



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 6, 2017

PAUL GUNDERSON
1555 E 1500 N
HAMER ID 83425

RE: Expiration of Water Supply Bank Rental Agreement for water rights: 22-4046, 35-2924

Renter,

This letter is to inform you that your rental agreement(s) to rent the above listed water rights from the Water Supply Bank (Bank) expired at the end of 2016.

Once the rental agreement concludes, any diversion or use of water under the rental agreement will no longer be authorized and, if occurring, may be subject to an enforcement action.

If you wish to rent water in the future, please download a rental application from: <http://idwr.idaho.gov>. You may submit rental applications on November 1 of the year prior to the intended use of rental water. **YOU ARE ENCOURAGED TO FILE AN APPLICATION AT LEAST 3 MONTHS PRIOR TO THE DATE YOU DESIRE TO USE RENTAL WATER.**

If you have any questions about this matter, please contact me at (208) 287-4918.

Sincerely,

A handwritten signature in black ink, appearing to read 'RB', followed by a horizontal line.

Remington Buyer
Water Supply Bank Coordinator

Enclosures:

RECEIVED

OCT 24 2016

DEPARTMENT OF
WATER RESOURCES

This is to certify that: **PAUL GUNDERSON**
1555 E 1500 N
HAMER ID 83425
(208) 663-4412

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	Priority Date	Source	Tributary	Rented Rate	Annual Rented Volume	Acre Limit	Total Rented Acres
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35-2924	07/21/1964	Ground Water	NA	0.28 cfs	60.0 af	NA	15.0 ac
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Annual Combined Rental Totals	0.28 cfs	60.0 af	NA	15.0 ac
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Term of Rental: This rental is in effect from the day the Idaho Water Resource Board signs the rental agreement and shall be in effect until December 31, 2016.

Rental Fee: \$1,020.00

The fee for rental of the above-described water is \$1,020.00 per year. Ten percent (\$102.00) will be retained by the Department to offset administrative costs, and the remainder will be paid to the lessor(s).

No administrative fees will be refunded once the fee is collected.

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:


Signature of Renter

PAUL GUNDERSON
Printed Name and Title*

10/20/16
Date

Signature of Renter

Printed Name and Title*

Date

*Please provide title of signatory 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 10/24/2016

Rental Approved by IDWR 

Date 10-24-2016

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

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NW¼SW¼ Sec. 25 Twp 07N Rge 35E JEFFERSON County

BENEFICIAL USE

IRRIGATION

SEASON OF USE

04/1 TO 10/31

RENTER'S PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	35E	26				5.0									0.5	9.5			15.0

Total Acres: 15.0

CONDITIONS APPLICABLE TO ALL RENTED WATER RIGHTS

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 does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
5. Use of water under this agreement shall not prejudice any pending permanent transfer applications that the renter has filed to modify other water rights for irrigation of the subject lands nor shall it prejudice any future rental agreement that may be made of the subject water right after this rental agreement expires.
6. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
7. 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.
8. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
9. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
10. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
11. The renter shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

