STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 733

This is to certify that:

SWIFTSURE RANCH THERAPEUTIC
EQUESTRIAN CENTER INC
114 CALYPSO LN
BELLEVUE, ID 83313

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)
37-22019	3/29/1961	GROUND WATER	0.72	131	37	0.02	3.5
Combined Rental Totals			**0.72**	**131**	**37**	**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, 2025. 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 - 2025: $3,013.00 annually

The full fee for the rental of the above-described right(s) is $3,013.00 per year for years 2023 - 2025. The rental fee includes an administrative fee of $301.30 per year for years 2023 - 2025.

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	0.72	126	36	0.02	3.5
Combined Total	0.72	126	36	0.02	3.5

**** The authorized water usage reflects a reduction from the water right elements rented, to account for a rate of 0.019 cfs/ac allowed on the water right.***

Detailed water right conditions are attached.

SCANNED
MAR 10 2023

RECEIVED
MAR 20 2023
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 733

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:

P. Bennett
Signature of Renter

03/14/2023
Date

Paul Bennett
Printed Name

Executive Director
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 B. Patton
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 3/21/23

Rental approved by IDWR FThurman

Date 3/21/23

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MAR 20 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 733

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENW Sec. 12, Twp 01N, Rge 18E, BLAINE County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	0.72 CFS	126 AF

SEASON OF USE

Water Right No.	From	To
37-22019	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	
01N	18E	12			17					6.0						13			36

Total Acres: 36

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. The right holder 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.

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MAR 7 3 2023

WATER SUPPLY BANK RENTAL AGREEMENT No. 733

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.
12. This rental agreement does not authorize the construction of a well.

SCANNED
MAR 2 3 2023

RECEIVED
Apr 07, 2022
DEPARTMENT OF
WATER RESOURCES

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO RENT WATER FROM THE BOARD'S WATER SUPPLY BANK

Applicant Name: Swiftsure Ranch Therapeutic Equrestrian Center Inc

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)

~~30-8853~~ 37-22019

2347

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MAR 23 2023

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Swiftsure Ranch Therapeutic Equestrian Center Inc

Mailing Address 114 Calypso Lane (Street) Bellevue (City) Idaho (State) 83313 (Zip Code)

Email Address paul@swiftsureranch.org Phone Number 208-450-3489

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 Paul Bennett Professional Title Executive Director

Organization Swiftsure Ranch TEC Relationship to Applicant

Mailing Address 114 Calypso Lane, Belleuve , ID 83313

Email Address paul@swiftsureranch.org Phone Number 208-450-3489

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**:

We are trying to irrigate 36 acres of hay pasture for our therapeutic horses

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)
0.72 CFS	126 AF	0.56 CFS	98 AF	36+ 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?	
		☐ 1	☐ 2	☑ 3	☐ 4	☐ 5	☑ Process application as soon as possible	☐ Return application to applicant
4/152022	7/1/2022							

* ***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):

We propose to pump water from our domestic well throught pipe to irragte from our whell line and pivots

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
1North18east		37-22940
Section 12		37-8098
SENW		

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 36 (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:

37-509 surface water. Vecause our surface water gets shut off to soon

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MAR 7 3 2023

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)
37-885B	irrigation	0.56	98	28		0.56	98	28
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	0.56	98	28
						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.

