

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 716

RECEIVED

MAR 09 2023

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

ROCKY MOUNTAIN
ENVIRONMENTAL ASSOCIATES
482 CONSTITUTION WAY STE 303
IDAHO FALLS, ID 83402

MARK A VERDEGAAL
340 HUNTER LN
HOLLISTER, CA 95023-9748

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)
37-1217	4/1/1887	BAUGH CREEK tributary to Little Wood River	0.94	270	77.1	0.012	3.5
Combined Rental Totals			0.94	270	77.1	0.012	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, 2023. 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: \$6,204.94 annually

The full fee for the rental of the above-described right(s) is \$6,204.94 per year for 2023. The rental fee includes an administrative fee of \$620.49 per year for 2023. The full fee and administrative fee required for this rental are calculated using more decimals than the rounded amounts recorded on this agreement.

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.

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.94	165	47	0.02	3.5
Combined Total	0.94	165	47	0.02	3.5

*** The authorized water usage reflects a reduction from the water right elements rented, to account for duty of water at the rental place of use and enlargement concerns.**

Detailed water right conditions are attached.

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STATE OF IDAHO
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WATER SUPPLY BANK RENTAL AGREEMENT No. 716

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

3-5-2023
Date

MARK VERDECARR
Printed Name

OWNER
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 3/10/23

Rental approved by IDWR 

Date 3/10/23

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MAR 20 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 716

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

UPPER LITTLE WOOD RIVER SWSE Sec. 30, Twp 01N, Rge 21E, BLAINE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.94 CFS

VOLUME
165 AF

SEASON OF USE

Water Right No. **From** **To**
37-1217 4/1 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	
01N	21E	30													9.0	17	9.0	12	47

Total Acres: 47

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. 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. 37N.
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.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 716

11. This rental and Right 37-2245 when combined shall not exceed a total diversion rate of 0.94cfs, a total annual maximum diversion volume of 165 af at the field headgate, and the irrigation of 47 acres.
12. This right does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
13. Diversion of the Little Wood River is limited to those times water is available for diversion under this right and priority from Baugh Creek.
14. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.

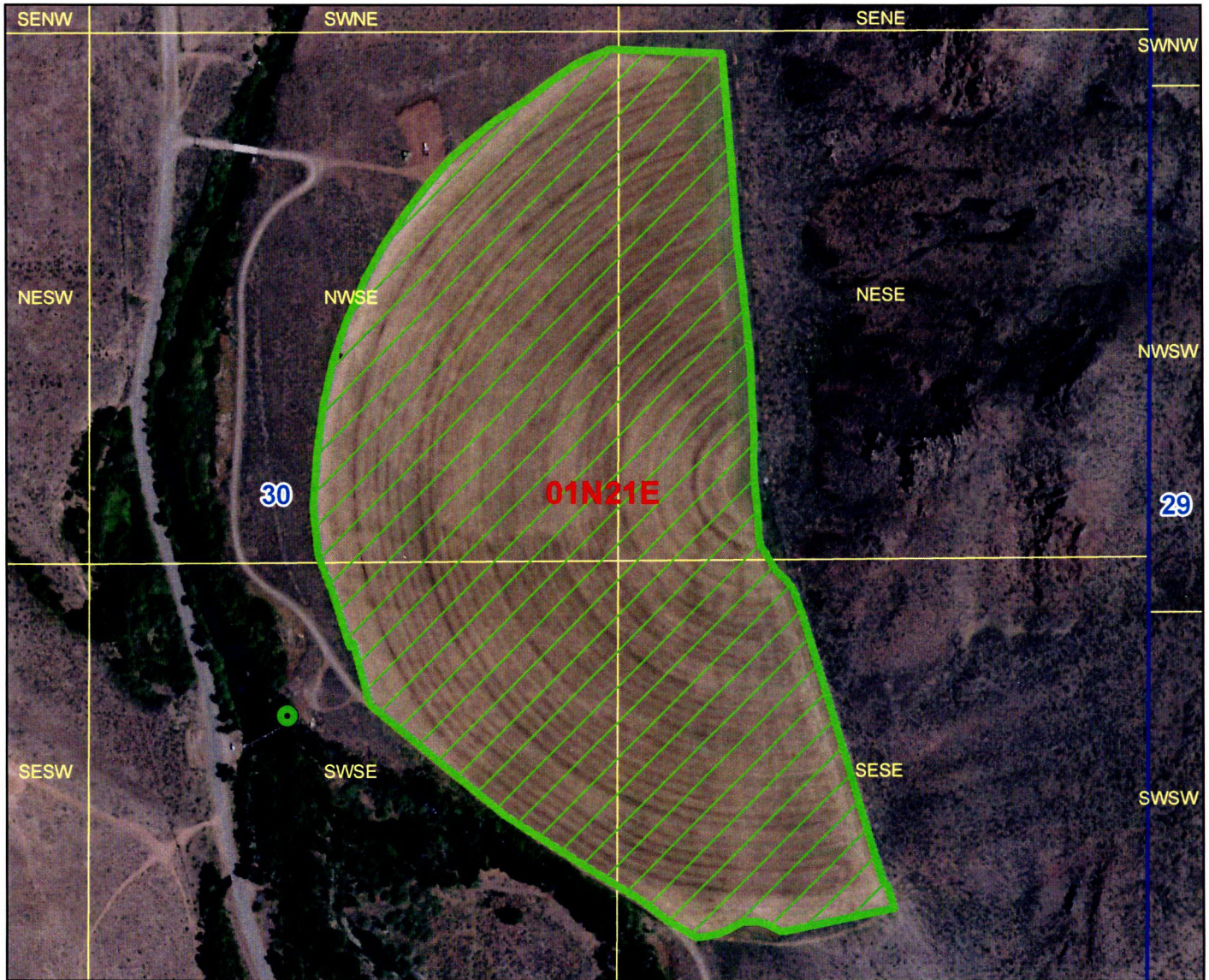
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MAR 20 2025

