

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT

This is to certify that: **TED AND SANDY CANTRELL**
28294 RIVER RD
BRUNEAU ID 83604
(208) 834-2153

RECEIVED
MAY 27 2014
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:

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
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57-7051A	10/23/1967	Ground Water	NA	0.33 cfs	74.3 af	NA	16.5 ac
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Annual Combined Rental Totals

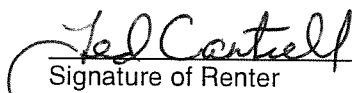
0.33 cfs 74.3 af NA 16.5 ac

Term of Rental: March 1, 2014 to December 31, 2014
Rental Fee: \$126.31

The fee for rental of the above-described water is \$1,263.10. Because you own the above referenced water rights you are obligated to pay ten percent (\$126.31) 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.

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:

 Ted Cantrell owner 5-22-14
Signature of Renter Printed Name and Title* Date

 Sandy Cantrell owner 5-22-14
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 05-27-2014
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 SW¼NE¼ Sec. 31 Twp 05S Rge 04E OWYHEE County

BENEFIAL USE

IRRIGATION

SEASON OF USE

3/15 TO 11/15

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	
05S	04E	31									4.5					12.0			16.5

Total Acres: 16.5

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 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

RECEIVED
FEB 21 2014
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION 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) Ted & Sandy Cantrell
Mailing Address 28294 River Rd Bruneau Id
Phone 599-0838 / 834-2153 Email ted.cantrell@c2construction.net

A. DESCRIPTION OF WATER SOUGHT FOR RENT

57-7051A (see attached)

1. Maximum Flow Rate (cfs) Maximum Volume (ac-ft) Nature of Use Period of Use
____ to ____
____ to ____
____ to ____
Total: _____

2. Source of water _____ tributary to _____

3. Point(s) of Diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	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	
05S	04E	31								to									to
05S	04E	31			2														2
05S	04E	31									4.5					12			

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

Total Acres 18
16.5 *total*

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 to Pivot Point

2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.

57-7051 B

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. _____

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. We are planning to transfer this to this portion asap

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. _____

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.

Ted Cantrell
Signature of Applicant

Ted Cantrell Owner
Printed Name and Title*

2-19-14
Date

Sandy Cantrell
Signature of Applicant

Sandy Cantrell Owner
Printed Name and Title*

2-19-14
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



05504E32NWSW

Eastern Snake Plain Aquifer

SELECT ACTIVE LAYER

16 Acres

2 Acres



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

November 19, 2014

Ted Cantrell / Sandy Cantrell
28294 RIVER RD
BRUNEAU, ID 83604

COPY

**RE: EXPIRATION OF RENTAL AGREEMENT FOR WATER RIGHT NO(S). 57-7051A
FROM THE WATER SUPPLY BANK**

Dear Renter:

This letter is to inform you that your Rental Agreement for rental of water from the Water Supply Bank has expired. You applied for the rental of water on 2 /24/2014 and the subsequent Rental Agreement authorized diversion of water under Water Right No(s). 57-7051A through the 2014 season only.

The Rental Agreement is expired, or will be expired by the end of the season of use, and the water use in connection with the rental will no longer be in effect.

Any diversion or use of water associated with this rental agreement is not authorized and, if occurring, will be subject to any necessary enforcement action.

If you wish to rent water in the future, please reapply using new forms from the Department's website at www.idwr.idaho.gov. If you have any questions regarding this matter, please contact me at (208) 287-4944.

Sincerely,

Cherie Palmer
Water Rights Supervisor
WSB Process Point of Contact

c: NA



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 28, 2014

TED AND SANDY CANTRELL
28294 RIVER RD
BRUNEAU ID 83604

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 57-7051A**

Dear Renter:

Please find enclosed a receipt in the amount of **\$126.31** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 74.3 acre-feet of water for irrigation of 16.5 acres during 2014. 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.

If you have any questions, please contact me at (208) 287-4944.