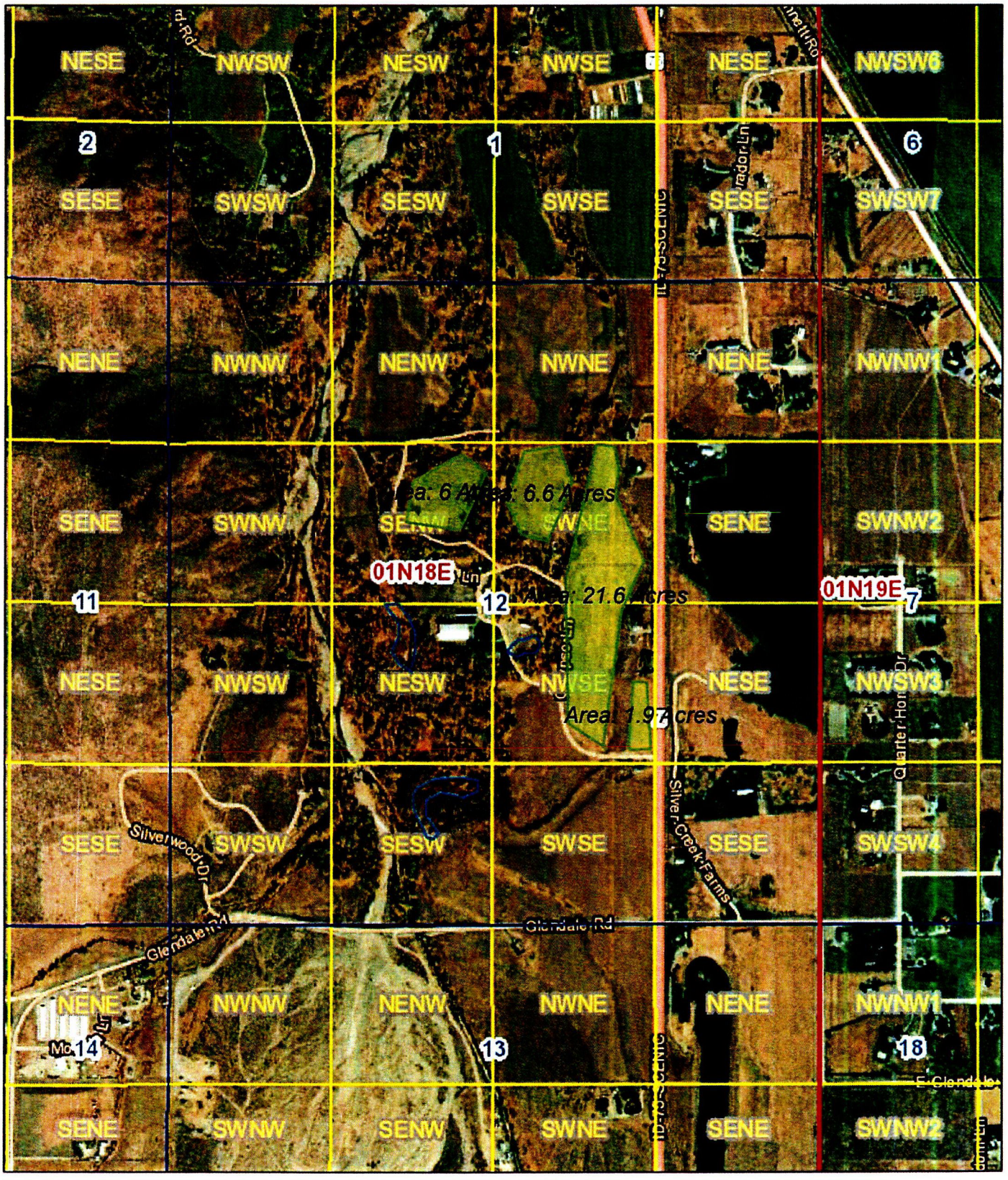
Signature of Applicant	Printed Name of Applicant	Date
R Bennett	Paul Bennett	4/7/2022
Signature of Representative	Printed Name of Representative	Date

Mail to:

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

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MAR 13 2023

Water Rights



4/7/2022, 11:10:24 AM

1:18,056

0 0.1 0.2 0.4 mi

0 0.17 0.35 0.7 km

Quarter Quarter

Section

Township/Range

SCANNED

MAR 2 3 2022

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS

STATE OF IDAHO
WATER RESOURCE BOARD

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.

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MAR 23 2023

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 Mathew Weaver

March 13, 2024

SWIFTSURE RANCH THERAPEUTIC EQUESTRIAN CENTER INC
114 CALYPSO LN
BELLEVUE ID 83313

RE: TERMINATION OF RENTAL AGREEMENT 733 FOR WATER RIGHT NO(S) 37-22019 FROM THE WATER SUPPLY BANK

Dear Renter:

Per your electronic written request received on February 2, 2024, the Department of Water Resources (Department) acknowledges your intent to end your Rental Agreement for rental of water for Water Right(s) 37-22019 effective immediately.

