

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT

RECEIVED

JUN 10 2015

DEPARTMENT OF
WATER RESOURCES

This is to certify that: **TIMOTHY P DEEG**
2957 DEEG RD
AMERICAN FALLS, ID 83211-5554
(208)226-5588

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	Acre Limit	Total Rented Acres
35-2491	1/24/1957	Ground Water	NA	0.79 cfs	Not Stated	90 ac	90 ac
35-7005	12/14/1967	Ground Water	NA	0.28 cfs	Not Stated	90 ac	90 ac
35-7648	11/24/1976	Ground Water	NA	0.51 cfs	Not Stated	90 ac	90 ac
Total Annual Combined Limit				1.58 cfs	360 af	90 ac	90 ac

Annual Combined Rental Totals 1.58 cfs 360 af NA 90 ac

Actual diversion of water for rental is limited to: 1.41 cfs 320 af NA 80 ac

*The additional rate, volume and acres are necessary to ensure that no injury will occur as a result of this rental.

Term of Rental: January 5, 2015 to December 31, 2015
Rental Fee: \$6,120.00

The fee for rental of the above-described water is \$6,120.00 per year. Ten percent (\$612.00) will go to the Department for administrative costs, and the remainder will be paid to the lessor(s). No rental fees will be refunded once the fee is collected and the start date for a Rental Agreement has passed.

Detailed water right conditions are attached.

SUPPORT DATA

IN FILE # 35-2491

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

Timothy P. Deeg
Printed Name and Title* Owner

6/1/2015
Date

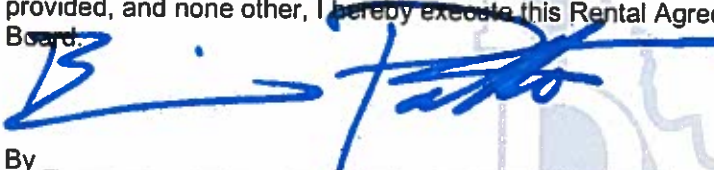
Signature of Renter

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, Acting Administrator
Idaho Water Resource Board

Date June 10, 2015

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

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DEPARTMENT OF
WATER RESOURCES

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSE

Sec. 6, Twp 09S, Rge 31E, POWER County

BENEFICIAL USE

IRRIGATION

SEASON OF USE

05/01 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	
09S	30E	01	22	13		6													41
09S	30E	06						20	19										39

Total Acres: 80.0 acres

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 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
12. The following rights are diverted through point(s) of diversion described above: 41-7071, 41-7034, 41-7076, 41-7030 and 41-7081.

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

JAN 05 2015

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK

This application must be prepared in accordance with the minimum requirements listed to be acceptable for processing by the Department. Incomplete applications will be returned.

Name of Renter(s) Timothy R. OR Diane J. DeegMailing Address 2957 Deeg Road, American Falls, Idaho 83211Phone 208-220-5588Email deegt@aol.com

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. Maximum Flow Rate (cfs) Maximum Volume (ac-ft) Nature of Use Period of Use
1.12 cfs 160 ac/ft Irrigation April 1 to Oct 31
 _____ to _____
 _____ to _____
 Total: 1.12 cfs 160 ac/ft

2. Source of water ground water tributary to Sublet Range (undetermined to ESPA)

3. Point(s) of Diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County
9 S	31 E	6	further	as	tract	23	Power County

4. Lands to be irrigated or place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	30E	1		11.7															11.7
9S	30E	1	16.3																16.3
9S	30E	1				4.7													4.7
9S	31E	6						20.7											20.7
9S	31E	6							21.2										21.2

If the use is for irrigation, show total number of acres proposed through rental.

Total Acres 74.6/80.0

B. OWNERSHIP

1. Do you own the land at the proposed point of diversion?

Yes ☒ No ☐

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed point of diversion. _____

2. Do you own the land at the proposed place of use?

Yes ☐ No ☒

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed place of use.
Otto Deeg Estate, 208-226-5588, long term written lease expiring 2021

C. MAP

Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described by this application in section A. Include legal description labels.