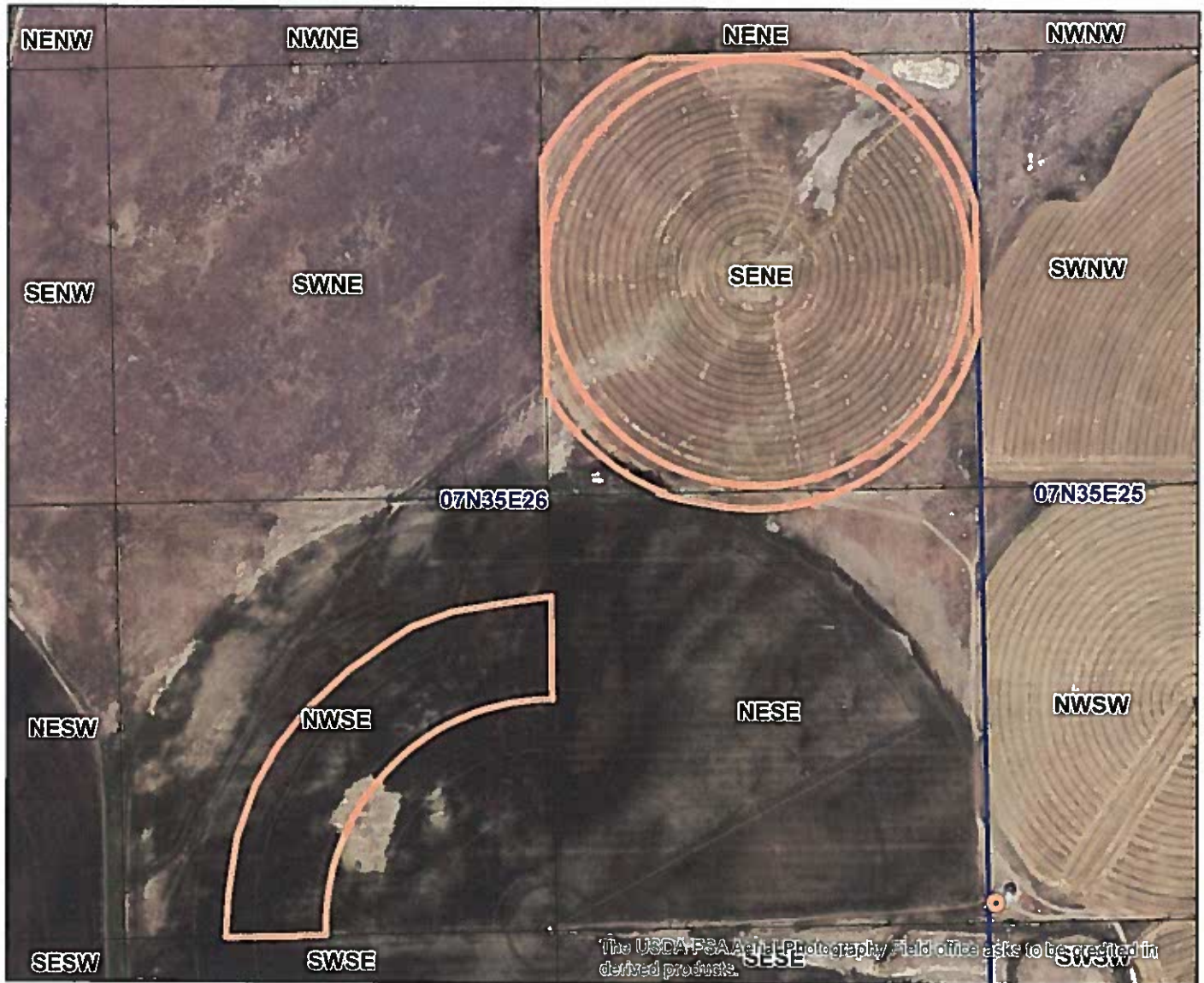
12. This rental agreement does not authorize the construction of a well.
13. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
14. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
15. 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. 110.
16. The following rights are diverted through point(s) of diversion described above: 31-11604, 31-11688, 31-11689 and 31-7338.



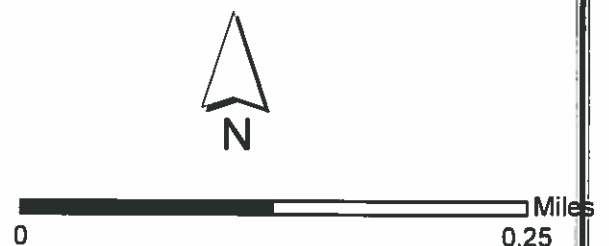
Idaho Water Resource Board
Water Supply Bank Rental Agreement

Effective until December 31, 2016

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





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

C.L. "BUTCH" OTTER

Governor

October 19, 2016

GARY SPACKMAN

Director

PAUL GUNDERSON
1555 E 1500 N
HAMER ID 83425

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

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

Dear Applicant:

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

A rental fee of \$1,020.00 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 60.0 acre-feet.

Please send a check for \$1,020.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. Pursuant to the Water Supply Bank Rules, 90% or \$918.00 of the rental fee will be paid to the lessor(s) and 10% or \$102.00 will be retained by the Department to offset administrative costs.

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

Sincerely,

for Water Supply Bank

Enclosure

c: IDWR Front Desk
Kristin Moore – Rocky Mountain Environmental

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

AUG 15 2016

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Paul Gunderson

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

Yes ☐ No ☒

If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

		Yes	
		☒	Completed <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)

35-2924

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Paul Gunderson

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

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 Sen. Water Right Analyst
 Organization Rocky Mtn 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:

This application is to apply for water use for irrigation occurring in the 2016 season. A total of 206.5 acres have been identified requiring irrigation. Existing water rights total 146 acres and another WSB Rental application proposes an additional 44 acres of irrigation. The remaining 16.5 acres are proposed under this application.

