

DEPARTMENT OF
WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 3, 2017

PAM M WARTHEN
7061 CANYON CREEK ROAD
MOUNTAIN HOME ID 83647

RESPONSE DEADLINE
2/1/2017

RE: Water Supply Bank Rental Fees for 2017 Rental Agreements

Dear Renter,

The following are your 2017 water rentals from the Water Supply Bank:

Rental	Start	End	Water Right	Rental Volume (AF)	Total Rental Fee	Owner Fee (90%)	Admin Fee (10%)	Rental Fee Due Date
1	2016	2018	61-12226	8.8	\$149.60	\$134.64	\$14.96	1/1/2017

Our records indicate that payment has not yet been received for the above water right rentals.

If you have not already done so, please remit payment of **\$149.60** prior to the due dates above and enclose a copy of this letter with your payment.

If you have questions about your rental, you can contact me at 208-287-4918.

Regards,

Remington Buyer
Water Supply Bank Coordinator

**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:

Pam M. Warthen
Signature of Renter

PAM M. WARTHEN
Printed Name and Title*

JAN. 11, 2016
Date

Signature of Renter

Printed Name and Title*

Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By *Brian Patton*
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 1/15/2016

Rental Approved by IDWR *Angie Webb*

Date 1-15-2016

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

LOCATION OF POINT OF DIVERSION

CANYON CREEK NENW Sec. 36, Twp 02S, Rge 06E, ELMORE County

BENEFICIAL USE

IRRIGATION

SEASON OF USE

04/01 TO 10/31

RENTER'S PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	06E	35																0.6	0.6
03S	06E	2	1.6																1.6
			L1																

Total Acres: 2.2

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. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

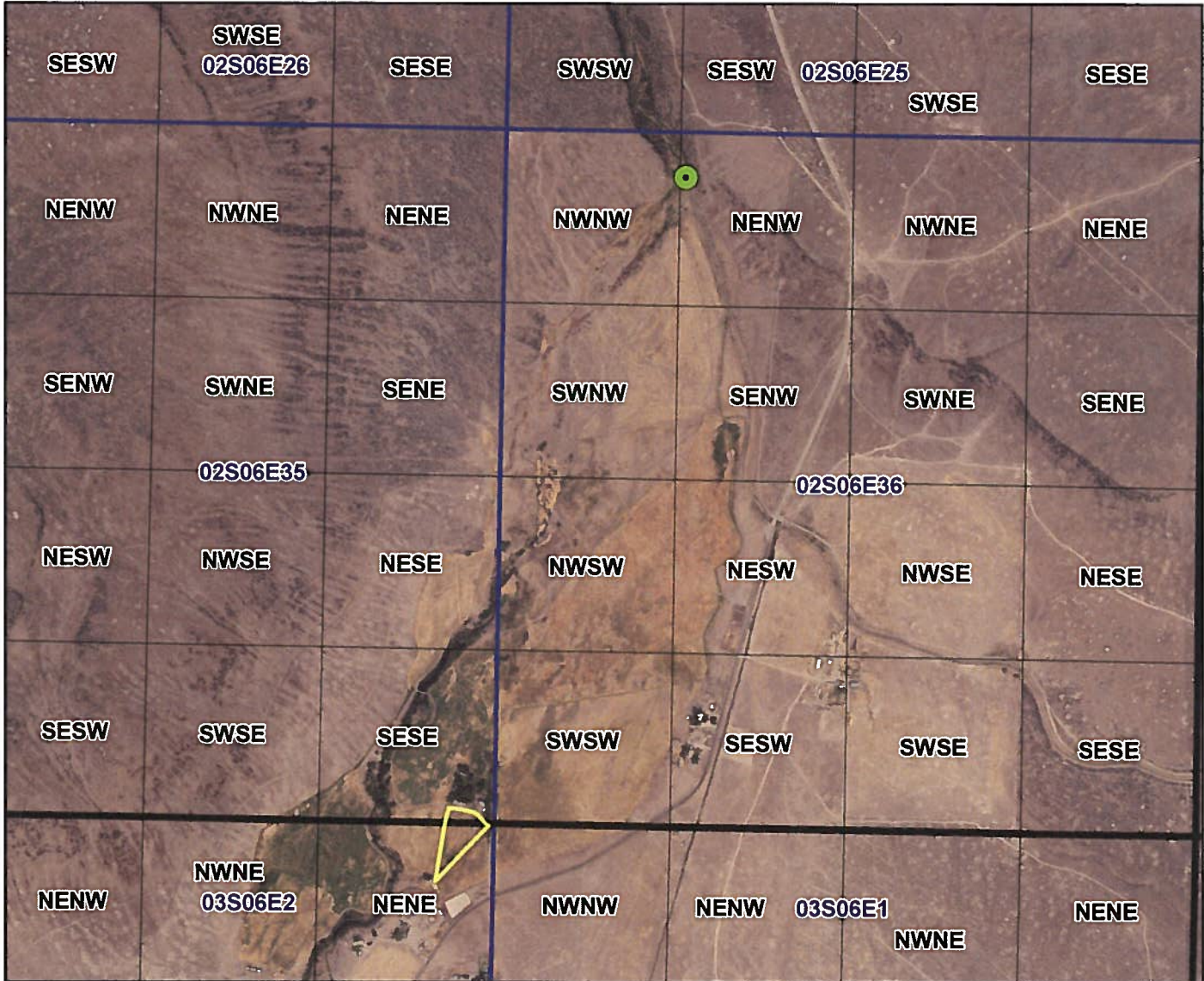
11. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
12. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 61A.
13. The following rights are diverted through point(s) of diversion described above: 61-263, 61-10417, 61-258, 61-10419, 61-10421, 61-264, 61-266, 61-252C, 61-252D, 63-2188, 63-2214, 63-19893, 63-20139, 61-363.
14. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.



