



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 6, 2017

R THOMAS GOODRICH / REBECCA LEA
PATTON
1001 FOREST AVE
PALO ALTO CA 94301

RE: Expiration of Water Supply Bank Rental Agreement for water rights: 37-2644C, 37-22826

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, slightly wavy line.

Remington Buyer
Water Supply Bank Coordinator

Enclosures:

OCT 15 2015

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

DEPARTMENT OF
WATER RESOURCES

This is to certify that: **R THOMAS GOODRICH**
REBECCA LEA PATTON
1001 FOREST AVE
PALO ALTO CA 94301
(650) 322-3569

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
37-2644C	11/16/1989	Ground Water	NA	0.01 cfs	1.8 af	0.5 ac	0.5 ac
37-22826	9/1/1885	Greenhorn Creek	Big Wood River	0.03 cfs	1.8 af	0.5 ac	0.5 ac
Total Annual Combined Limit				0.04 cfs	1.8 af	0.5 ac	0.5 ac

Annual Combined Rental Totals

0.04 cfs 1.8 af 0.5 ac 0.5 ac

Term of Rental: April 15, 2016 to December 31, 2016

Rental Fee: \$30.60

The fee for rental of the above-described water is \$30.60. Because you own the above referenced water rights you are obligated to pay ten percent (\$3.06) 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 # 37-2644C

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 15 2015
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

Edseva Patton
Printed Name and Title*

10/10/15
Date

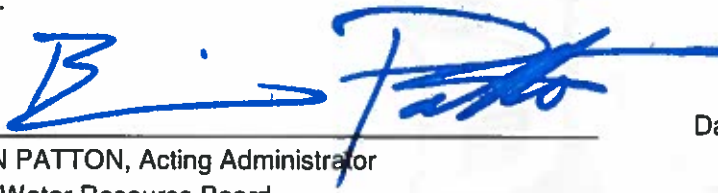

Signature of Renter

R. T. Goodrich
Printed Name and Title*

10/10/15
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 Oct 19/2015

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

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NW¼SE¼NW¼	Sec. 18	Twp 03N	Rge 18E	BLAINE County
GREENHORN CREEK	NE¼SW¼NW¼	Sec. 18	Twp 03N	Rge 18E	BLAINE County

BENEFIAL USE

IRRIGATION

SEASON OF USE

04/15 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	
02N	18E	26					0.25			0.25									0.5

Total Acres: 0.5

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. Place of use is also known as Lot 2 of Greenhorn Bench Subdivision.

CONDITIONS APPLICABLE TO RIGHT 37-22826

14. 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.



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 20, 2015

R THOMAS GOODRICH
REBECCA PATTON
1001 FOREST AVE
PALO ALTO CA 94301

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-02644C and 37-22826**

Dear Renter:

Please find enclosed a receipt in the amount of **\$3.60** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 1.8 acre-feet of water for irrigation of .5 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, 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) 287-4881.

Sincerely,

Fol-

Sandra Thiel
Sr. Water Resource Agent

Enclosure(s): Receipt No. C101097
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Allen Merritt – IDWR Southern Regional Office
Kevin Lakey – State Water District No. 37
Jim Speck – Speck & Aanestad



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 1, 2015

R THOMAS GOODRICH
REBECCA LEA PATTON
1001 FOREST AVE
PALO ALTO CA 94301
(650) 322-3569

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-2644C AND 37-22826

*****TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

In 2015 you applied to rent the above mentioned water right for multiple years. When your rental was approved in 2015, the department informed you that if the WSB Interim Ground Water Rental Policy (Interim Policy) for the Wood River Valley is extended through 2016, the Department will automatically renew this rental to allow for another year. The Idaho Water Resource Board has extended the Interim Policy. I have enclosed a Water Supply Bank Rental (WSB) Agreement for your review and signature.

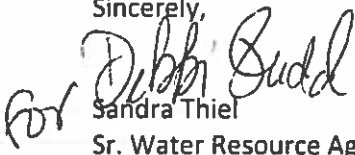
A rental fee of \$30.60 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 1.8 acre-feet. Since you are both the lessor and the renter of the rights, **you are only obligated to pay the 10% administrative fee or \$3.60.** An annual payment shall be received by the Department prior to the execution of this agreement.

