



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

May 25, 2016

DARREL L AGENBROAD
27161 DAIRY RD
GRAND VIEW, ID 83624-5044

RE: WATER SUPPLY BANK RENTAL REQUEST

Mr. Agenbroad,

On March 15, 2016, the Department received from you a request to rent Snake River water rights sufficient to irrigate 53 acres, to supplement your irrigation practices under water rights 2-7168A, 2-7168C, 2-10435 and 2-10436. Presently, Snake River water rights leased to the Bank and rentable by you provide can authorize 28 acres of irrigation. On April 29, 2016 the Department contacted you about the opportunity to rent 28 acres worth of the water rights leased to the Bank. A map was provided upon which you were requested to indicate the 28 acres you wanted covered by your Water Supply Bank rental and the Department provided you with thirty days to respond to our information request.

On May 18, 2016, you and I spoke by phone about your rental application and the Department's information request. By phone, you confirmed that you did not intend to rent the 28 acres worth of water rights and that you would not be seeking a rental for 2016. As such, **this letter is to confirm that your rental request is no longer considered active and is now closed.**

Please know that rental requests for future years will be considered on the first of November. You can submit a new rental request by completing the rental application form, available online from our website: <http://www.idwr.idaho.gov/water-supply-bank>.

If you have any questions about this matter, you can reach me at 208-287-4918, or by email at remington.buyer@idwr.idaho.gov.

Remington Buyer
Water Supply Bank Coordinator

C: Rob Whitney – Water District 02
Brian Ragan – Water Compliance Bureau



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C.L. "BUTCH" OTTER
Governor

CARY SPACKMAN
Director

April 29, 2016

DARREL L AGENBROAD
27161 DAIRY RD
GRAND VIEW, ID 83624-5044

RE: WATER SUPPLY BANK RENTAL REQUEST

Mr. Agenbroad,

The Water Supply Bank has received from you a rental request for water rights sufficient to authorize irrigation of 53 acres, at 0.02 cfs per acre and 4.5 acre-feet per acre. Presently, there are Snake River water rights available in the Bank for rental by you to authorize irrigation of 28 acres, providing a duty of water at 0.02 cfs/ac and 4.5 af/ac.

Per a review of your rental location, it appears that you are seeking to irrigate 196 acres within the place of use boundaries for water rights 2-7168C and 2-10435, which together authorize 180 acres for irrigation. Thus, I interpret this to imply you are seeking a Water Supply Bank rental to cover the difference (16 acres) within this place of use. Additionally, it appears that approximately 193 acres are being irrigated at the place of use to which water rights 2-10436 and 2-1768A are appurtenant, however these two water rights authorize only 184 acres of irrigation, resulting in a deficit of 9 acres. Thus, between these two places of use, there may be sufficient water rights in the Water Supply Bank available to rent to you in 2016 to authorize the full irrigation of the places of use where all the above mentioned water rights are located.