Idaho Water Resource Board
Water Supply Bank Rental Agreement

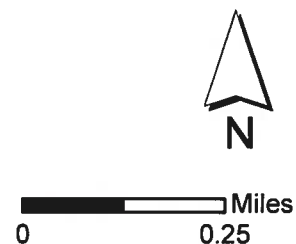
Effective until December 31, 2018

This map depicts the **rental place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



2013 USDA-FSA Aerial Photography

- Authorized Rental Point of Diversion
- Authorized Rental Place of Use
- Townships
- PLS Sections
- Quarter Quarters



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

SEP 04 2015

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: PAM McCuive WARTHENIs 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.

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

YES

☒ Completed *Application to Rent Water from the Board's 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 |
| 3E | ☐ | ☒ Authorization from the owner/operator of the rental point(s) of diversion |
| 3G | ☒ | ☐ Water modeling to account for the impacts of the rental request |
| 3J | ☒ | ☐ Documents justifying a need to rent water for irrigation at 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 PAM M. WARTHEN
Mailing Address 7061 CANYON CREEK ROAD MTN. HOME, IDAHO 83647
Email Address warthenpm@gmail.com Phone Number (208) 587-8736 = HOME
(208) 599-0531 = CELL
- 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 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:**

IRRIGATION - HAYFIELD

- B. Enter the desired and/or minimum necessary 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)	Acres (if applicable) (Acre)
<u>0.04</u> CFS	<u>8.56</u> AF	CFS	<u>8.56</u> AF	<u>2.14</u> 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 (month/day/year)	Latest Possible Start (month/day/year)	* Proposed Rental Duration (Max 5 Years)	** For multi-year rentals, indicate whether you desire to rent water for remaining years if a rental request cannot be approved for the first year?
<u>04/04/16</u>	<u>05/09/16</u>	<u>5 YEARS</u>	☒ Yes, approve rental for all remaining future years. ☐ No, return rental request if 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
CANYON CREEK	2S	6E	36	NW	NE		ELMORE	61-257, 61-1189 MTN. HOME TRAIL DIST.

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:

NOT REQUIRED

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	
02S	06E	35																0.62	
03S	06E	02	(1.52)																
Total Acres (for Irrigation)																			2.14

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

Total Acres (for Irrigation) 2.14

- 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:

- 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):

HEADGATE AT 02S 06E 25 SE SW, WATERMASTER TO DIVERT TO CANAL (WESTERLY), ACROSS HOFFMAN PROPERTY, TO MY PROPERTY.

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:

I DON'T HAVE ANY IRRIGATION SHARES OR WATER RIGHTS, WHEN
THE ORIGINAL RANCH WAS DIVIDED, ITS WATER RIGHTS WERE ACQUIRED
BY MY NEIGHBOR.