Please send a check for \$3.60 made payable to the Idaho Department of Water Resources, together with the signed rental agreement, within 14 days so I can complete the processing.

Please note that all rented water rights remain subject to priority date curtailment. Water Supply Bank Rental Agreements include a condition that the Director of IDWR may terminate your diversion of water if he determines there is not a sufficient water supply for the priority of the right or portion thereof being rented. If a water right is available for you to rent, your remittance of the fee for rental of the water right would not guarantee delivery of the full volume under the water right if the Director is required to issue a curtailment order.

If you have any questions, please contact me at (208) 287-4881.

Sincerely,


Sandra Thiel
Sr. Water Resource Agent

Enclosure(s)

c: IDWR Front Desk
James P Speck – Speck & Aanestad

The associated lease is in the bank through 2018

MEMORANDUM

To: Water Right(s) 37-2644C and 37-22826

From: Clay Webster

Date: September 28, 2015

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

The Interim Ground Water Rental Policy for the Wood River Valley only allows for one year ground water rentals. Rebecca Patton and Raymond Goodrich requested water for two years. According to the taxlot data they still own the land. The requested water rights remain in the Bank and can be rented for another year. –SBT 9/25/2015

PURPOSE/NARRATIVE: The Department received the application from Speck & Aanestad for Mr. Goodrich and Ms Patton to rent ground water from their own water rights to irrigate ½ acre around their home. The application arrived without a map attached. The map was requested and then received December 15, 2014. However, the right has a combined acre limit with their surface water right 37-22826. They will have to rent and use a portion of this right to avoid an enlargement. I discussed this with Jim Speck on March 10th and 11th. I received an e-mail from him telling me to proceed with the rental of both rights on 3/11/2015.

The location of the well for the rental is the same for the lease. It is located in the Ketchum Zone of the WSB Interim Ground Water Rental Policy for the Wood River Valley.

AUTHORITY TO FILE: This application was signed by Raymond Thomas Goodrich and Rebecca Lea Patton. They are the current owners of the proposed Rental POU and POD.

WATER RIGHT VALIDITY: The ground water right being rented was leased together with it's overlapping surface water right in June 2014. Satellite imagery shows that the leased POU has been idled according to the lease agreement.

INJURY TO OTHER WATER RIGHTS: Both the rental and leased POD are from the same well. This well is located in the Ketchum Zone of the WSB Interim Ground Water Rental Policy for the Wood River Valley.

ENLARGEMENT OF USE: I have attached a spreadsheet that addresses the combined use limits of these rights with the other rights on that limit. This explains the fact that the rights are limited to irrigating the acres that are noted on the Greenhorn Creek Rights associated with each of these splits. This was not addressed well on the water rights themselves. By taking the proportionate amount of the surface water right, this will avoid enlargement of these rights.

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 rented rights are subject to Water District # 37. Comments were requested from the watermaster and regional office on 3/16/2015. Allen Merritt had no issue with this rental according to the e-mail dated 3/23/2015. As of today, I received no response from the watermaster.

MEMORANDUM

Date: October 20, 2015
To: Sascha Marston
From: Christine Field
RE: Refund: Over Payment in Rental Fees

Please refund \$0.54 for overpayment in rental fees for W/R 37-2644C and 37-22826
Receipt # C101097

Send refund to: Rebecca Lea Patton
1001 Forest Ave
Palo Alto CA 94301

RECEIVED
APR 06 2015
DEPARTMENT OF
WATER RESOURCES

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

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NW¼SE¼NW¼	Sec. 18	Twp 03N	Rge 18E	BLAINE County
GREENHORN CREEK	NE¼SW¼NW¼	Sec. 18	Twp 03N	Rge 18E	BLAINE County

BENEFIAL USE

IRRIGATION

SEASON OF USE

04/15 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	
02N	18E	26					0.25			0.25									0.5

Total Acres: 0.5

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. Place of use is also known as Lot 2 of Greenhorn Bench Subdivision.

