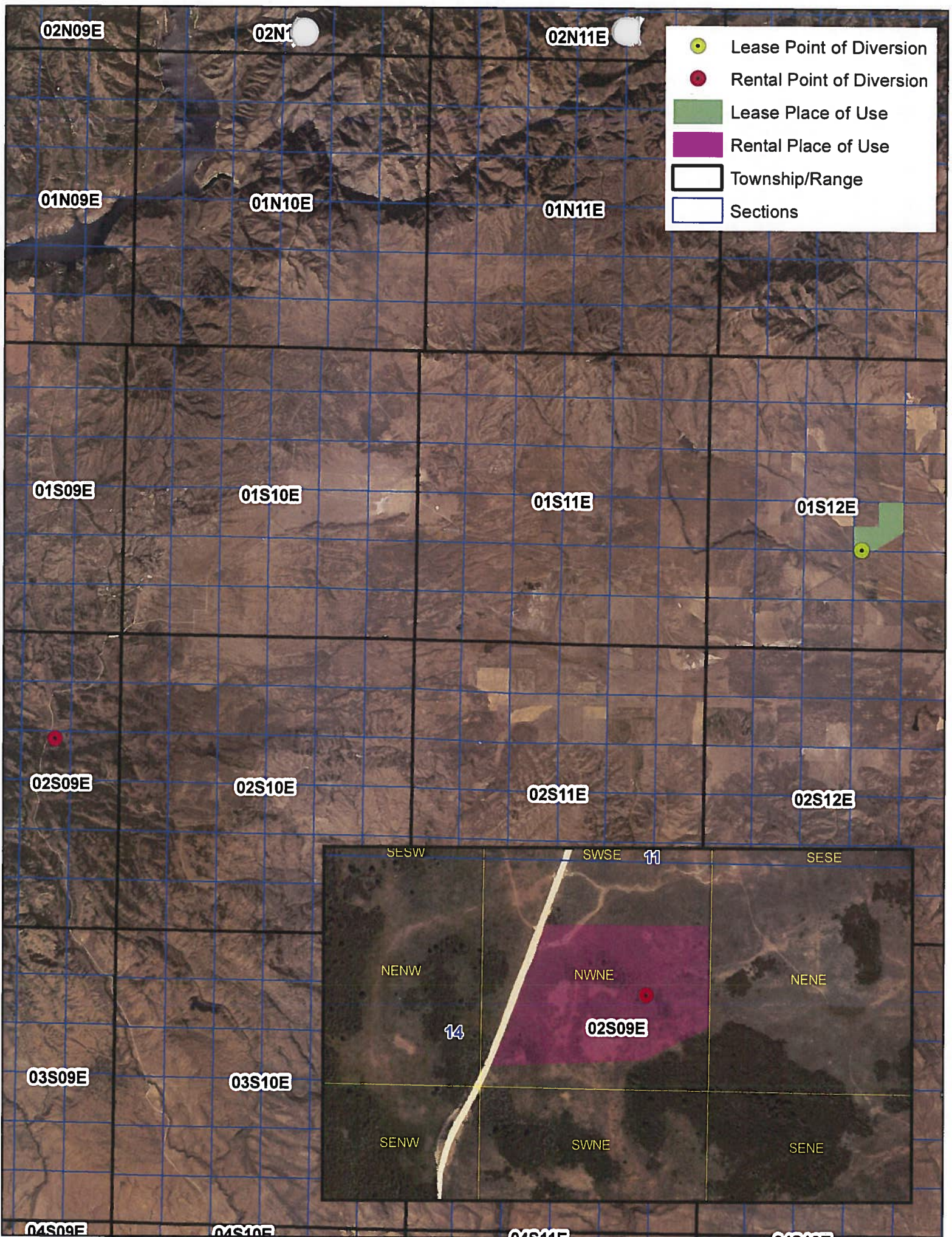
No objections on this end.

I copied Benny here in our office (with the attachments) because I think he has worked with this gentleman before.

From: Thiel, Sandra
Sent: Thursday, December 15, 2016 9:23 AM
To: Skinner, Corey
Subject: water supply bank rental of right 37-7697 by Randall Burr

Good morning Corey, The attached documents explain a proposed rental. Please let me know if you have any questions or concerns.

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov



Thiel, Sandra

From: Rusty Krame <waterdistrict37b@outlook.com>
Sent: Friday, December 30, 2016 10:46 AM
To: Thiel, Sandra
Subject: Re: water supply bank rental of right 37-7697 by Randall Burr

Sandra,

Thanks for clarification. Please let Mr. Burr know to let me know when he gets his meter installed and I can run out and check it out.

Thanks

Rusty Kramer - Water Master
Water District 37B
208-870-3217

From: Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>
Sent: Thursday, December 29, 2016 12:48 PM
To: Rusty Krame
Cc: Luke, Tim
Subject: RE: water supply bank rental of right 37-7697 by Randall Burr

Hello Rusty, I thought I sent you an email last week. I will require a measuring device as part of the rental.

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov

From: Rusty Krame [mailto:waterdistrict37b@outlook.com]
Sent: Tuesday, December 20, 2016 8:37 AM
To: Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>
Subject: Re: water supply bank rental of right 37-7697 by Randall Burr

So he will only be required if he acquires a water right? Not for his rental water?