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 716

Effective until December 31, 2023

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



Legend

- Water Supply Bank Rental POD
- Authorized Rental Place of Use
- Township/Range
- Sections
- QQ



0 500 1,000 Feet

SCANNED
MAR 20 2024

STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKRECEIVED
NOV 16 2022
DEPARTMENT OF
WATER RESOURCESApplicant Name: Mark Verdegaaal

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)

37-1217

2500

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MAR 20 2023

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Mark Verdegaal

Mailing Address 340 Hunter Lane, Hollister, CA 95023

Street City State Zip Code

Email Address _____ Phone Number _____

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 Kristin Moore Professional Title Sen. Water Right Analyst

Organization Rocky Mtn Environmental Assoc. Relationship to Applicant Consultant

Mailing Address 482 Constitution Way Ste 303, Idaho Falls, ID 83402

Email Address kristin.rmea@gmail.com Phone Number 208-524-2353

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**:

This application is for one pivot that is covered by existing water right 37-2245 and storage water from the reservoir. The rental water is required to supplement the existing rights. In 2022, the water allocation was very low. It is proposed to use the rented right to supply additional water should the allocation be reduced again in 2023

- 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)
0.57 CFS	164.5 AF	0.53 CFS	117.5 AF	47 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?	
4/1/2023	6/01/2023	☒ 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.

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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):

Well with pump delivers water to mainlines, which convey water to center pivot.

- 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
TN R2E SEC 30 SWSE	Little Wood River	Numerous other rights (95).

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 47 (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:

Some of the rental POU is covered by 37-2245. The whole POU is covered by water rights owned by LITTLE WOOD RIVER IRRIGATION DISTRICT.

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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)
37-1217	Irrigation	2.5	NA	205		0.57	NA	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	0.57	NA	47
						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**:

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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:

- 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.

- 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.