CONDITIONS APPLICABLE TO RIGHT 37-22826

14. 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.



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

Rebecca Patton
Printed Name and Title*

4/1/15
Date


Signature of Renter

R. Thom Goodrich
Printed Name and Title*

4/1/15
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 April 1, 2015

STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK

RECEIVED

DEC 04 2014

DEPARTMENT OF
WATER RESOURCES

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) Raymond Thomas Goodrich and Rebecca Lea PattonMailing Address 1001 Forest Ave., Palo Alto, CA 94301Phone (650) 322-3569Email rebeccap1234@yahoo.com

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. <u>Maximum Flow Rate (cfs)</u>	<u>Maximum Volume (ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>0.01 cfs</u>	<u>1.75 AF</u>	<u>irrigation</u>	<u>April 1</u> to <u>Nov. 1</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
Total: <u>0.01 cfs</u>	<u>1.75 AF</u>		

2. Source of water ground water tributary to

3. Point(s) of Diversion:

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County
3N	18E	18	SW	NW	NE	NW	Blaine

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	
3N	18E	18					0.5												0.5

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

Total Acres 0.5

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.

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.

Well, pump, underground residential sprinkler irrigation system

2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.
None

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. N/A

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. 2 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:

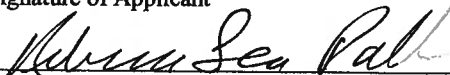
1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Renter shall comply with all applicable state and federal laws while using water under this agreement.
3. Renter shall hold the Board, the Director, and the state of Idaho harmless from all 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

Raymond Thomas Goodrich

Printed Name and Title*

11/20/14
Date


Signature of Applicant

Rebecca Lea Patton

Printed Name and Title*

11/20/14
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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

April 7, 2015

R THOMAS GOODRICH
REBECCA LEA PATTON
1001 FOREST AVE
PAOLO ALTO CA 94301

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-2644C & 37-22826**

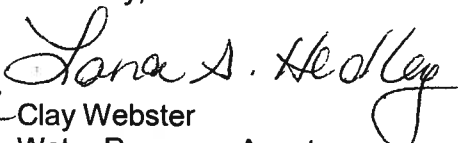
Dear Renter:

Please find enclosed a receipt in the amount of **\$3.60** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 1.8 acre-feet of water for irrigation of 0.5 acres 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 
Lana A. Hedley
Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure(s): Receipt No. C100247
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Allen Merritt– IDWR Southern Regional Office
Watermaster Kevin Lakey – State Water District No. 37
Jim Speck – Speck and Aanestad



State of Idaho

DEPARTMENT OF WATER RESOURCES

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GARY SPACKMAN
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C.L. "BUTCH" OTTER
Governor

March 23, 2015

R THOMAS GOODRICH
REBECCA LEA PATTON
1001 FOREST AVE
PAOLO ALTO CA 94301
(650) 322-3569

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-2644C AND 37-22826**

*****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. Due to the WSB Interim Ground Water Rental Policy (Interim Policy) for the Wood River Valley, the Department could only approve this rental for one year despite your request to rent water for multiple years. If the Interim Policy is extended through 2016, the Department will automatically renew this rental to allow for another year.

A rental fee of **\$30.60** was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 1.8 acre-feet. Since you are both the lessor and the renter of the rights, **you are only obligated to pay the 10% administrative fee or \$3.60.** An annual payment shall be received by the Department prior to the execution of this agreement. If this rental is automatically renewed in 2016, the Department will send a letter to you requesting the rental fee for that year. If the Interim Policy is superseded by a new WSB Ground Water Rental Policy in the Wood River Valley and your rental does not conform to the new policy, your rental agreement will expire at the end of 2015.

Please send a check for \$3.60 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete the processing.