Sincerely,

for Clay Webb

Cherie Palmer
Senior Water Resource Agent
WSB Process Point of Contact

Enclosure(s): Receipt No. C098894
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Rachel Sommer – IDWR Western 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

May 21, 2014

TED AND SANDY CANTRELL
28294 RIVER RD
BRUNEAU ID 83604

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 57-7051A

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 \$1263.10 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 74.3 acre-feet. Since you are both the lessor and the renter of the right, **you are only obligated to pay the 10% administrative fee or \$126.31.**

Please send a check for \$126.31 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) 287-4944.

Sincerely,

Cherie Palmer
Senior Water Resource Agent
WSB Process Point of Contact

Enclosure(s)

c: IDWR Front Desk

Edl, Michele

From: Lester, Steve
Sent: Monday, May 19, 2014 11:16 AM
To: Edl, Michele
Subject: RE: WSB rental for Ted Cantrell

Michele:

Looks like a winner for this one, no concerns here.

SL

From: Edl, Michele
Sent: Wednesday, May 14, 2014 1:41 PM
To: Lester, Steve
Subject: WSB rental for Ted Cantrell

Steve,

I have been brought into the WSB team effort and have been assigned to review rental applications.

I have completed my review of a WSB rental application submitted by Ted and/or Sandy Cantrell. Their right 57-7051A has been leased to the bank since 2005. Luckily no one else rented it. They are now proposing to change a portion of the POU authorized by the right.

My review memo and the map are available in the Cantrell folder at the usual N drive address.

They are aware that they probably should submit a transfer. Corbin is already aware of what they trying to do maybe because they also have rights for water from Basin 2.

Please let me know if you have any feed back or concerns about this application.

Thank you.

Michele

Edl, Michele

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Sent: Wednesday, May 14, 2014 1:41 PM
To: Lester, Steve
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Please let me know if you have any feed back or concerns about this application.

Thank you.

Michele

Sherry
Call me if you
have any questions
599-0838 Thanks
Ted

Edl, Michele

From: Edl, Michele
Sent: Tuesday, May 13, 2014 5:25 PM
To: 'Ted Cantrell'
Subject: RE: Water Rental
Attachments: 57_7051A rental POU shape.jpg

Mr. Cantrell,

I have created a place of use shape based on your email to me from this afternoon. I kept the shape within the boundaries of the quarter lines and your property lines. The shape totals about 16.5 acres not 18 acres that you requested.

Do I need to make additional corrections or is this a fair representation of the fields you will be irrigating?

Michele Edl

MEMORANDUM

To: Right(s) 57-7051A

From: Michele Edl

Date: May 13, 2014

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

PURPOSE/NARRATIVE: On February 21, 2014, Ted and Sandy Cantrell submitted an application to rent a portion of their Water Right #57-7051A. The application proposes to rent water for use on their property.

An existing well is proposed for the point-of-diversion. The map submitted for the application does not match the quarter-quarter addresses on the application grid. I created the rental place-of-use shape based on the map and emailed it to Mr. Cantrell. He confirmed in a phone conversation May 14, 2014, that the shape I created was consistent with his intent.

AUTHORITY TO FILE: The Cantrell's are the owner of record for Water Right 57-7051A. According to available taxlot information, they also own the proposed point-of-diversion and place-of-use. Both Sandy and Ted Cantrell signed the application.

WATER RIGHT VALIDITY: Water Right 57-7051A was leased into the WSB March 16, 2005. According to 2006-2013 aerial photography, at least 18 acres of the water right have been idled at the former place-of-use in the SWNE.

The water right is available for rental in the requested amount.

