



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

September 26, 2014

ARDEL WICKEL
1084 E 300 N
DECLO ID 83323

RE: Applications to Amend Existing, Executed Rentals from the Water Supply Bank

Dear Mr. Wickel:

On October 3, 2013, the Department of Water Resources (IDWR) executed two rental agreements. The first agreement authorized the irrigation of 105.5 acres using ground water July 2013 through 2014. The second agreement authorized the irrigation of 60.5 acres using ground water July 2013 through 2016.

On August 11, 2014, IDWR received two applications to amend those rental agreements. The first amendment requested a new 111.0 acre place of use in regard to your agreement that authorizes 105.5 acres. The second amendment requested a new 65.0 acre place of use in regard to your agreement that authorizes 60.5 acres.

Because both amendments propose to enlarge the place of use under the existing rentals; they cannot be processed.

At this time IDWR is denying the applications. The applications are being returned to you unprocessed. If you would like to rent additional acres to cover your water uses, please submit a new rental application that identifies specific water rights. Your water use falls within the Eastern Snake Plain Aquifer (ESPA), so modeling will need to be submitted with your application(s) that result in no injury to other water users in the ESPA.

If you have any questions regarding this matter you may contact me at (208) 287-4977.

Sincerely,

Cherie Palmer
Water Right Supervisor
Water Allocation Bureau

c: Greg Sullivan – Brockway Engineering

Water Supply Bank No. _____
(for Department use only)

STATE OF IDAHO
WATER RESOURCE BOARD

DENIED

APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK

RECEIVED
AUG 11 2014
DEPARTMENT OF
WATER RESOURCES

Name of Renter Ardel Wickel Phone 208-654-2341

Mailing address 1084 E. 300 N. Declo, ID 83323 Email _____

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. Maximum Flow Rate (cfs) Maximum Volume (ac-ft) Nature of Use Period of Use
2.22 352.1 Irrigation 3/15 to 10/31

Total: 2.22 352.1

2. Source of water Ground Water tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
10S	25E	30		NW	SW	NE	Cassia
10S	25E	30		NW	SW	NE	Cassia
10S	25E	30		NW	SW	NE	Cassia
10S	25E	30		SE	NW	NW	Cassia

4. Lands to be irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	25E	19													4.9		17.2	11.2	33.3
		20		5.6	5.3		5.8		4.8			4.1	6.3					3.7	35.6
		29					8.3	13.9	2.7	3.3									28.3
		30	0.1	11.6	1.1	0.8	0.2												13.8

If the use is for irrigation, show total number of acres proposed through rental. **Total Acres** 111.0

B. OWNERSHIP

1. Do you own the land at the proposed point of diversion?
Yes X No _____ If no, list owner, contact information, and provide documentation of the authority to use the proposed point of diversion. _____

2. Do you own the land at the proposed place of use?
Yes X No _____ If no, list owner, contact information, and provide documentation of the 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. Existing wells and mainlines
New pivots and hand lines will be installed for rented irrigation water.
2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.
36-16416, 36-16418, 36-16420, 36-16422, 36-16424
3. Will the proposed place of use receive water from any other source?
No ☒ Yes ☐ 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?
No ☒ Yes ☐ If yes, describe. _____
6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation?
No ☒ Yes ☐ If yes, describe. _____

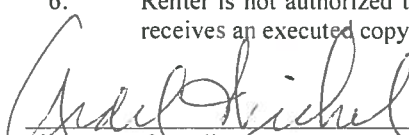
E. RENTAL TERM

1. Do you wish to rent water from the Board's bank for more than one (1) year?
No ☐ Yes ☒
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