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)
0.3 CFS	57.8 AF	0.16 CFS	41.3 AF	16.5 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?	
9/30/2016	9/30/2016	☒ 1	☐ 2	☐ 3	☐ 4	☐ 5	☒ Process application as soon as possible	☐ Return application to applicant

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

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

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

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

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
T7N R35E SEC 25 NWSW	Ground Water	31-11604, 31-11688, 31-11689, 31-7338

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☒
If yes, include documented consent as Attachment 3F.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☒ No ☐
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- H. Has water modeling been provided with your rental request? Yes ☒ N/A ☐
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

- I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

- ☒ Irrigation 16.5 (number of acres) Duration: Subject to IDWR standard seasons of use
☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

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

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

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

Some of the rental POU is covered by the PPU of WR #s 31-11689, 31-11604, 31-11689, 31-12314, which is limited in irrigable acres. WR #31-11228 overlaps the rental POU with 2 acres. Existing rights do not provide enough acreage for the current irrigation.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

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

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

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

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
35-2924	Industrial	1.11	241	NA		0.3	57.8	16.5
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	0.3	57.8	16.5
						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**:

The conversion was based on predetermined amounts identified in an IDWR Memorandum from Cherie Palmer dated September 22, 2014, found in the water right backfile on IDWR database.

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.

Applicant received notice of Unauthorized Water Use on July 15, 2016 from Blake Jordan at IDWR, pertaining to this property. Information was given to Mr. Jordan informing of the pending application of 44 acres to be rented from WSB. The remaining acreage is proposed to be covered under a new rental per his direction.

- D. Additional Information

DECLARATION

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


Signature of Applicant

Paul Gunderson

Printed Name of Applicant

Date

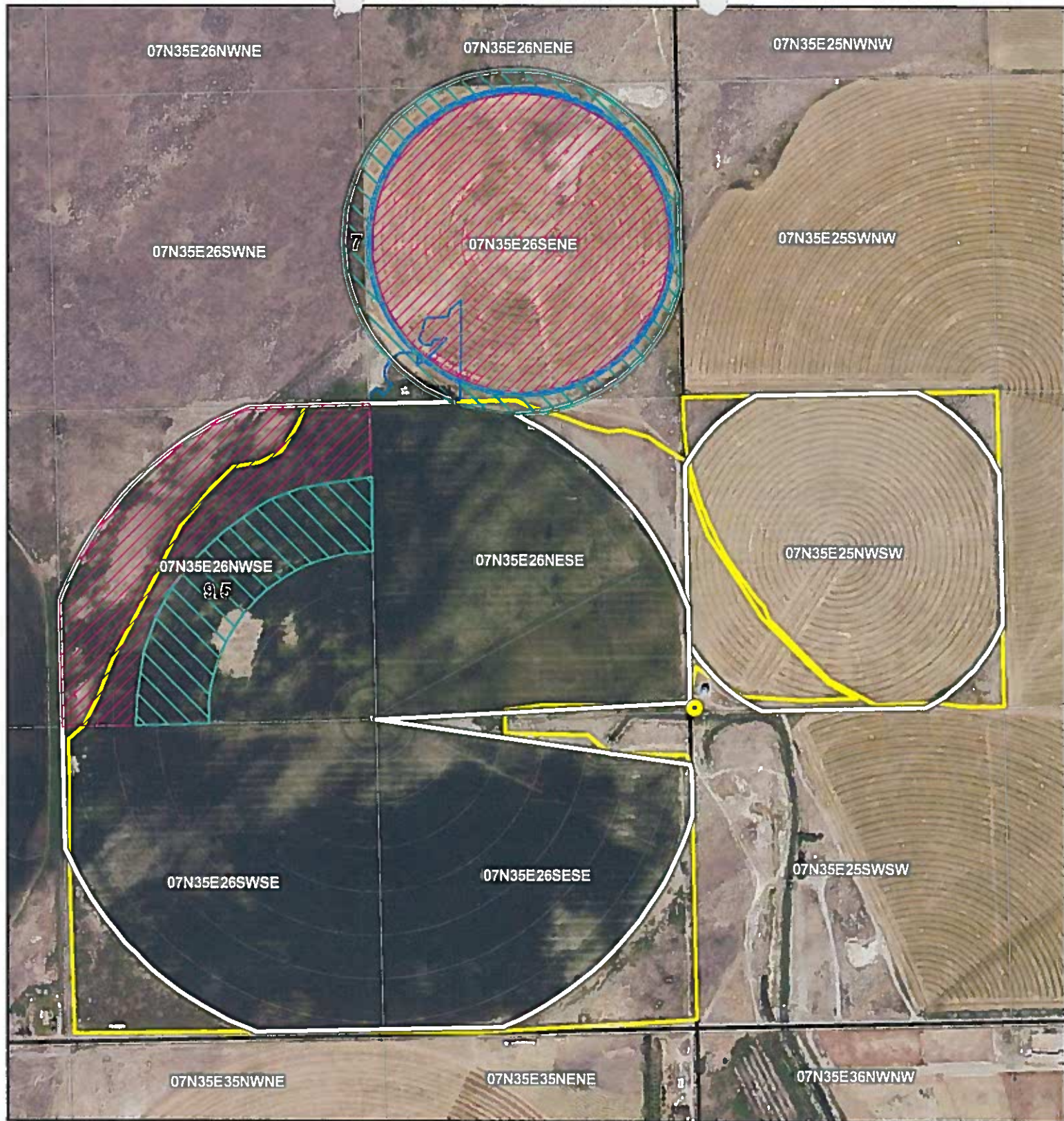
Signature of Representative

Printed Name of Representative

Date

Mail to:

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

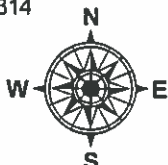


0 500 1,000 2,000 Feet

2015 Aerial Photography

Legend

- Proposed POD
- WSB Rental App. 35-2924
- WSB Rental App. 22-4046
- Irrigated Acres by IDWR
- WRPOU 31-11228
- WRPOU 31-11228 Actual
- WRPOU 31-12314
- TR
- TRS
- QQ



WSB Rental Application

Paul Gunderson

RMEA #12-0166

by: KM

August 10, 2016



Eastern Snake Plain Aquifer Modeling Analysis

The Applicant requires an additional 16.5 acres and 57.8 afa at the proposed place of use to irrigate acres in association with existing pivots, part of which do not have water rights. Water Right 35-2924 is leased to the Water Supply Bank, with partial rental availability. Using ESPAM 2.1 to simulate the depletions of transferring 57.8 afa from the original point of diversion of 35-2924 to the proposed point of diversion, the affects do not exceed the threshold of 2.0 af/trimester. **No mitigation is required.**

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

Figure 1. Data Entry

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

Cells this color are set up for user entries

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

YEAR: 1965
SEASON: SUMMER

TRANSFER NO: []
TRANSFER NAME: Gunderson WSB

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

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

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SUM 1965	0	19	19	0	0	0	0
WIN 1965	0	19	19	0	0	0	0
SPR 1966	0	19	19	0	0	0	0
SUM 1966	0	19	19	0	0	0	0
WIN 1966	0	19	19	0	0	0	0
SPR 1967	0	19	19	0	0	0	0
SUM 1967	0	19	19	0	0	0	0
WIN 1967	0	19	19	0	0	0	0
SPR 1968	0	19	19	0	0	0	0
SUM 1968	0	19	19	0	0	0	0
WIN 1968	0	19	19	0	0	0	0
SPR 2015	0	19	19	0	0	0	0
SUM 2015	0	19	19	0	0	0	0
WIN 2015	0	19	19	0	0	0	0
SPR 2016	19	0	19	0	0	0	0
SUM 2016	19	0	19	0	0	0	0
WIN 2016	19	0	19	0	0	0	0
SPR 2017	0	19	19	0	0	0	0
SUM 2017	0	19	19	0	0	0	0
WIN 2017	0	19	19	0	0	0	0
SPR 2113	0	19	19	0	0	0	0
SUM 2113	0	19	19	0	0	0	0
WIN 2113	0	19	19	0	0	0	0
SPR 2114	0	19	19	0	0	0	0
SUM 2114	0	19	19	0	0	0	0
WIN 2114	0	19	19	0	0	0	0
SPR 2115	0	19	19	0	0	0	0

