

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 776

RECEIVED

AUG 14 2023

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

JAMES D SINEGAL
3525 CARILLION POINT
KIRKLAND, WA 98033

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 No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
37-2619	7/22/1959	GROUND WATER	0.04	6.3	1.8	0.02	3.5
Rental Totals			0.04	6.3	1.8	0.02	3.5

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2027. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2023, whichever occurs last.

Annual Rental Fee:

2023 - 2027: \$144.90 annually

The full fee for the rental of the above-described right(s) is \$144.90 per year for years 2023 - 2027. The rental fee includes an administrative fee of \$14.49 per year for years 2023 - 2027.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 776

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:

James D. Sinegal 8-11-23
Signature of Renter Date

James D. Sinegal Owner
Printed Name Title

*Title required 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 Brian Patton Date 8/31/23
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR [Signature] Date 8/31/23

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 776

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec. 12, Twp 04N, Rge 17E, BLAINE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.04 CFS

VOLUME
6.3 AF

SEASON OF USE

Water Right No. **From** **To**
37-2619 4/15 10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	17E	12	1.8																1.8

Total Acres: 1.8

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

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. 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.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. 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.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. This rental agreement does not authorize the construction of a well.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
11. Use of water under this right may 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. 37.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 776

Effective until December 31, 2027

This map depicts the **IRRIGATION rental place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



Legend

-  Authorized Rental Point of Diversion
-  Authorized Rental Place of Use
-  Township/Range
-  Sections
-  QQ



0 0.05 0.1 Miles

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

MAY 10 2023

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: James D. Sinegal

Is this application being submitted with a lease application as a lease/rental package?

Yes ☒ No ☐

If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Yes

- ☒ Completed *Application to Rent Water from the Board's Water Supply Bank*
- ☒ Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank

Attachment N/A Yes

- | | | |
|----|-------------------------------------|--|
| 2 | ☒ | A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request |
| 3A | ☒ | ☐ Detailed information on a proposed use of rental water |
| 3F | ☒ | ☐ Authorization from the owner/operator of the rental point(s) of diversion |
| 3H | ☒ | ☐ Water modeling to account for the impacts of the rental request |
| 3J | ☒ | ☐ Documents justifying a rate of flow greater than 0.02 cfs/acre |
| 3K | ☒ | ☐ Authorization from the owner/operator of the property at the proposed rental place(s) of use |
| 4B | ☒ | ☐ Explanation of how the rental water will sufficiently accomplish your rental purposes |
| 4C | ☒ | ☐ Explanation of consumptive use amounts for water rights experiencing a change in nature of use |

Department Use Only – Proposed Water Right(s)

37-2619

2648

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant James D. Sinegal

Mailing Address 3525 Carillon Point, Kirkland, WA 98033

Street City State Zip Code

Email Address jsinegal@costco.com Phone Number 425-250-5000

- B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☒ No ☐
If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Charlie S. Baser Professional Title Attorney

Organization Givens Pursley LLP Relationship to Applicant Attorney

Mailing Address 601 W. Bannock St., Boise, ID 83702

Email Address charliebaser@givenspursley.com Phone Number 208-388-1200

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

- A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

Residential irrigation

- B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.04 CFS	6.3 AF	0.04 CFS	6.3 AF	1.8 AC

* Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

- C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
April 15	May 15	☐ 1	☐ 2	☐ 3	☐ 4	☒ 5	☒ Process application as soon as possible	☐ Return application to applicant

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

** Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):

Existing well and pump, underground residential sprinkler irrigation system

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
well/pump	ground water	domestic exemption

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☒

If yes, include documented consent as **Attachment 3F**.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☐ No ☒

Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- H. Has water modeling been provided with your rental request? Yes ☐ N/A ☒

If yes, label modeling Attachment 3 H.

Rental applications that require modeling will be returned if modeling is not provided.

