

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

RECEIVED
SEP 01 2015
DEPARTMENT OF
WATER RESOURCES

This is to certify that: **UNITED STATES BUREAU OF RECLAMATION**
PN-3100 1150 N CURTIS ROAD STE 100
BOISE ID 83706-1234

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right	Priority Date	Source	Tributary	Rented Rate	Annual Rented Volume	Total Rented Acres	Total Rented Acres
-------------	---------------	--------	-----------	-------------	----------------------	--------------------	--------------------

85-02146	05/24/1922	Webb Creek	Sweetwater Creek	NA	696.0 af	NA	NA
85-04483	06/01/1907	Sweetwater Creek Lindsay Creek	Lapwai Creek Clearwater River	2.43 cfs	696.0 af	NA	NA
85-15424	12/01/1935	Waha Lake	Sinks	NA	696.0 af	NA	NA

Annual Combined Rental Totals **2.43 cfs 696.0 af NA NA**

Term of Rental: **This rental is in effect from the day the Idaho Water Resource Board signs the rental agreement and shall be in effect until December 31, 2015.**

Rental Fee: **\$1,183.20**

The fee for rental of the above-described water is \$11,832.00. Because you own the above referenced water rights you are obligated to pay ten percent (\$1,183.20) to the Department for administrative costs only.

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

Detailed water right conditions are attached.

SUPPORT DATA
IN FILE # 85-2146

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:

Elizabeth Gail McGarry Elizabeth Gail McGarry Sept 1, 2015
Signature of Renter Printed Name and Title* Rights and Acquisitions 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 Date September 1, 2015
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

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

LOCATION OF POINT(S) OF DIVERSION (all within NEZ PERCE County)

85-02146:

WEBB CREEK L18 (SE1/4SE1/4) Sec. 17 Twp 35N Rge 04W, B.M. (Rediversion)
WEBB CREEK SE1/4SW1/4 Sec. 29 Twp 33N Rge 03W, B.M.
WEBB CREEK SE1/4SW1/4 Sec. 29 Twp 33N Rge 03W, B.M. (Injection)
WEBB CREEK L2 (NW1/4NE1/4) Sec. 06 Twp 33N Rge 03W, B.M. (Rediversion)
WEBB CREEK NE1/4NE1/4 Sec. 34 Twp 34N Rge 04W, B.M. (Injection)
WEBB CREEK L3 (NW1/4SW1/4) Sec. 21 Twp 34N Rge 04W, B.M. (Rediversion)
WEBB CREEK L18 (SE1/4SE1/4) Sec. 17 Twp 35N Rge 04W, B.M. (Injection)
LAPWAI CREEK L3 (SW1/4NE1/4) Sec. 22 Twp 36N Rge 04W, B.M. (Ending of Reach)

85-04483:

SWEETWATER CREEK L3 (NW1/4SW1/4) Sec. 21 Twp 34N Rge 04W, B.M.
LAPWAI CREEK L3 (SE1/4SW1/4NE1/4) Sec. 22 Twp 36N Rge 04W, B.M. (Ending of Reach)

85-15424:

WAHA LAKE NW1/4NW1/4 Sec. 09 Twp 33N Rge 04W, B.M. (Injection)
WAHA LAKE L5 (SE1/4SE1/4) Sec. 09 Twp 33N Rge 04W, B.M.
LAPWAI CREEK L3 (SE1/4SW1/4NE1/4) Sec. 22 Twp 36N Rge 04W, B.M. (Ending of Reach)

BENEFICIAL USE

85-02146 AND 85-15424:

MINIMUM STREAM FLOW FROM STORAGE
MINIMUM STREAM FLOW STORAGE

85-04483:

MINIMUM STREAM FLOW

SEASON OF USE

06/01 TO 10/31

RENTER'S PLACE OF USE: MINIMUM STREAM FLOW IS IN SWEETWATER CREEK AND LAPWAI CREEK IN THE REACH ABOVE THE QUANTIFICATION POINT DESIGNATED FOR WATER RIGHT NO. 85-15603.