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

Sincerely,

Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure(s)

c: IDWR Front Desk
James P Speck – Speck & Aanestad

MEMORANDUM

To: Water Right(s) 37-2644C and 37-22826
From: Clay Webster
Date: 3/23/2015
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: The Department received the application from Speck & Aanestad for Mr. Goodrich and Ms Patton to rent ground water from their own water rights to irrigate ½ acre around their home. The application arrived without a map attached. The map was requested and then received December 15, 2014. However, the right has a combined acre limit with their surface water right 37-22826. They will have to rent and use a portion of this right to avoid an enlargement. I discussed this with Jim Speck on March 10th and 11th. I received an e-mail from him telling me to proceed with the rental of both rights on 3/11/2015.

The location of the well for the rental is the same for the lease. It is located in the Ketchum Zone of the WSB Interim Ground Water Rental Policy for the Wood River Valley.

AUTHORITY TO FILE: This application was signed by Raymond Thomas Goodrich and Rebecca Lea Patton. They are the current owners of the proposed Rental POU and POD.

WATER RIGHT VALIDITY: The ground water right being rented was leased together with it's overlapping surface water right in June 2014. Satellite imagery shows that the leased POU has been idled according to the lease agreement.

INJURY TO OTHER WATER RIGHTS: Both the rental and leased POD are from the same well. This well is located in the Ketchum Zone of the WSB Interim Ground Water Rental Policy for the Wood River Valley.

ENLARGEMENT OF USE: I have attached a spreadsheet that addresses the combined use limits of these rights with the other rights on that limit. This explains the fact that the rights are limited to irrigating the acres that are noted on the Greenhorn Creek Rights associated with each of these splits. This was not addressed well on the water rights themselves. By taking the proportionate amount of the surface water right, this will avoid enlargement of these rights.

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 rented rights are subject to Water District # 37. Comments were requested from the watermaster and regional office on 3/16/2015. Allen Merritt had no issue with this rental according to the e-mail dated 3/23/2015. As of today, I received no response from the watermaster.

Webster, Clay

From: Webster, Clay
Sent: Monday, March 23, 2015 10:36 AM
To: Merritt, Allen
Subject: RE: Region and Watermaster comments on WSB Rental Application for R Thomas Goodrich and Rebecca Lea Patton 37-2644C and 36-22826

Allen,

Sorry about my confusing spreadsheet, the acre limits are the yellow line underneath the total acres column. I added the end column to keep me on track for the 3.5 afa. Thanks.

Clay

From: Merritt, Allen
Sent: Monday, March 23, 2015 9:41 AM
To: Webster, Clay
Subject: RE: Region and Watermaster comments on WSB Rental Application for R Thomas Goodrich and Rebecca Lea Patton 37-2644C and 36-22826

I do not have an issue. One question though is regarding the total acre limit on the spreadsheet. It indicates 13.5 total but they sum to 14.0 acres.

From: Webster, Clay
Sent: Tuesday, March 17, 2015 3:42 PM
To: Merritt, Allen; Kevin Lakey
Subject: Region and Watermaster comments on WSB Rental Application for R Thomas Goodrich and Rebecca Lea Patton 37-2644C and 36-22826

Allen and Kevin,

We are currently processing the rental for these water rights to the lessors for .5 acres. Any concerns?

Sincerely,

Clay Webster

Water Resource Agent
clay.webster@idwr.idaho.gov
208-287-4910

Idaho Department of Water Resources (IDWR)
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098
208-287-4800
www.idwr.idaho.gov

MEMORANDUM

To: Water Right(s) 37-2644C and 37-22826
From: Clay Webster
Date: 3/12/2015
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: The Department received the application from Speck & Aanestad for Mr. Goodrich and Ms Patton to rent ground water from their own water rights to irrigate ½ acre around their home. The application arrived without a map attached. The map was requested and then received December 15, 2014. However, the right has a combined acre limit with their surface water right 37-22826. They will have to rent and use a portion of this right to avoid an enlargement. I discussed this with Jim Speck on March 10th and 11th. I received an e-mail from him telling me to proceed with the rental of both rights on 3/11/2015.

The location of the well for the rental is the same for the lease. It is located in the Ketchum Zone of the WSB Interim Ground Water Rental Policy for the Wood River Valley.

AUTHORITY TO FILE: This application was signed by Raymond Thomas Goodrich and Rebecca Lea Patton. They are the current owners of the proposed Rental POU and POD.

