

RECEIVED

Form 42-1761-2
09/09

JUN 14 2010

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
WATER RESOURCE BOARD

Water Supply Bank No. _____
(For Department Use Only)

APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK

Name of Renter Mark Michels Phone (208)468-4116

Mailing address 7320 Shoemaker Dr. Nampa, Idaho 83686 Email _____

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. Maximum Flow Rate (cfs) Maximum Volume (ac-ft) Nature of Use Period of Use
0.02 4.5 Irrigation 4/15 to 10/31
 _____ to _____
 _____ to _____
 Total: 0.02 4.5

2. Source of water Ground Water tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
2N	2W	26			NW	SE	Canyon

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	
2N	2W	26														1			1

If the use is for irrigation, show total number of acres proposed through rental. Total Acres 1

B. OWNERSHIP

1. Do you own the land at the proposed point of diversion? Yes ☒ 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 ☒ 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. Use existing 186' domestic well and submersible pump to divert ground water to the lawn sprinkler 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. Unrecorded domestic right
3. Will the proposed place of use receive water from any other source? Yes ☒ No ☐
If yes, describe. The property is within the Boise-Kuna Irrigation District and will continue to receive water from them. This rental request is for supplemental purposes when surface deliveries become unreliable as they often do.
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. Ground water rights on another property we own near Nampa will become available in about 2 years as a result of a transaction with ITD. At that time, we will transfer a 1-acre portion to the subject property.
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

1. 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. 3

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

Printed Name and Title*

Date

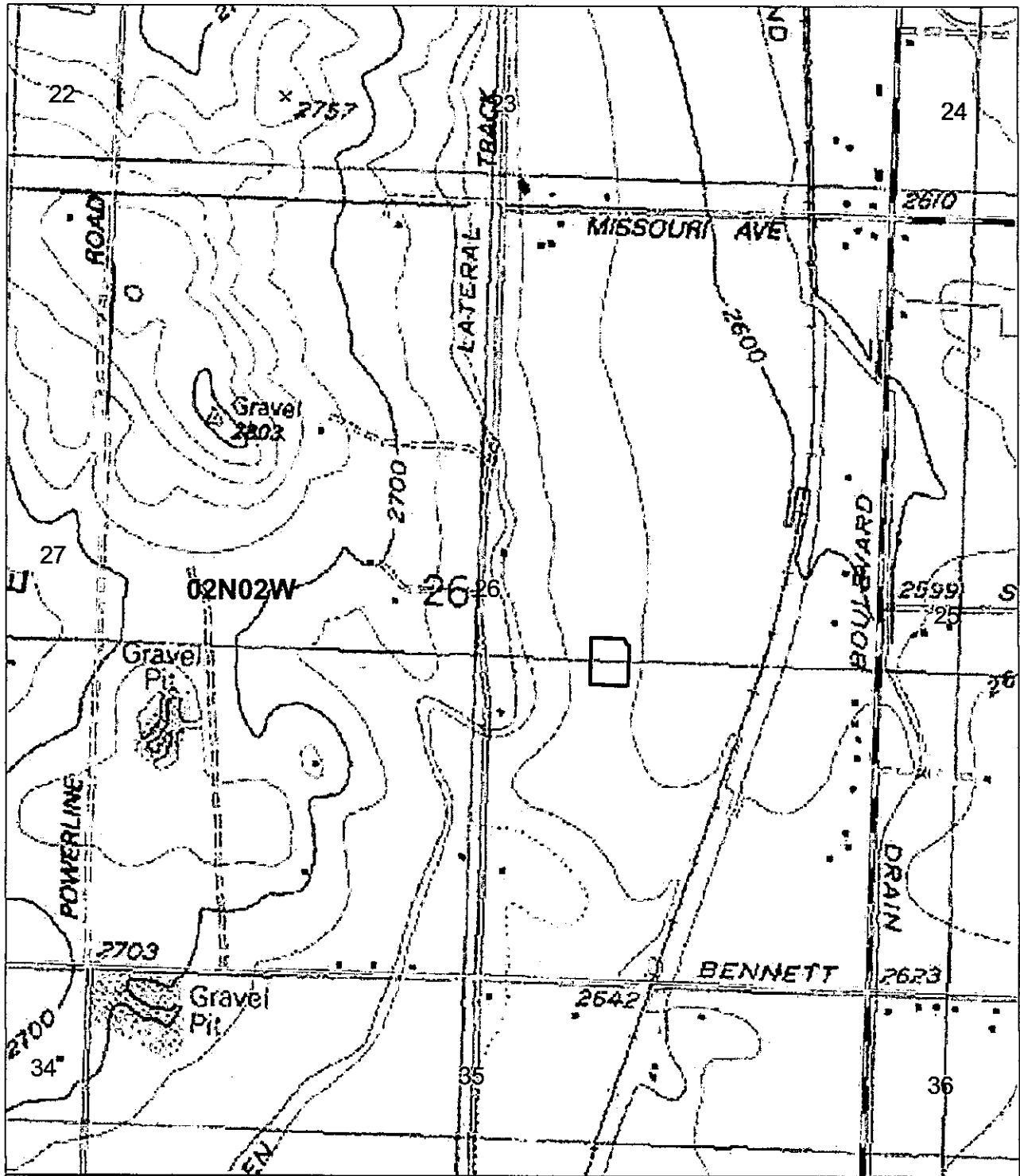
Signature of Applicant

Printed Name and Title*

Date

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

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



Michels Property Location
for Lease from Water Supply Bank
Canyon County, Idaho



0 250 500
Feet

Legend
□ Property



Figure 1

Prepared for: IDWR
Date: June 8, 2010



ERO Resources Corp.
3314 Grace Street
Boise, ID 83703
(208) 373-7983
Fax: 373-7985
www.eroresources.com
eroboise@eroresources.com

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JUN 14 2010

DEPARTMENT OF
WATER RESOURCES

June 14, 2010

Aaron Marshall
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720

RE: Mark Michels Water Supply Bank Rental

Dear Mr. Marshall:

Enclosed, please find an Application to Rent Water from the Water Supply Bank in the name of Mark Michels.

The intent of this application is to authorize the irrigation of 1 acre for the next 3 years on Mr. Michels' residential property. Mr. Michels also owns agricultural land that is under negotiations with the Idaho Transportation Department for an interchange. Once that transaction is implemented in the next few years, Mr. Michels will transfer a portion of the idled water rights to his residence for a permanent use.

If you have any questions, please call 373-7983.

Regards,

A handwritten signature in black ink that reads "Steven R. Hannula". The signature is written in a cursive, flowing style.

Steven R. Hannula



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

June 15, 2010

Mark Michels
7320 Shoemaker Dr
Nampa, ID 83686

RE: APPLICATION(S) TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Applicant:

The Idaho Department of Water Resources (Department) acknowledges receipt of your application(s) to rent water from the Idaho Water Resource Board's Water Supply Bank (Bank). The Department will review your application(s) as resources allow. If the application(s) is not processed prior to the end of the proposed rental period, it will be returned to the applicant. The Department regrets any inconvenience caused by the delay. Please note that you are not authorized to use water without a valid water right or an approved Water Supply Bank rental agreement.

Additional information about the Bank may be found on the Department's web site at:

<http://www.idwr.idaho.gov/>

Sincerely,

A handwritten signature in cursive script that reads "Christine Todd for".

Aaron Marshall
Sr. Water Resource Agent
(208) 287-4943
aaron.marshall@idwr.idaho.gov

CC: ERO Resources Corp