



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

September 15, 2009

REESE SANDERS
PO BOX 236
HAMER ID 83425

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK.
WATER RIGHT NO. 31-11443

Dear Mr. Sanders:

Please find enclosed an Water Supply Bank Rental Agreement for your review and signature. This rental agreement has been amended to reflect the negotiated rental fee of \$500.00 between you and the lessor, Kirk Jacobs. The amended rental agreement must be signed by you, the renter, and returned to the Department. The Department will then sign the amended agreement and return an executed copy to you. Enclosed is a receipt in the amount of \$ 50.00 in connection with the rental of 99 acre-feet of ground water for irrigation use during 2009.

If you have questions regarding this matter, please do not hesitate to contact me at (208) 287-4943.

Sincerely,

Aaron Marshall
Water Allocation Bureau

Enc: 2

c: Lyle Swank – IDWR Eastern Regional Office
Ernie Carlsen – Water District 110

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Amended

WATER SUPPLY BANK RENTAL AGREEMENT

This is to certify that: REESE SANDERS
2100 NORTH 2469 EAST
HAMER ID 83425
(208) 662-5405

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	Rented Rate	Annual Rented Volume	Total Rented Acres
	31-11443	0.66 CFS	99.0 AF	33.0 AC
COMBINED RENTAL TOTALS:		0.66 CFS	99.0 AF	33.0 AC

TERM OF RENTAL: April 1, 2009 to November 1, 2009

RENTAL FEE: Negotiated payment: \$ 500.00
(Based on private agreement with lessor)

Detailed water right specific limitations and conditions 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:

Dated this _____ day of _____, 20_____.

By: _____
(Print Name) (Signature)

(Title if on behalf of company or organization)

Having determined that this agreement satisfies the provisions of Section 42-1763, Idaho Code, and, IDAPA 37.02.03030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and conditions herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board this ____ day of _____, 20_____.

GARY SPACKMAN, Interim Director
Department of Water Resources

WATER RIGHT NO. 31-11443
WATER SUPPLY BANK RENTAL AGREEMENT

The 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 below:

Renter: REESE SANDERS
 2100 NORTH 2469 EAST
 HAMER ID 83425
 (208) 662-5405

Priority Date: 05/14/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	11/01	0.66 CFS	99.0 AF
	Total:		0.66 CFS	99.0 AF

LOCATION OF RENTER'S POINT(S) OF DIVERSION:

GROUND WATER SW¼NW¼ Sec. 14 Twp 07N Rge 36E JEFFERSON County

RENTER'S PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	36E	14								19.0									19.0
07N	36E	15	1.4	2.3	17.5	10.9										2.9			35.0

Total Acres: 54.0

Acre Limit within Place of Use described: 33.0

CONDITIONS OF WATER USE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. 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. 110.
3. 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 <the ongoing Snake River Basin Adjudication> or any other department application process.
4. 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.
5. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
6. This rental agreement does not authorize the construction of a well.
7. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer filed by the applicant for this same use.
8. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.

WATER RIGHT NO. 31-11443

WATER SUPPLY BANK RENTAL AGREEMENT

CONDITIONS OF WATER USE

9. 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.
10. 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.
11. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.

Idaho Department of Water Resources Receipt

Receipt ID: C089245

Payment Amount	\$50.00	Date Received	9/8/09 1:41	Region	STATE
Payment Type	Check	Check Number	3162		
Payer	SANDERS, REESE / NORMA				

Comments Water Right #31-11443. Partial rental fee.
Partial

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$50.00	WATER BANK-DEPARTMENT SHARE	0229	21	55109	1205

SR 7

Signature Line (Department Representative)