Mark Verdegaa1
Signature of Applicant

Mark Verdegaa1
Printed Name of Applicant

10-22-2022
Date

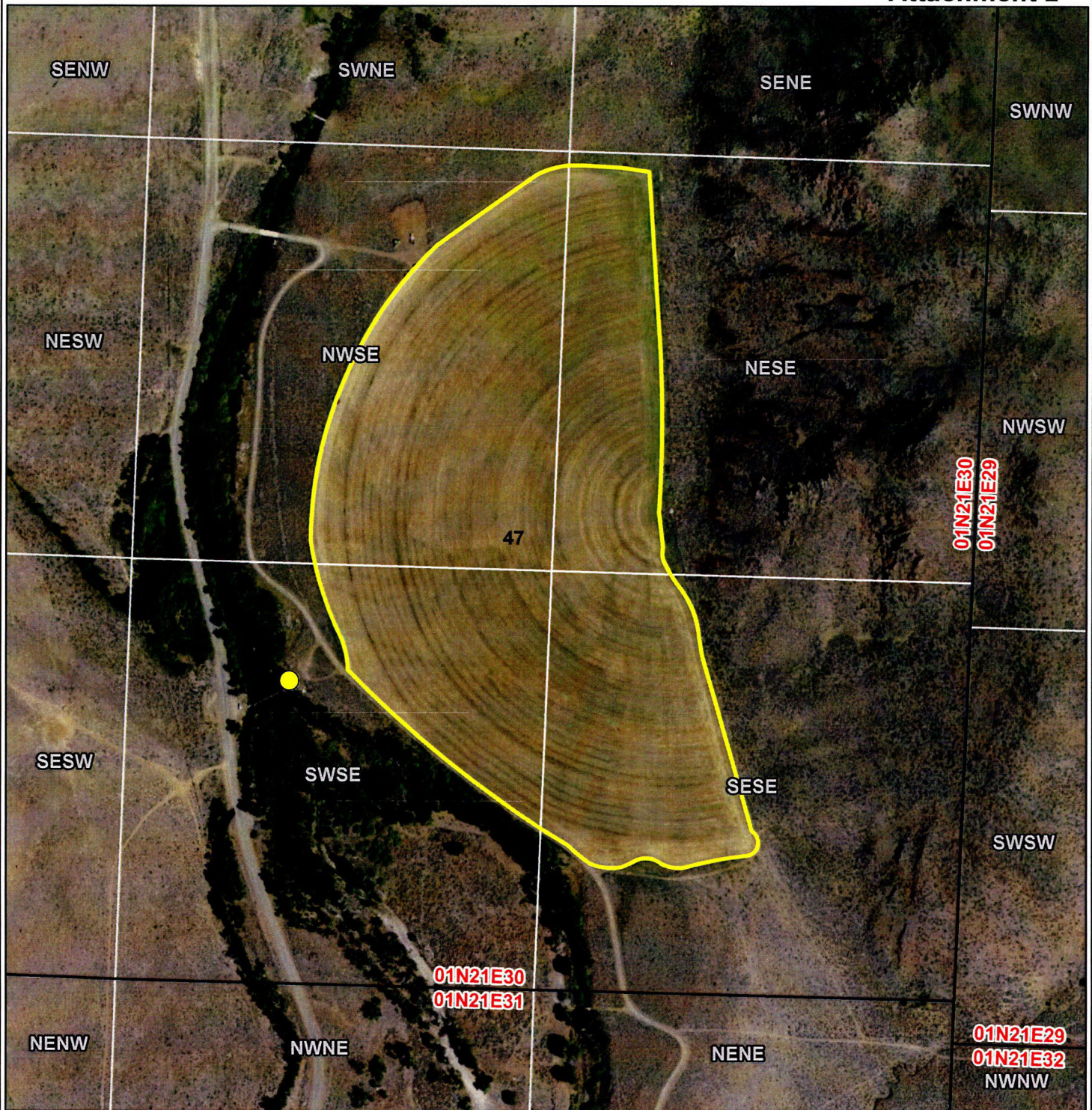
Signature of Representative

Printed Name of Representative

Date

Mail to:

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



0 660 1,320 Feet

2021 NAIP

- Rental POD
- Rental POU
- PLS Sections
- QQ



WSB Rental Application

Mark Verdegaal

Project #: 22-0124

Drawn by: AD

Date: 10/18/2022



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

Scanned
from "P" files

Water Right Mailing Checklist for Rentals

(use on all new rental applications)

Key: Who Completes What?

CLERICAL STAFF: MK

REVIEWER:

Received Date: 11/16/2022

Latest Start Date: 6/1/2023

Renter: Mark Verdegaaal

Rental Expiration Date

Lease/Rental Package

Y

N

Application # 2500

Agreement # 716

Water Right	Lease Contract ID
# 37-1217	986
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	

Applicant Authorized?

Y / N

Map of POU and POD

Y / N

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:

Mailings (per application)

Original

CC

Email or Address

Renter: Mark Verdegaaal



Attorney:



Consultants

Name: Kristin Moore - RMEA



Conveyance Entity:

Ex. Irrigation Dist. of Canal Co.

(final only)



(Ground) Water

Dist:

(final only)



Other:

WD Snake 01, Boise, Payette, and Bear River

(final only)



Region:

(final only)



Watermaster:

(final only)



Compliance:

(final only)



Resolving NOV? Y / N

#

Call up Date:

DO NOT SCAN

Rental folder found
in Amandi's old office

- Executed Rental mailed
- Scanning complete & in
WSB database
- Should just be routed to
storage per 9/13/23



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 Gary Spackman

March 20, 2023

MARK A VERDEGAAL
340 HUNTER LN
HOLLISTER, CA 95023-9748

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-1217 AGREEMENT 716**

Dear Renter:

Please find enclosed receipts in the amount of **\$6,204.94** and a copy of the fully executed Water Supply Bank Rental Agreements in connection with the rental of 270 acre-feet of water for irrigation of 47 acres in 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 \$5,584.45 of the rental fees will be paid to the lessor(s) and 10% or \$620.49 will be retained by the Department to offset administrative costs.