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)								Leased totals minus water actively engaged in rental agreement equals rental availability	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)
61-12226	IRRIGATION	CANYON CREEK	0.19	27.2	618	2014	2018		0.04	8.6	2.14
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								TOTAL	0.04 CFS	8.6 AF	2.14 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**:

NOT APPLICABLE

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**:

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 ☒

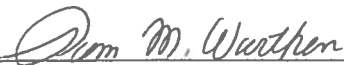
If yes, describe: _____

- 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.

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

PAM M. WARTHEN
Printed Name of Applicant

09-01-15
Date

Signature of Representative

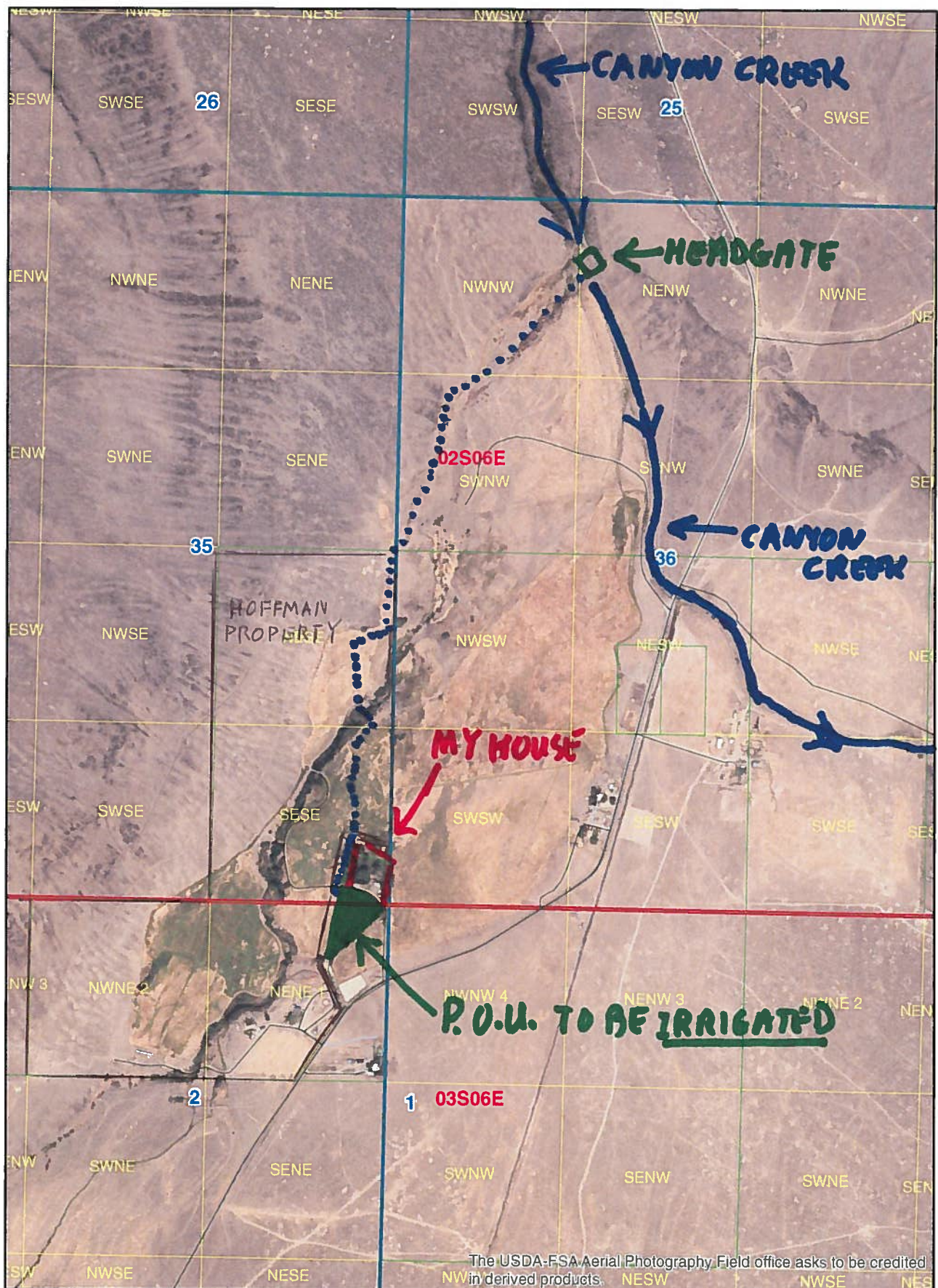
Printed Name of Representative

Date

Mail to:

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

ATTACHMENT 2



Mountain Home Irrigation District
140 S. 3rd W.
Mountain Home, ID 83647

September 1, 2015

To whom it may concern:

It is possible for Pam M. Warthen to take water from the Hoffman headgate. Pam's property is part of the original ranch and the water has always been delivered this way.

