

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 686

RECEIVED

FEB 24 2023

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

MICHELLE WOLF
PO BOX 433
FAIRFIELD, ID 83327-0433

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)
37-7505A	7/21/1976	GROUND WATER	0.66	240	80	0.008	3.0
37-7505B	7/21/1976	GROUND WATER	0.44	141	47	0.009	3.0
Combined Rental Totals			1.10	381	127	0.009	3.0

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until November 1, 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: \$876.30 annually

The full fee for the rental of the above-described right(s) is \$876.30 per year for years 2023 - 2027. The rental fee includes an administrative fee of \$876.30 per year for years 2023 - 2027. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 37-7505A, 37-7505B.

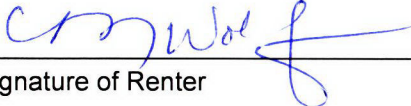
An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify 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. 686

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:


Signature of Renter

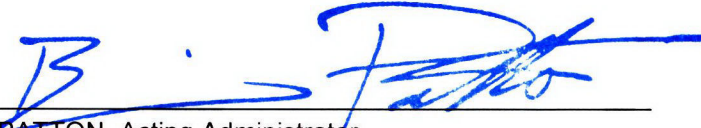
02/17/2023
Date

Michelle Wolf
Printed Name

OWNER/Operator
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, Acting Administrator
Idaho Water Resource Board

Date 3/3/23

Rental approved by IDWR 

Date 3/3/23

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 686

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENW Sec. 33, Twp 01S, Rge 14E, CAMAS County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
1.10 CFS

VOLUME
381 AF

SEASON OF USE

From To
4/1 11/1

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	
01S	14E	33			35	32									30	30			127

Total Acres: 127

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 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.
10. Renter shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

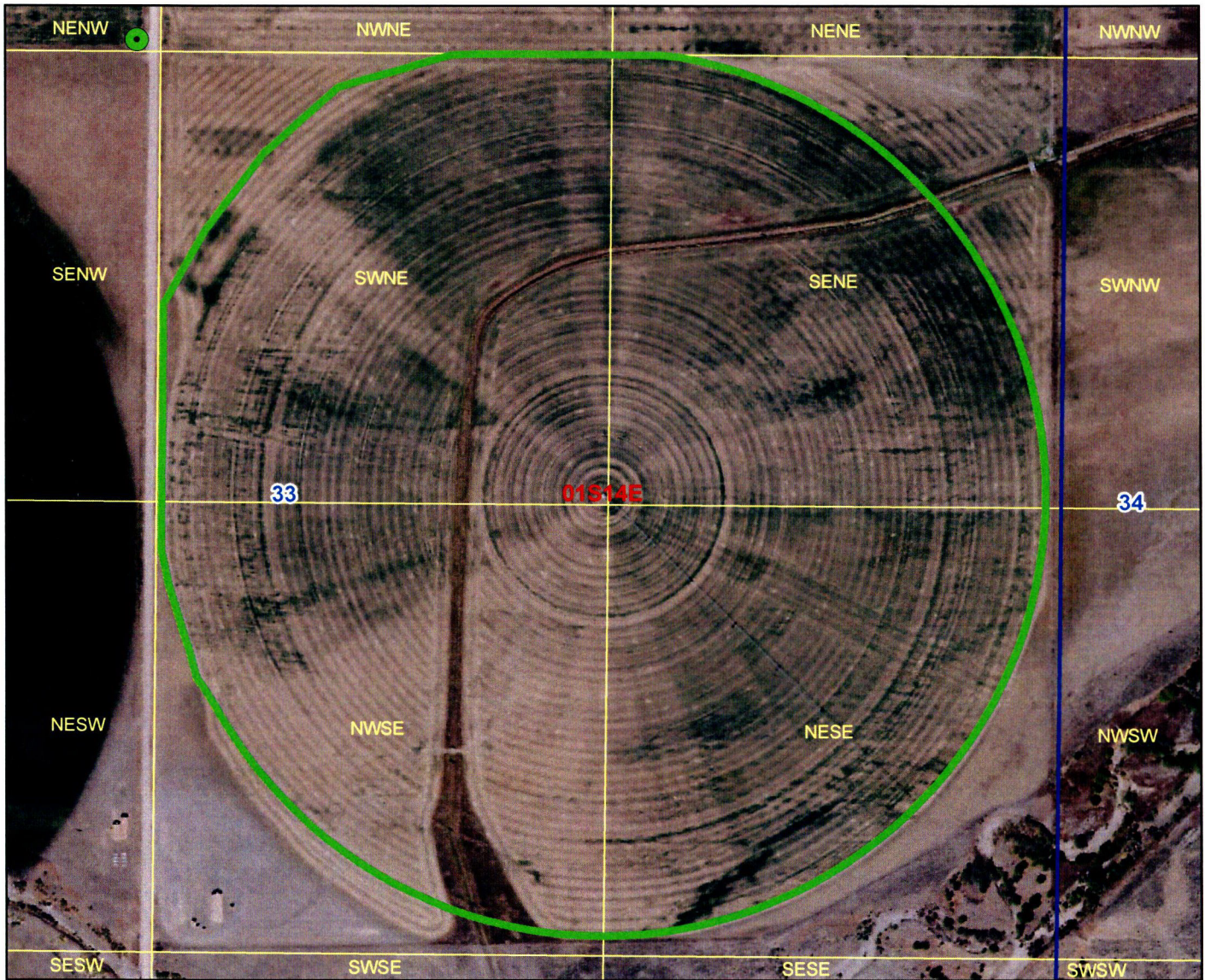
WATER SUPPLY BANK RENTAL AGREEMENT No. 686

