



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

January 6, 2017

JEFF BROTMAN  
PO BOX 677  
MEDINA WA 98039

**RE: Expiration of Water Supply Bank Rental Agreement for water rights: 37-8031**

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 be 'RB' followed by a long horizontal stroke.

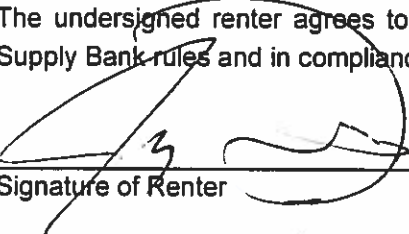
Remington Buyer  
Water Supply Bank Coordinator

Enclosures:

DEPARTMENT OF  
WATER RESOURCES

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

Jeffrey Brubman  
\_\_\_\_\_  
Printed Name and Title\*

3/8/16  
\_\_\_\_\_  
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 3/15/2016

Rental Approved by IDWR   
\_\_\_\_\_

Date 3-15-2016

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

**WATER USE DETAILS**

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER

SESWNE

Sec. 12, Twp 04N, Rge 17E, BLAINE County

**BENEFICIAL USE**

IRRIGATION

**SEASON OF USE**

04/01 TO 11/01

**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 |        |
| 04N | 17E | 12  |    |    | 1.0 |    |    |    |    |    |    |    |    |    |    |    |    |    | 1.0    |

Total Acres: 1.0

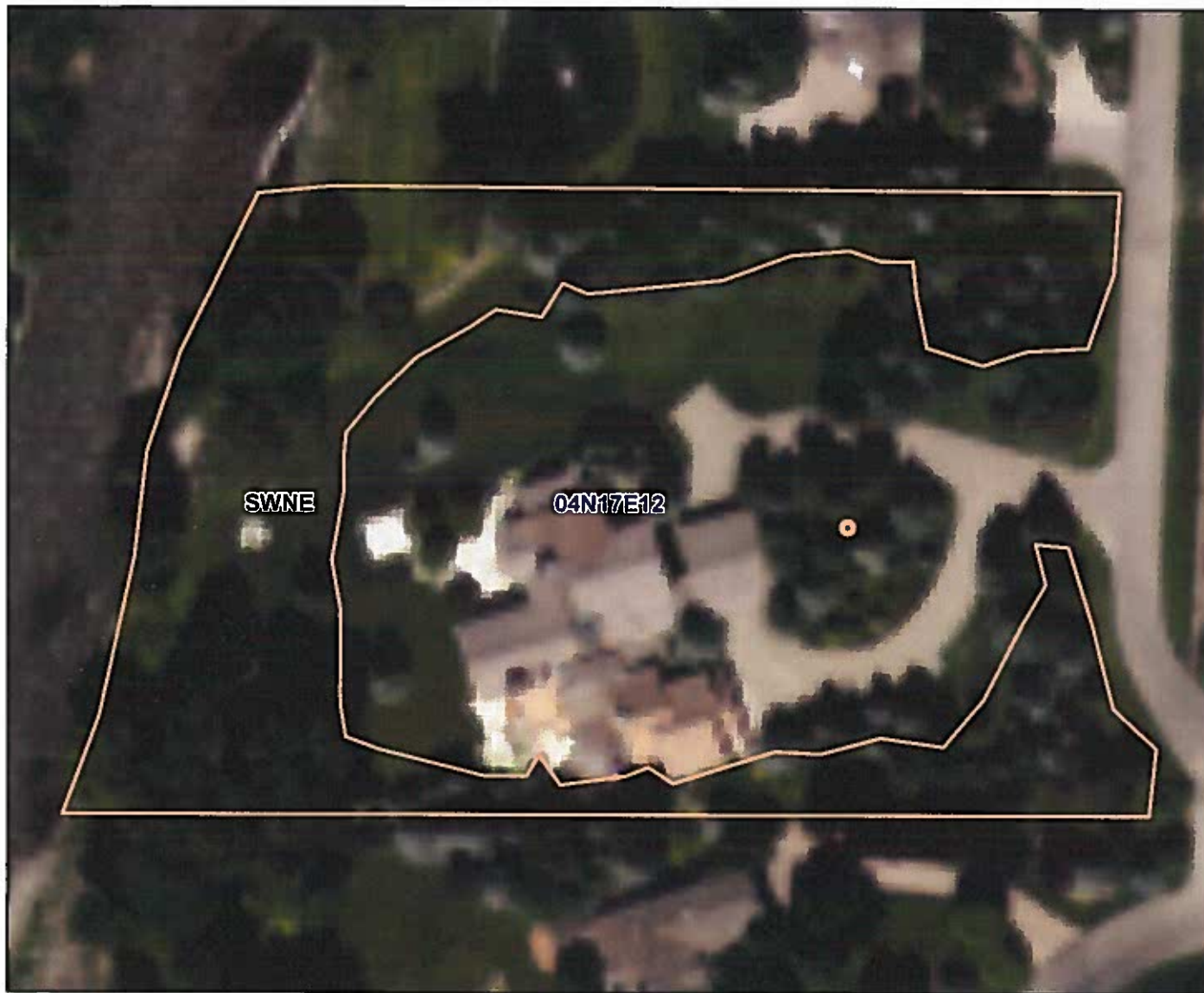
**CONDITIONS APPLICABLE TO ALL RENTED WATER RIGHTS**

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 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. This rental agreement does not authorize the construction of a well.
11. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
12. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
13. The following rights are diverted through point of diversion described above: 37-11940.

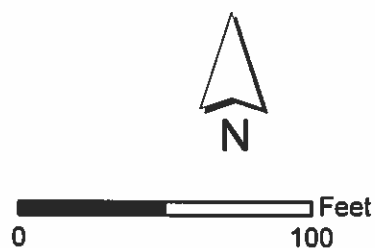
Idaho Water Resource Board  
**Water Supply Bank Rental Agreement**

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  
WATER RESOURCE BOARDRECEIVED  
OCT 05 2015  
DEPARTMENT OF  
WATER RESOURCESAPPLICATION TO RENT WATER  
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Jeff BrotmanIs this application being submitted with a lease application as a lease/rental package? Yes ☐ No ☒

An *Application to Rent Water from the Board's Water Supply Bank* must be completed in accordance with the minimum requirement checklist below to be acceptable for processing by the Idaho Department of Water Resources (IDWR). 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.

Applications to rent water should be submitted well in advance of the desired start date for the use of water. Rental applications may be submitted as early as November 1 of the year prior to the intended use of rental water. Rental applications submitted more than one year in advance of the proposed start date for water use will not be accepted and will be returned to applicants. Rental applications will not be processed if they are received after the end of the rental season of use.

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

For additional instructions on completing a rental application, visit the Department's website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

| Checked All Items as Either Attached (Yes) or Not Applicable (N/A) |                                     |                                                                                                                                                              |                                                                                                       |
|--------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| YES                                                                |                                     |                                                                                                                                                              |                                                                                                       |
|                                                                    | <input checked="" type="checkbox"/> | Completed <i>Application to Rent Water from the Board's Water Supply Bank</i>                                                                                |                                                                                                       |
| Attachment                                                         | N/A                                 | YES                                                                                                                                                          |                                                                                                       |
| 2                                                                  | <input checked="" type="checkbox"/> | 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                                                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/>                                                                                                                          | Detailed information on a proposed use of rental water                                                |
| 3E                                                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/>                                                                                                                          | Authorization from the owner/operator of the rental point(s) of diversion                             |
| 3G                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>                                                                                                                                     | Water modeling to account for the impacts of the rental request                                       |
| 3J                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>                                                                                                                                     | Documents justifying a need to rent water for irrigation at a rate of flow greater than 0.02 cfs/acre |
| 3K                                                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/>                                                                                                                          | Authorization from the owner/operator of the property at the proposed rental place(s) of use          |
| 4B                                                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/>                                                                                                                          | Explanation of how the rental water will sufficiently accomplish your rental purposes                 |
| 4C                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>                                                                                                                                     | Explanation of consumptive use amounts for water rights experiencing a change in nature of use        |

Department Use Only – Proposed Water Right(s)

37-276H 37-8031

STATE OF IDAHO  
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Jeff Brotman

Mailing Address PO Box 677, Medina WA 98039

Email Address \_\_\_\_\_ Phone Number 425-313-6977

- 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 Zach Latham Professional Title Hydrologist

Organization Brockway Engineering PLLC Relationship to Applicant Consultant

Mailing Address 2016 Washington St. North Suit #4 Twin Falls ID 83301

Email Address zach.latham@brockwayeng.com Phone Number 208-736-8543

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 place of use is outlined with an obvious, bolded line. For irrigation purposes, note that the place of use outlined on your map cannot exceed the number of acres you are proposing to rent. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

- A. Describe the purpose of your rental request. Include any anticipated rates of water application, water use practices or number of stock (if any). If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of rental water required. Attach additional sheets if required and label it **Attachment 3A**:  
WSB rental is for irrigation use.