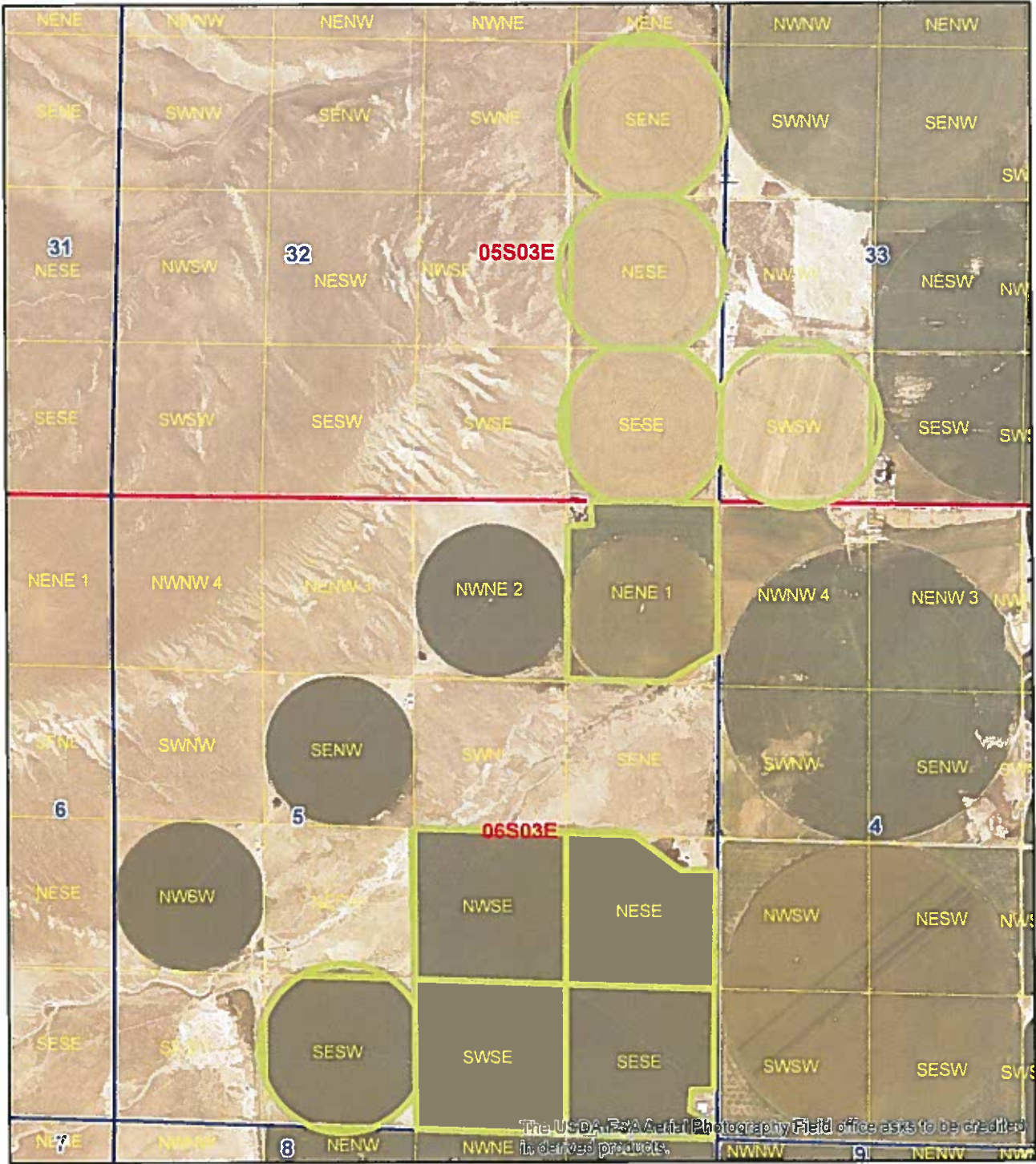
If the aforementioned analysis is correct, and you desire to rent water rights from the Water Supply Bank to cover the irrigation of 25 acres in Sections 5 of Township 6S, Range 2E, and Sections 32 and 33 in Township 5S, Range 2E, please confirm the same by drawing on the enclosed map the location of which specific 25 acres you would like to cover with rental water rights in 2016. Else, if the above is incorrect, but you would still like to rent the 28 acres worth of water rights from the Bank during 2016, please respond to this letter by drawing on the enclosed map the location of the specific 28 acres you would like to irrigate with rental water in 2016, or submit a new map outlining the location of the specific 28 acres. Kindly respond to this request within 30 days so that we can conclude processing of your rental request.

If you have any questions about this matter, you can reach me at 208-287-4918, or by email at remington.buyer@idwr.idaho.gov.

A handwritten signature in black ink, appearing to be 'R. Buyer'.

Remington Buyer
Water Supply Bank Coordinator

Areas To Be Covered By WSB Rental



Legend

- Areas of possible irrigation
- Township/Range
- Sections
- QQ

0 0.125 0.25 0.5 Miles





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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 17, 2016

DARREL L AGENBROAD
27161 DAIRY RD
GRAND VIEW ID 83624-5044

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 for from the Water Supply Bank (Bank). Your rental request has been placed into the queue for processing and will be considered as time permits. Filing a rental application does not authorize diversion and use of water; it is unlawful to use water without a valid water right or an approved Water Supply Bank rental agreement.

Rental requests are reviewed as of November first in the year preceding the intended use of water. Rental requests should be submitted well in advance of the date for the intended use or rental water. **You are not authorized to divert any water for purposes associated with your rental request until you have paid the rental fee and you and the Department have both signed and executed a rental agreement.**

You can check the status of your rental application by reviewing the Department's processing spreadsheet, accessible from the Water Supply Bank's website at:
http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterSupply/ws_default.htm

Regards,

for Clay Webster
Water Resource Agent
WSB Process Point of Contact

MAR 15 2016

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Darrel L Agenbroad

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 Darrel L Agenbroad

Mailing Address 27161 Dairy Rd Grand View ID 83624-5044

Street

City

State

Zip Code

Email Address _____

Phone Number (208) 834-3077

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:

For irrigation not covered by water rights at the place of use due to combined use limits.

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
1.06 CFS	238.5 AF	0.80 CFS	185.5 AF	53 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?	
4/10/2016	06/01/2016	☐ 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.

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 diverted from Snake River into Bybee Canal by the Bybee Lateral Water Users Association. From the canal diverted to place of use.