WATER RIGHT VALIDITY: The ground water right being rented was leased together with it's overlapping surface water right in June 2014. Satellite imagery shows that the leased POU has been idled according to the lease agreement.

INJURY TO OTHER WATER RIGHTS: Both the rental and leased POD are from the same well. This well is located in the Ketchum Zone of the WSB Interim Ground Water Rental Policy for the Wood River Valley.

ENLARGEMENT OF USE: I have attached a spreadsheet that addresses the combined use limits of these rights with the other rights on that limit. This explains the fact that the rights are limited to irrigating the acres that are noted on the Greenhorn Creek Rights associated with each of these splits. This was not addressed well on the water rights themselves. By taking the proportionate amount of the surface water right, this will avoid enlargement of these rights.

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 rented rights are subject to Water District # 37.

Basin		Sequence	Suffix	Priority	Date	Source	List	Current	Owner	Division	Total	Acn	Volume	ata	per acre
		37	2644	E	11/16/1989	GROUND WATER		BULCHER, MARJEAN	BULCHER, MARK C	0.070	3.5	12.3			
		37	22822		9/1/1885	GREENHORN CREEK		BULCHER, MARJEAN	BULCHER, MARK C	0.320	5.6	19.6			
	Lease Total									0.110	5.6	19.6		3.5	
		37	153	C	9/1/1885	GREENHORN CREEK		THE JONES TRUST		0.150	2.7				
		37	2644	D	11/16/1989	GROUND WATER		THE JONES TRUST		0.020	1.0	3.5			
	Lease Total									0.170	2.7	9.5		3.5	
		37	2644	C	11/16/1989	GROUND WATER		GOODRICH, R THOMAS	PATTON, REBECCA LEA	0.070	3.5	12.3			
		37	22826		9/1/1885	GREENHORN CREEK		GOODRICH, R THOMAS	PATTON, REBECCA LEA	0.170	3.0	INS			
	Lease Total									0.240	3.0	12.3		3.5	
		37	22827		9/1/1885	GREENHORN CREEK		GRISWOLD MINA		0.120	2.2	INS			
		37	8551		9/7/1989	GROUND WATER		GRISWOLD MINA		0.110	3.0	11.1			
	Acres Limit									1.230	2.2	11.1		3.5	

Total Acre Limit for these rights is 13.5 acres

Webster, Clay

From: Jim Speck [jim@speckandaanestad.com]
Sent: Wednesday, March 11, 2015 3:56 PM
To: Webster, Clay
Cc: rebecca patton
Subject: RE: Patton/Goodrich Rental application.

Clay,

Go ahead and issue the rental contract for 0.5A of each of the two rights. However, there must not be any supplemental use condition imposed on 37-2644C since there is none in the SRBA partial decree.

Thanks for working through this.

Jim

-----Original Message-----

From: Jim Speck [mailto:jim@speckandaanestad.com]
Sent: Tuesday, March 10, 2015 12:37 PM
To: 'Webster, Clay'
Cc: rebecca patton (rebeccap1234@yahoo.com)
Subject: RE: Patton/Goodrich Rental application.

Clay,

The Lease Contract for these rights states that the total leased acres are 6.5. That being the case they do not appear to be "stacked" rights. Importantly, there is NO supplemental use condition in the partial decree for 37-2644C. However, even assuming the 3.0 acres of 37-2644C are stacked with the Greenhorn Creek right, 0.5 acres clearly are not. My clients are requesting a rental of only 0.5 acres which should be viewed as the "unstacked" portion. They do not have to rent a portion of 37-22826.

Note also my attached e-mail exchange with Remington.

Please call me back if you have further questions. Thanks.

Jim

-----Original Message-----

From: Webster, Clay
Sent: Tuesday, March 10, 2015 10:59 AM
To: Jim Speck

Mr. Speck,

This is the spreadsheet on these rights combined limit of 13.5 acres.