Figure 2. Net Transfer Graphs

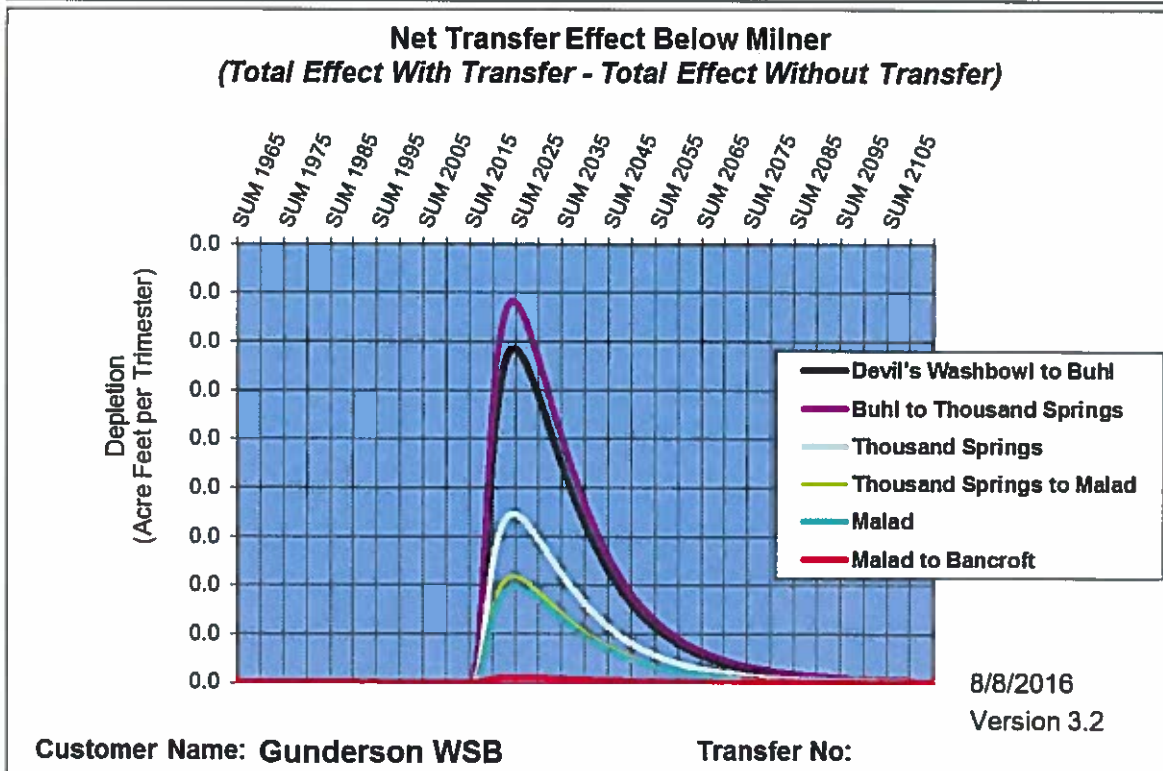
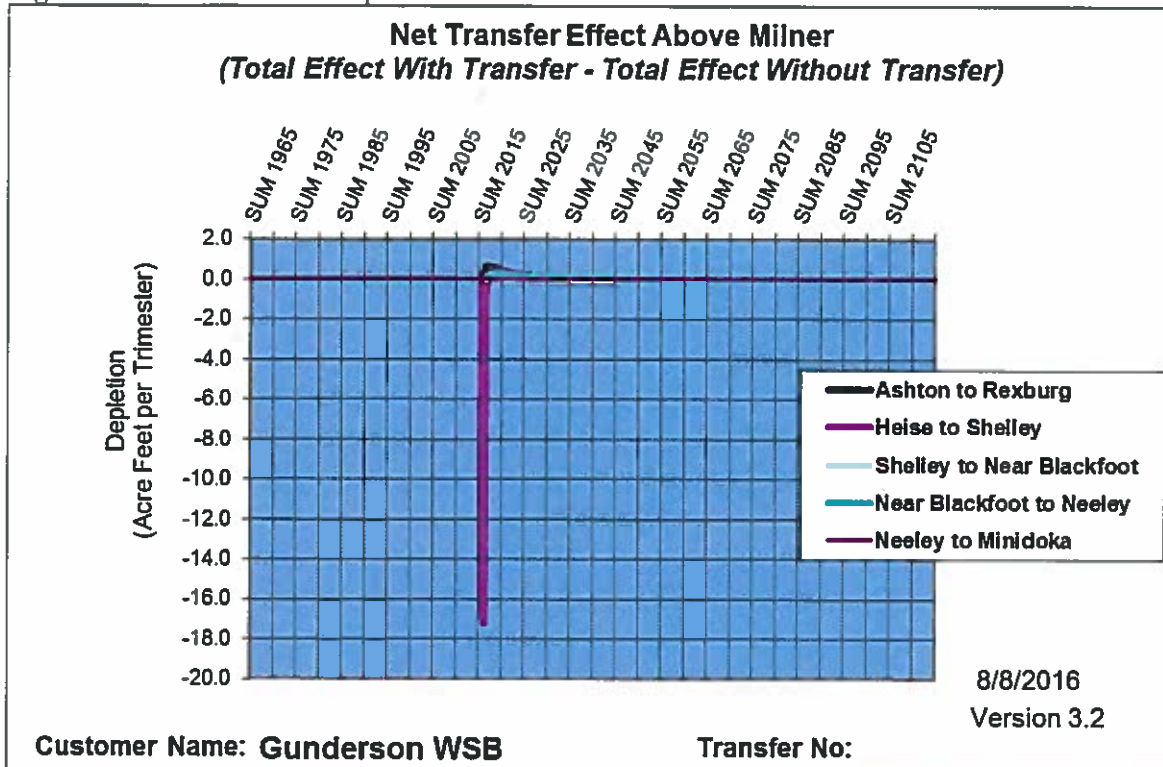


Figure 3. Calculated Affects.