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. 37B.
12. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
13. This rental does not authorize the construction of a well.

Attachment to Water Supply Bank Rental Agreement No. 686

Effective until December 31, 2027

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



● Authorized Rental Point of Diversion

□ Authorized Rental Place of Use

□ Township/Range

□ Sections

□ QQ

0 750 1,500 Feet



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

JUN 29 2022

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK

Applicant Name: Michelle Wolf

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://dwr.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)

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Michelle Wolf

Mailing Address <u>PO box 433</u>	Fairfield	ID	83327
Street	City	State	Zip Code
Email Address <u>wolfyore@wildblue.net</u>	Phone Number	<u>208-320-2624</u>	

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 _____	Professional Title _____
Organization _____	Relationship to Applicant _____
Mailing Address _____	
Email Address _____	Phone Number _____

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**:

ground water will provide supplemental irrigation on a place of use currently irrigated with surface water from
Twin Lakes Redervoir & irrigation Co. Under water right 37-13120

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)
1.1 CFS	381 AF	n/a CFS	n/a AF	127 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?	
4/1	n/a	☐ 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, pump, Pressurized irrigation

- 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
01S R14E S33 NENW	Ground Water	37-7293

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 127 (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: _____ (mm/dd) to: _____ (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:

Surface water under water right 37-13120. There is currently 31.5 acres of leased water from water right 37-7505A, that is being amended with this application to include more water, and also water from 37-7505A

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.RS.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)
37-7505A	irrigation	.66	240	80		.66	240	80
37-7505B	irrigation	.44	141	47		.44	141	47
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	1.1	381	127
						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**:

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:

currently 31.5 acres leased from water right 37-7505A per contract 1425 are rented for use at the proposed place of use per agreement 563. Approval of the ammendment will allow 47 acres from from water right 37-7505B and an additional 48.5 acres from right 37-7505A for a total of 127 acres

- 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:

2022 we submitted and were approved for a place of use adjustment for right 37-7293 to include the rented water right area this will provide flexibilty on years surface water is in short supply

- 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.

- D. Additional Information

Duty of Water under 37-7293 is 1/2-inch/acre. Duty of ground water under leased rights is slightly less then 1/2-inch/acre. If or when combined, total duty of water of the rental acres will not exceed 1 inch/acre. Also this application is an amendment of lease contract 1425 and rental agreement 563

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

Michelle Wolf
Printed Name of Applicant

08/24/2022
Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

WR 37-7505A & 37-7505B



M Kienholz 2022

Legend

-  2023 Rental POD
 M_Wolf_2023_Rental_Shape
 Township/Range
 Sections
 QQ



0 0.05 0.1 0.2 0.3 0.4 Miles

WSB Mailing Checklist for Rentals

(For use on all new rental applications)

Key: Who Completes What?

