



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

RAY MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

RE: Expiration of Water Supply Bank Rental Agreement for water rights: 61-12038, 61-12039, v61-12140, 61-12141, 63-7355, 63-7427E, 63-7753A, 63-8382, 63-31882

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', with a long horizontal line extending to the right.

Remington Buyer
Water Supply Bank Coordinator

Enclosures:

RECEIVED

MAY 27 2016

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:

Water Right	Priority Date	Source	Tributary	Rented Rate	Annual Rented Volume	Acre Limit	Total Rented Acres
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63-7355	7/30/1970	Ground Water	NA	0.28 cfs	118.0 af	75.0 ac	75.0 ac
63-8382	11/1/1976	Ground Water	NA	0.92 cfs	215.0 af	75.0 ac	75.0 ac
Total Annual Combined Limit				NA	333.0 af	75.0 ac	75.0 ac

63-7427E	1/24/1983	Ground Water	NA	0.33 cfs	79.2 af	NA	16.5 ac
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63-7753A	4/15/1973	Ground Water	NA	0.38 cfs	126.0 af	NA	28.0 ac
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63-31882	1/25/1954	Ground Water	NA	0.07 cfs	21.6 af	NA	4.8 ac
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Annual Combined Rental Totals	1.98 cfs	559.8 af	NA	124.3 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: \$9,516.60

The fee for rental of the above-described water is \$9,516.60 per year. Ten percent (\$951.66) will be retained by the Department to offset administrative costs, and the remainder will be paid to the lessor(s).

No rental fees will be refunded once the fee is collected and the start date for a Rental Agreement has passed.

Detailed water right conditions are attached.

SUPPORT DATA

IN FILE # 63-7355

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:

 Roy Montierth 5/27/16
Signature of Renter Printed Name and Title* Date
Owner

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  5/27/2016
BRIAN PATTON, Acting Administrator Date
Idaho Water Resource Board

Rental Approved by IDWR  Date 5-27-2016

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

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec. 18	Twp 01N	Rge 02E	ADA County
GROUND WATER	L4(SWSW)	Sec. 18	Twp 01N	Rge 02E	ADA County

BENEFICIAL USE

IRRIGATION

SEASON OF USE

63-7355	04/01 – 10/31
63-31882	03/01 – 11/15
63-7427E and 63-7753A	03/15 – 11/15

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	
01N	2E	18													31.0	31.0	31.0	31.3	124.3

Total Acres: 124.3

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 action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
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. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

11. This rental agreement does not authorize the construction of a well.
12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
13. The following rights are diverted through point(s) of diversion described above: 63-3362, 63-7531, 63-10383 and 63-11347.

CONDITIONS APPLICABLE TO RIGHTS 63-7355

14. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 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.