- I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

☒ Irrigation 1.8 (number of acres) Duration: Subject to IDWR standard seasons of use

☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)

☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Other: _____ from: April 15 (mm/dd) to: Oct. 31 (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☒

If yes, justify the rate of flow and attach any supporting documents as **Attachment 3J**. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☒ No ☐

If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it **Attachment 3K**.

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:

None

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via [IDWR's website](#).

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.** For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
37-2619	irrigation	0.08	14.0	4.0		0.04	6.3	1.8
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.04	6.3	1.8
						CFS	AF	AC

*Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

N/A

C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☐ No ☒

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

STATE OF IDAHO
WATER RESOURCE BOARD
Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

Rented the same water right in 2015 through 2022. Have not found a water right to purchase and transfer to my property

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☒

If yes, describe:

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☒ No ☐

If yes, describe the date and location of the NOV.

NOV E2014-714, dated December 16, 2014

- D. Additional Information

DECLARATION

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. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.



Signature of Applicant

James D. Sinegal

Printed Name of Applicant

*19/23

Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

Water Modeling Requirement Information Sheet

Information on water modeling requirements for rental requests within special administrative areas

Important information on requesting rental water within special administrative areas: Refer to the information below to determine whether the modeling of potential impacts from your rental request is necessary. Use Section 4 of the rental application to identify selected water rights. **If you submit an application to rent water from within a special administrative area and water modeling is required, your rental request will be returned if water modeling is not provided.**

Water modeling may be required when an application to rent water involves one of two scenarios:

Scenario 1: The rental request proposes to divert water from a regulated water source and/or within a special administrative area AND the distance between the rental point(s) of diversion (POD) and the POD(s) for the leased water right(s) is greater than the administratively established, acceptable distance.

Regulated water sources may areas include:

- A. Ground water resources within the modeled area of the Eastern Snake Plain Aquifer (ESPA) and tributary aquifers;
- B. Ground water within Ground Water Management Areas (GWMAs) or Critical Ground Water Areas (CGWAs);
- C. Water resources within other specified administrative areas, as established by the Idaho Water Resource Board (IWRB) or the Idaho Department of Water Resources.

The distance between any rental POD(s) and the POD(s) for a leased water right to be rented is important. On the ESPA, distance is measured in terms of model cells that cover an area of one square mile. Ground water modeling is not required if lease POD(s) and rental POD(s) are located within the same model cell or within adjacent model cells. If the lease and rental PODs are separated by more than one model cell groundwater modeling must be completed using the IDWR ESPA Transfer Tool and modeling results must be submitted with the rental application. ESPA modeling tools can be accessed and freely downloaded from IDWR's website by visiting: www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.

Ground water modeling may be required within GWMAs, CGWAs or other regulated administrative areas. Applicants who desire to rent water within an established GWMA, CGWA or other regulated administrative area should consult IDWR's website before submitting their application to review the current status of administrative orders related to regulated administrative areas. Consult www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated_areas.htm for information on GWMAs or CGWAs, visit <https://idwr.maps.arcgis.com/home/> to use mapping tools to find other regulated areas.

Applicants interested in renting water within a GWMA, CGWA or other regulated administrative areas should request water rights that have been leased into the Bank from within the same administrative area. Generally, the Bank will not permit a rental of water within a regulated administrative area if the leased water rights are not located within that same administrative area.

Scenario 2: A rental request proposes to divert water from a different but hydraulically connected water source.

Modeling situations may include:

- A. Rental requests that propose to divert surface water rights via ground water POD(s) (wells); and
- B. Rental requests that propose to divert ground water from one aquifer when the right being rented authorizes the diversion of ground water from a hydraulically connected, tributary aquifer.

Rental requests that propose to divert surface water rights from ground water points of diversion may be considered if ground water modeling establishes that the surface and ground water resources are directly and immediately hydraulically connected. An acceptable hydraulic connection occurs when at least 50 percent of the total depletions from a well are detectable from the original water source within a 24 hour period. The existing (leased) POD and proposed (rental) POD must be proximate such that diversion and use of water from the proposed POD would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original POD.