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

Enclosures: Receipt No. C115514
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Southern Regional Office
Kristin Moore – Rocky Mountain Environmental

SCANNED
MAR 20 2023



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 Gary Spackman

February 28, 2023

MARK A VERDEGAAL
340 HUNGER LN
HOLLISTER, CA 95023-9748

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-1217 AGREEMENT 716**

*****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 \$6,204.94 per year was calculated based on the current rental rate of \$23.00 per acre-foot times a diversion volume of 270 acre-feet.

Please send a check for \$6,204.94 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. 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.

Pursuant to the Water Supply Bank Rules, 90% or \$5,584.45 of the rental fee will be paid to the lessor(s) and 10% or \$620.49 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,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure

c: IDWR Front Desk
Kristin Moore

SCANNED
MAR 20 2023

MEMORANDUM FOR RENTAL APP #2500, AGREEMENT #716

To: Water Right 37-1217
From: Bob Howe
Date: 01/24/2023
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: The completed rental application for the irrigation of 47 acres for 1 year was received November 16th, 2022. Water right 37-2245 provides water to part of the purposed rental POU, however, in 2022, the water allocation was very low. The purposed rental is to provide additional water should the allocation be reduced again in 2023. After review of the purposed rental agreement, it was determined that the duty of the water being rented was not matched to the duty of the water at the rental place of use. I emailed the representative on February 3rd, 2023 and requested that additional information be provided, or based on the current application we would need to significantly increase the acres and volume rented to provide for the rental needs. The representative responded that they discussed the issue with the renter and agree that they need to rent approximately 77 acres to provide the full duty of water needed. The rental agreement was written to reflect the calculated 77.1 acres of the lease needed.

AUTHORITY TO FILE: The rental application was signed by Mark Verdegaal and named Kristin Moore, of Rocky Mtn Environmental Assoc. as representative. GIS parcel data and Blaine County tax records to confirm that Mark and Elena Verdegaal are the owners of the parcel, which the rental place of use (POU) is locate on. There are no concerns regarding the authority to file the rental application.

INJURY TO OTHER WATER RIGHTS: The purposed rental POU and POD are located downstream of the leased water right 37-1217, on the Upper Little Big Wood River. The rental of a portion of the leased water right for the same beneficial use should not impact other water rights provided the duty of water is matched for the lease and rental. I was able to confirm via GIS and Google Earth imagery that the POU of the leased water right are being idled. There are no injury concerns regarding the rental of the purposed portion of water right 37-1217.

ENLARGEMENT OF USE: The only water rights overlapping the rental place of use are those owned by the Upper Little Wood River Irrigation District (for irrigation and irrigation storage) and WR 37-2245 (owned by the rental applicant). We received a letter from the irrigation company agreeing to deliver the requested lease water, with the rental application. WR 37-2245 provides 0.86cfs for the irrigation of 43 acres, the right includes 300AF of irrigation storage with the Upper Little Wood River Irrigation District. The purposed rental is to provide additional water should the allocation be reduced for WR 37-2245. The purpose rental agreement is conditioned to provide a maximum combined diversion of 0.02cfs/acre and 3.5 AFA. To ensure no enlargement occurs due to the rental the duty of water from the leased water right was matched to the duty at the rental POU. To match the leased water right to the duty of the water at the rental POU additional acres were rented and condensed. **The rental agreement was increased from a requested 47 acres at 0.011cfs/acre and 164.5 AF, to the calculated rental of 77.1 acres to provide 0.02cfs/acre for 47 acres (renting 269.78 AF).**

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 purposed rental POD is subject to Water District 37N and IDWR Administrative Basin 37. A comment request was emailed to the Watermaster Bryan Wood and the Southern Regional Manager, Corey Skinner.

SCANNED
MAR 20 2023

Howe, Bob

From: Howe, Bob
Sent: Monday, February 13, 2023 12:15 PM
To: Skinner, Corey
Subject: FW: Comment Request- Verdegaal Rental of Water Right 37-1217
Attachments: WSB Rental Application # 2500.pdf; 716-Verdegaal- Report, Rental Agreement v2.docx; Lease-Rental move image.PNG; Verdegaal Rental Map.pdf; Leased and Rental WR 37-2245 Proof report.docx

Sorry about the name typo.