D. GENERAL INFORMATION

1. Please provide a description of the proposed diversion system.
Ground water well, mainline, hand lines as well as wheel lines. I have been diverting water under a water bank lease the past 5 years.
2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.
List of all other water rights:
3. Will the proposed place of use receive water from any other source? Yes ☐ No ☒
If yes, describe.
4. If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of water required. Attach additional sheets if needed. Used for Irrigation
5. Are there any other applications pending before the Department, such as an application for permit or transfer, for the same use(s) proposed by this rental? Yes ☐ No ☒
If yes, describe.
6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation? Yes ☐ No ☒
If yes, describe.

E. RENTAL TERM

Do you wish to rent water from the Board's bank for more than one (1) year? Yes ☒ No ☐
If yes, please specify the number of years desired through proposed rental. 5 years

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.

If this application is approved, the applicant agrees to the following:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Renter shall comply with all applicable state and federal laws while using water under this agreement.
3. Renter shall hold the Board, the Director, and the state of Idaho harmless from all liability on account of negligent acts of the renter.
4. 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.
5. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
6. Renter is not authorized to use water proposed by this application until the rental fees are paid in full and the renter receives an executed copy of the agreement signed by the Director.


Signature of Applicant

Timothy P. Deeg

Printed Name and Title*

11/24/14

Date


Signature of Applicant

Diane J. Deeg

Printed Name and Title*

11/24/14

Date

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

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

Legend

Wheel lines

Center Points

Section Lines

Property Boundary

1042' I to 125' east main line

8' - 6" E to 125' east main line

Irrigation Well Site

Domestic Well Locations

Township 9 South
Range 20 West
Section 31
R-31
E-31

Total
3766

Lot 5
21.21 A

80d 9 pm

283

16.5

14.7

122.0

25.3

36.4

33.5

382