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. Rental of the leased portions of water rights 85-02146, 85-04483, and 85-15424 is limited to a total combined diversion rate of 2.43 cfs and diversion volume of 696.0 acre-feet during the rental period.
11. The water rights referenced above are accepted into the bank and rented in accordance with a private agreement formulated between the lessor and the renter. Administrative fees will be paid based on the current rental rate.

CONDITIONS APPLICABLE TO RIGHT 85-02146:

12. Point of injection in T33N, R03W, S29, SESE is into Webb Creek. Point of re-diversion in T33N, R03W, S06, Lot 2 (NWNE) is from Webb Creek via the Webb Creek Canal. Point of injection in T34N, R04W, S34, NENE is into the East Fork of Sweetwater Creek.
13. Use of water under right 85-02146, including the water use authorized under this rental agreement, may not exceed a total diversion volume of 2000 acre-feet.

CONDITIONS APPLICABLE TO RIGHT 85-04483:

14. Use of water under right 85-04483, including the water use authorized under this rental agreement, may not exceed a total diversion rate of 55.0 cfs or a total diversion volume of 10,500 acre-feet.
15. The renter may not divert water to fill the use authorized under this rental agreement unless it is water that could otherwise be diverted to storage from Mann Lake.

CONDITIONS APPLICABLE TO RIGHT 85-15424:

16. Point of injection in T33N, R04W, NWNW is into an unnamed stream tributary to the West Fork of Sweetwater Creek.
17. Use of water under right 85-15424, including the water use authorized under this rental agreement, may not exceed a total diversion volume of 3497.5 acre-feet.

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

APPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKJUN 01 2015
DEPARTMENT OF
WATER RESOURCESApplicant Name: U.S. Bureau of ReclamationIs 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)

85-02146

85-04483

85-15424

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Gail McGarry, U.S. Bureau of Reclamation

Mailing Address 1150 N Curtis Rd., Boise, Idaho 83706-1234

Email Address emcgarry@usbr.gov

Phone Number 208-378-5306

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**:

See Attachment 3A

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)
CFS	696 AF	CFS	AF	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?	
6/1/2015	10/31/2015	1	☐ 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
Waha Lake	33N	4W	9	SE	SE		Nez Perce County	See attachment 3A
Sweetwater Creek	34N	4W	21	NW	SW		Nez Perce County	See attachment 3A
Webb Creek	33N	3W	6	NW	NE		Nez Perce County	See attachment 3A

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: Instream

- 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	
36N	4W	22			I														696
The entry in this grid must match the map from item 2 on the application.																			Total Acres (for irrigation)
																			696

- 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):
See attachment 3A

**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:
Idaho Water Resource Board's instream right No. 85-15603. See Attachment 3A.

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)
85-02146	Municipal	Webb Creek		2000		1/1	12/31			696	
85-04483	Municipal	Sweetwater Ck		1500		1/1	12/31			696	
85-15424	Municipal	Waha Lake		3497.5		1/1	12/31			696	
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		696	n/a
									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:**
Municipal/Irrigation to consumptive use. See attachment 3A.

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:
This rental has occurred since 2006. This rental is undertaken pursuant to the Biological Opinion for the Lewiston Orchards Project.
- 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: Not concurrent with this application.
- 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

Jerrold D. Gregg, Manager Snake River AO
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

Attachment 3A

The applicant, the Bureau of Reclamation, intends to rent its own water out of the water supply bank for endangered species needs associated with the Lewiston Orchards Project. There are two parts to the rental. The first part is intended to augment flow to ensure the following instream flow targets are met at the designated locations.