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

| Desired Rate<br>(Cubic Feet/Second) | Desired Volume<br>(Acre-Foot) | Minimum Rate*<br>(Cubic Feet/Second) | Minimum Volume*<br>(Acre-Foot) | Acres (if applicable)<br>(Acre) |
|-------------------------------------|-------------------------------|--------------------------------------|--------------------------------|---------------------------------|
| 0.02 CFS                            | 3.5 AF                        | 0.02 CFS                             | 3.5 AF                         | 1.0 AC                          |

*Sometimes water rights available for rent 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. Enter the proposed start date and latest possible start date for using rental water. Also provide the number of years you would like to rent water:

| Proposed Start Date<br>(month/day/year) | Latest Possible Start<br>(month/day/year) | * Proposed Rental<br>Duration<br>(Max 5 Years) | ** For multi-year rentals, indicate whether you desire to rent<br>water for remaining years if a rental request cannot be<br>approved for the first year?            |
|-----------------------------------------|-------------------------------------------|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4/15/16                                 | 7/1/16                                    | 1                                              | <input type="checkbox"/> Yes, approve rental for all<br>remaining future years. <input type="checkbox"/> No, return rental request if<br>first year is unapprovable. |

- \* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.  
\*\* Subject to the availability of rentable water. A multi-year rental that cannot begin during the first year requested may be approved for some or all remaining years, depending on availability. Rental requests will be returned if no water is available to rent in the first and/or subsequent years of the rental request.

**STATE OF IDAHO  
WATER RESOURCE BOARD**

**Application to Rent Water (Continued)**

- D. Refer to the map you created in item 2 and specify the location of the point(s) of diversion (POD) from which rental water is proposed to be diverted:

| Water Source | TWP | RGE | SEC | ¼  | ¼  | ¼  | County | Other water rights for the same purpose diverted from this POD |
|--------------|-----|-----|-----|----|----|----|--------|----------------------------------------------------------------|
| GROUND WATER | 4N  | 17E | 12  | SE | SW | NE | BLAINE | NONE                                                           |
|              |     |     |     |    |    |    |        |                                                                |
|              |     |     |     |    |    |    |        |                                                                |
|              |     |     |     |    |    |    |        |                                                                |

The entry in this grid must match the map from item 2 on the application.

- E. Do you own and/or possess the authority to divert water from the above POD(s)? Yes ☒ No ☐  
If no, provide documentation from the owner/operator confirming your authorization to use the POD(s) and label it **Attachment 3E**.

- F. Do any POD(s) identified in Question 3D 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.

- G. Has water modeling been provided with your rental request? Yes ☐ No ☒

If yes, include as **Attachment 3G**. Otherwise please explain why modeling was not provided:  
N/A.

*Rental applications that require modeling will be returned if modeling is not provided.*

- H. Specify the proposed beneficial use: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Municipal  
☐ Groundwater Recharge ☐ Mining ☐ Stockwater ☐ Other: \_\_\_\_\_

- I. Refer to the map you created in item 2 and specify below the places you propose to use water. If for irrigation, specify the number of acres to be irrigated per ¼ ¼ tract. Otherwise indicate usage by marking the ¼ ¼ tracts with the first letter of your proposed use identified above:

| TWP                                                                       | RGE | SEC | NE |    |     |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTALS                       |
|---------------------------------------------------------------------------|-----|-----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|------------------------------|
|                                                                           |     |     | NE | NW | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |                              |
| 4N                                                                        | 17E | 12  |    |    | 1.0 |    |    |    |    |    |    |    |    |    |    |    |    |    | 1.0                          |
|                                                                           |     |     |    |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |                              |
|                                                                           |     |     |    |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |                              |
|                                                                           |     |     |    |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |                              |
|                                                                           |     |     |    |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |                              |
|                                                                           |     |     |    |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |                              |
| The entry in this grid must match the map from item 2 on the application. |     |     |    |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    | Total Acres (for Irrigation) |
|                                                                           |     |     |    |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    | 1.0                          |

- J. For irrigation uses, do you propose a water diversion rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☒  
If yes, explain the justification for this rate of flow and attach any supporting documents as **Attachment 3J**:  
N/A.

- 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. Describe your water distribution system and how water will be delivered from the POD(s) to the proposed POU(s):  
Water will be diverted from existing well and distributed to irrigation system via a buried pressurized irrigation system. The attached stream depletion analysis meets IDWR's criteria for a change in source as this application proposes to divert a portion of surface water right 37-276H from a well. See attached SDA analysis.

**STATE OF IDAHO  
WATER RESOURCE BOARD**

**Application to Rent Water (Continued)**

- M. List all other water rights and sources of water at the rental place of use for the same purpose and explain why additional water is required. Include privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company, or any other water deliver entity:  
None.

**4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS**

- A. Are you requesting to rent specific water rights? Yes ☒ No ☐  
If yes, specify below the water rights you are requesting to rent. Otherwise continue to Section 5 of this application form.

**Please note:** Diversion rates and volumes to be rented from a leased water right must be proportionate to the per acre diversion rates and per acre volume limits of the water right leased to the Bank. Applicants should query a water right's rental availability by reviewing active lease and rental documents, searchable via [IDWR's website](#), to ensure all elements of a water right remain available in sufficient quantity to satisfy a rental request.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany the 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 with combined limits, applicants should request to rent against the combined limit diversion rate, volume or acre limits.

| Elements of Water Rights Leased to the Bank (Contract Details)                                                                                                                   |               |                |            |             |            |              |            | Rental Request |           |            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------|------------|-------------|------------|--------------|------------|----------------|-----------|------------|
| Water Right Number                                                                                                                                                               | Nature of Use | Water Source   | Rate (CFS) | Volume (AF) | Acres (AC) | Start (year) | End (year) | Rate (CFS)     | Vol. (AF) | Acres (AC) |
| 37-276H                                                                                                                                                                          | Irrigation    | Big Wood River | 0.08       |             | 3.9        | 2016         | 2020       | 0.02           |           | 1.0        |
|                                                                                                                                                                                  |               |                |            |             |            |              |            |                |           |            |
|                                                                                                                                                                                  |               |                |            |             |            |              |            |                |           |            |
|                                                                                                                                                                                  |               |                |            |             |            |              |            |                |           |            |
|                                                                                                                                                                                  |               |                |            |             |            |              |            |                |           |            |
|                                                                                                                                                                                  |               |                |            |             |            |              |            |                |           |            |
|                                                                                                                                                                                  |               |                |            |             |            |              |            |                |           |            |
|                                                                                                                                                                                  |               |                |            |             |            |              |            |                |           |            |
|                                                                                                                                                                                  |               |                |            |             |            |              |            |                |           |            |
|                                                                                                                                                                                  |               |                |            |             |            |              |            |                |           |            |
| <b>Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre that have been leased to the Water Supply Bank</b> |               |                |            |             |            |              |            | <b>TOTAL</b>   | 0.02      | 1.0        |
|                                                                                                                                                                                  |               |                |            |             |            |              |            |                | CFS       | AF AC      |

Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.

- B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:  
N/A.