Requests to rent ground water across tributary aquifer sources may be considered if ground water modeling is provided to demonstrate that two aquifers are hydraulically connected and the anticipated impacts of diverting ground water from one source through the other is modeled accordingly.

For more information about rental application requirements, contact IDWR at (208) 287-4800.

Idaho Water Resource Board
Water Supply Bank Rental Agreement

Effective until December 31, 2022

RECEIVED

MAY 12 2023

Department of Water Resources

This map depicts the rental place of use pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



-  Rental Place of Use
-  Rental Point of Diversion
-  Townships
-  PLS Sections
-  Quarter Quarters

0 100 200 Feet

WSB Mailing Checklist for Rentals

(For use on all new rental applications)

Key: Who Completes What?

CLERICAL STAFF: MK

REVIEWER: MK

Received Date: 5/10/2023

Latest Start Date: 5/15/2023

Renter: James D Sinegal

Rental Expiration Date: 12/31/2027

Lease/Rental Package: (Y) N

executed
8/31/23

Application # 26068 Agreement # 776

Water Right	Lease Contract ID
# 37-2619	1717 APP 2642
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	

Applicant Authorized? (Y) N

Map of POU and POD (Y) N 5/12

POD consent? (Y) N

ESPA Modeling? Y/N (NA)

Application Complete? (Y) N

Minimum Checklist in database? ☐

Request for additional information letter sent: Y NA

WSB Action Request for deficiencies ☐

Comments:

prev agreement #253

email sent to rep verifying map 5.12.23

Mailings (per application)	Original	CC	Email or Address
Renter: James D Sinegal	☒	☐	
Attorney: Charlie S Baser - Givens Pursley LLP	☐	☒	
Consultants Name: _____	☐	☐	
Conveyance Entity: _____ Ex. Irrigation Dist. of Canal Co.	(final only)	☐	
(Ground) Water Dist: WD 31, Galena GWD	(final only)	☒	
Other: Big Wood River GWD WD Snake 01, Boise, Payette, and Bear River	(final only)	☐	
Region: Southern	(final only)	☒	
Watermaster: Sunny Healey	(final only)	☒	
Compliance: _____	(final only)	☐	

Resolving NOV? Y/(N)

Call up Date: _____

DO NOT SCAN

mailed 9/28/23



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 1, 2023

JAMES D SINEGAL
3525 CARILLION POINT
KIRKLAND, WA 98033

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-2619, AGREEMENT 776**

Dear Renter:

Please find enclosed a receipt in the amount of **\$144.90** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 6.3 acre-feet of water for irrigation of 1.8 acres during 2023. 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, 90% or \$130.41 of the rental fee will be paid to the lessor(s) and 10% or \$14.49 will be retained by the Department to offset administrative costs for 2023.

If you have any questions, please contact this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

Mackenzie Kienholz
Water Supply Bank Specialist

Enclosures: Receipt No. C116889
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR - Southern Region Office
Charlie Baser – Givens Pursley, LLP
Water District No. 37
Galena GWD

MEMORANDUM FOR AGREEMENT #776

To: Water Right(s) 37-2619

From: Mackenzie Kienholz

Date: 6/29/2023

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

PURPOSE/NARRATIVE: Rental application #2668 was submitted by Charlie Baser (Givens Pursley, LLP) on behalf of James D Sinegal and was received by the Department on 5/10/2023. The application proposes to rent 1.8 acres from groundwater irrigation right 37-2619 for 2023-2027. The application was submitted as a package with the lease application for 37-2619. The applicant has previously rented this right for the same parcel under agreements #112 (2017) and #253 (2018-2022).

Both the lease and rental are in WD 37, the Galena GWD, the Big Wood River GWMA, and the Trust Area.

AUTHORITY TO FILE: The application was signed by James D Sinegal who is listed as the property owner at the rental POD and POU. No concerns with authority to file.

WATER RIGHT VALIDITY: 37-2619 was decreed 9/24/2010 and the portion proposed for lease has been in the Water Supply Bank every year from 2015 to 2022. No concerns with validity of the water right and portion offered to the Bank.