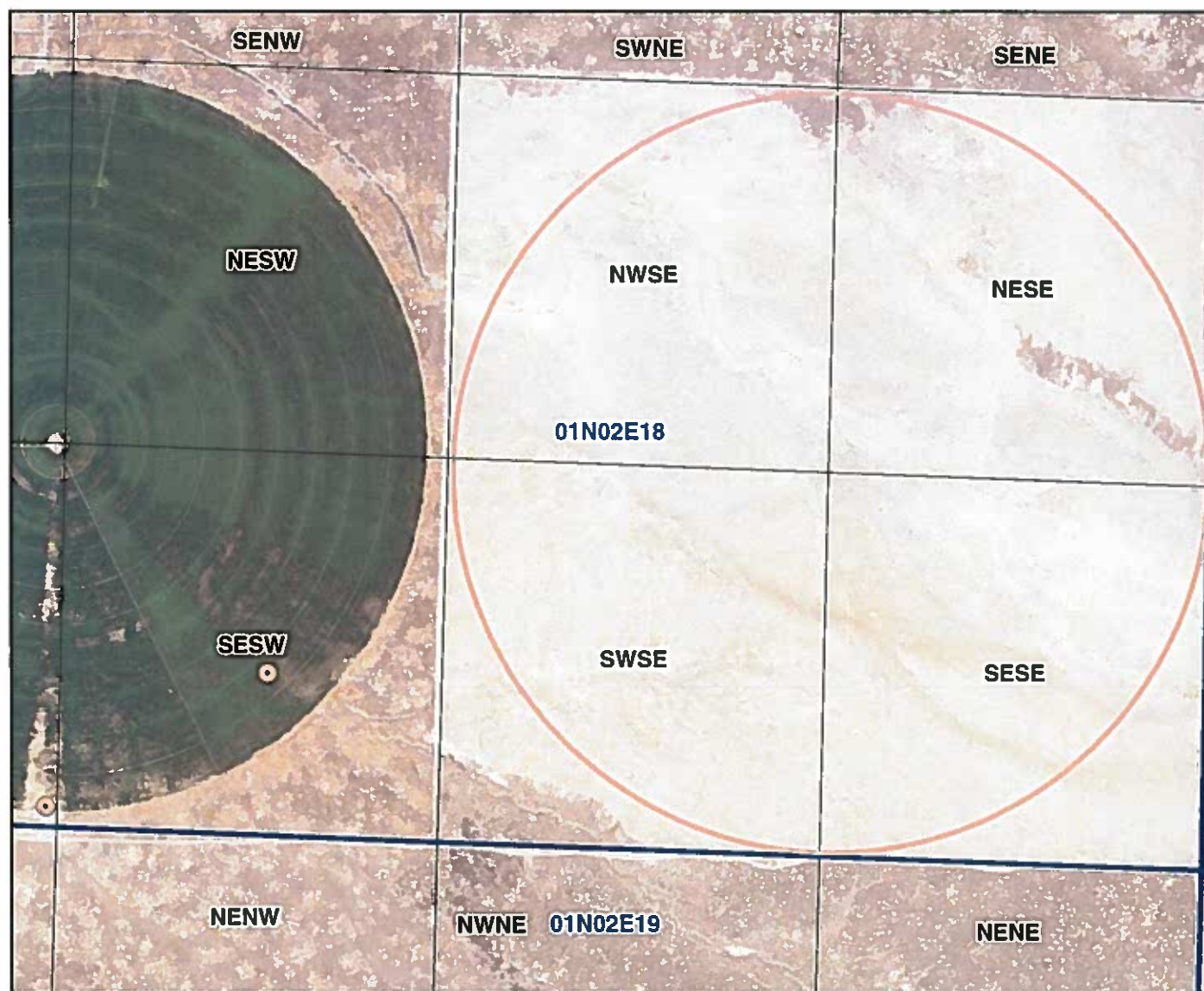
CONDITIONS APPLICABLE TO RIGHTS 63-7427E & 63-7753A

15. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than April 3, 2009.

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



0 Miles
0.25

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

DEC 30 2015

DEPARTMENT OF
WATER RESOURCES

ORIGINAL

APPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Ray and Susan Montierth

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)

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Ray Montierth

Mailing Address 825 Heartland Dr. Nampa ID 83686
Street City State Zip Code
 Email Address _____ Phone Number (208) 989-8310

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 Roxanne Brown Professional Title _____
 Organization SPF Water Engineering Relationship to Applicant consultant
 Mailing Address 300 E. Mallard Dr., Suite 350, Boise, ID 83706
 Email Address rbrown@spfwater.com Phone Number (208) 383-4140

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**:

Water will be used for irrigation at the described location while protest to Application No. 63-33884 is resolved.

The rental water will be removed when the permit is approved.

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)
2.16 CFS	557.4 AF	2.16 CFS	AF	124.3 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?	
3/1/2016	5/1/2016	☒ 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):

Water will be diverted from existing wells to a center pivot for sprinkler irrigation.

- 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

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 124.3 (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:
None.