STATE OF IDAHO  
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- C. Does your rental request propose to change the nature of use for any water right(s) being requested? 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, as well as the new consumptive use amount for your proposed beneficial use. Attach a separate page if space is insufficient and label it Attachment 4C:

N/A.

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:

N/A.

- 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: At a later date, applicant intends to permanently transfer 1.0 acre of irrigation to the property.

- 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.

N/A.

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws.



Signature of Applicant

JEFF ROITMAN

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

STATE OF IDAHO  
WATER RESOURCE BOARD

**Water Modeling Requirement Information Sheet**

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

**Important information on requesting rental water within the Eastern Snake Plain Aquifer (ESPA) and other selected administrative areas:** If your proposed rental falls within the boundaries of the ESPA or other selected administrative area (as explained below) you must identify specific water rights leased into the Bank to use for your rental. Item 4 of the rental application can be used for this purpose. Use the information below to determine whether modeling the potential impacts of your proposed rental is necessary. If you submit an application to rent water from within the ESPA and/or a special administrative area and it is determined that your rental request requires water modeling, your rental request will be returned if water modeling is not provided.

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

**Scenario 1:** The application proposes the use of a regulated water source within an administrative area and the distance between the rental point(s) of diversion (POD) and the POD(s) for the leased water right(s) is greater than the administratively established, acceptable distance.

**Regulated water sources areas may include:**

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

The distance between any rental POD(s) and the POD(s) for a leased water right is important. On the ESPA, distance is measured in terms of model cells that cover an area of one square mile. Ground water modeling is not required if lease POD(s) and rental POD(s) are within the same or adjacent model cells. If lease and rental POD(s) are separated by more than one model cell, however, groundwater modeling must be completed and submitted with the rental application. ESPA modeling tools can be accessed and freely downloaded from IDWR's website by visiting:

[www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm](http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm).

Ground water modeling may be required within GWMAs, CGWAs or other regulated administrative areas. Applicants who desire to rent water within an established GWMA, CGWA or other regulated administrative area should consult IDWR's website before submitting their application to review the current status of administrative orders related to regulated administrative areas. Consult [www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated\\_areas.htm](http://www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated_areas.htm) for information on GWMAs or CGWAs, visit [www.idwr.idaho.gov/AboutIDWR/legal.htm](http://www.idwr.idaho.gov/AboutIDWR/legal.htm) for information on other regulated areas.

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

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

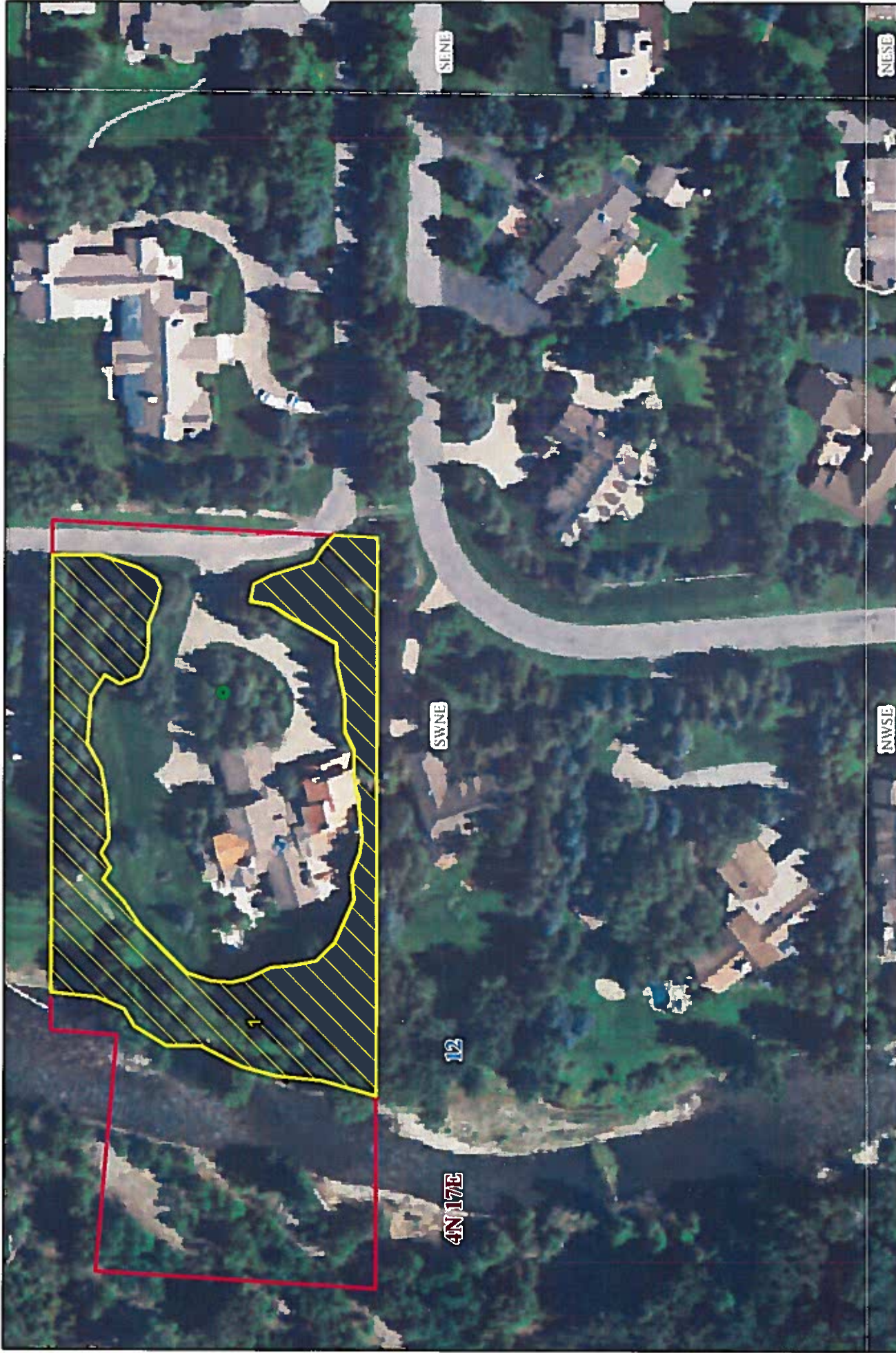
**Modeling situations may include:**

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

Rental requests that propose to divert surface water rights from ground water points of diversion may be considered if ground water modeling establishes that the surface and ground water resources are sufficiently hydraulically connected. The ground water and surface water sources must have a direct and immediate hydraulic connection (at least 50 percent of the total depletion must be detectable in the original source in one day). The existing POD and proposed POD must be proximate such that diversion and use of water from the proposed POD would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original POD.

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

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



**Legend**

- Brotman Well
- 37-276H Rental Area = 1.0 Ac.
- Brotman Parcel

**BROTMAN, JEFF**  
**2016 WSB 1.0 ACRE RENTAL OF 37-276H**  
**2013 NAIP AERIAL IMAGE**



## **Brotman- Stream Depletion Analysis for Water Supply Bank Rental Application; 37-276H**

**To:** Mrs. Cherie Palmer- IDWR State Office  
**From:** Zach Latham, M.S., Hydrologist  
**Cc:** Mr. Jeff Brotman  
**Date:** October 1<sup>st</sup> 2015  
**Re:** Brotman Water Supply Bank Rental Application; 37-276H

This memo serves as a stream depletion analysis for the water supply bank (WSB) rental application being filed on behalf of Mr. Jeff Brotman by Brockway Engineering. The rental application seeks to divert a portion of Big Wood River water right 37-276H from an existing domestic well on the Brotman property in T.4N R.17E Sec.12 SW ¼ NE ¼. Water right 37-276H is authorized to divert 0.10 cfs for the irrigation of 4.8 acres from the Big Wood River, the well is located in T.05N R.17E Sec. 14 NW ¼ NW ¼. The application proposes to divert 0.02 cfs under 37-276H from the existing domestic well on the Brotman property for irrigation of 1.0 acre. 37-276H is authorized to be diverted from the Big Wood River, upstream of Mr. Brotman's proposed ground water diversion, which is in the Ketchum Zone.