Respectfully,



Terry Seegrist
District Manager
Mountain Home Irrigation District

Work #: 208-587-4867
Fax #: 208-587-8168
Email: headgate2000@yahoo.com



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 19, 2016

PAM M WARTHEN
7061 CANYON CREEK RD
MOUNTAIN HOME ID 83647

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 61-12226**

Dear Renter:

Please find enclosed a receipt in the amount of **\$149.60** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 8.8 acre-feet of water for irrigation of 2.2 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 \$134.64 of the rental fee will be paid to the lessor(s) and 10% or \$14.96 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4933.

Sincerely,

for Steve Visosky
Water Resource Agent

Enclosures: Receipt No. C101414
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Angie Grimm – IDWR Western Regional Office
Terry Seegrist – State Water District No. 61A / Mountain Home Irrigation District



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 6, 2016

PAM M WARTHEN
7061 CANYON CREEK RD
MOUNTAIN HOME ID 83647

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 61-12226**

*****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 \$149.60 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 8.8 acre-feet. An annual payment shall be received by the Department prior to the execution of this agreement and prior to February 15 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for \$149.60 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. Pursuant to the Water Supply Bank Rules, 90% or \$134.64 of the rental fee will be paid to the lessor(s) and 10% or \$14.96 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4933.

Sincerely,

Steve Visosky
Water Resource Agent

Enclosure

c: IDWR Front Desk

MEMORANDUM

To: Water Right 61-12226

From: Steven Visosky

Date: 1-06-2016

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

PURPOSE/NARRATIVE: The Department received this application on 9-4-2015 to rent 0.04 CFS and 8.56 AF to irrigate 2.14 acres of hayfields. The rental request is for five years however the lease of 61-12226 will expire on 12-31-2018 so the rental will only be for 3 years.

AUTHORITY TO FILE: The application was signed by Pam Warthen. According to Elmore County tax records updated on 4-15-2015, the place of use for this rental is owned by Pam Warthen. The point of diversion (POD) for the rental is on Canyon Creek and is managed by the Mountain Home Irrigation District. The applicant submitted a letter from the Mountain Home Irrigation District stating that it is possible for Pam Warthen to take water from the headgate known as the Hoffman headgate.

WATER RIGHT VALIDITY: Water right 61-12226 is the result of Transfer 75120 approved in 2009. The property was irrigated in 2009. It was leased into the water supply bank in 2014 so forfeiture is not an issue at this time. Water right 61-12226 is for 10 acres with only 6.8 acres being leased into the bank as the property is still irrigating 3.2 acres. Aerial photography confirms that the property associated with 61-12226 is only watering approximately 3.2 acres.

INJURY TO OTHER WATER RIGHTS: This rental will be moving the point of diversion (POD) downstream on the Canyon Creek. There are four United States of America water rights owned by the United States of America between the leased POD and the downstream rental POD. There are two PODs (61-252B and 61-10146) in the area in between the two POD locations, and three PODs near the current lease POD. As this POD is being moved downstream for the rental, injury does not appear to be an issue. No feedback was received from the watermaster confirmed no apparent injury. Both the rental and the lease properties are in the Trust Area and Water District 61A. ESPA Modeling is not required.

ENLARGEMENT OF USE: The rental applicant states that there are no irrigation shares or water rights for the property. Pam Warthen states that when the original ranch was divided, its water rights were acquired by her neighbor. Our records indicate water right 61-10033A owned by Theodore Hoffman for irrigation from storage of 6.5 acres is associated with the rental property. Water right 61-252C for irrigation of 6.5 acres owned by Chester Tindall is also appears to be associated with the rental property. Both water rights were decreed in 2001. Water Right 61-11802 is a domestic right owned by Pam Warthen for the rental property. There is also a large portfolio of irrigation water rights owned by Mountain Home Irrigation District that overlap the rental property.