Sincerely,
Clay Webster
Water Resource Agent
clay.webster@idwr.idaho.gov
208-287-4910
Idaho Department of Water Resources (IDWR)
322 E. Front Street

P.O. Box 83720
Boise, ID 83720-0098
208-287-4800
www.idwr.idaho.gov<<http://www.idwr.idaho.gov/>>

Attachment(s): Patton Combined limit 13.5 Acres WSB Leases on WRs with combined limits.xls

Webster, Clay

From: Webster, Clay
Sent: Tuesday, March 10, 2015 10:59 AM
To: 'Jim Speck'
Subject: Patton/Goodrich Rental application.
Attachments: Patton Combined limit 13.5 Acres WSB Leases on WRs with combined limits.xls

Mr. Speck,

This is the spreadsheet on these rights combined limit of 13.5 acres.

Sincerely,

Clay Webster

Water Resource Agent

clay.webster@idwr.idaho.gov

208-287-4910

Idaho Department of Water Resources (IDWR)

322 E. Front Street

P.O. Box 83720

Boise, ID 83720-0098

208-287-4800

www.idwr.idaho.gov

Palmer, Cherie

From: Jim Speck [jim@speckandaanestad.com]
Sent: Monday, December 15, 2014 9:31 AM
To: Palmer, Cherie
Cc: rebecca patton
Subject: Re: Patton/WSB Rental Application
Attachments: Patton 37-2644C WSB rental application map.pdf

Cherie,

The 0.5A POU for this Rental Application is approximately within the area outlined in red around the house on the attached map. Please let me know if you need any additional information. Thanks & Merry Christmas!!

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue North
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

CONFIDENTIAL COMMUNICATION

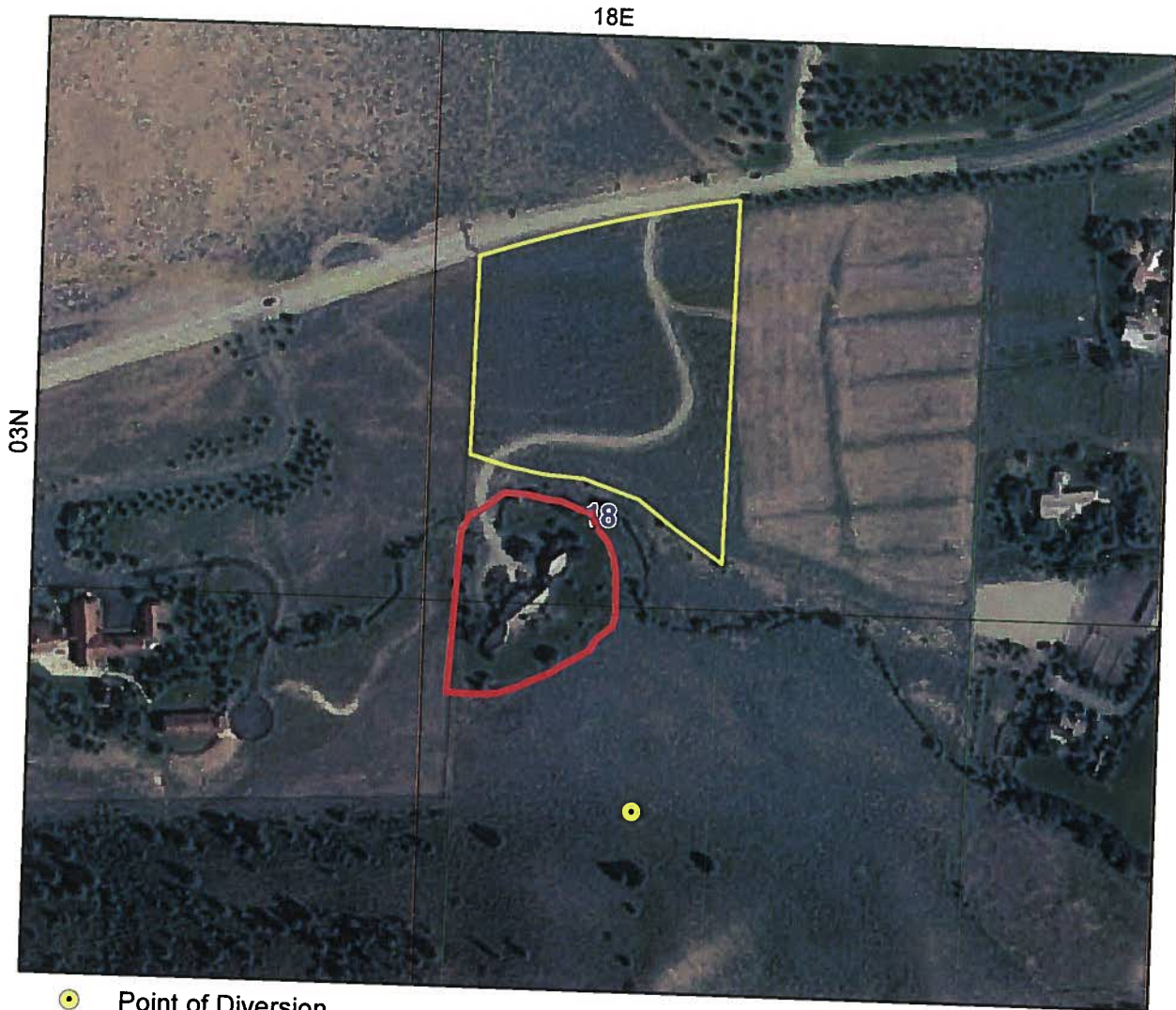
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State of Idaho
Department of Water Resources