Thanks

Rusty Kramer - Water Master
Water District 37B
208-870-3217

From: Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>
Sent: Monday, December 19, 2016 7:36 AM
To: Rusty Krame
Subject: RE: water supply bank rental of right 37-7697 by Randall Burr

Good Morning Rusty, It appears that we will require Dr. Burr to install a measuring device. He is actively trying to find a permanent right for his property. When he does find a right we will require him to measure.

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov

From: Rusty Krame [<mailto:waterdistrict37b@outlook.com>]
Sent: Thursday, December 15, 2016 3:43 PM
To: Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>
Subject: Re: water supply bank rental of right 37-7697 by Randall Burr

Sandra,

I went to this site last year and met someone working for Mr. Burr so I know the place. My only question is, how is he going to ensure us he will stay under the .3 CFS rate? I have people in my water district with rates as low as .05 that are required to meter their wells. Are you going to require him to install a IDWR approved meter?

Thanks

Rusty Kramer - Water Master
Water District 37B
208-870-3217

From: Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>
Sent: Thursday, December 15, 2016 8:30 AM
To: WATERDISTRICT37B@OUTLOOK.COM
Subject: water supply bank rental of right 37-7697 by Randall Burr

Good morning, The attached documents explain a proposed rental. Please let me know if you have any questions or concerns.

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881

Thiel, Sandra

From: Luke, Tim
Sent: Friday, December 16, 2016 11:56 AM
To: Thiel, Sandra
Subject: RE: measuring device requirement for a rental

See this link for measurement order of surface water rights in WD37B,

<https://idwr.idaho.gov/files/legal/orders/20151019-Preliminary-Order-Requiring-Measuring-Devices-WD37B-Camas-Creek.pdf>

This order also references ground water measurement as per the order creating the Upper Wood Rivers Water Measurement District, which can be found here:

<N:\Water Measurement\Water Meas and GW Districts\Upper Wood Rivers WMD\WMD Creation\Preliminary Order Creation of GWD Big Wood wo address list.pdf>

Individual non-irrigation rights less than 0.24 cfs are not required to be measured as per the original order creating the measurement district in 2011. I'm not sure I agree with or understand Rusty's comment about well less than 0.05 cfs needing to be measured. All irrigation use rights are measured (unless limited to ½ acres associated with a home). It's possible a few recent permitted rights with de-minimis type uses were required to install measuring devices, the Mtn Home music festival I think was required to install devices on one or more wells pursuant to a protest of a water right application – I think WD37B made some stink about the well(s).

See me if you have more questions

Tim

From: Thiel, Sandra
Sent: Friday, December 16, 2016 11:05 AM
To: Luke, Tim
Subject: measuring device requirement for a rental

Hi Tim, I have a water supply bank rental application in the headwaters of the Camas Creek. They plan to divert ground water and I believe I have found a water right to cover the rental. I contacted the water master of 37B. His response is below. The applicant drilled a domestic well last year to supply water to a cabin. It appears that the renter will have to install a measuring device. Is there currently a measurement district, or some order, that I can reference when I send the measuring requirements to the renter?

Sandra Beer Thiel

Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov

Sandra,



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

November 8, 2016

RANDALL D BURR
1216 S LAKE POINTE WAY
EAGLE ID 83616

RE: WITHDRAWAL OF APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Applicant:

Per your written request received on November 4, 2016, the Department of Water Resources (department) acknowledges your intent to withdraw your Application to Rent Water from the Water Supply Bank. Therefore, the department is returning your application.

Diversion and use of water is not authorized under the returned rental application. Any use associated with your proposed rental request is not authorized and, if occurring, will be subject to any necessary enforcement action.

If you wish to rent water in the future, 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) 287-4910.

Sincerely,

Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure: Rental Application(s)

RECEIVED
NOV 04 2016
DEPARTMENT OF
WATER RESOURCES

November 1, 2016

Mr. Remington Buyer
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720

Dear Mr. Buyer,

You helped me with my Application to Rent Water From the State Water Supply Bank for my new ranch property in the Mount Bennett Hills and I thank you for that assistance. I am in receipt of your letter dated October 18, 2016 indicating my application was too late to be processed for the 2016 water season but that it would be retained to be processed for the 2017 season.

As my project has progressed, I now have a better understanding of the amount of water needed for my landscape. I must admit I am naïve to water amounts and acreage and such but my landscape contractor has helped me to understand that I underestimated the amount of water needed to irrigate the landscaping and trees around my new ranch.

Accordingly, I would like to withdraw my Application to the Water Supply Bank from last year and to replace it with the attached revised Application for processing for the 2017 irrigation season. Because my plan is evolving as the buildings come into existence, I have supplied a map that covers the entire area that I could potentially be irrigating so that I am sure I am legal and covered for whatever continuing changes that may come to pass.

As we discussed, I am continuing to pursue the acquisition of permanent water rights for my property going forward into the future.

Again, thank you for your help with my water needs and I will wait to hear back from you. I am assuming my 2016 application processing fee would still be applicable but please let me know if that is not the case or if I need to provide more money and I will take care of that immediately.

Sincerely.

Randall D. Burr