Instream Flow Targets		
	Webb Creek downstream of diversion dam (cfs)	Sweetwater Creek downstream of Sweetwater diversion dam (cfs)
June	1	2.5
July	1	2.5
Aug	1	2.5
Sep 1-15	1	2.5
Sep 16-30	1	2.5
Oct	1	2.5

We estimate that some portion of the target will be met by base flow and total volume BOR wishes to rent is **606 acre-feet**. The rate of water to be released is unknown at present because some of the flow target will be met by natural flow not covered by this rental. Required releases under this rental will be made real-time, such that when added to the natural flow not covered by this lease the flow targets in the table above are met. The second part of the rental is for **90 acre-feet**, which will be provided throughout the above time period at a rate and time as requested by the Nez Perce Tribe. The total maximum is rental is **696 acre-ft** (606 acre-ft plus 90 acre-ft). The water will be rented from a combination of the following three reservoirs which Reclamation owns: Soldiers Meadow Reservoir, Mann Lake, and Lake Waha, under Water Right Nos. 85-02146, 85-04483, and 85-15424 respectively. All three reservoirs supply water to the Lewiston Orchards Irrigation Project. The lease and rental is from June 1 through October 31, 2015.

The water rights are to be rented into the Idaho Water Resource Board's (IWRB's) instream right No. 85-15603, for which the measurement point is the mouth of Lapwai Creek. The water will be delivered from (1) Lake Waha, (2) Soldiers Meadow Reservoir, or (3) the diversion dams at Sweetwater Creek from water that is forgone from being stored at Mann Lake. It will be delivered down to the measurement point for the IWRB's water right No. 85-15603. Administration of rented water is to be accomplished under Idaho Code § 42-801.

The following measurements will occur to ensure there is not an expansion of the Applicant's storage rights as a result of this rental.

a. Measurements of Mann Lake under water right No. 85-4483

i. Objective: Ensure the total of the volume stored for the year in Mann Lake and the volume attributed to the rental from Mann Lake storage does not exceed 10,500 acre-ft.

ii. Method: Lewiston Orchards Irrigation District will measure 1) the rate and the associated volume of flow into Mann Lake that is not attributable to storage at the upper reservoirs and 2) the volume of water delivered to Mann Lake from water that was previously stored in the above reservoirs. The volume of water delivered out of Mann Lake will be measured by an existing device on the outlet works for Mann Lake that totalizes the volume of water delivered out of Mann Lake. Additional storage for carry-over in Mann Lake will be calculated from elevation measurements. From these measurements, the volume of the water diverted to the creek that is attributable to storage water right No. 85-4483 will be calculated.

The District will also show that at any given time that both Mann Lake and Sweetwater Canal have the physical capacity to take the flow in the Creeks that is considered to be forgone storage water from right No. 85-4483 under this rental agreement.

b. Measurement of volume used in the rental program from the Soldiers Meadow Reservoir water right No. 85-2146 to ensure storage right is not enlarged

i. Objective: Ensure the total storage for Soldiers Meadow Reservoir in a given year does not exceed 2,000 acre-ft under water right No. 85-2146.

ii. Method: The volume released from storage for both irrigation and the water rental will be measured. The additional carryover accumulated will be calculated from elevation measurements. These two volumes together must not exceed 2,000 acre-ft.

c. Measurement of Volume used in the Rental Program from the Lake Waha water right No. 85-15424

i. Objective: Ensure that the total storage at Lake Waha does not exceed 3,497.5 acre-ft.

ii. Method: Calculate the volume released from storage for irrigation in addition to the additional carryover accumulated, which must not exceed 3,497.5 acre-ft.

This search tool identifies water rights leased to the State Water Supply Bank ("bank"). Results provide general information about the lease. Additional information about a specific water right or documents related to a lease may be researched through the Water Right and Adjudication Search ([link below](#)).

Search By: Basin

Usage Instruction

Basin	Who	What	When	Where
-------	-----	------	------	-------

Clear Search Help

(Hint: Water Right Numbers are comprised of three components: the Basin Number, the Sequence Number, and sometimes a Split Suffix. For water right 63-7819A, the Basin Number is 63, the Sequence Number is 7819, and the Split Suffix is A. Not all water right numbers have Split Suffixes.)



Search Criteria (See Results Below.)