CLERICAL STAFF: **MK**

REVIEWER: **SC**

Received Date: 8/29/2022

Latest Start Date: 4/1/2023

Renter: Michelle Wolf

Rental Expiration Date: 2027

Lease/Rental Package: (Y) N

*executed
3/3/2023*

Application # 2429

Agreement # 686

Water Right	Lease Contract ID
# <u>37-7505 A</u>	
# <u>37-7505 B</u>	
# _____	
# _____	
# _____	
# _____	
# _____	
# _____	
# _____	
# _____	
# _____	
# _____	
# _____	
# _____	

Applicant Authorized?	<u>(Y)</u> / N
Map of POU and POD	<u>(Y)</u> / N
POD consent?	<u>(Y)</u> / N
ESPA Modeling?	Y / N <u>NA</u>
Application Complete?	<u>(Y)</u> / N
Minimum Checklist in database?	☒
Request for additional information letter sent:	Y NA
WSB Action Request for deficiencies	☐

Comments:

Mailings (per application)	Original	CC	Email or Address
Renter: <u>Michelle Wolf</u>	☐	☐	_____
Attorney: _____	☐	☐	_____
Consultants			
Name: _____	☐	☐	
Conveyance Entity: _____ Ex. Irrigation Dist. of Canal Co.	(final only)	☐	
(Ground) Water			
Dist: <u>37B</u>	(final only)	☐	
Other: _____ WD Snake 01, Boise, Payette, and Bear River	(final only)	☐	_____
Region: <u>Southern</u>	(final only)	☐	
Watermaster: _____	(final only)	☐	
Compliance: _____	(final only)	☐	

Resolving NOV? Y / N
#

Call up Date: _____

DO NOT SCAN



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

October 23, 2023

MICHELLE WOLF
PO BOX 433
FAIRFIELD, ID 83327-0433

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-7505A & 37-7505B, AGREEMENT 686**

Dear Renter:

Please find enclosed a receipt in the amount of **\$658.95** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 381 acre-feet of water for irrigation of 127 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.

Since you are both the lessor and the renter of the right(s) and already paid for a portion of the rental, **you are only obligated to pay the 10% administrative fee or \$658.95** for 2023.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Mackenzie Kienholz", written over a horizontal line.

Mackenzie Kienholz
Water Supply Bank Specialist

Enclosures: Receipt No. C115442
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR - Southern Region Office
Water District No. 37B



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 Gary Spackman

February 7, 2023

MICHELLE WOLF
PO BOX 433
FAIRFIELD, ID 83327-0433

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-7505A & 37-7505B, AGREEMENT 686**

*****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 **\$876.30** was calculated based on the current rental rate of \$23.00 per acre-foot times a diversion volume of 381 acre-feet. Since you are both the lessor and renter, **you are only obligated to pay the 10% administrative fee or \$876.30 for 2023.** An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for \$876.30 for 2023 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 this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure(s)

c: IDWR Front Desk

MEMORANDUM FOR AGREEMENT # 686

To: Water Right No(s). 37-7505A, 37-7505B

From: Skyler Cheever – Water Resource Agent

Date: 12/6/2022

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

PURPOSE/NARRATIVE:

Application 2429 was sent in by Michelle Wolf and received on August 29th, 2022. The application proposes to rent their own contract, 1618, from the water supply bank from 2023-2027. The point of diversion is within the Big Wood River GWMA, Snake River Moratorium and Trust Water area. This application is an amendment to agreement 563, authorizing 31.5 acres of irrigation, adding an additional 48.5 acres from 37-7505A and 47 acres from 37-7505B for a total of 127 acres. This application is a renewal of rentals starting in

AUTHORITY TO FILE:

Michelle Wolf signed the application. Ms. Wolf has the authority to file this application because she is the current owner of both water rights. The property in which rental water will be used is owned by a Trust, managed by Miriam and Rex McPhaul. Ms. Wolf entered into a farm lease agreement with the McPhauls allowing for the use of the property since January 2007. The agreement automatically renews every three years unless written notice of termination is provided within 30 days prior to renewal.