	Net Transfer Effect (AF/four months)										
	Ashley to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft Nesley	Neeley to Minidoka	Dev. Wbl Buhl	Buhl to Kspr	Kspr Kspr	Kspr to Malad	Malad Malad	Malad to Bancroft
SUM 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2015	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2015	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2015	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2016	0.2	-16.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2016	0.4	-17.2	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2016	0.6	-17.2	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2017	0.6	-0.8	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2017	0.7	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2017	0.6	0.4	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2018	0.6	0.5	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2018	0.6	0.5	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2018	0.6	0.5	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2019	0.6	0.5	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	0.5	0.5	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	0.5	0.5	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	0.5	0.4	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	0.5	0.4	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	0.4	0.4	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	0.4	0.4	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	0.4	0.4	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	0.4	0.4	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	0.4	0.3	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	0.3	0.3	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	0.3	0.3	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	0.3	0.3	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	0.3	0.3	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	0.3	0.3	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	0.3	0.3	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	0.3	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	0.2	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	0.2	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	0.2	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	0.2	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	0.2	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.2	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.2	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.2	0.2	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	0.2	0.2	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	0.2	0.2	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2028	0.2	0.2	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2028	0.2	0.1	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2028	0.1	0.1	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2029	0.1	0.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2029	0.1	0.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2029	0.1	0.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	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 26, 2016

PAUL GUNDERSON
1555 E 1500 N
CITY STATE ZIP CODE

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

Dear Renter:

Please find enclosed a receipt in the amount of \$1,020.00 and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 60.0 acre-feet of water for irrigation of 15.0 acres during 2016. 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 \$918.00 of the rental fee will be paid to the lessor and 10% or \$102.00 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. C102628
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office/Water District # 100
Kristin Moore – Rocky Mountain Environmental

Edl, Michele

From: Cefalo, James
Sent: Tuesday, October 18, 2016 2:56 PM
To: Edl, Michele
Subject: RE: WSB rental for Pocock and Gunderson2

Michele,

If the modeling works out, I don't have any concerns with the leases or rentals.

James

From: Edl, Michele
Sent: Tuesday, October 18, 2016 2:25 PM
To: Cefalo, James
Cc: Jordan, Blake
Subject: WSB rental for Pocock and Gunderson2

James,

The executed lease contract of the Dale Daw right 22-4046 to the WSB for the 2016 season was mailed out today. That lease will be entirely utilized to satisfy the Pocock rental request for 57 acres under his end guns and to satisfy a rental request for 44 acres for Gunderson (Gunderson2).

I have attached both of my rental review memos and two PDF maps which show the proposed rental POU's and PODs. When you get a minute, please let me know if you have any concerns about either of these two rentals.

Thank you.
Michele

Edl, Michele

From: Edl, Michele
Sent: Thursday, October 13, 2016 3:56 PM
To: 'Kristin Moore'
Subject: RE: Gunderson rental2

Kristin Moore,

I phoned both Blake Jordan and James Cefalo this afternoon. We discussed the rental requirements for Mr. Gunderson. In short, he does not need to rent 16.5 acres just because the rental water is available. He does need to rent enough water to be covered for the irrigation that he has completed on his property and he does need to be in compliance in the future.

So, I am taking you up on your offer to provide revised shapes for the Gunderson2 rental. If you can get them to me sometime Monday morning, that would be great! I will work on revising the rental agreement and the other attachments that we associate with it.

Thank you.

Michele Edl

From: Kristin Moore [<mailto:kristin.rmea@gmail.com>]
Sent: Thursday, October 13, 2016 9:40 AM
To: Edl, Michele
Subject: RE: Gunderson rental2

Michele,

I said the same thing to Eastern when they sent a letter to Mr. Gunderson about unauthorized water us. They identified those acres as being unauthorized and requiring a water right. Although I knew that Mr. Gunderson did not own that land, and I don't think he has an agreement with the ID F&G, we included it since it was an issue with IDWR. The satellite images that Eastern sent to us this year appear unclear if those parcels are irrigated under the pivot. However, Mr. Gunderson did indicate to me that he turns his pivot off so it does not irrigate that land. I would be happy to remove it from the application if you would prefer.

Kristin Moore
Water Rights Analyst
482 Suite 303 Constitution Way, Ste 303, Idaho Falls, ID 83402
E-Mail: kristin.rmea@gmail.com
VOICE: 208-524-2353 ||| FAX: 208-524-1795



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From: Edl, Michele [<mailto:Michele.Edl@idwr.idaho.gov>]
Sent: Thursday, October 13, 2016 8:36 AM

To: kristin.rmea@gmail.com

Subject: Gunderson rental2

Kristin,

I have prepared a rental agreement for Mr. Gunderson using 16.5 acres of the banked right 35-2924. It's almost ready to go out the door.