Basin From: 85
Water Supply Bank Status: Active

For best results when printing search output, change printer settings to legal paper and landscape orientation.

Research a specific water right:

General Information about the Water Supply Bank

Water Right and Adjudication Search

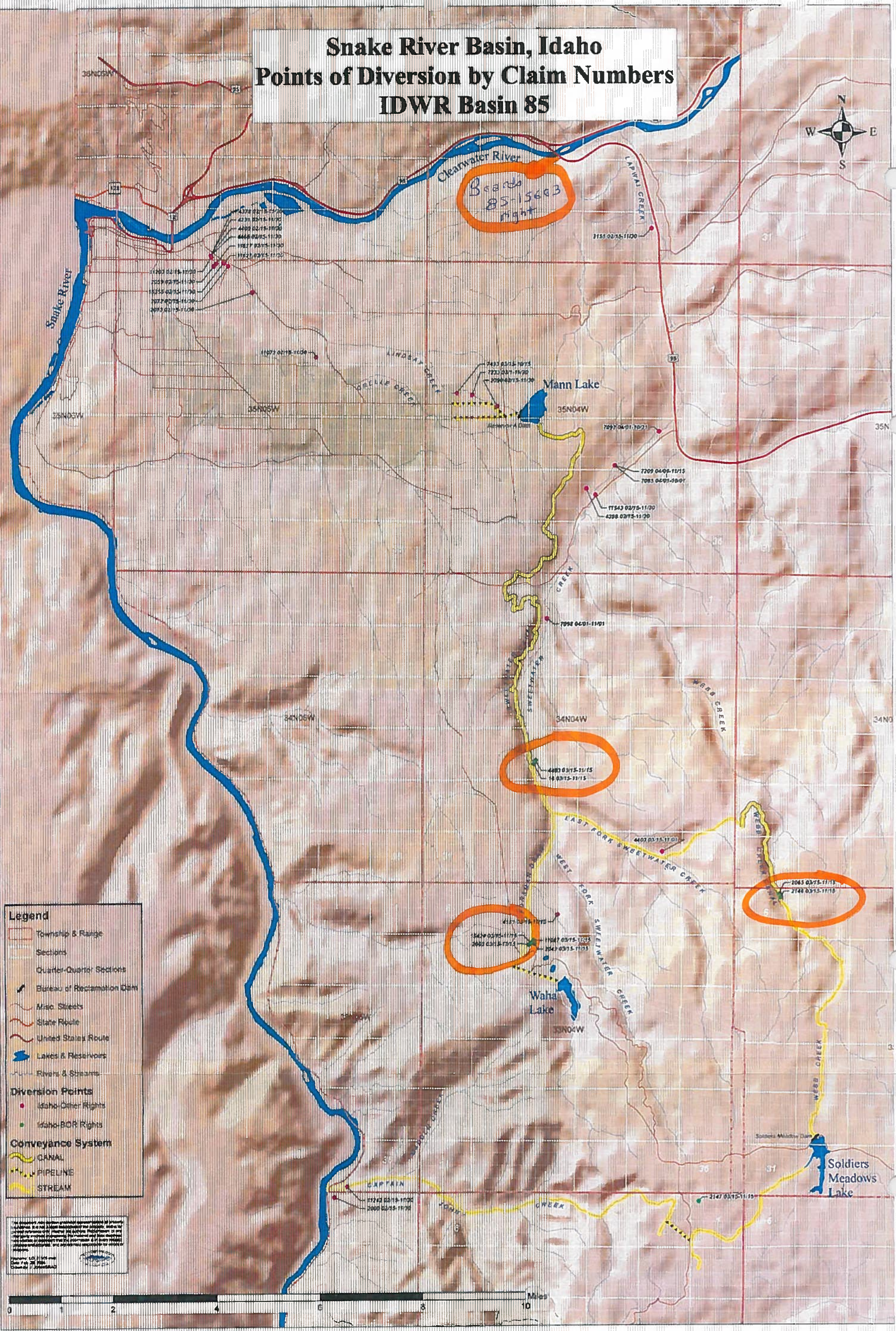
6 Results Found

Water Right Number Dist. Seq. Suffix		Lease Information						Water Right Information							
		Lessor	Lease Status	Lease Amount	Rental Availability	Lease Begin Date	Expiration Date	Source	Priority	Nature of Use	Twp.	Rge.	Sec.	Leasor's POD Govt Lot	Q
85	2146	UNITED STATES OF AMERICA ACTING THROU GH	ACTIVE	ALL	NONE	6-25-2012	10-31-2016	WEBB CREEK Tributary to SWEETWATER CREEK	5-24-1922	IRRIGATION FROM STORAGE IRRIGATION STORAGE MUNICIPAL FROM STORAGE MUNICIPAL STORAGE	33N	04W	6	2	
											33N	04W	29		
											34S	04W	21	3	
											34N	04W	34		
											35N	04W	17	18	
85	4194	TWIN CITY FOODS INC	ACTIVE	ALL	ALL	12-11-2009	8-18-2015	GROUND WATER	9-25-1952	COMMERCIAL	36N	06W	36	2	
85	4483	UNITED STATES OF AMERICA ACTING THROU GH	ACTIVE	ALL	NONE	6-25-2012	10-31-2016	LINDSAY CREEK Tributary to CLEARWATER RIVER SWEETWATER CREEK Tributary to LAPWAI CREEK	6-1-1907	DIVERSION TO STORAGE IRRIGATION FROM STORAGE IRRIGATION STORAGE MUNICIPAL FROM STORAGE STOCKWATER FROM STORAGE STOCKWATER STORAGE	34N	04W	21	3	
											35N	04W	17	18	
85	15424	UNITED STATES OF AMERICA ACTING THROU GH	ACTIVE	ALL	NONE	6-25-2012	10-31-2016	WAHA LAKE Tributary to SINKS	12-1-1933	IRRIGATION FROM STORAGE IRRIGATION STORAGE MUNICIPAL FROM STORAGE MUNICIPAL STORAGE	33N	04W	9		
											33N	04W	9	5	
											34N	04W	21	3	
											35N	04W	17	18	
85	15434	CHARLES A PRATT CHARLES PRATT LALLA JANE PRATT	ACTIVE	12	12	1-1-2014	12-31-2018	CLEARWATER RIVER Tributary to CLEARWATER RIVER	7-10-1964	IRRIGATION	31N	04E	4		