Ardel Wickel
Printed Name and Title*

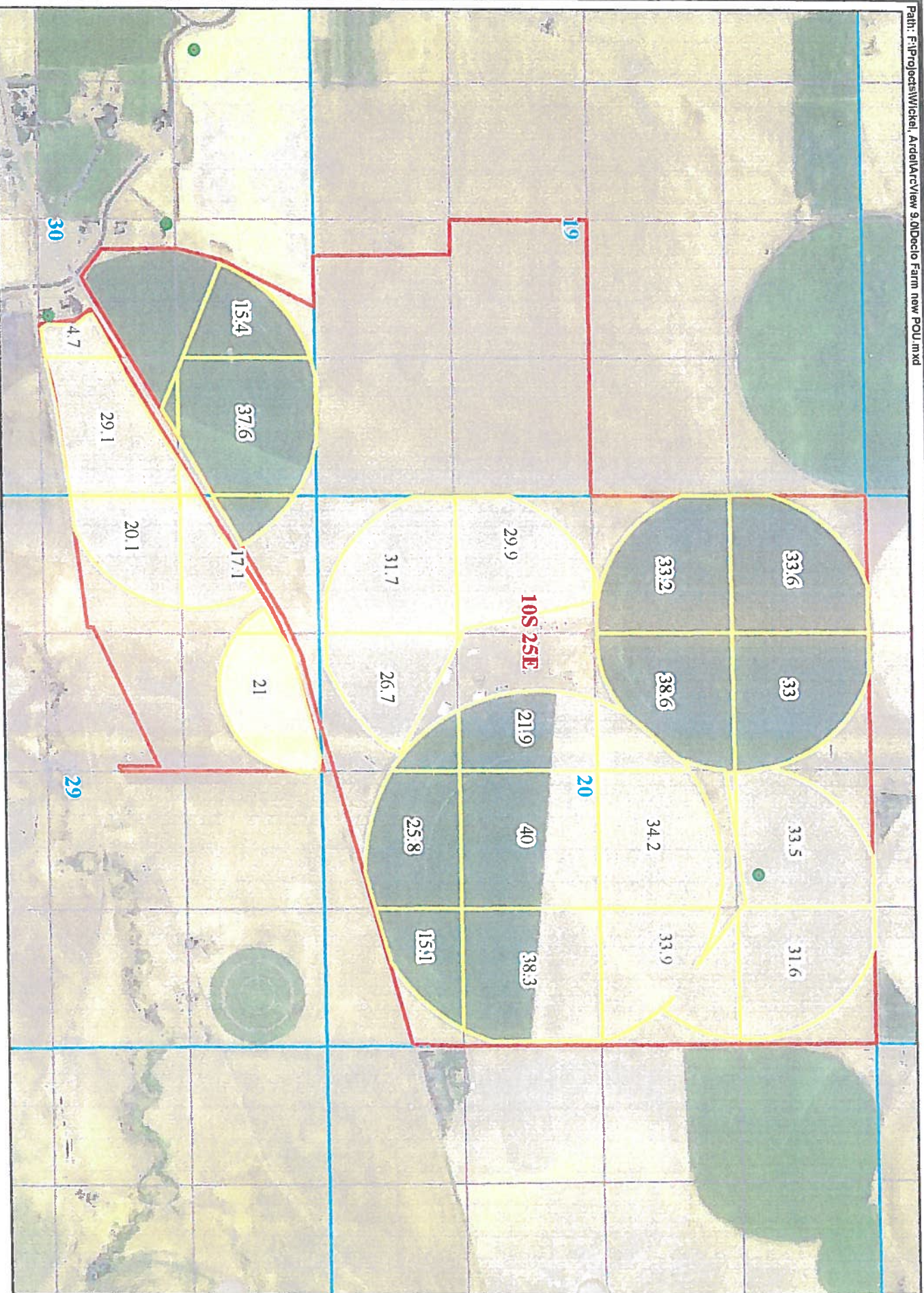
8/8/14
Date

Signature of Applicant

Printed Name and Title*

Date

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

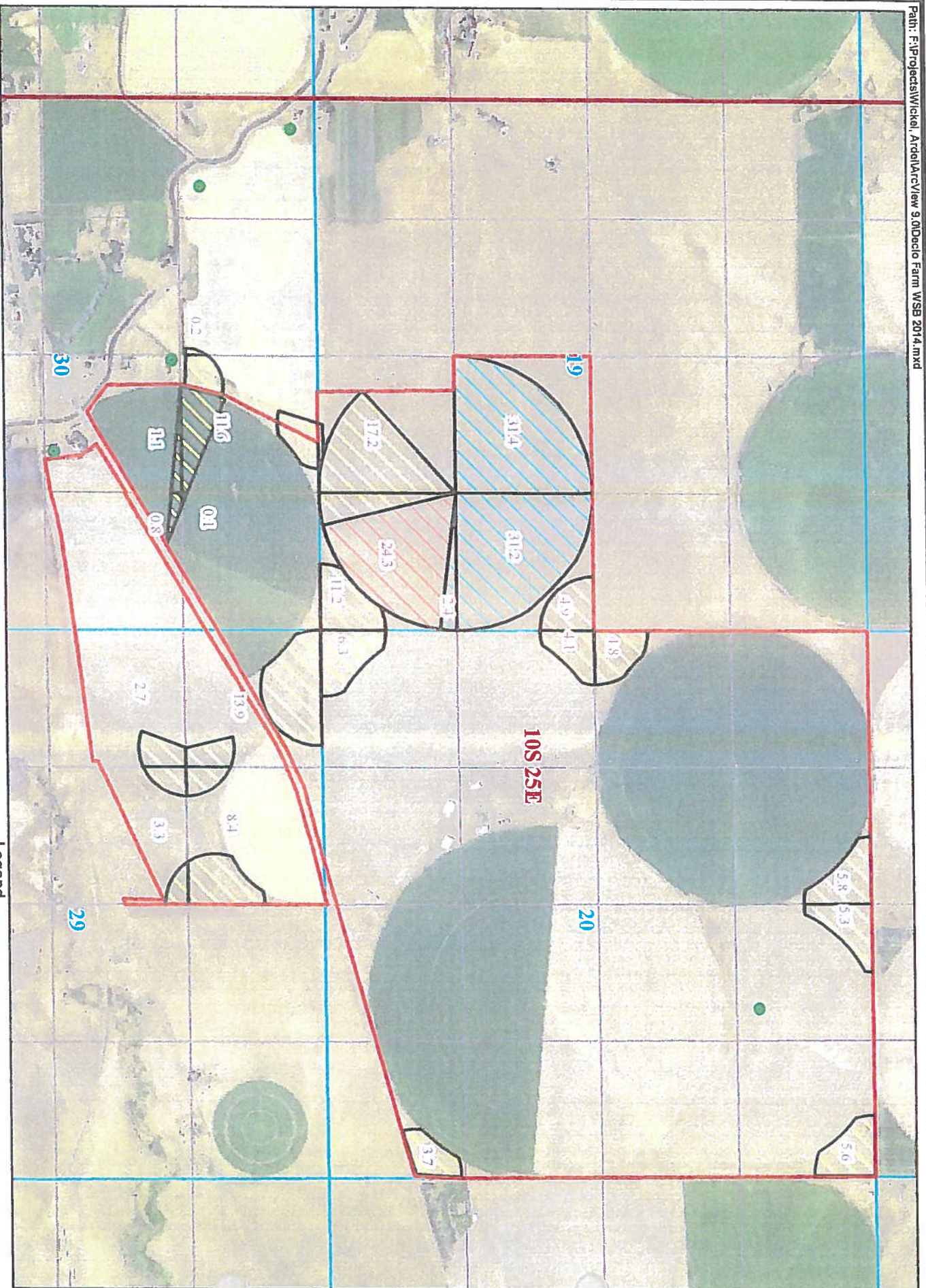


0 500 1,000 2,000 Feet

BROCKWAY ENGINEERING PLLC
ALR - Date: 8/6/2014

WICKEL - DECLO FARM
POU IN PPU 2014
NAIP 2013 AERIAL PHOTOGRAPH

- Legend
- Points of Diversion
 - POU 2014 NEW 646.0 AC
 - Proposed PPU
 - Township
 - Section lines
 - QQ lines



Legend

- Points of Diversion
- Proposed PPU
- Water bank Areas 203 AC
- 36-2381A, 12043, 24.3 AC.
- 45-11969, 65 AC.
- 45-14401, 14403, 111.0 AC
- Township
- Section lines
- QQ lines

WICKEL - DECLO FARM

WATER SUPPLY BANK LEASE 2014

NAIP 2013 AERIAL PHOTOGRAPH



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

August 8, 2014

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

Re: Wickel Water Rentals

Dear Mr. Buyer:

Ardel Wickel is currently renting 111.0 acres of 45-14401 and 45-14403 from July 29, 2013 to December 31, 2014. Ardel is also renting 60.5 acres from 45-2746 and 65.0 acres from 45-11969 from July 7, 2013 to December 31, 2016.

Water right 45-2746 is being curtailed in the Rangen Curtailment Order and no irrigation is allowed at this time under this water right.

A rental application was submitted by Ardel Wickel to rent 60.5 acres of 36-4179 to replace the curtailed 60.5 acre rental of 45-2746. Extensive discussions with JR Simplot representative resulted in an agreement that would have allowed the rental of 36-4179 without any additional rental costs above the standard 10% processing fee. Unfortunately, 36-4179 was committed to an early rental applicant and is no longer available for 2014.