151.7

59.0

21.44 A

21.44 A

21.44 A

21.44 A

21.44 A

920 9 pm

920 9 pm

21.68 A

21.68 A

21.68 A

21.68 A

21.68 A

31.40

21.7

21.7

21.7

21.7

21.7

33.5

Dees Rd

Otto Dees Farm Buildings

1/2 mile radius

1/2 mile radius

Domestic Irrigation Filling on
CWA 130.4 (F.N. 23)
to 41-07071
to 41-07071

Domestic Irrigation Filling on
CWA 130.4 (F.N. 23)
to 41-07071
to 41-07071

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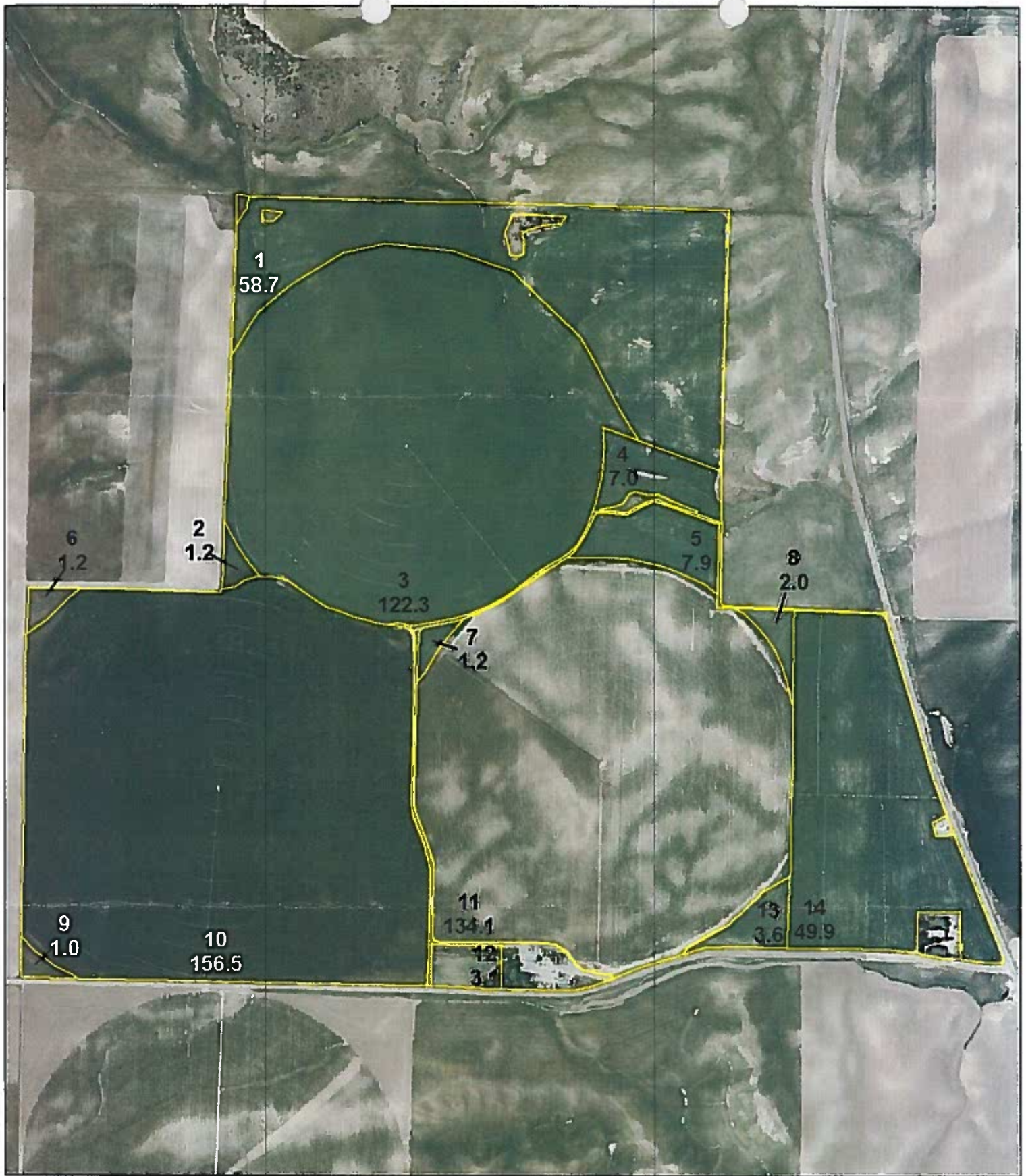
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to 41-07071
to 41-07071



United States Department of
AGRICULTURE

Farm Service Agency
Power County, Idaho

TRACT NO. 2520
T9S R30;31E S1;6



May 14, 2008

Digital Orthophotography
Not to Scale
FSA Purposes Only

01/03

Before the Idaho Water Resource Board

**APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK**

Applicant: Timothy P. and Diane J. Deeg, H&W Phone: 208-226-5588

Address: 2957 Deeg Rd.

City: American Falls State: ID Zip: 83211

A. DESCRIPTION OF WATER SOUGHT TO RENT

1. Source of water Ground water
Tributary to
2. Maximum volume of water 80 AF
3. Maximum rate of diversion 1.12 cfs

B. DESCRIPTION OF USE PROPOSED

1. Nature of intended use irrigation
2. Location of point of diversion $\frac{1}{4}$ $\frac{1}{4}$, section ,
township 9S, range 31E, B.M. Power County
3. Season of use: from 4/1 to 10/31
4. Description of diverting works:
Pump HP Lift Pump type
Canal name, if appropriate
5. Place of use:
 - a. If water is for irrigation, describe the number of acres to be irrigated by 40-acre tract, section, township and range.
T. 1 S., R. 31 E., Section 1
NE SW: 33.5 acres
SE SW: 33.5 acres
NW SE: 38.2 acres
SW SE: 40 acres
Total: 145.2 acres
 - b. If water is not for irrigation, describe the nature of the intended use and the place of use.

6. Describe any other water rights used for the same purposes as rental water sought under this application.
7. Who owns the property at the point of diversion?
Applicant
8. Who owns the property at the place of use?
Applicant
9. Are you seeking rental for more than one (1) year? Yes
10. Remarks:

Date _____

Timothy P. Deeg

Diane J. Deeg

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Time _____

Published in _____ Pub. Dated _____

Protests filed by _____

Hearing held by _____

Action recommended _____