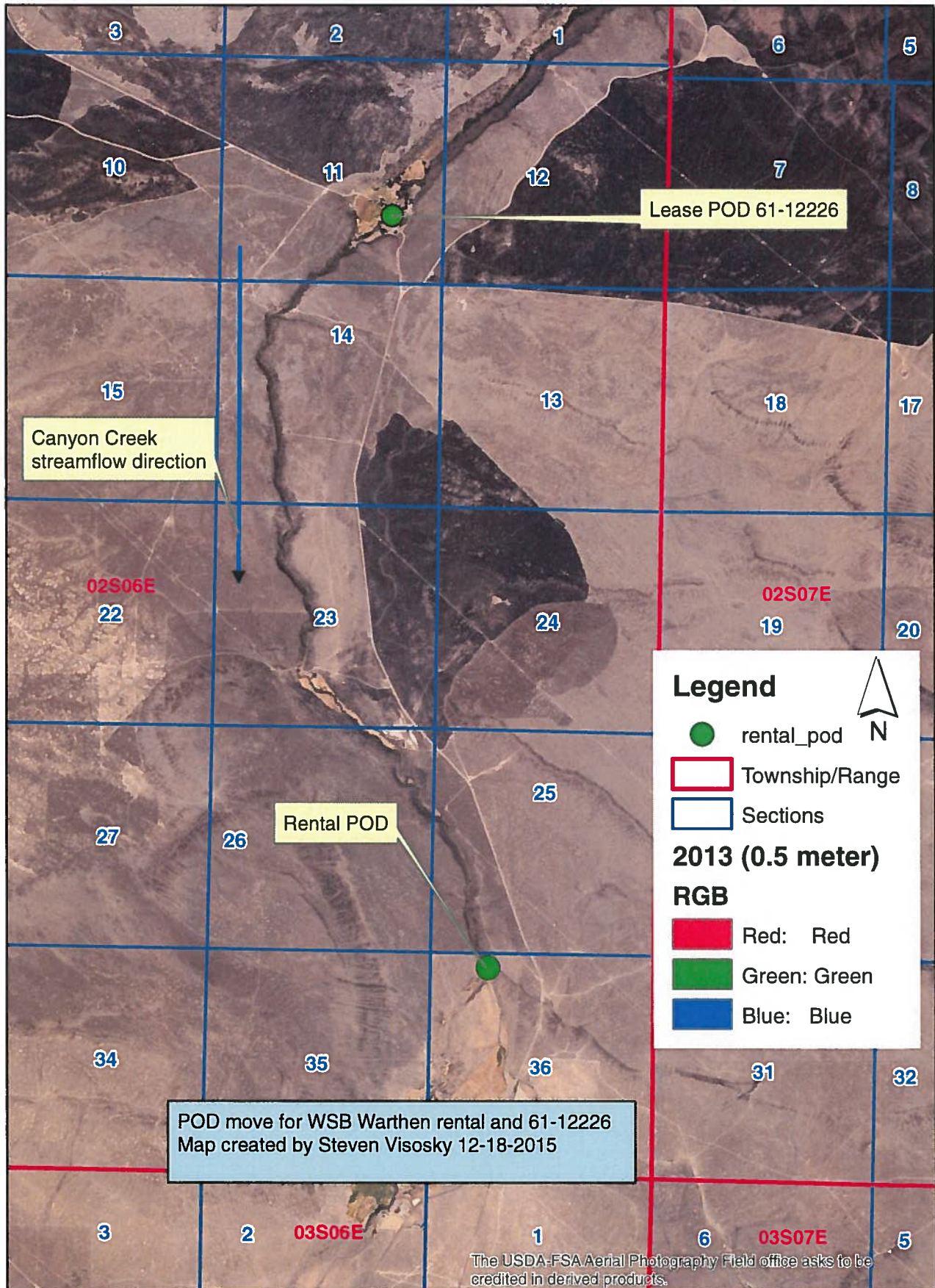
The lease contract of 61-12226 states that only 0.19 cfs of the 0.20cfs is available for use due to the combined limit rates on the condition of the right. The rate associated with 61-12226 is .03 cfs per acre and the volume is 4.0 AFA. Upon approval of this rental, 0.06 cfs and 8.8 AF will be reduced from the lease of right 61-12226. The amount available to lease after the approval of this rental would be 0.13 cfs and 18.4 AF.

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 of the POD is subject to Water District 61A. A request of comment and feedback was sent to watermaster Terry Seegrist on 12-22-2015 and no response was returned as of 01-05-2016. Western Region was contacted via email and responded with no concerns.