The Brotman existing 6" well is located approximately 253' from the Big Wood River, is 42' deep and is drilled in gravels and sands (alluvium). The local aquifer appears to be approximately 65' deep per surrounding well logs. A stream depletion analysis was performed to determine the portion of water supplied to the Brotman well by the Big Wood River using the Glover and Balmer method<sup>1</sup>. This analysis calculated a transmissivity value of 12,119 ft<sup>2</sup>/day using data from a domestic well drilled for Sarchett (attached) which is believed to be the well on the Brotman property. The Sarchett domestic well is a 6" well and is perforated from 30 to 41' and has an open bottom. Additionally, a hydraulic conductivity value of 228.7 ft/day was calculated and both values were derived using data from the Sarchett well log. A transmissivity estimation<sup>2</sup> with effects of a partial penetration method<sup>3</sup> (see attached analysis summary sheets and plot) were used to calculate a transmissivity value. Transmissivity, conductivity and storativity (0.15) values used in the stream depletion analysis are within the range of published values for alluvium in this area.

The resulting analysis estimates approximately 53% of the proposed pumping (9 gpm) from the Brotman well originates from the Big Wood River within a 24 hour period as a result of the water right supply bank rental application. Rental and diversion of this water right at the proposed POD is not anticipated to impact existing minimum stream flows in the Big Wood River, nor cause an expansion in consumptive use.

<sup>1</sup> Glover, R. E. and C. G. Balmer (1954) "River depletion resulting from pumping a well near a river". Am. Geo-phys. Union Trans. v. 35. pt. 3, pp. 468-470.

<sup>2</sup> Bradbury, K.R., and E.R. Rtothschild, (1985) "A computerized technique for estimating the hydraulic conductivity of aquifers from specific capacity data" Ground Water, v.23, no.2, pp. 240-246.

<sup>3</sup> Sternberg, Y.M., (1973) "Efficiency of partially penetrating wells". Groundwater v.11 no.3 pp5-8.



**Legend**

- Brotman Well
- Brotman\_Parcel
- Section
- QQ's
- Township, Range

**BROTMAN, JEFF**  
**STREAM DEPLETION ANALYSIS**  
**2013 NAIP AERIAL IMAGE**

Brockway Engineering PLLC  
ZL 9/1/15

## Transmissivity Estimation with Partial Penetration

Bradbury and Rothschild (1985) specific capacity method.

Suitable for situations where a single time and drawdown measurement is available.

Includes effects of partial penetration using Sternberg (1973) approach.

Enter data in **blue**, pay attention to units.

### Sarchette Well Log T.4N R.17E SEC. 12 SWNE

|                   |                 |                                        |
|-------------------|-----------------|----------------------------------------|
| Well pumping rate | 50 [gpm]        |                                        |
| Drawdown          | 2 [ft]          |                                        |
| Time              | 60 [minutes]    |                                        |
| Well radius       | 6 [inches]      |                                        |
| Storativity       | 0.15 [unitless] |                                        |
| Aquifer thickness | 53 [ft]         | * assumes an aquifer thickness of 65'. |
| Open interval     | 11 [ft]         |                                        |

#### Calculations:

|                   |             |
|-------------------|-------------|
| Specific capacity | 25 [gpm/ft] |
| L/b               | 0.207547    |
| G                 | 1.871123    |
| sp                | 10.66157    |

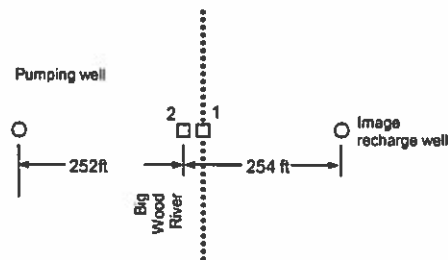
|         |                               |                                               |
|---------|-------------------------------|-----------------------------------------------|
| Trial T | 12118.64 [ft <sup>2</sup> /d] | <--- Vary Trial T until about equal to Calc T |
| Calc T  | 12118.64 [ft <sup>2</sup> /d] |                                               |
| Calc K  | 228.7 [ft/d]                  |                                               |

# **Estimation of Timing of Aquifer-Stream Interaction**

PROJECT: Brotman hypothetical pumping of River Lodge LLC BWR WR 37-276H.  
Brockway Engineering, PLLC 10/1/15

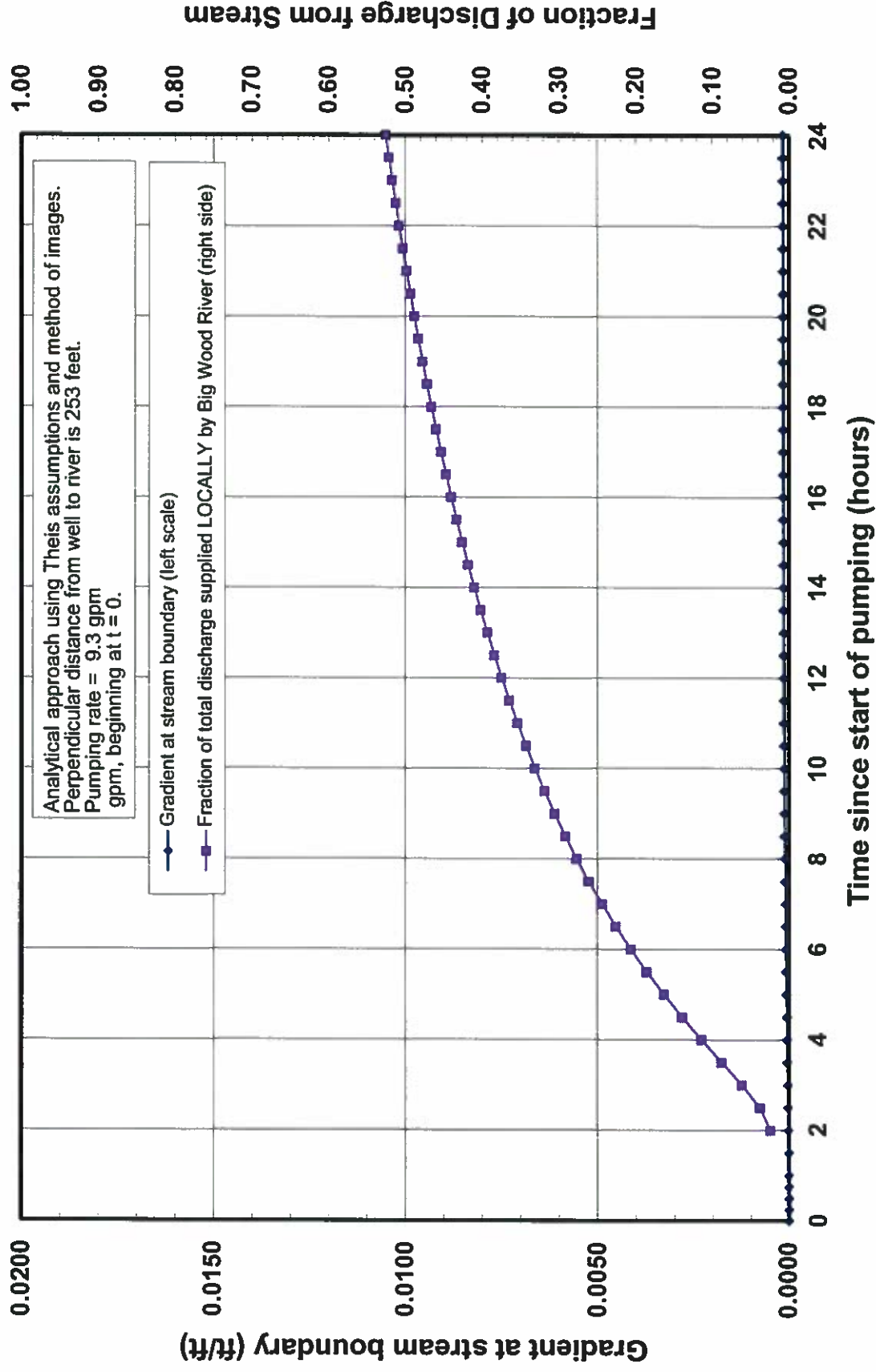
Water Right Number: 37-276H  
Hydraulic conductivity: 228.7 ft/day  
Aquifer saturated thickness: 53 feet  
Transmissivity: 12,119 ft<sup>2</sup>/d  
Storage coefficient: 0.15  
Pumping rate: 9.3 gpm = 1800 ft<sup>3</sup>/d  
Pumping time: 24 hrs