The rental agreement is terminated and no longer in effect. Water Supply Bank records will be closed. Any diversion or use of water associated with this rental agreement is not authorized and, if occurring, will be subject to any necessary enforcement action.

If you wish to rent water in the future, please reapply using new forms from the Department's website at www.idwr.idaho.gov.

If you have any questions, please contact me at (208) 287-4936.

Sincerely,

Mary Condon
Water Supply Bank Program Coordinator

c: IDWR Southern Regional Manager

From: Condon, Mary
To: Condon, Mary
Subject: Re: Water Supply Bank Rental Agreement No. 733
Date: Wednesday, March 13, 2024 4:30:26 PM

From: **Travis Langway** <travis@swiftsureranch.org>
Date: Mon, Feb 5, 2024 at 2:37 PM
Subject: Attn: Mary Condon Re: Water Supply Bank Rental Agreement No. 733
To: <idwrinfo@idwr.idaho>, Jennifer Weedon <jennifer@swiftsureranch.org>, <mary@swiftsureranch.org>

Good afternoon,

I am emailing in regards to Water Supply Bank Rental Agreement No.733 of which we received a bill of $3,013.00. To my understanding our Office Mgr. Jennifer Weedon had contacted you in late August/ early September regarding this matter and a cancellation, and that our former Executive Director Paul Bennett had started this rental agreement for ground water not knowing that we had no way of pumping or storing ground water and what he should have rented was surface water. I just wanted to touch base with you and make sure that there was no continuation of this rental agreement, and that we are not on the hook for 2024 and this current fee.

Thank you so much,

--
Travis Langway
Ranch Manager
Swiftsure Ranch
114 Calypso Ln Bellevue ID 83313
Office:208-450-3475

--
Travis Langway
Ranch Manager
Swiftsure Ranch
114 Calypso Ln Bellevue ID 83313
Office:208-450-3475

WSB Mailing Checklist for Rentals

(For use on all new rental applications)

moved to 2023

Key: Who Completes What?
CLERICAL STAFF: ~~MC~~ MK
REVIEWER: SN

Received Date: 04/06/2022
Latest Start Date:

Renter: **Swiftsure Ranch Therapeutic Equestrian**

Rental Expiration Date 2025
Lease/Rental Package Y (N)

Application # 2347 Agreement # 733

Water Right	Lease Contract ID
# ~~37-885B~~	~~1218~~
#	
# 37-22019	1273
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	

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:
better seniority, irrigation

~~Renting their own right~~

Mailings (per application)	Original	CC	Email or Address
Renter: Swiftsure Ranch Therapeutic Equestrian	☒	☐	paul @swiftsureranch.org
Attorney: NA	☐	☐	
Consultants Name: NA	☐	☐	
Conveyence Entity: NA (Ex. Irrigation Dist. of Canal Co.)	(final only)	☐	
(Ground) Water Dist: Galena GWD	(final only)	☒	
Other: ___ (WD Snake 01, Boise, Payette, and Bear River)	(final only)	☐	
Region: Southern	(final only)	☐	
Watermaster: WD 37 — Sunny Healey	(final only)	☒	
Compliance: NA	(final only)	☐	

Resolving NOV? Y / (N)
#

Call up Date: _____

DO NOT SCAN

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 22, 2023

SWIFTSURE RANCH THERAPEUTIC EQUESTRIAN CENTER INC
114 CALYPSO LN
BELLEVUE ID 83313

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 37-22019, AGREEMENT 733

Dear Renter:

Please find enclosed a receipt in the amount of **$3,013.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 131.0 acre-feet of water for irrigation of 36.0 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 $2,711.70 of the rental fee will be paid to the lessor(s) and 10% or $301.30 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,

for Water Supply Bank

Enclosures: Receipt No. C115623
Rental Agreement (copy)

c: Sascha Marston – Fiscal – *via email*
IDWR Southern Regional Office – *via email*
Rocky Mountain Environmental Assoc – *via email*

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MAR 23 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

March 8, 2023

SWIFTSURE RANCH THERAPEUTIC EQUESTRIAN CENTER INC
114 CALYPSO LN
BELLEVUE ID 83313

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-22019 AGREEMENT 733

*****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 $3013.00 per year was calculated based on the current rental rate of $23.00 per acre-foot times a diversion volume of 131.0acre-feet.