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)
Same as 2015 rental, if available.								
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**:

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

Yes ☐ No ☒

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

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

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

Rental Agreement for water right nos. 63-7427E, 63-32329, 63-7355, 63-8382, 63-31882, 63-33170, 63-32618 and 63-33776 expires 12/31/2015. Application for Permit 63-33884 for these lands has been protested by Idaho Dept. of Correction. Applicant is currently working to resolve protest.

- 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:

See Application for Permit 63-33884.

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒

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

- D. Additional Information

DECLARATION

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



Signature of Applicant

Ray Montierth

Printed Name of Applicant

12/18/15
Date



Signature of Representative

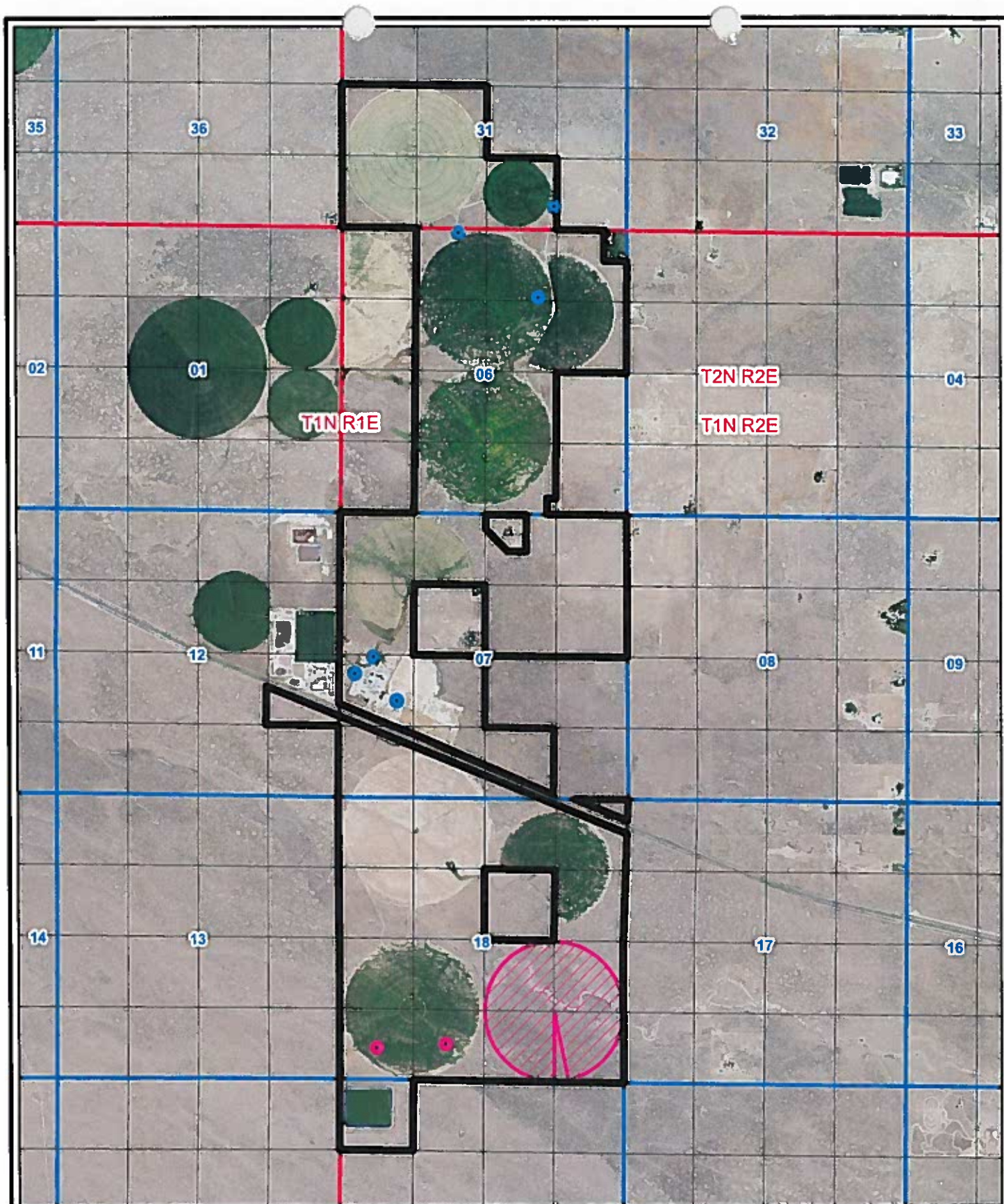
Roxanne Brown

Printed Name of Representative

12/17/2015
Date

Mail to:

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



Existing Well



Proposed Well



Proposed Permissible Place of Use



Proposed Rental Site

Ray Montierth IWSB Rental Application



0.5

Miles



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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

June 1, 2016

GARY SPACKMAN

Director

RAY MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 63-7355, 63-7427E, 63-7753A, 63-8382, and 63-31882**

Dear Renter:

Please find enclosed a receipt in the amount of **\$9,516.60** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 333.0 acre-feet of water for irrigation of 124.3 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 \$8,564.94 of the rental fee will be paid to the lessor(s) and 10% or \$951.66 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4910.

Sincerely,

 Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosures: Receipt No. C102095
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Angie Grimm – IDWR Western Regional Office
Roxanne Brown – SPF Water Engineering



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

March 23, 2016

RAY MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 63-7355, 63-8382, 63-7427E, 63-7753A, and 63-31882**

*****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 \$9,516.60 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 559.8 acre-feet.

Please send a check for \$9,516.60 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 \$8,564.94 of the rental fee will be paid to the lessor(s) and 10% or \$951.66 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4910.

Sincerely,

 Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure

c: IDWR Front Desk
Roxanne Brown – SPF Water Engineering



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

April 28, 2016

GARY SPACKMAN
Director

RAY MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

**RE: REQUEST FOR RETURN OF SIGNED RENTAL AGREEMENT AND PAYMENT FOR
WATER RIGHTS 63-7355, 63-7427E, 63-7753A, 63-8382, and 63-31882**

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

Dear Applicant:

The Department of Water Resources ("Department") mailed a **Water Supply Bank Rental Agreement ("Agreement")** for your review and signature on March 23, 2016. The signed agreement and rental fee has not been returned to the Department.

Please sign the rental agreement and return it with the rental payment in the amount of \$9,516.60 within ten (10) days of this letter to complete processing. Diversion and use of the water rights is not authorized under the proposed agreement until it has been signed by both the renter and the Department. Any use associated with your proposed rental request before it has been executed is considered unauthorized and, if occurring, will be subject to any necessary enforcement action.

If the signed rental agreement and fee is not received by the department within the 10-day period, the rental application will be returned, and the proposed rental rights made available for other rental applicants. You can reapply to rent water from the Bank again in the future by submitting a new rental application form that will be processed in turn with other pending applications.

If you have questions regarding this matter, please contact me at 287-4910.

Sincerely,

Clay Webster
Water Resource Agent
WSB Process Point of Contact

c: Roxanne Brown – SPF Water Engineering

Webster, Clay

From: Roxanne Brown [RBrown@spfwater.com]
Sent: Wednesday, April 06, 2016 4:02 PM
To: Webster, Clay
Subject: Ray Montierth IWSB rental

Clay –

As we discussed earlier, Ray Montierth filed an application to rent water from the Bank as protection for this year if we were unable to resolve Correction's protest to Ray's water right application 63-33884. We have come to an agreement with Correction and they have agreed to withdraw the protest, however the AG's office is taking longer than anticipated to complete the process.

Mr. Montierth respectfully requests some additional time before signing the rental agreement to allow for resolution of the protest and issuance of the permit.

Thanks for your consideration.