These assumptions apply.  
Method of images used to estimate gw gradient at stream boundary.



| IMAGE WELL<br>R = 254 feet |         |       | PUMPING WELL<br>R = 252 feet |         |       | IMAGE WELL<br>R = 254 feet |          | RESULTANT using<br>R = 252' (pumping) and<br>R = 254' (image)<br>Gradient |          | Portion of total discharge<br>supplied by the stream<br>(after Glover and Balmer, 1954) |        |
|----------------------------|---------|-------|------------------------------|---------|-------|----------------------------|----------|---------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------------------|--------|
| Time (hrs)                 | u       | W(u)  | z (feet)                     | u       | W(u)  | z (feet)                   | z (feet) | z (feet)                                                                  | at river | x'                                                                                      | Qs / Q |
| 0                          | —       | —     | 0.000                        | —       | —     | 0.000                      | 0.000    | 0.0000                                                                    | 0.0000   |                                                                                         |        |
| 0.25                       | 1.9E+01 | 0.000 | 0.000                        | 1.9E+01 | 0.000 | 0.000                      | 0.000    | 0.0000                                                                    | 0.0000   | 4.378                                                                                   |        |
| 0.5                        | 9.6E+00 | 0.000 | 0.000                        | 9.4E+00 | 0.000 | 0.000                      | 0.000    | 0.0000                                                                    | 0.0000   | 3.096                                                                                   |        |
| 0.75                       | 6.4E+00 | 0.000 | 0.000                        | 6.3E+00 | 0.000 | 0.000                      | 0.000    | 0.0000                                                                    | 0.0000   | 2.528                                                                                   |        |
| 1                          | 4.8E+00 | 0.001 | 0.000                        | 4.7E+00 | 0.002 | 0.000                      | 0.000    | 0.0000                                                                    | 0.0000   | 2.189                                                                                   |        |
| 1.5                        | 3.2E+00 | 0.010 | 0.000                        | 3.1E+00 | 0.011 | 0.000                      | 0.000    | 0.0000                                                                    | 0.0000   | 1.787                                                                                   |        |
| 2                          | 2.4E+00 | 0.029 | 0.000                        | 2.4E+00 | 0.030 | 0.000                      | 0.000    | 0.0000                                                                    | 0.0000   | 1.548                                                                                   | 2.5%   |
| 2.5                        | 1.9E+00 | 0.055 | 0.001                        | 1.9E+00 | 0.057 | 0.001                      | -0.001   | 0.0000                                                                    | 0.0000   | 1.384                                                                                   | 3.8%   |
| 3                          | 1.6E+00 | 0.087 | 0.001                        | 1.6E+00 | 0.090 | 0.001                      | -0.001   | 0.0000                                                                    | 0.0000   | 1.264                                                                                   | 6.2%   |
| 3.5                        | 1.4E+00 | 0.122 | 0.001                        | 1.3E+00 | 0.126 | 0.001                      | -0.001   | 0.0000                                                                    | 0.0000   | 1.170                                                                                   | 8.9%   |
| 4                          | 1.2E+00 | 0.159 | 0.002                        | 1.2E+00 | 0.164 | 0.002                      | -0.002   | 0.0001                                                                    | 0.0001   | 1.094                                                                                   | 11.5%  |
| 4.5                        | 1.1E+00 | 0.197 | 0.002                        | 1.0E+00 | 0.203 | 0.002                      | -0.002   | 0.0001                                                                    | 0.0001   | 1.032                                                                                   | 14.0%  |
| 5                          | 9.6E-01 | 0.235 | 0.003                        | 9.4E-01 | 0.242 | 0.003                      | -0.003   | 0.0001                                                                    | 0.0001   | 0.979                                                                                   | 16.4%  |
| 5.5                        | 8.7E-01 | 0.274 | 0.003                        | 8.6E-01 | 0.280 | 0.003                      | -0.003   | 0.0001                                                                    | 0.0001   | 0.933                                                                                   | 18.6%  |
| 6                          | 8.0E-01 | 0.311 | 0.004                        | 7.9E-01 | 0.319 | 0.004                      | -0.004   | 0.0001                                                                    | 0.0001   | 0.894                                                                                   | 20.7%  |
| 6.5                        | 7.4E-01 | 0.349 | 0.004                        | 7.3E-01 | 0.356 | 0.004                      | -0.004   | 0.0001                                                                    | 0.0001   | 0.859                                                                                   | 22.6%  |
| 7                          | 6.8E-01 | 0.385 | 0.005                        | 6.7E-01 | 0.393 | 0.005                      | -0.005   | 0.0001                                                                    | 0.0001   | 0.827                                                                                   | 24.4%  |
| 7.5                        | 6.4E-01 | 0.421 | 0.005                        | 6.3E-01 | 0.429 | 0.005                      | -0.005   | 0.0001                                                                    | 0.0001   | 0.799                                                                                   | 26.1%  |
| 8                          | 6.0E-01 | 0.455 | 0.005                        | 5.9E-01 | 0.464 | 0.005                      | -0.005   | 0.0001                                                                    | 0.0001   | 0.774                                                                                   | 27.7%  |
| 8.5                        | 5.6E-01 | 0.489 | 0.006                        | 5.5E-01 | 0.498 | 0.006                      | -0.006   | 0.0001                                                                    | 0.0001   | 0.751                                                                                   | 29.1%  |
| 9                          | 5.3E-01 | 0.522 | 0.006                        | 5.2E-01 | 0.532 | 0.006                      | -0.006   | 0.0001                                                                    | 0.0001   | 0.730                                                                                   | 30.5%  |
| 9.5                        | 5.0E-01 | 0.555 | 0.007                        | 5.0E-01 | 0.564 | 0.007                      | -0.007   | 0.0001                                                                    | 0.0001   | 0.710                                                                                   | 31.9%  |
| 10                         | 4.8E-01 | 0.586 | 0.007                        | 4.7E-01 | 0.596 | 0.007                      | -0.007   | 0.0001                                                                    | 0.0001   | 0.692                                                                                   | 33.1%  |
| 10.5                       | 4.6E-01 | 0.616 | 0.007                        | 4.5E-01 | 0.627 | 0.007                      | -0.007   | 0.0001                                                                    | 0.0001   | 0.676                                                                                   | 34.3%  |
| 11                         | 4.4E-01 | 0.646 | 0.008                        | 4.3E-01 | 0.657 | 0.008                      | -0.008   | 0.0001                                                                    | 0.0001   | 0.660                                                                                   | 35.4%  |
| 11.5                       | 4.2E-01 | 0.675 | 0.008                        | 4.1E-01 | 0.686 | 0.008                      | -0.008   | 0.0001                                                                    | 0.0001   | 0.645                                                                                   | 36.4%  |
| 12                         | 4.0E-01 | 0.704 | 0.008                        | 3.9E-01 | 0.714 | 0.008                      | -0.008   | 0.0001                                                                    | 0.0001   | 0.632                                                                                   | 37.4%  |
| 12.5                       | 3.8E-01 | 0.731 | 0.009                        | 3.8E-01 | 0.742 | 0.009                      | -0.009   | 0.0001                                                                    | 0.0001   | 0.619                                                                                   | 38.4%  |
| 13                         | 3.7E-01 | 0.758 | 0.009                        | 3.6E-01 | 0.769 | 0.009                      | -0.009   | 0.0001                                                                    | 0.0001   | 0.607                                                                                   | 39.3%  |
| 13.5                       | 3.5E-01 | 0.784 | 0.009                        | 3.5E-01 | 0.796 | 0.009                      | -0.009   | 0.0001                                                                    | 0.0001   | 0.596                                                                                   | 40.2%  |
| 14                         | 3.4E-01 | 0.810 | 0.010                        | 3.4E-01 | 0.821 | 0.010                      | -0.010   | 0.0001                                                                    | 0.0001   | 0.585                                                                                   | 41.0%  |
| 14.5                       | 3.3E-01 | 0.835 | 0.010                        | 3.3E-01 | 0.847 | 0.010                      | -0.010   | 0.0001                                                                    | 0.0001   | 0.575                                                                                   | 41.8%  |
| 15                         | 3.2E-01 | 0.860 | 0.010                        | 3.1E-01 | 0.871 | 0.010                      | -0.010   | 0.0001                                                                    | 0.0001   | 0.565                                                                                   | 42.6%  |
| 15.5                       | 3.1E-01 | 0.884 | 0.010                        | 3.0E-01 | 0.895 | 0.011                      | -0.010   | 0.0001                                                                    | 0.0001   | 0.556                                                                                   | 43.3%  |
| 16                         | 3.0E-01 | 0.907 | 0.011                        | 2.9E-01 | 0.919 | 0.011                      | -0.011   | 0.0001                                                                    | 0.0001   | 0.547                                                                                   | 44.0%  |
| 16.5                       | 2.9E-01 | 0.930 | 0.011                        | 2.9E-01 | 0.942 | 0.011                      | -0.011   | 0.0001                                                                    | 0.0001   | 0.539                                                                                   | 44.7%  |
| 17                         | 2.8E-01 | 0.952 | 0.011                        | 2.8E-01 | 0.964 | 0.011                      | -0.011   | 0.0001                                                                    | 0.0001   | 0.531                                                                                   | 45.4%  |
| 17.5                       | 2.7E-01 | 0.974 | 0.012                        | 2.7E-01 | 0.986 | 0.012                      | -0.012   | 0.0001                                                                    | 0.0001   | 0.523                                                                                   | 46.0%  |
| 18                         | 2.7E-01 | 0.996 | 0.012                        | 2.6E-01 | 1.008 | 0.012                      | -0.012   | 0.0001                                                                    | 0.0001   | 0.516                                                                                   | 46.6%  |
| 18.5                       | 2.6E-01 | 1.017 | 0.012                        | 2.5E-01 | 1.029 | 0.012                      | -0.012   | 0.0001                                                                    | 0.0001   | 0.509                                                                                   | 47.2%  |
| 19                         | 2.5E-01 | 1.038 | 0.012                        | 2.5E-01 | 1.050 | 0.012                      | -0.012   | 0.0001                                                                    | 0.0001   | 0.502                                                                                   | 47.7%  |
| 19.5                       | 2.5E-01 | 1.058 | 0.013                        | 2.4E-01 | 1.070 | 0.013                      | -0.013   | 0.0001                                                                    | 0.0001   | 0.496                                                                                   | 48.3%  |
| 20                         | 2.4E-01 | 1.078 | 0.013                        | 2.4E-01 | 1.090 | 0.013                      | -0.013   | 0.0001                                                                    | 0.0001   | 0.489                                                                                   | 48.8%  |
| 20.5                       | 2.3E-01 | 1.097 | 0.013                        | 2.3E-01 | 1.110 | 0.013                      | -0.013   | 0.0001                                                                    | 0.0001   | 0.483                                                                                   | 49.3%  |
| 21                         | 2.3E-01 | 1.116 | 0.013                        | 2.2E-01 | 1.129 | 0.013                      | -0.013   | 0.0001                                                                    | 0.0001   | 0.478                                                                                   | 49.8%  |
| 21.5                       | 2.2E-01 | 1.135 | 0.013                        | 2.2E-01 | 1.148 | 0.014                      | -0.013   | 0.0001                                                                    | 0.0001   | 0.472                                                                                   | 50.3%  |
| 22                         | 2.2E-01 | 1.154 | 0.014                        | 2.1E-01 | 1.166 | 0.014                      | -0.014   | 0.0002                                                                    | 0.0002   | 0.467                                                                                   | 50.8%  |
| 22.5                       | 2.1E-01 | 1.172 | 0.014                        | 2.1E-01 | 1.184 | 0.014                      | -0.014   | 0.0002                                                                    | 0.0002   | 0.461                                                                                   | 51.3%  |
| 23                         | 2.1E-01 | 1.189 | 0.014                        | 2.1E-01 | 1.202 | 0.014                      | -0.014   | 0.0002                                                                    | 0.0002   | 0.456                                                                                   | 51.7%  |
| 23.5                       | 2.0E-01 | 1.207 | 0.014                        | 2.0E-01 | 1.220 | 0.014                      | -0.014   | 0.0002                                                                    | 0.0002   | 0.452                                                                                   | 52.1%  |
| 24                         | 2.0E-01 | 1.224 | 0.014                        | 2.0E-01 | 1.237 | 0.015                      | -0.014   | 0.0002                                                                    | 0.0002   | 0.447                                                                                   | 52.6%  |