From: Howe, Bob
Sent: Monday, February 13, 2023 12:13 PM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: Comment Request- Verdegaal Rental of Water Right 37-1217

Hi Corey,

I am processing the attached purposed rental contract and supporting documentation submitted for Mark Verdegaal. The water right for the rental place of use is for the irrigation of 43 acres by diverting from the Little Wood River and the application states that the renter is supplementing their water right 37-2245 with Little Wood River Irrigation District water to allow them to irrigate 47 acres at the place of use. The applicant is requesting additional water for the 2023 irrigation season by renting senior water right 37-1217 (located upstream of the rental POU on Baugh Creek).

Please let me know if have any concerns or comments regarding the proposed rental?

Thank you for your time and consideration in this matter.

Sincerely,

Bob Howe

Water Resource Agent

Phone: 208-287-4847

Bob.howe@idwr.idaho.gov



Howe, Bob

From: Howe, Bob
Sent: Monday, February 13, 2023 12:04 PM
To: bryanwood37n@outlook.com
Subject: Comment Request- Rental of Water Right 37-1217
Attachments: 716-Verdegaal- Report, Rental Agreement v2.docx; Lease-Rental move image.PNG; Verdegaal Rental Map.pdf; WSB Rental Application # 2500.pdf

Hi Bryan,

I am processing the attached purposed rental contract submitted for Mark Verdegaal. As you can see, the water right for the rental place of use (POU), it is for the irrigation of 43 acres using the Little Wood River (water rights proof report for rental and lease are attached) and the application states that the renter is supplementing their water right 37-2245 with Little Wood River Irrigation District water to allow them to irrigate 47 acres at the place of use.

The renter is requesting additional water for the 2023 irrigation season renting senior water right 37-1217 (located upstream of the rental POU on Baugh Creek).

Do you have any concerns or comments regarding the proposed rental?

If we receive no response from you within the next 14 days, no response will be considered the same as a statement of no concerns or comments.

Thank you for your time and consideration in this matter.

Sincerely,

Bob Howe

Water Resource Agent

Phone: 208-287-4847

Bob.howe@idwr.idaho.gov





IDAHO DEPARTMENT
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 Gary Spackman

November 18, 2022

MARK VERDEGAAL
340 HUNTER LN
HOLLISTER CA 95023

RE: APPLICATION(S) 2500 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). Your rental request has been placed into the queue for processing and will be considered as time permits. 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 Water Supply Bank rental agreement.

Rental requests are reviewed as of November first in the year preceding the intended use of water. Rental requests should be submitted well in advance of the date for the intended use or rental water. **You are not authorized to divert any water for purposes associated with your rental request 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 processing spreadsheet, accessible from the Water Supply Bank's website at:

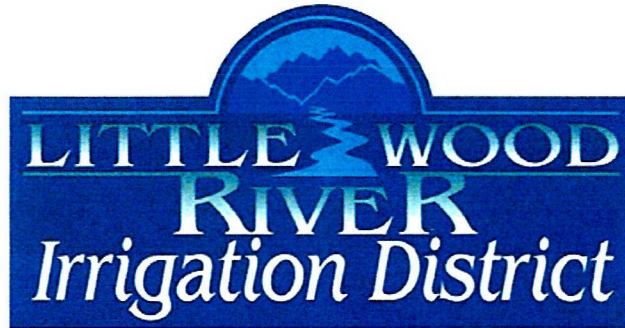
<https://idwr.idaho.gov/iwrb/programs/water-supply-bank/resources/>

Sincerely,

Mackenzie Kienholz
Water Supply Bank Specialist

c: Kristin Moore – Rocky Mountain Environmental Assoc.

SCANNED
MAR 20 2023



PO Box 355, 20484 Main Carey ID 83320
(208) 823-4014 fax (208) 823-4422

November 1, 2022

State of Idaho
Water Resource Board

Little Wood Irrigation District would be able to deliver a portion of water-right 37-1217 that Mark Verdegaal is proposing to rent from the water supply bank for the 2023 irrigation season. The .57cfs portion would be delivered through our east canal diversion but would be subject to the same conveyance losses as the rest of the water that the district delivers to its users.

Sincerely,

Bryan Wood
District Manager

SCANNED
MAR 20 2023