Please send a check for $3013.00 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 $2711.70 of the rental fee will be paid to the lessor(s) and 10% or $301.30 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,

Jean Hersley

for
Water Supply Bank

Enclosure

c: IDWR Front Desk

SCANNED
MAR 23 2023

MEMORANDUM FOR APPLICATION #2347

To: Water Right(s) 37-22019

From: Shilynn Novak

Date: February 23, 2023; ***updated 3/3/23***

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

---

PURPOSE/NARRATIVE: Rental application 2347 was received by the Department April 7, 2022 for supplemental irrigation of 36 acres approximately 1.8 miles south of the City of Bellevue. The applicant desires to irrigate 36 acres after existing surface water rights have been cut using ground water from a water right. The applicant proposes to use an existing domestic well (also used for water rights 37-8098 & 37-22940) to pump water through wheel lines and a pivot for pasture irrigation for therapeutic horses.

The applicant originally requested to rent water right 37-885B (Lease 1218). Water right 37-885B listed a condition which stated that it would be administered as a surface water right which meant it would likely be curtailed early in the season and only had 28 acres available to rent.

Lease 1272 was used since it is a ground water right (37-22019) and better meets the needs of the applicant in the limited leases available to rent in the area. This lease has the most water available for the rental and does not require renting water from multiple leases to meet the needs of the applicant. The applicant desired a lease for three years and this lease is available until the end of 2025. The ground water lease point of diversion (POD) is also "upstream" of the rental location which reduces the impacts on other water users between the locations.

AUTHORITY TO FILE: Paul Bennett submitted the rental application on behalf of Swiftsure Ranch Therapeutic Equestrian Center Inc (Swiftsure Ranch). The Secretary of State's website lists Mr. Bennett as the Executive Director for Swiftsure Ranch. According to the Blaine County Assessor's website, Swiftsure Ranch is listed as the property owner at the rental place of use (POU) and POD locations. No concerns about the authority to file.

WATER RIGHT VALIDITY: This rental requested a ground water right for irrigation of 36 acres after their surface water is curtailed. Lease Contract 1273 is for water right 37-22019 is available for lease in the limited area.

Water right 37-22019 was decreed in 2010. An Extension of Time to Avoid Forfeiture was submitted and approved. This extended the time to resume beneficial use to 2021. A transfer was approved for this water right in 2020 which also showed the water right to be valid. The water right was placed into the WSB in 2021 until expiration end of 2025. No concerns about water right validity at this time.

INJURY TO OTHER WATER RIGHTS: This rental is for irrigation of 36 acres of pasture hay after surface water is curtailed. This is the first time water is being rented at this location.

The Lease POD is approximately 5.8 miles north/northwest of the rental POD. IDWR has recognized that surface and ground water are interconnected in the Wood River Valley. There are multiple water right PODs that exist between both locations. Although there are multiple

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water right PODs between both locations, water is moving downstream from the lease location to the rental location which should make impacts between locations least likely to be felt by those water right holders.

~~To avoid injury to the minimum stream flow rights and to reduce potential impacts on the Big Wood River, a condition will be added to the rental agreement to limit the ground water diversions to only those times when more than 189 cfs is flowing in the Big Wood River, as measured at the Hailey Gauge~~. ***This condition was dropped during supervisor review as there was no reason to curtail this rental when curtailment would not provide water to the end point for water rights 37-7919 and 37-8307. No request for comment was sent after this update.***

Both the rental and lease locations fall within the Big Wood River Ground Water Management Area. This rental does not appear to be affected by the BWRGWMA Moratorium Order because WSB as rights that were established and are not new. This rental falls within Water District 37 which regulates both surface and ground water within the water district boundaries. Both the rental and lease locations are in the Galena Ground Water District. The watermaster will be contacted to voice any concerns of injury to other water rights in the area.