# Timing of Influence on Big Wood River by Brotman Well Pumping



RECEIVED

~~44-38861~~

[illegible]

**USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT**



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

March 16, 2016

JEFF BROTMAN  
PO BOX 677  
MEDINA WA 98039

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO. 37-8031**

Dear Renter:

Please find enclosed a receipt in the amount of **\$51.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 3.0 acre-feet of water for irrigation of 1.0 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 \$45.90 of the rental fee will be paid to the lessor(s) and 10% or \$5.10 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. C101648  
Rental Agreement (copy)

c: Sascha Marston – Fiscal  
Allen Merritt – IDWR Southern Regional Office  
Kevin Lakey – State Water District No. 37  
Zach Latham – Brockway 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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

February 29, 2016

JEFF BROTMAN  
PO BOX 677  
MEDINA WA 98039

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO. 37-8031**

**\*\*\*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 \$51.00 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 3.0 acre-feet.

**Please send a check for \$51.00** 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 \$45.90 of the rental fee will be paid to the lessor(s) and 10% or \$5.10 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  
Zach Latham – Brockway Engineering

**Webster, Clay**

---

**From:** Kevin Lakey [watermanager@cableone.net]  
**Sent:** Wednesday, February 24, 2016 1:38 PM  
**To:** Webster, Clay  
**Subject:** RE: Region and Watermaster Comments on Brotman Rental 37-8031

Clay,  
I have no concerns with this application.

Kevin Lakey  
Water District 37

---

**From:** Webster, Clay [mailto:Clay.Webster@idwr.idaho.gov]  
**Sent:** Wednesday, February 24, 2016 9:36 AM  
**To:** Merritt, Allen; Kevin Lakey  
**Subject:** Region and Watermaster Comments on Brotman Rental 37-8031

Allen and Kevin,

We are processing this rental for 37-8031 instead of 37-276H as requested due to enlargement and injury concerns. Do you have any concerns? Thanks.

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

## Webster, Clay

---

**From:** Skinner, Corey  
**Sent:** Wednesday, February 24, 2016 11:12 AM  
**To:** Webster, Clay  
**Cc:** Merritt, Allen  
**Subject:** RE: Region and Watermaster Comments on Brotman Rental 37-8031

Southern Region is OK with the 37-8031 rental to the Brotman property.

---

**From:** Merritt, Allen  
**Sent:** Wednesday, February 24, 2016 9:44 AM  
**To:** Skinner, Corey  
**Subject:** Fwd: Region and Watermaster Comments on Brotman Rental 37-8031

Sent from my iPhone

Begin forwarded message:

**From:** "Webster, Clay" <[Clay.Webster@idwr.idaho.gov](mailto:Clay.Webster@idwr.idaho.gov)>  
**Date:** February 24, 2016 at 9:36:16 AM MST  
**To:** "Merritt, Allen" <[Allen.Merritt@idwr.idaho.gov](mailto:Allen.Merritt@idwr.idaho.gov)>, Kevin Lakey <[watermanager@cableone.net](mailto:watermanager@cableone.net)>  
**Subject:** Region and Watermaster Comments on Brotman Rental 37-8031

Allen and Kevin,

We are processing this rental for 37-8031 instead of 37-276H as requested due to enlargement and injury concerns. Do you have any concerns? Thanks.