INJURY TO OTHER WATER RIGHTS: Based on shapefiles for the Big Wood River Zones, the lease POD appears to be outside the Ketchum Zone to the West while the rental POD is within the Ketchum Zone. However, James Sinegal has previously rented water for the same parcel, and in the 2017 review of James Sinegal's rental it was noted that the reviewer, Clay Webster, consulted with the IDWR Hydrology Section who stated that the lease POD is actually connected to the rental POD and can be considered part of the Ketchum Zone. Clay noted that according to the Hydrology Section, the lease location was not included in the shape because the canyon it is located in narrowed to a point, and this affected the new model that was being built for the Wood River Valley. Given that the IDWR Hydrology Section has confirmed that the lease and rental locations draw from the same source, and that both the lease and rental are within the Big Wood River GWMA, there are no concerns with injury to other water rights.

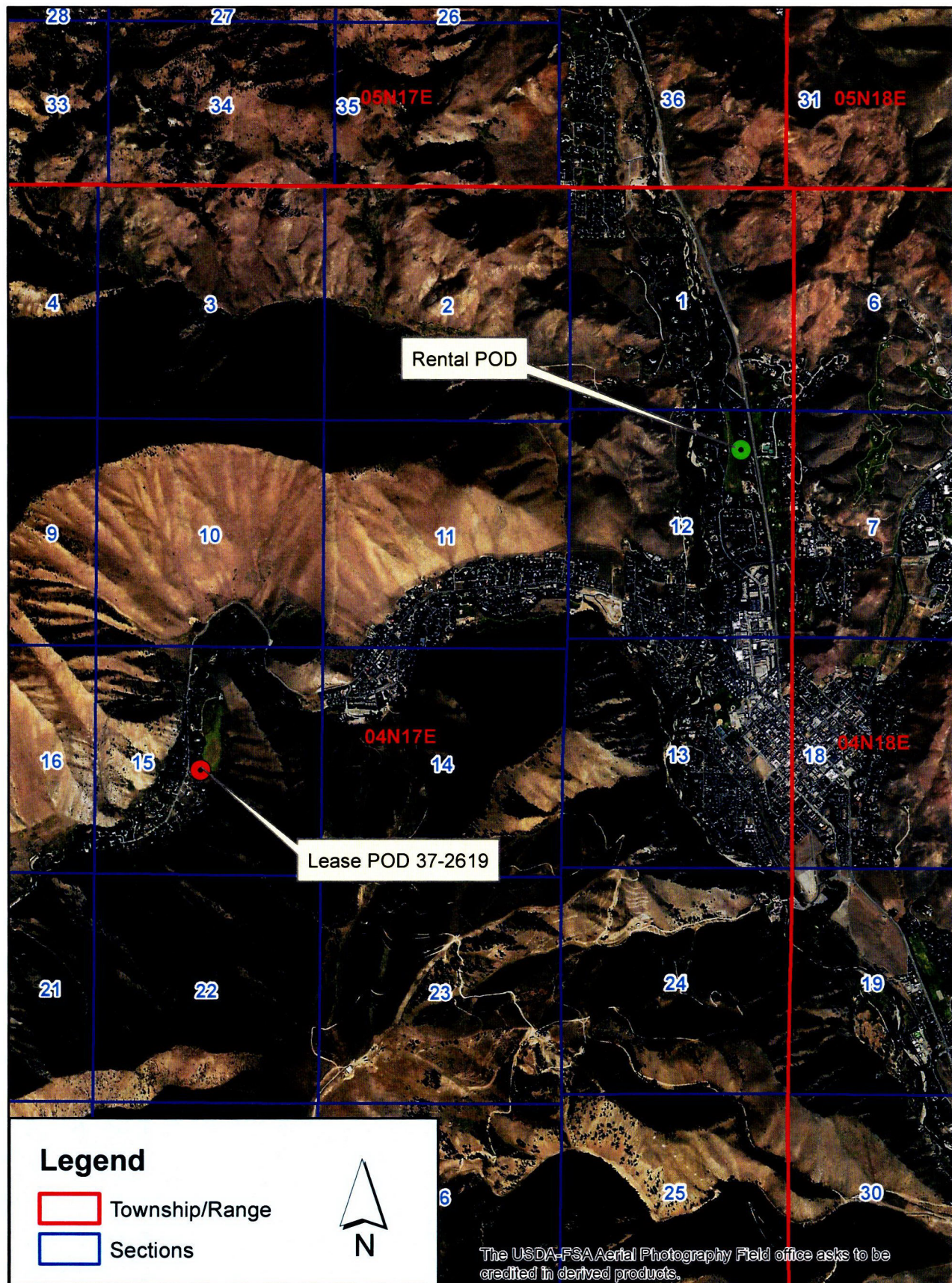
ENLARGEMENT OF USE: Neither the rental POU nor the POD are overlapped by any other water rights. There will be no change in beneficial use, the right being rented is not stacked with other rights, the right being rented has historically been used in the same fashion as proposed for the rental, and the right being rented has the same season of use as is standard at the rental location. No concerns with enlargement of use.

