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MAR 19 2015

DEPARTMENT OF
WATER RESOURCES

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:

Water Right	Priority Date	Source	Tributary	Rented Rate	Annual Rented Volume	Acre Limit	Total Rented Acres
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29-14054	12/31/1974	Ground Water	NA	0.298 cfs	99.8 af	NA	25.0 ac
29-14055	06/20/1961	Ground Water	NA	0.026 cfs	5.4 af	NA	1.3 ac
29-14056	10/26/1966	Ground Water	NA	0.018 cfs	3.8 af	NA	1.0 ac
29-14080	12/31/1974	Ground Water	NA	0.055 cfs	17.8 af	NA	4.4 ac
29-14081	06/20/1961	Ground Water	NA	0.006 cfs	0.9 af	NA	0.2 ac
29-14082	10/26/1966	Ground Water	NA	0.004 cfs	0.7 af	NA	0.2 ac

0.352 cfs	128.4 af	NA	32.1 ac
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2.092 cfs 560.0 af 140.0 ac 140.0 ac

Term of Rental: January 20, 2015 to December 31, 2015

Rental Fee: \$2,916.52

The full fee for rental of the above-described water at \$17/af is \$9,520.00. Ten percent (\$952.00) will go to the Department for administrative costs, and the remainder will be paid to the lessor(s). Note that the applicant is the owner of water right 35-14292, and is therefore obligated to pay only the administrative fee associated with that water right. Therefore, the total payment due is **\$2,916.52** which includes the full administrative fee and the fee due to the lessor of 29-14054, 29-14055, 29-14056, 29-14080, 29-14081, and 29-14082.

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

SUPPORT DATA

IN FILE # 29-14054

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT

Detailed water right conditions are attached.

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:

 Thomas Kress owner JTK 3/13/15
Signature of Renter Printed Name and Title* 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  Date March 19, 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

GROUND WATER NWSESE Sec. 7 Twp 09S Rge 29E POWER 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	
09S	29E	7				34.0									35.0	34.0		37.0	140.0

Total Acres: 140.0

CONDITIONS APPLICABLE TO ALL RENTED WATER RIGHTS

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
5. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
6. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
7. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
8. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
9. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
10. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
11. Prior to the diversion and use of water under this Water Supply Bank rental, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

12. This rental agreement does not authorize the construction of a well.
13. 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.
14. 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. 120.
15. The following rights are diverted through point(s) of diversion described above: 35-14292.

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

JAN 20 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) Jason KressMailing Address 106 Shirley American Falls, Idaho 83211Phone 208-221-2766

Email _____

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. Maximum Flow Rate (cfs) 2.8 Maximum Volume (ac-ft) 560 Nature of Use Irrigation Period of Use 4/01 to 10/31

_____ to _____

_____ to _____

Total: 2.8 560

2. Source of water Ground Water tributary to _____

3. Point(s) of Diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County
09S	29E	7		NW	SE	SE	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	
09S	29E	7				34									35	34		37	140

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

Total Acres 140

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.

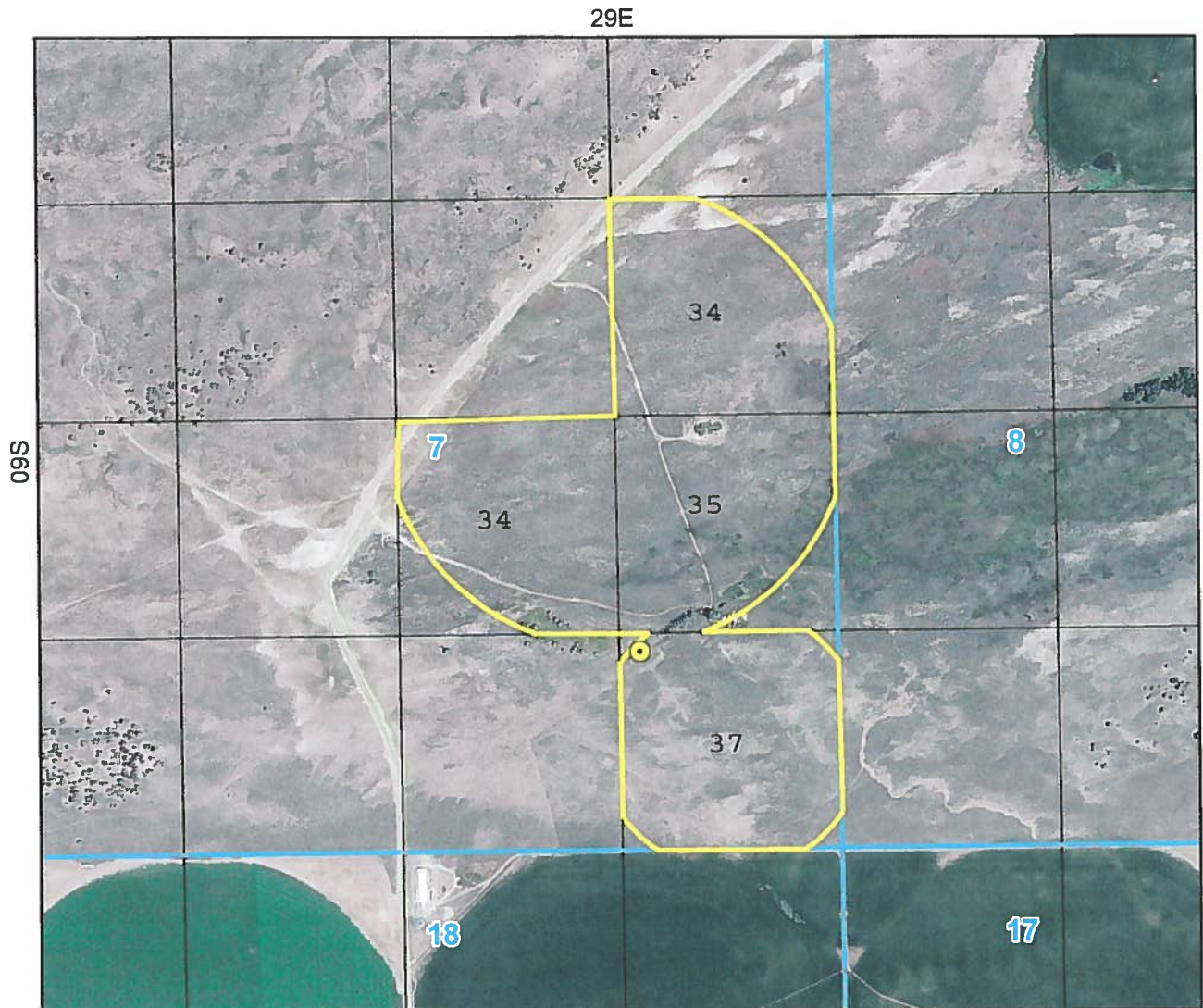
State of Idaho
Department of Water Resources

Water Right

~~95-14292~~ 2015 Rental

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 0.125 0.25 0.5 Miles