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

## MEMORANDUM

**To:** Water Right 37-8031

**From:** Clay Webster

**Date:** 2/24/2016

**Re:** Review & Analysis of Application to Rent Water from the State Water Supply Bank

---

**PURPOSE/NARRATIVE:** The department received this rental application for Jeff Brotman from Brockway Engineering on October 5, 2015 for the 2016 season. The proposal was to move a surface water right (37-276H priority date 6/1/1885) downstream to pump from a ground water well to irrigate 1.0 acre of property located in the SWNE ¼ of Twp. 04N Rg. 17E Section 12. Since this is proposing to change the source and move from the River Zone into the Ketchum Zone of the WRV interim Ground Water Rental Policy, Glover and Balmer Method was used to show the stream depletion. This data was evaluated and found adequate for this move. However, there is concern over moving the POD downstream this far. It is very unlikely that the water would reach this POD in the WRV. There are numerous Junior WRs which would have the chance of diverting this water prior to reaching this location. The other concern is that taking historical information into account, this water right, with its priority date, will likely be out of priority in July.

**AUTHORITY TO FILE:** This application was signed by Jeff Brotman. The current taxlot data shows that the rental POU and Rental POD are owned by the Brotman Jeffrey H Trust.

**WATER RIGHT VALIDITY:** I did locate another leased GW right in the Ketchum Zone to fulfill this rental. 37-8031 was leased entirely for the 2016 season. 2 acres of irrigation is available for rental under this lease.

**INJURY TO OTHER WATER RIGHTS:** Both the rental and lease (37-8031) points of diversion are located within the Ketchum Zone of the WRV interim Ground Water Rental Policy. No injury concerns are noted.

Since the application for 37-276H is to change from Surface Water diversion which has historically been cut off in July. To divert this right through a GW Well at a diversion that is not yet cut off by priority would most likely cause an enlargement of the historical use. This action could cause injury to other water users in this area.

**ENLARGEMENT OF USE:** There is a domestic right (37-11940) at this property. 37-8031 was leased into the WSB entirely for the 2016 season. The use of this right was suspended when the City of Ketchum provided water for this area. The department verified that these two sources were not used together. No other enlargement concerns are noted.

The surface water right 37-276H requested has historically been cut off as shown below:

July 10, 2014  
July 8, 2013  
July 28, 2012  
Sep 2, 2011  
July 28, 2010

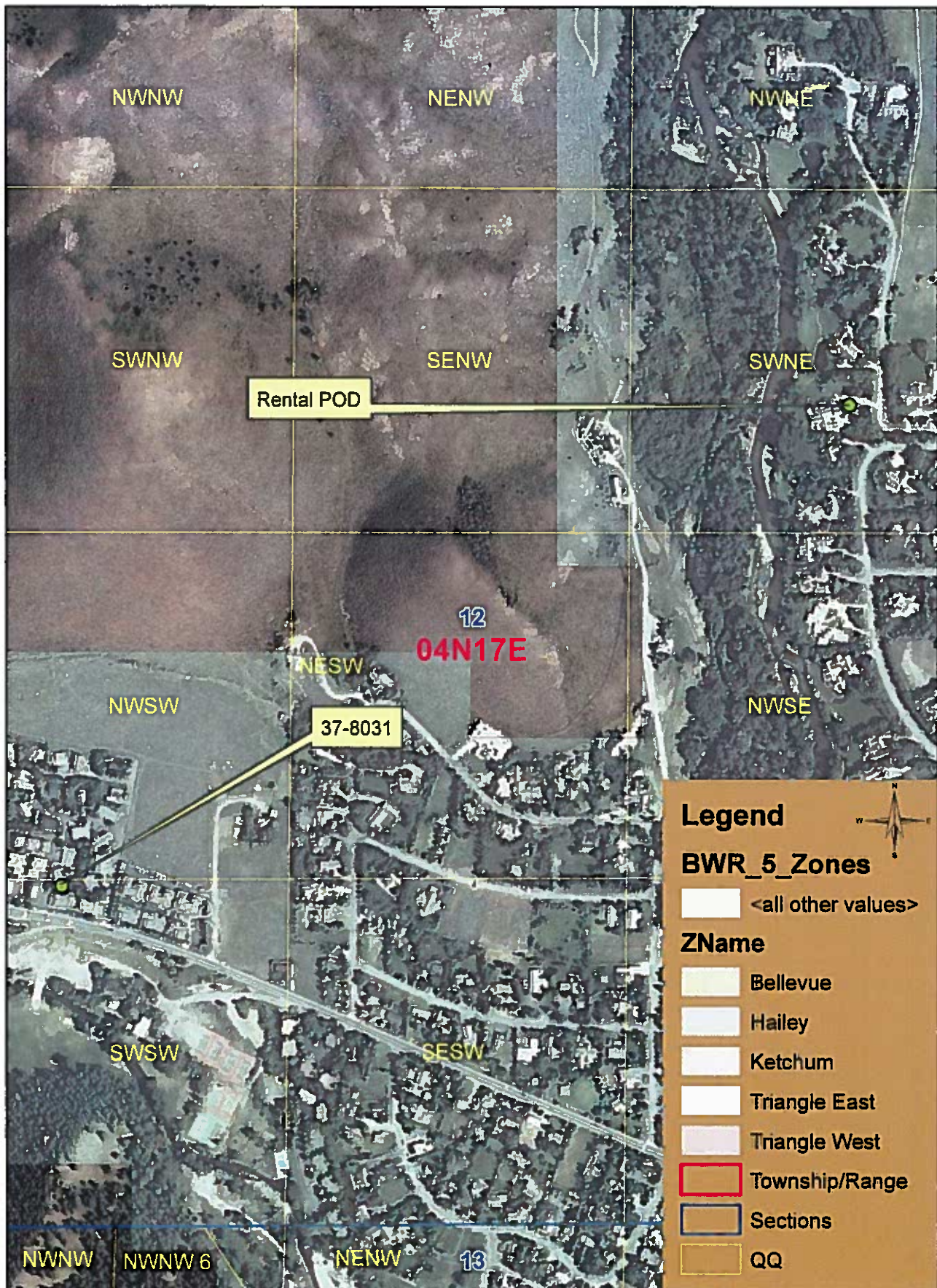
Since this water right would have historically only been available until sometime in July. This right is not a good match for this rental. Allowing a rental through a ground water well without being administered by the watermaster (like surface water) could cause an enlargement of this right.

**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 location for the rental PD is subject to Water District # 37. Region and watermaster comments were requested via e-mail on 2/24/2016. The region had no concerns with this rental.

# Brotman Rental 2016 37-8031



## Webster, Clay

---

**From:** Zach Latham [zach.latham@brockwayeng.com]  
**Sent:** Wednesday, February 24, 2016 7:54 AM  
**To:** Webster, Clay  
**Subject:** RE: Brotman WSB Rental; portion of 37-276H

Clay-  
Please proceed with the rental of 37-8031 on behalf of Jeff Brotman, thank you.

Zach Latham

Hydrologist  
Brockway Engineering, P.L.L.C.  
2016 Washington Street North, Suite 4  
Twin Falls, ID 83301  
t. 208-736-8543  
c.208-721-2114  
f. 208-736-8506

[zach.latham@brockwayeng.com](mailto:zach.latham@brockwayeng.com)

*All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.*

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**From:** Zach Latham [mailto:zach.latham@brockwayeng.com]  
**Sent:** Wednesday, February 24, 2016 7:42 AM  
**To:** 'Webster, Clay'  
**Subject:** RE: Brotman WSB Rental; portion of 37-276H

Clay-  
I should have an answer to this today, thanks.