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: The location for the rental POD is subject to Water District #37. A request for comments was sent to the WD #37 watermaster, Galena GWD, and the Southern Regional Office on 6/29/2023.

WSB Rental Application #2668, J Sinegal 2023



Kienholz, Mackenzie

From: Kienholz, Mackenzie
Sent: Thursday, June 29, 2023 3:51 PM
To: watermanager; Skinner, Corey; galenagwd@gmail.com
Subject: Comments Request - WSB Lease & Rentals, WR 37-2619 Gordon/Weisel/Sinegal
Attachments: WM Copy Lease Review Memo - 2642 Gordon 2023.pdf; WM Copy Rental Review Memo - 2643 Weisel 2023.pdf; Move Map - Weisel 2643.pdf; Rental Map 777 Weisel Trust 2023.pdf; WM Copy Rental Review Memo - 2668 Sinegal 2023.pdf; Move Map Sinegal 2023.pdf; Rental Map 776 J Sinegal 2023.pdf

Good afternoon,

Please see the attached review documents for Water Supply Bank Lease Application #2642 for William B Gordon, Rental Application #2643 for Thomas W Weisel Trust, and Rental Application #2668 for James D Sinegal, all for water right 37-2619. These rentals have occurred using this water right since 2017. Kindly respond with any questions or comments within 10 days.

Thank you,

Mackenzie Kienholz
Water Supply Bank Specialist



Planning & Projects
Mackenzie.kienholz@idwr.idaho.gov
Phone: (208) 287-4822

Kienholz, Mackenzie

From: Charlie S. Baser <charliebaser@givenspursley.com>
Sent: Friday, May 12, 2023 4:00 PM
To: Kienholz, Mackenzie
Subject: RE: Amended WSB Rental Application No. 2349 (Peace & Quiet Trust)

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments **BEFORE** you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Oh shoot, sorry, Mackenzie! I had a map attachment, but I guess it did not make it into our package. Yes, that is the correct map.

Thanks,
Charlie

CHARLIE SUZANNAH BASER

GIVENS PURSLEY LLP

601 W Bannock St, Boise, ID 83702
main 208-388-1200
direct 208-388-1271
fax 208-388-1300
charliebaser@givenspursley.com
www.givenspursley.com

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From: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Sent: Friday, May 12, 2023 3:51 PM
To: Charlie S. Baser <charliebaser@givenspursley.com>
Subject: RE: Amended WSB Rental Application No. 2349 (Peace & Quiet Trust)

EXTERNAL

Good afternoon, Charlie,

No map was submitted with the rental application for James D Sinegal for 1.8 acres or irrigation. Please review the attached map for concluded Rental Agreement #253 for Mr. Sinegal and confirm whether the map for this application is the same.