Roxanne

Roxanne Brown | Sr. Water Right Specialist

SPF Water Engineering, LLC
300 E Mallard Drive, Suite 350 | Boise, ID 83706
p. 208.383.4140 | f. 208.383.4156 | d. 208.489.2136
e. rbrown@spfwater.com | w. www.spfwater.com



SPF WATER
ENGINEERING

Webster, Clay

From: Grimm, Angie
Sent: Tuesday, March 15, 2016 11:10 AM
To: Webster, Clay
Subject: RE: Regional Comments on Montierth Rental Application 63-7355, 63-8382, 63-7427E and 63-7427E

Clay,

Good morning! Looks like this is a repeat from last year and all the same concerns were addressed this time around too. Permit application is still pending and protested so still recommend filling the rental app with WRs in the S Ada Co GW Area like you've already done. SO... no concerns that you haven't addressed ;) Thank you for the opportunity to comment.

Regards,
Angie

Angela M. Grimm, P.G.
Water Rights Supervisor
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
(208) 334-2348 fax

From: Webster, Clay
Sent: Friday, March 11, 2016 9:59 AM
To: Grimm, Angie
Subject: Regional Comments on Montierth Rental Application 63-7355, 63-8382, 63-7427E and 63-7427E

Angie,

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

Sincerely,
Clay Webster
Water Resource Agent
clay.webster@idwr.idaho.gov
208-287-4910
Idaho Department of Water Resources (IDWR)

MEMORANDUM

To: Water Rights 63-7355, 63-7427E, 63-7753A, 63-8382 & 63-31882
From: Clay Webster
Date: 3/14/2016
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: On December 30, 2015 The department received an application from SPF Water Engineering to repeat the rental from 2015 for Ray and Susan Montierth. This application requests enough water to irrigate a 124.3 acre pivot located in Twp 01N Rg 02E section 18 in the SE ¼.

AUTHORITY TO FILE: The application was signed by Ray Montierth. He is identified as the property owner in the current taxlot data for the point of diversion. The applicant provided a deed of trust from the current tax-lot owners with last year's application.

WATER RIGHT VALIDITY: 63-7753A had 28 acres leased from 2013 through 2017. Aerial imagery confirms that idled acres are not being irrigated. 63-7427E leased 16.5 acres from 2013 through 2018. Aerial imagery confirms that idled acres are not being irrigated. 63-7355 and 63-8382 had 75 acres leased from 2001 through 2017. Aerial imagery confirms that idled acres are not being irrigated. 63-31882 had 10 acres leased from 2011 through 2016. Aerial imagery confirms that idled acres are not being irrigated.

INJURY TO OTHER WATER RIGHTS: All of the points of diversion for the leased water rights and the rental point of diversion are located within the South Ada County Area of Drilling Concern. No injury is anticipated.