But we have a concern about the acreage or maybe about the shape file. The proposal requests 16.5 acres total with 7 acres worth of the rental ringing the pivot in the SENE. The concern is that the shape file puts irrigation on IDF&G property in the NENE and the SWNE.

Please let me know if this is 1) simply a slip of the shape or 2) if Mr. Gunderson has permission to irrigate State of Idaho land.

Thank you.

Michele

MEMORANDUM

To: Right(s) 35-2924
From: Michele Edl
Date: October 13, 2016
Re: Reduced Acres in Paul Gunderson's Application to Rent Water from the State Water Supply Bank

Paul Gunderson's application to rent water from the water supply bank for the 2016 irrigation season, requested 16.5 acres from WR 35-2924.

The place-of-use for the rented water included some acreage which was land owned by IDF&G. The WSB can't authorize the use of water for irrigation of those acres without a companion authorization from IDF&G to Gunderson for land use. I contacted Mr. Gunderson's representative Kristin Moore, for clarification. K Moore explained that she submitted the rental request based on an assessment made by IDWR's Eastern Region office, of Mr. Gunderson illegal irrigation. She also stated that she would be happy to trim the shapes if IDWR was in agreement with the reduced acres.

I phoned James Cefalo this afternoon and briefly discussed the acreage that the rental agreement could accommodate versus the acreage that the rental application requested. Mr. Cefalo confirmed that Mr. Gunderson was not required to rent 16.5-acres-worth of water if some of the irrigated acres were not his.

I requested that Kristin Moore send me trimmed shapes for the Gunderson2 rental as soon as she can. And I will update the rental agreement and attachments.

Water Right No.	Rented Vol (AF)	Lessor Fee (90%)	Administrative Fee (10%)	Total Fee @ \$17 (2016)	Rental Amounts	
					Rate	Acres
35-2924	60.0	\$918.00	\$102.00	\$1,020.00	0.27	15.00
		\$0.00	\$0.00	\$0.00		
		\$0.00	\$0.00	\$0.00		
		\$0.00	\$0.00	\$0.00		
Total	60.0	\$918.00	\$102.00	\$1,020.00	0.27	15.00
calculated by Michele Edl						
35-2924	rate	volume	acre	af/ac	cfs/ac	timester vol
leased	1.11	241	60.3	4.00	0.018	
available	1.11	241	60.3	4.00	0.018	*established by CP for this WR in 2014
Foster 2016 Rental corex	0.53	115.5	28.9	4.00	0.018	reductions ok'd by consultant on 4/1/2016 by phone call
remaining	0.58	125.5	31.4	4.00	0.018	41.83
Gunderson 2016	0.3	57.8	16.5	3.50	0.018	proposed
	0.27	60	15	4.00	0.018	actual 15 ac for HG = 4.0 not 3.5

Edl, Michele

From: Kristin Moore [kristin.rmea@gmail.com]
Sent: Thursday, October 13, 2016 9:40 AM
To: Edl, Michele
Subject: RE: Gunderson rental2

Michele,

I said the same thing to Eastern when they sent a letter to Mr. Gunderson about unauthorized water us. They identified those acres as being unauthorized and requiring a water right. Although I knew that Mr. Gunderson did not own that land, and I don't think he has an agreement with the ID F&G, we included it since it was an issue with IDWR. The satellite images that Eastern sent to us this year appear unclear if those parcels are irrigated under the pivot. However, Mr. Gunderson did indicate to me that he turns his pivot off so it does not irrigate that land. I would be happy to remove it from the application if you would prefer.

Kristin Moore
Water Rights Analyst
482 Suite 303 Constitution Way, Ste 303, Idaho Falls, ID 83402
E-Mail: kristin.rmea@gmail.com
VOICE: 208-524-2353 ||| FAX: 208-524-1795



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From: Edl, Michele [<mailto:Michele.Edl@idwr.idaho.gov>]
Sent: Thursday, October 13, 2016 8:36 AM
To: kristin.rmea@gmail.com
Subject: Gunderson rental2

Kristin,

I have prepared a rental agreement for Mr. Gunderson using 16.5 acres of the banked right 35-2924. It's almost ready to go out the door.

But we have a concern about the acreage or maybe about the shape file. The proposal requests 16.5 acres total with 7 acres worth of the rental ringing the pivot in the SENE. The concern is that the shape file puts irrigation on IDF&G property in the NENE and the SWNE.