INJURY TO OTHER WATER RIGHTS:

There is a surface water right, 37-13120, from the Twin Lakes Reservoir & Irrigation Co. authorized at the proposed place of use. Agreement 563 authorized groundwater use as supplemental to surface water right 37-13120. Increasing the number of acres from 31.5 to 127 could increase total yearly volume beyond what is authorized at the proposed well. The decreed volume for the point of diversion, under water right 37-7293, is 1887 af. WMIS Data indicated average total volume for the last 8 years was 758 af. Even with the total proposed volume of 381, 758 af is still available. Therefore, injury concerns are unlikely. The rental point of diversion will not be moving into another GWMA, Moratorium Area or Trust Water Area.

ENLARGEMENT OF USE:

Agreement, 563, authorized supplemental irrigation of 31.5 acres within a roughly 143-acre pivot, including pivot corners. Under this application 127 acres will be irrigated. GIS Landsat Imagery indicated the 127-acre pivot, and 16 acres of pivot corners were irrigated in 2022 (Figure 1). If groundwater is used to irrigate more than 127 acres, including pivot corners, there would be an enlargement of rights 37-7505A and 37-7505B. However, 127 acres covers the entire pivot, not including pivot corners. It is reasonable that irrigation can be regulated to prevent irrigation of pivot corners using groundwater and enlargement.

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.

The point of diversion is within Basin 37 and Water District 37B. The Water Master and Southern Regional Manager were contacted on December 6, 2022. No response received; it is assumed there is no concern.