In an effort to provide full coverage of the 2014 irrigation acres on Ardel's farm, a detailed review of the farm was performed. It was determined that 929.6 acres are being irrigated in 2014. The farm currently has seven ground water rights that allow 646.0 acres of irrigation. The farm also has 83.3 shares of surface water provided by the Burley Irrigation District (1 share = 1.0 acre of irrigation). The remaining 201.6 acres will be covered by rented water.

There are 176.0 acres (111.0+65.0) currently covered by rented irrigation water that is not curtailed. Which leaves 24.3 acres that are not covered with rented water. It is proposed that 24.3 acres be rented from water rights 36-2381A and 36-12043 for the 2014 season. ESPA model analysis for this rental application indicated that no mitigation is required.

The approved rental that includes 45-2746 will be withdrawn this winter and a new rental application will be submitted for 2015 and 2016.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

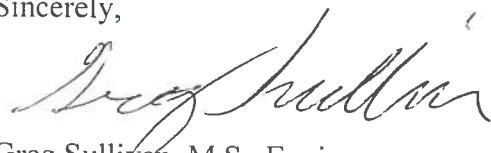
208•736•8543

FAX: 736•8506

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WATER RESOURCES

It is also necessary to address that the 2013 proposed POU of the 111.0 acres and the 65.0 acres rental are no longer correct. Attached to this letter are new rental applications that correctly identify where the 111.0 acres and 65.0 acres are being utilized. No other aspect of these approved rentals will be changing.

Sincerely,

A handwritten signature in cursive script, appearing to read "Greg Sullivan".

Greg Sullivan, M.S., Engineer

Cc: Ardel Wickel

Enc: ESPA Model Analysis, Aerial Maps, Rental Applications for 24.3 acres, 65.0 acres and 111.0 acres