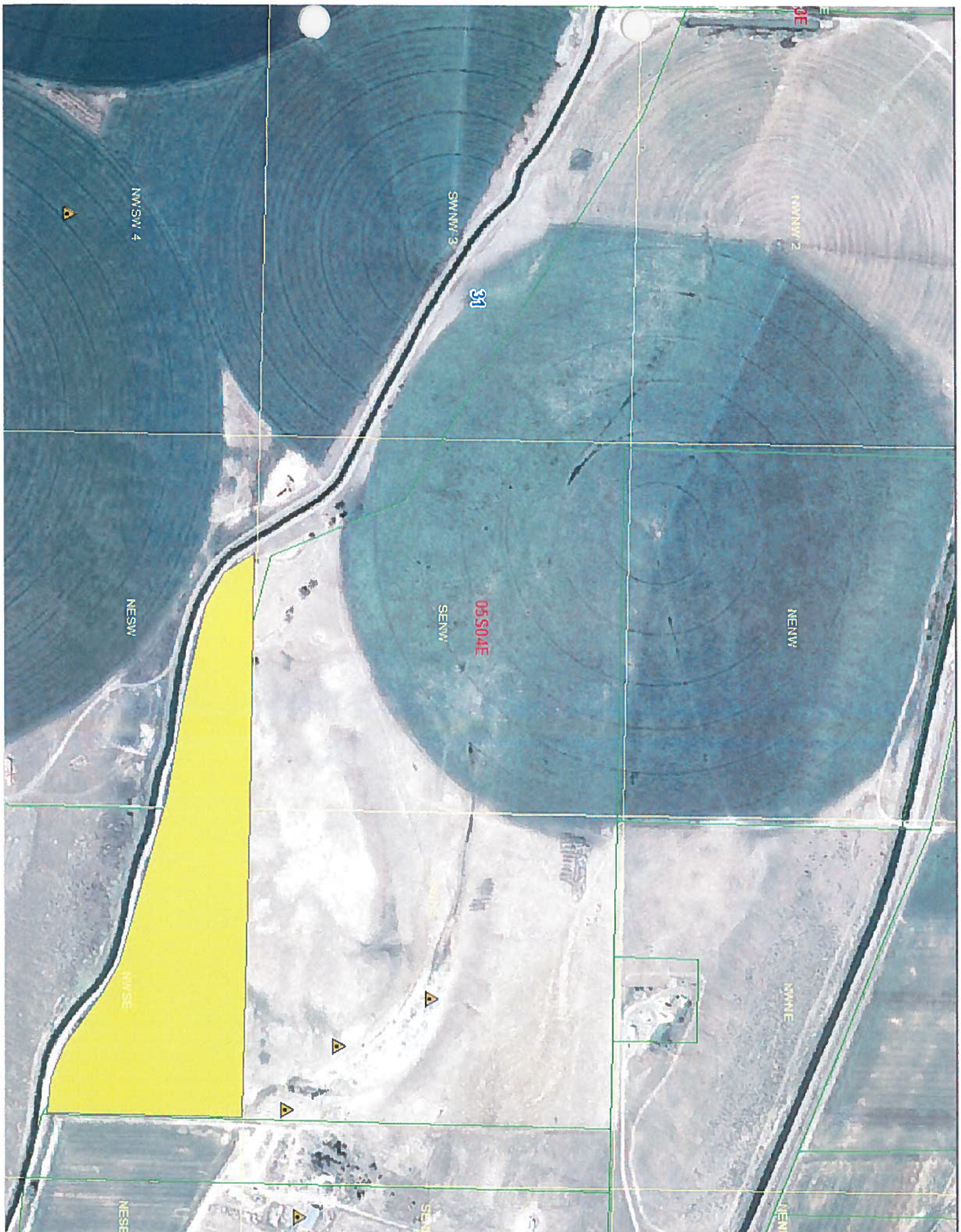
INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident through the rental.

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: This ground water right diverts from within the Bruneau-Grandview Ground Water Management Area. The right is not subject to a Water District.



Water Right No.	Rented Vol (AF)	Lessor Fee (90%)	Administrative Fee (10%)	Total Fee @ \$17 (2013-2017)	Rental Amounts	
					Rate (cfs)	Acres
57-7051A	74.25	0	126.225	0.00	0.33	16.50
Total	74.25	0	126.225	0.00	0.33	16.50