On 1-05-06 after the rental agreement was drafted and ready to be mailed, Terry Seegrist contacted me via telephone with a few questions and a concern regarding the rental. His concern was that he did not want to guarantee the water would actually make it to the Place of Use for Pam Warthen through the Hoffman ditch. He mentioned that the Hoffman Ditch was maintained by the Hoffmans and that there may be a current dispute between the Hoffmans and Pam Warthen. Terry stated that he could divert the water properly into the Hoffman ditch from Canyon Creek but the ultimate fate of the water was out of his control once in the private Hoffman Ditch. After a discussion with Cherie Palmer (Water Rights Supervisor), I contacted Terry and told him that the matter may become a civil issue between Pam Warthen and the Hoffmans if they are disputing and for whatever reason Pam Warthen's water does not make it to the Place of Use through the Hoffman ditch. I also called and left Pam Warthen a message stating that we were sending out the rental agreement, explained Terry's concern, and mentioned that she had the option not to sign the rental agreement or call me if she had any questions.





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

December 22, 2015

TERRY SEEGRIST
140 S 3RD E
MOUNTAIN HOME ID 83647

RE: Water Supply Bank Rental Application for Pam Warthen and Water Right 61-12226

Dear Watermaster:

The Department of Water Resources is soliciting your comments or concerns on the proposed rental application submitted by Pam Warthen. A copy of the review memo and map is enclosed.

Please review the information, then complete the enclosed recommendation form and return it to this office within 7 days of the date of this letter. You may return the form via postal mail or you may fax it to me at (208) 287-6700, Attn: Steven Visosky or email to steven.visosky@idwr.idaho.gov

If you have any questions, please contact me at (208) 287-4933.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven Visosky'.

Steven Visosky
Water Resource Agent

Enclosures; review memo, map, recommendation

Visosky, Steven

From: Van Dyke, Nick
Sent: Tuesday, December 22, 2015 2:13 PM
To: Visosky, Steven
Subject: RE: Water Supply Bank rental Comment Requested Warthen

Steve,

As you highlighted in your review memo, moving the diversion downstream should not create any injury. I wouldn't expect it given the amount of water and being a temp move. However getting feedback from watermaster/Terry I would recommend, which it looks like you are already on. Canyon Creek is one of a handful of drainages in 61 that have in the past been to a degree a hotpoint.

Nicholas Van Dyke

*Sr. Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Fax: (208) 334-2348
Email: nick.vandyke@idwr.idaho.gov*

From: Visosky, Steven
Sent: Tuesday, December 22, 2015 11:49 AM
To: Van Dyke, Nick
Subject: Water Supply Bank rental Comment Requested Warthen

Nick,

Pam Warthen has submitted a rental application for 2.14 acres on Canyon Creek. The water right that will be leased is 61-12226. I have sent a letter requesting comment to watermaster Terry Seegrist. Could you please review the attached review memo and map and let me know if you have any questions or concerns. I have attached a scanned copy of the application for your reference.

Thanks,

Steve Visosky
Water Resource Agent
Phone (208)287-4933
steven.visosky@idwr.idaho.gov



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

September 18, 2015

PAM M WARTHEN
7061 CANYON CREEK RD
MOUNTAIN HOME ID 83647

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

Dear Applicant:

The Idaho Department of Water Resources (Department) acknowledges receipt of your application(s) to rent water from the Water Supply Bank (Bank).

The Department will accept applications proposed for the next calendar season on November 1 of the prior year. Your application is proposing water use during the 2016 season; therefore, the Department will begin processing your application after November 1, 2015.

Applications will be processed in the order received at the Department and as time allows. The likelihood of successfully acquiring a rental through the Bank is greatly improved by applying early during the processing period before the proposed season of use begins.

Note that 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 Bank rental agreement. **You are not authorized to divert any water for the purposes described in your application 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 Bank's website at:

http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterSupply/ws_default.htm

Sincerely,

Cherie Palmer, Water Rights Supervisor
Water Allocation Bureau

RECEIVED

SEP 04 2015

DEPARTMENT OF
WATER RESOURCES

Pam M. Warthen
7061 Canyon Creek Road
Mountain Home, Idaho 83647

September 1, 2015

To Whom It May Concern:

Enclosed is my application to rent water from the water supply bank for the upcoming 2016 season. I have also attached the required attachments for my request. If there is any other information needed, please contact me.

Sincerely,



Pam M. Warthen

Home: (208) 587-8736

Cell: (208) 599-0521

Email: warthenpm@gmail.com

Enclosure