85	15435	CHARLES A PRATT CHARLES PRATT GWENDOLYN WORKMAN	ACTIVE	33	33	1-1-2014	12-31-2018	CLEARWATER RIVER Tributary to CLEARWATER RIVER	7-10-1964	IRRIGATION	32N	04E	32		
											32N	04E	32		

Snake River Basin, Idaho

Points of Diversion by Claim Numbers

IDWR Basin 85



- Legend**
- Township & Range
 - Sections
 - Quarter-Quarter Sections
 - Bureau of Reclamation Dams
 - Misc. Streets
 - State Route
 - United States Route
 - Lakes & Reservoirs
 - Rivers & Streams
 - Diversion Points**
 - Idaho-Other Rights
 - Idaho-BOR Rights
 - Conveyance System**
 - CANAL
 - PIPELINE
 - STREAM

This document was prepared by the Idaho Department of Water Resources (IDWR) for the purpose of providing information to the public. It is not intended to be used as a legal document. The IDWR is not responsible for any errors or omissions in this document. The IDWR is not responsible for any damages or losses resulting from the use of this document. The IDWR is not responsible for any claims or liabilities resulting from the use of this document. The IDWR is not responsible for any claims or liabilities resulting from the use of this document.



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 1, 2015

UNITED STATES BUREAU OF RECLAMATION
PN-3100 1150 CURTIS RD STE 100
BOISE ID 83706-1234

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 85-02146, 85-04483, AND 85-15424**

Dear Renter:

Please find enclosed a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 696.0 acre-feet of water for minimum stream flow during 2015. 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, the rental fee will be retained by the Department to offset administrative costs since you are the owner of the right(s).