- 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
Lt 9 Sec 34 T5S R4E	Snake River	Bybee Lateral Water Users Assoc.
(SESW)		And Many More!

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 53 (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:

2-7168A, 2-7168B, 2-7168C, 2-10435, and 2-10436. Unaware of combined use limitations decreed on rights.

Need additional water right coverage.

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:

- 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

Darrel L. Agenbroad
Printed Name of Applicant

3/14/2016
Date

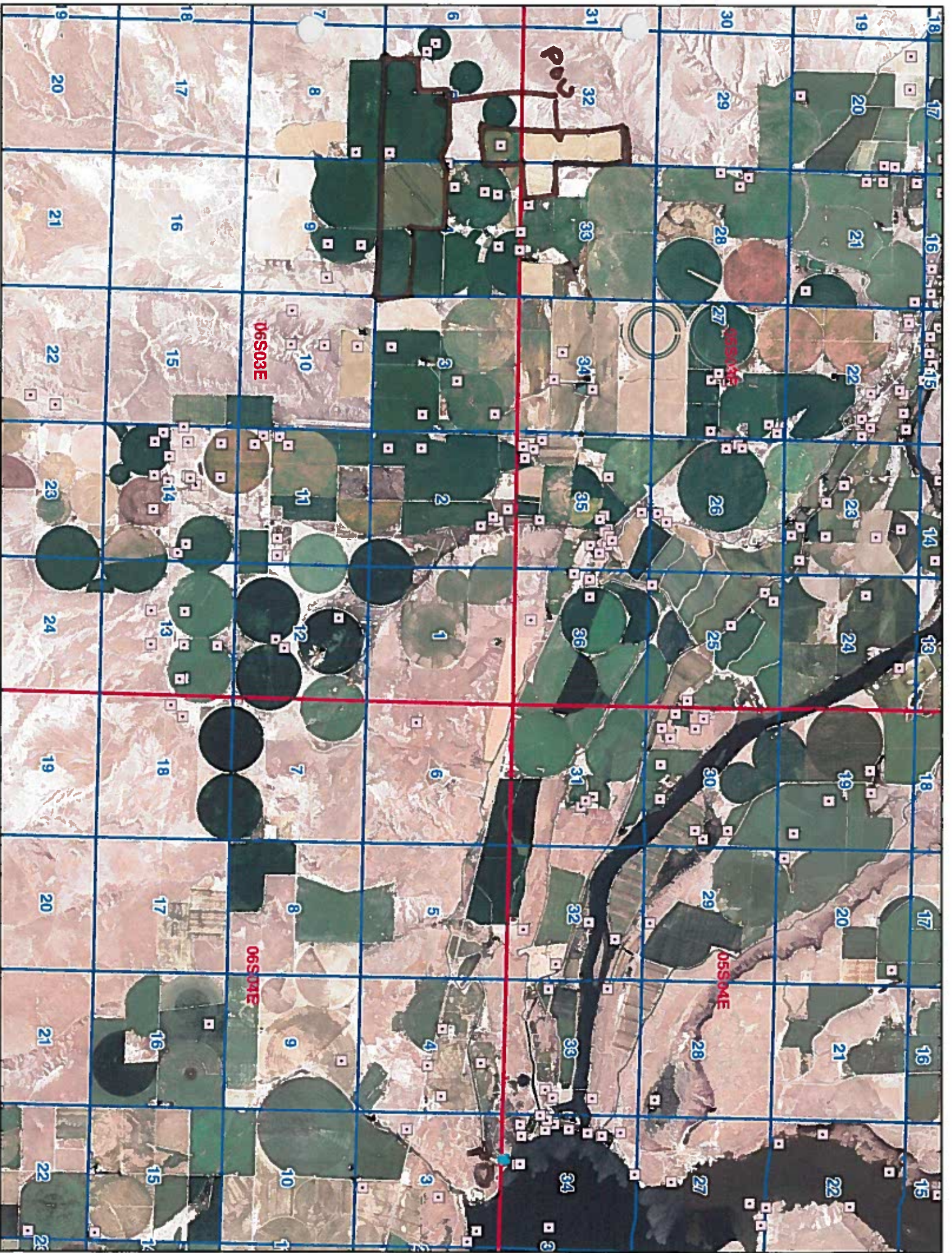
Signature of Representative

Printed Name of Representative

Date

Mail to:

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





March 14, 2016

IDWR – WSB Staff
PO Box 83720
Boise, ID 83720-0098

Re: Authorization Darrel L Agenbroad WSB Rental

To Whom it May Concern:

Darrel Agenbroad has transportation rights in the Bybee Lateral Water Users Association. He is authorized to divert water from a water supply bank rental through this system.

Regards,


Darrel L Agenbroad,
President of Bybee Lateral Water Users Association