Water Right
37-2644C

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.0325 0.065 0.13 Miles





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

December 9, 2014

RAYMOND THOMAS GOODRICH
REBECCA LEA PATTON
1001 FOREST AVE
PALO ALTO CA 94301

RESPONSE DEADLINE

December 26, 2014

RE: Water Supply Bank Rental Application – Additional Information Required

Dear Applicant,

The Idaho Department of Water Resources received your application to rent water rights from the Idaho Water Resource Board's Water Supply Bank however, as submitted, your application is incomplete.

As submitted, your application cannot be processed. The required information is missing or insufficient:

- ☐ A completed *Application to Rent Water from the Water Supply Bank*
- ☐ If the application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ The place of use described in item #4 of the application does not match your map
- ☐ The signature is missing or we need power of attorney documentation for the signor
- ☐ How will the proposed diversion point of diversion convey water to the place of use
- ☐ Authorization from the individual/entity that owns the land at the place of use
- ☐ Authorization from the individual/entity that owns the land at the proposed point of diversion
- ☒ A map that clearly outlines the location of irrigated acres. The map must match the grid in question A.4 of the rental application.
- ☐ Other: _____

I will place your application on hold while you submit your map. Please provide the required information within fourteen (14) days. While you are making corrections to your application, you will not lose your place in the processing queue.

The deficient item(s) discussed in this letter are minimum requirements. If sufficient information per this letter is not received within 14 days, you will lose your place in the processing queue. Applications that are received earlier in time have an increased chance of acquiring the requested rental water.

Please contact me if you have questions regarding this matter at (208) 287-4944.

Sincerely,

Cherie Palmer, Water Rights Supervisor
Water Allocation Bureau

C: Jim Speck – Speck & Aanestad , via email

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

December 2, 2014

RECEIVED
DEC 04 2014
DEPARTMENT OF
WATER RESOURCES

Remington Buyer
Water Supply Bank Coordinator
IDWR
322 E. Front St.
Boise, Idaho 83720-0098

Re: *Raymond Thomas Goodrich and Rebecca Lea Patton - Application to Rent Water-37-2644C*

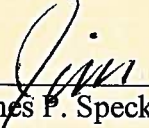
Dear Remington:

Enclosed you will find the original and one copy of the above-referenced Application to Rent Water signed by my clients, Raymond Thomas Goodrich and Rebecca Lea Patton. They desire to rent a portion of their own Water Right No. 37-2644C which has already been leased to the Bank. Please receipt date-stamp the copy of this Application and return it to me in the postage prepaid self-addressed envelope included for that purpose.

Kindly call me right away if you have any questions about this Application. Thank you.

Sincerely,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

Enclosures
cc: client w/encl.