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

Sincerely,

for
Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure: Rental Agreement (copy)

c: Sascha Marston – Fiscal
Keith Franklin – IDWR Northern Regional Office



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

August 19, 2015

UNITED STATES BUREAU OF RECLAMATION
PN-3100 1150 N CURTIS RD STE 100
BOISE ID 83706-1234

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 85-02146, 85-04483, AND 85-15424**

*****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 **\$11,832.00** was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 696.0 acre-feet. Since you are both the lessor and the renter of the right(s), **you are only obligated to pay the 10% administrative fee or \$1,183.20.** 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 \$1,183.20 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

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

Sincerely,

fer- Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure(s)

c: IDWR Front Desk

MEMORANDUM

To: Water Rights 85-2146, 85-4483 and 85-15424

From: Clay Webster

Date: 8/14/2015

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

PURPOSE/NARRATIVE: The department received this application to rent 696 af of water from the Bureau Of Reclamation (BOR) to rent their own water from the WSB for a period of one year from June 1 through October 31, 2015.

The water will be used for endangered species needs according to the Lewiston Orchards Project. 606 af will be released to enhance natural flow to meet Minimum Stream Flows augmenting the IWRBs MSF right (85-15603) another 90 af will be provided as requested by the Nez Perce Tribe. (See plan attached to application for more information)

AUTHORITY TO FILE: This application was signed by Jerrold D. Gregg, Manager of the Snake River Area Office of the BOR. As confirmed from the BOR web page. (see attached)

WATER RIGHT VALIDITY: Water rights 85-2146, 85-4483, 85-15424 have had portions leased in the bank from 2012 through 2016 that will cover this lease.

INJURY TO OTHER WATER RIGHTS: This rental has been approved in some form every year since 2006 without any reported injury. No injury is anticipated.

ENLARGEMENT OF USE: Measurement plans are in place to ensure no enlargement takes place through this rental. (See attachment 3A of application pages 1 and 2)

LOCAL PUBLIC INTEREST: This application is to enhance the minimum stream flow of WR 85-15603. Minimum stream flow is in the public's interest. Review staff has no information to suggest this application is inconsistent with the local public interest.

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The rented rights are not subject to a Water District.



Pacific Northwest Region

Addresses	Phone Numbers	Mail Codes
Lynn Lee, Regional Director Pacific Northwest Regional Office 1150 North Curtis Road, Suite 100 Boise, Idaho 83705-1234	208-378-5012 fax 208-378-5019 verify 208-378-5012	PN-1000
Clara Wadsworth, Area Manager Columbia-Cascades Area Office 1917 Marsh Road Yakima WA 98901-2258	509-575-5843 X200 fax 509-454-5811	CCAD-1000
Jerrod D. Grogg, Area Manager Snake River Area Office West - 230 Collins Road Boise ID 83702	208-383-2245 fax 208-383-2275	SRA-1000
Coleman Smith, Power Manager Grand Coulee Power Office PO Box 620 Grand Coulee WA 99133-0620	509-433-4567 fax 509-433-4138	GCP-1000

Please see the PN Region Addresses/Contacts Web Page for additional information.



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF RECLAMATION
Pacific Northwest Region
1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234



RECEIVED

JUN 01 2015

DEPARTMENT OF
WATER RESOURCES

Mr. Jeff Peppersack,
Allocation Bureau Chief
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

JUN 01 2015

Subject: Water Rental Application Water Right Nos. 85-2146, 85-4483, and 85-15424,
Lewiston Orchards Irrigation District

Dear Mr. Peppersack,

Please find enclosed the water rental application for the subject water rights. This rental is similar to the previous annual rentals by Reclamation since 2006 to meet endangered species needs of the Lewiston Orchards Project. If you have any questions, please contact me at 208-378-5306.

Sincerely,

E. Gail McGarry
Program Manager, Water Rights and Acquisition.