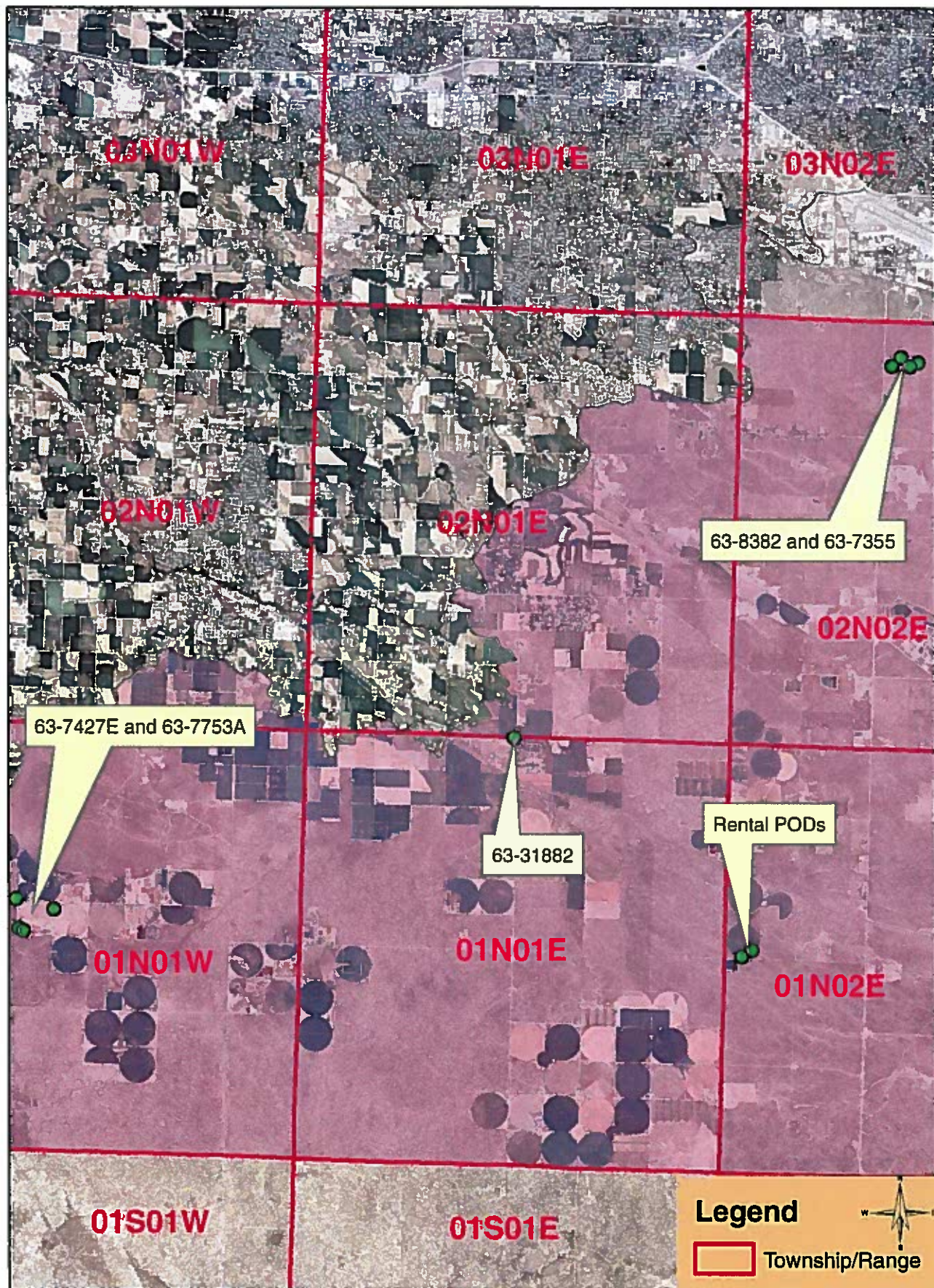
ENLARGEMENT OF USE: The season of use for the rental location is 3/1 – 11/15. 63-7355, 63-7427E and 63-7753A have shorter seasons authorized with shoulder conditions on the water rights. These conditions will be carried over to the rental to prevent enlargement. The applicant will rent the same amount of water authorized for diversion under this rental. No enlargement concerns are noted.

LOCAL PUBLIC INTEREST: The rental is occurring in the South Ada County Area of Drilling Concern. All water rights used to fulfill this rental come from within this area to avoid moving a diversion into the area from outside. There is currently an application for permit for 63-33884 which was for 9.86 cfs of newly appropriated water. This application for permit has been protested. Since this rental is not seeking to accomplish the same purpose as that application for permit, there is no reason to stop the processing of this rental. 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 location for the rental PD is not subject to a Water District. It is located Northwest of the newly formed Water District 161. Comments were requested from the Regional Office Via e-mail on 3/11/2016.

Montierth Rental 2016



Webster, Clay

From: Webster, Clay
Sent: Friday, March 11, 2016 9:59 AM
To: Grimm, Angie
Subject: Regional Comments on Montierth Rental Application 63-7355, 63-8382, 63-7427E and 63-7427E
Attachments: Rental Move.pdf; Montierth Rental Application Basin 63.pdf; Rental Review Memo Montierth 63-7355, 63-7427E, 63-7753A, 63-8382 & 63-31882.docx

Angie,

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

Sincerely,
Clay Webster
Water Resource Agent
clay.webster@idwr.idaho.gov
208-287-4910
Idaho Department of Water Resources (IDWR)