Please let me know if this is 1) simply a slip of the shape or 2) if Mr. Gunderson has permission to irrigate State of Idaho land.

Thank you.

Michele

Edl, Michele

From: Cefalo, James
Sent: Monday, October 10, 2016 10:03 AM
To: Edl, Michele
Cc: Jordan, Blake
Subject: RE: Gunderson rental 2

Michele,

I don't have any issues with the proposed WSB rental for Gunderson. Please let us know when the 2016 WSB work is completed for Gunderson. We suspect that he will still be short on acres and plan on initiating an enforcement action for the excess acres.

James

From: Edl, Michele
Sent: Thursday, October 06, 2016 4:21 PM
To: Cefalo, James
Cc: Jordan, Blake
Subject: Gunderson rental 2

James,

I have completed my review of one of the two proposed 2016 Water Supply Bank rentals for Paul Gunderson. I understand that Mr. Gunderson is required to rent water from the bank by an enforcement agreement.

This rental water is for portion of 35-2924 which is currently a WSB leased right. ETRAN modeling shows no mitigation is needed. I have attached a copy of my review memo and a PDF illustration of the rental POU.

When you get a minute, please let me know if you have any WM concerns about this rental.

Thanks.
Michele Edl
208-287-4946

MEMORANDUM

To: Right(s) 35-2924

From: Michele Edl

Date: October 6, 2016

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

PURPOSE/NARRATIVE: On August 15, 2016, Kristin Moore (Sr WR Analyst, Rocky Mountain Environmental Associates, Inc) submitted a WSB rental application on behalf of Paul Gunderson. The application proposed to rent a portion of water right 35-2924 for the 2016 season and is in response to an NOV. See Enforcement action E2016-959.

AUTHORITY TO FILE: According to available Jefferson County taxlot information, the proposed place-of-use is property owned by Paul Gunderson and he signed the application. The proposed rental point-of-diversion is a well located within Gunderson properties. It is the authorized POD for rights: 31-11604, 31-11688, 31-11689 and 31-7338.

WATER RIGHT VALIDITY: Right 35-2924 is fully leased to the bank until December 31, 2019 and currently partially rented. The right is for industrial use and was decreed with rate and volume only. In a September 22, 2014 memo to the water right file, Cherie Palmer associated 60.3 acres with the leased rate and volume.

INJURY TO OTHER WATER RIGHTS: No injury is apparent. The consultant provided ESPA modeling of this water rental package using ESPAM 2.1 but provided copies of a run from some version of the ETRAN modeling utility. The modeling run showed that no mitigation is required. The modeling run was based on smaller volume based on a 3.5 head gate volume constant for the rental POU rather 4.0 appropriate for the lease POU. I re-run the model using the larger volumes and the full timespan (Summer 2009 - Winter 2019) that the right has been and is expected to be in the bank.

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

The rental rate and volume requested from WR 35-2924 were disproportionate to the leased elements of the right. I discussed the necessary change with the consultant, and increased the volume to be proportionate to the acres requested.

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

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The rented right(s) are subject to Water District #120. Comment will be solicited from the Watermaster and Eastern Region.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 16, 2016

PAUL GUNDERSON
1555 E 1500 N
HAMER ID 83425

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

Dear Applicant:

The Idaho Department of Water Resources (Department) acknowledges receipt of your application(s) to rent water from the Idaho Water Resource Board's Water Supply Bank (Bank) for irrigation to irrigate 16.5 acres. Filing a Bank rental application does not automatically result in approval. Before a rental application can be approved, the rental request must be reviewed, a rental agreement must be prepared, the agreement must be approved by the applicant and the Department, and the rental fee must be paid. To maximize the number of rental applications processed while managing competing priorities, the Department begins accepting rental applications on November 1 for use in the next calendar year, and it processes as many applications as it can before the start of the irrigation season in March or April. Once the irrigation season begins, Department staff members are reassigned to address field work and other duties. Consequently, few rental applications are processed after May 1.

Because your application was received near the beginning of the irrigation season, which is now well underway, it is unlikely the Department will be able to process your application in time for approval in 2016 unless you have proposed a start date late in the year. If your application was for 2016 only and the latest possible start date on your application has passed, the application may be returned to you. If your application requests a rental for more than one year, the rental application may be retained by the Department and evaluated for 2017.

In future years, we encourage you to file your rental applications as soon as possible after November 1 to improve the chances that they will be processed.

Additional information about the Bank may be found on the Department's website at <http://idwr.idaho.gov/water-supply-bank/>.

If you have questions regarding this matter, please contact me at 287-4800.

Sincerely,

Water Supply Bank

C: Kristin Moore – Rocky Mtn Environmental Assoc