Zach Latham

Hydrologist  
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**From:** Webster, Clay [mailto:Clay.Webster@idwr.idaho.gov]  
**Sent:** Friday, February 19, 2016 7:57 AM  
**To:** Zach Latham; Jim Speck  
**Subject:** RE: Brotman WSB Rental; portion of 37-276H

Zach and Jim,

While evaluating the rental application for 37-276H to be rented at the Jeff Brotman property. I ran into some concerns due to a possible enlargement and injury.

The surface water right 37-276H (6/1/1885) has historically been cut off as shown below:

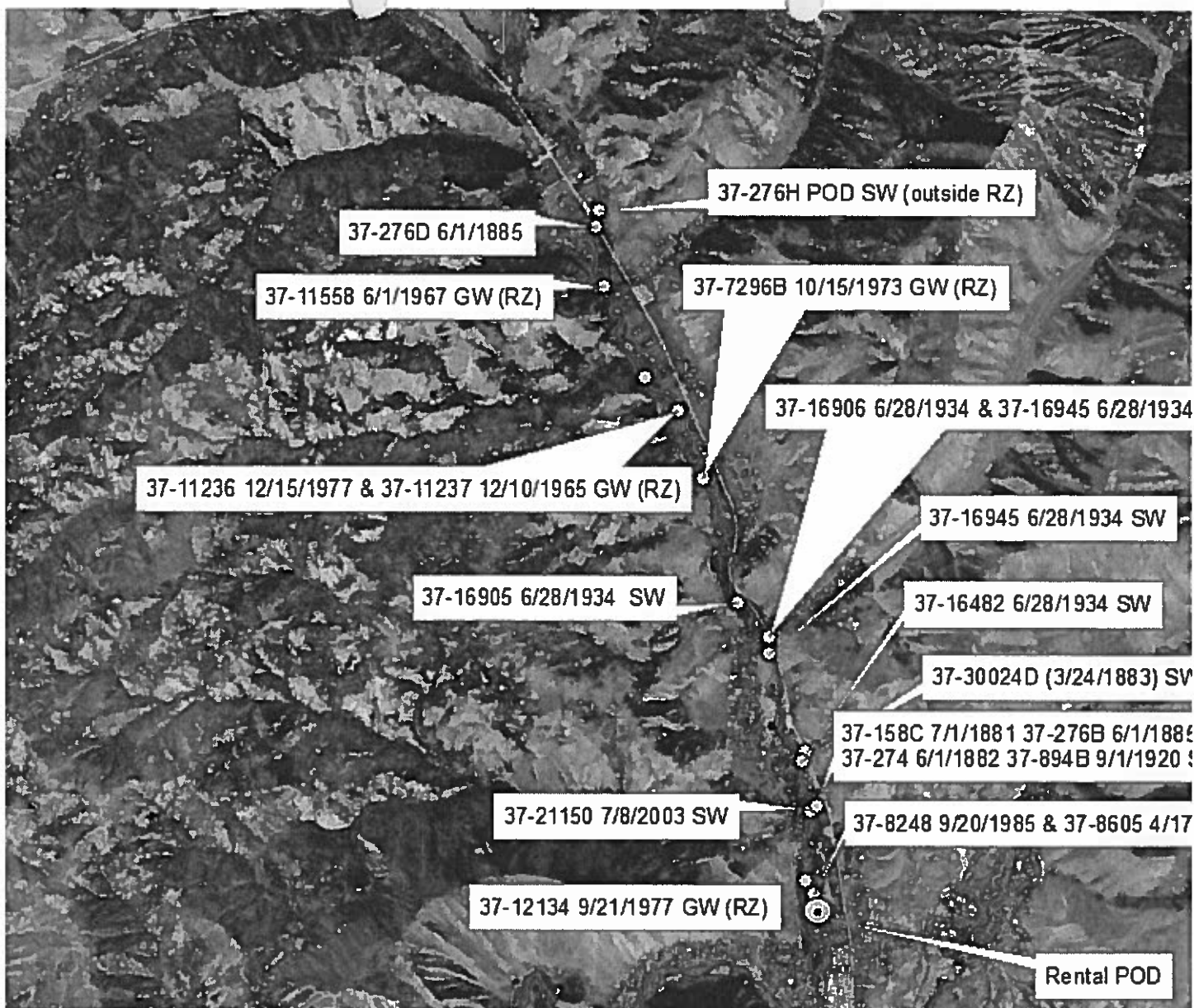
July 10, 2014  
July 8, 2013

July 28, 2012  
Sep 2, 2011  
July 28, 2010

Since this water right has historically only been available until sometime in July, with just one exception. Allowing a rental through a ground water well without being administered by the watermaster (like surface water) could cause an enlargement of this right.

The amount of water being moved down stream is unlikely to reach the rental point of diversion. When moving water downstream through a losing reach of the river could cause injury to the junior water users because it will take more water to reach the applicant's point of diversion. Therefore, this move could cause an injury to those Junior Water users between the original (leased) POD and the new (rental) POD. (see map provided)

I have researched and found water right 37-8031 was leased into the WSB for the 2016 season. This is a ground water right which is very close to this rental location. Since both the lease and rental points of diversion are within the Ketchum Zone. This right would fit this rental application per the Water Supply Bank Interim Ground Water Rental Policy for the Wood River Valley without the same concerns. This right leased 0.06 cfs, 6.0 af, and 2.0 acres of irrigation into the bank for this year. This water right would provide 0.03 cfs and 3.0 af to irrigate 1 acre of property. Our evaluation shows that this would be adequate for the Brotman rental without the concerns for enlargement or the concerns for injury. At this point, we can do one of two things. We can deny this rental based on the concerns of enlargement and injury or I can proceed utilizing 37-8031. We received this rental application on 10/05/2015. Therefore it was considered received on November 1, 2015. There was another rental received for 1.5 acres of 37-8031 from Jim for Spalding on November 23, 2015. If this rental is processed for the Brotman rental, the Spalding rental will be .5 acres short. Please let me know within five days how you wish for me to proceed, or I will proceed with processing this rental using 37-8031. Thank you.



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

**From:** Zach Latham [<mailto:zach.latham@brockwayeng.com>]  
**Sent:** Wednesday, February 17, 2016 2:18 PM  
**To:** Webster, Clay  
**Cc:** Jim Speck  
**Subject:** Brotman WSB Rental; portion of 37-276H

Clay-

Hope you had a great long weekend. Relative to your concerns expressed over the phone to both Jim Speck and myself concerning the Brotman WSB rental application for 1.0 acre of 37-276H, can you please email those concerns to us so that we may review and respond to them? Thanks for your time.

Zach Latham

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No virus found in this message.

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Version: 2016.0.7442 / Virus Database: 4533/11657 - Release Date: 02/19/16



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

OCT 05 2015

DEPARTMENT OF  
WATER RESOURCES

October 2<sup>nd</sup>, 2015

Cherie Palmer  
Idaho Water Supply Bank  
Idaho Department of Water Resources  
P.O. Box 83720  
Boise, ID 83720-0098

Re: WSB Rental; 1.0 Acre of 37-276H on Behalf of Brotman.

Dear Cherie:

On behalf of Mr. Jeff Brotman, Brockway Engineering is submitting a water supply bank rental application which seeks to rent 1.0 acre of Big Wood River water right 37-276H and divert the rented portion from an existing well on the Brotman property during the 2016 irrigation season.

The existing well on the Brotman property is approximately 253' from the Big Wood River. Using the well log from the property, a stream depletion analysis was performed in order to determine whether or not IDWR's 50% in twenty-four hour policy could be met in order to allow for a water supply bank rental with a change in source from surface to ground water. The resultant attached SDA shows 53% of the proposed pumping from the well is supplied by the Big Wood River in a twenty-four hour period. Based on this result, the proposed rental should meet IDWR's 50% in twenty-four hour policy and be approved.

Please copy our office on all correspondence regarding this WSB rental application. Thank you for your assistance and if you have questions or comments, please don't hesitate to call.

Regards,

*Shale Denis* on behalf of  
Zach Latham, M.S., Hydrologist

Enc: (1) Brotman WSB Rental Application, Aerial Map  
(1) Stream Depletion Analysis Memo, Map, Calculations Sheets and Well Log

Cc: Mr. Jeff Brotman

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

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