Thank you,
Mackenzie

From: Charlie S. Baser <charliebaser@givenspursley.com>
Sent: Thursday, May 11, 2023 10:19 AM

To: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Subject: Re: Amended WSB Rental Application No. 2349 (Peace & Quiet Trust)

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Thank you! Appreciate all your help.

Sent from my iPhone. Please excuse typos.

On May 11, 2023, at 10:02 AM, Kienholz, Mackenzie
<Mackenzie.Kienholz@idwr.idaho.gov> wrote:

EXTERNAL

Hi Charlie,

I wanted to let you know that I have received the documents, but I have not yet had a chance to look through them. I will let you know if there is any information I need once I do the intake for these.

Thank you,

Mackenzie Kienholz
Water Supply Bank Specialist
<image001.jpg>
Planning & Projects
Mackenzie.kienholz@idwr.idaho.gov
Phone: (208) 287-4822

From: Charlie S. Baser <charliebaser@givenspursley.com>
Sent: Wednesday, May 10, 2023 2:05 PM
To: IDWR File <file@idwr.idaho.gov>
Cc: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>; Mary Barnes <marybarnes@givenspursley.com>
Subject: Amended WSB Rental Application No. 2349 (Peace & Quiet Trust)

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Mackenzie,

As discussed this morning, here is the Amended WSB Rental Application No. 2349 in the name of the Peace & Quiet Trust. The amended sections are Page 1, 1(B), 3(B), 3(C), 3(I), 3(L), 4, and Attachment 2 (POU map). The goal of this amendment is to change the water right to be rented to 37-2619 and make corresponding changes/updates to reflect the amounts being sought and also to update the application with my contact information instead of Jim Speck's.

If either attachment does not come through, please let me know. Please also confirm receipt of this email and the two attached documents (amended application and Attachment 2/POU map).

If you have any questions, please give me a call.

Thanks,
Charlie

CHARLIE SUZANNAH BASER

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Michael P. Lawrence
Franklin G. Lee
David R. Lombardi
Lars E. Lundberg
Kimberly D. Maloney
Kenneth R. McClure
Alex P. McLaughlin
Melodie A. McQuade
Christopher H. Meyer
L. Edward Miller
Judson B. Montgomery

Deborah E. Nelson
Samuel F. Parry
Randall A. Peterman
Blake W. Ringer
Michael O. Roe
Danielle M. Strollo
Robert B. White
Michael V. Woodhouse

William C. Cole (Of Counsel)

Kenneth L. Pursley (1940-2015)
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

RECEIVED
MAY 10 2023
DEPARTMENT OF
WATER RESOURCES

May 10, 2023

Via Hand Delivery

Idaho Department of Water Resources
Attn: Mackenzie Kienholz
322 E. Front Street, Ste. 648
Boise, ID 83702

Re: *Application to Rent Water from the Board's Water Supply Bank*
re: Water Right No. 37-2619

Dear Mackenzie:

On behalf of James D. Sinegal, I am enclosing with this letter an executed Application to Rent Water from the Board's Water Supply Bank, specifically to rent a portion of Water Right No. 37-2619, along with a copy of same to date stamp.

I would also like to provide a general overview on the lease/rental of Water Right No. 37-2619. We have three clients who have submitted or will be submitting rental applications to rent Water Right No. 37-2619: the Thomas W. Weisel Trust (already submitted), James D. Sinegal (attached), and the Peace and Quiet Trust (rental application will be amended today to designate Water Right No. 37-2619). The lease application to put Water Right No. 37-2619 into the Water Supply Bank has been held pending resolution of questions regarding the place of use for water rented by the Thomas W. Weisel Trust, which have just been resolved. If you or anyone in your office have questions about the lease/rental of Water Right No. 37-2619, please give me a call.

2668

May 10, 2023
Page 2

Please return the date stamped copy via our runner. Thank you for your assistance in this matter and please feel free to call me if you have any questions about this application.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Charlie S. Baser', with a stylized, cursive script.

Charlie S. Baser

CSB/mb
Enclosures
16726137.1 [16895-1]