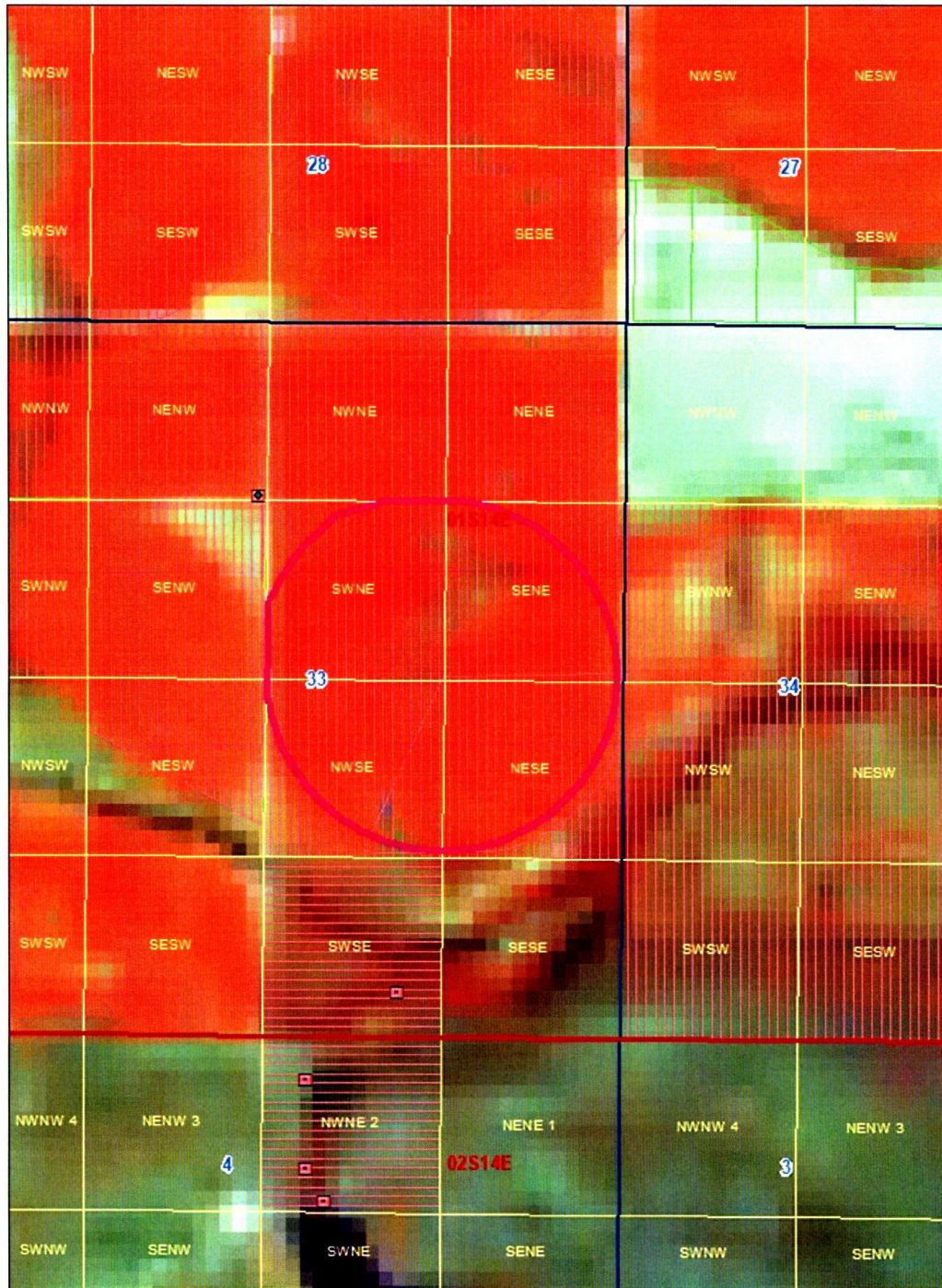


Figure 1. GIS Landsat Imagery from May 5th, 2022, indicating the extent of irrigation at the proposed place of use.

Cheever, Skyler

From: Cheever, Skyler
Sent: Tuesday, December 6, 2022 9:57 AM
To: Skinner, Corey; waterdistrict37b@outlook.com
Subject: Comment Email for Water Supply Bank Rental 686
Attachments: Rental Map 686.pdf; Rental Review Memo 686.docx; Rental Agreement 686.docx

Hello Mr. Skinner and Mr. Kramer,

I am currently reviewing a Water Supply Bank Rental within Basin 37 and Water District 37B. The applicant is the Michelle Wolf. The application proposes to rent the lease contract 1618 as supplemental groundwater under surface right 37-13120. Attached to this email is the draft review memo, draft map of the place of use and draft contract. Please send any comments if applicable in 14 days. If you have any questions or need clarification, please let me know.

Best,

Skyler

Skyler Cheever
Water Resource Agent, State Office
Email: skyler.cheever@idwr.idaho.gov
Phone: 208-287-4913



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Governor Brad Little

Director Gary Spackman

September 6, 2022

MICHELLE WOLF
PO BOX 433
FAIRFIELD ID 83327

RE: APPLICATION(S) 2429 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 Water Supply Bank (Bank).

The Department will accept applications proposed for the next calendar season on November 1 of the prior year. Your application is proposing water use during the 2023 season; therefore, the Department will begin processing your application after November 1, 2022.

Applications received after November 1, 2022 will be processed in the order received at the Department. The likelihood of successfully acquiring a rental through the Bank is greatly improved by applying early during the processing period before the proposed season of use begins.

Note that filing a rental application does not authorize diversion and use of water. It is unlawful to use water without a valid water right or an approved Bank rental agreement. **You are not authorized to divert any water for the purposes described in your application until you have paid the rental fee and you and the Department have both signed and executed a rental agreement.**

You can check the status of your rental application by reviewing the Department's Water Supply Bank Processing spreadsheet, accessible from the Bank's website at:

<https://idwr.idaho.gov/iwrb/programs/water-supply-bank/resources/>

Sincerely,

A handwritten signature in black ink, appearing to read "Mackenzie Kienholz".

Mackenzie Kienholz
Water Supply Bank Specialist