ENLARGEMENT OF USE: Water right 37-22019 is an irrigation water right that has a duty of water of 0.019 cfs/ac and 3.5 af/ac. To avoid enlargement, this duty of water will be carried to the rental agreement by keeping the requested minimum rate and adjusting the rented volume and acres. See table below:

	Acres	CFS	AF
	37	0.72	131
Use limited to:	**36**	**0.72**	**126**

Enlargement is not a concern.

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 PD is subject to Water District #37. Any additional comments from the Southern Regional Office and the watermaster will be added to this section. ***No comments were received from region and watermaster by 3/2/2023.***

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MAR 2 3 2023

Novak, Shilynn

From: Novak, Shilynn
Sent: Thursday, February 23, 2023 9:50 AM
To: watermanager; Skinner, Corey
Cc: Bank
Subject: Request for Comment - WSB Rental #2347/#733
Attachments: Move Map.pdf; 37-22019 Proof Report.docx; Rental Agreement 733 - DRAFT.docx; Rental #2347 Review Memo.docx; Scanned Rental App #2347.pdf

Good morning,

I have a new WSB rental for your review for Swiftsure Ranch Therapeutic Equestrian Center Inc. This rental requests ground water for irrigation of 36 acres when its surface water is shut off. I've included the proof report for 37-22019, the move map showing the lease and rental locations, the review memo, and the DRAFT rental agreement. Please let me know if you would like any additional information and I can get it for you.

Please let me know in 7 days if you have any comments, questions, or concerns otherwise I will proceed with processing this rental.

Thank you,
Shilynn

IDAHO DEPARTMENT OF WATER RESOURCES

Shilynn Novak
Water Resource Agent, Sr. | Water Rights Section
322 E Front St Ste 648 | Boise ID 83702-7371
Direct: 208.287.4915 | Front Desk: 208.287.4800

SCANNED
MAR 2 3 2023

MEMORANDUM FOR APPLICATION #2347

To: Water Right(s) 37-22019

From: Shilynn Novak

Date: February 23, 2023

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

---

PURPOSE/NARRATIVE: Rental application 2347 was received by the Department April 7, 2022 for supplemental irrigation of 36 acres approximately 1.8 miles south of the City of Bellevue. The applicant desires to irrigate 36 acres after existing surface water rights have been cut using ground water from a water right. The applicant proposes to use an existing domestic well (also used for water rights 37-8098 & 37-22940) to pump water through wheel lines and a pivot for pasture irrigation for therapeutic horses.

The applicant originally requested to rent water right 37-885B (Lease 1218). Water right 37-885B listed a condition which stated that it would be administered as a surface water right which meant it would likely be curtailed early in the season and only had 28 acres available to rent.

Lease 1272 was used since it is a ground water right (37-22019) and better meets the needs of the applicant in the limited leases available to rent in the area. This lease has the most water available for the rental and does not require renting water from multiple leases to meet the needs of the applicant. The applicant desired a lease for three years and this lease is available until the end of 2025. The ground water lease point of diversion (POD) is also "upstream" of the rental location which reduces the impacts on other water users between the locations.

AUTHORITY TO FILE: Paul Bennett submitted the rental application on behalf of Swiftsure Ranch Therapeutic Equestrian Center Inc (Swiftsure Ranch). The Secretary of State's website lists Mr. Bennett as the Executive Director for Swiftsure Ranch. According to the Blaine County Assessor's website, Swiftsure Ranch is listed as the property owner at the rental place of use (POU) and POD locations. No concerns about the authority to file.

WATER RIGHT VALIDITY: This rental requested a ground water right for irrigation of 36 acres after their surface water is curtailed. Lease Contract 1273 is for water right 37-22019 is available for lease in the limited area.

Water right 37-22019 was decreed in 2010. An Extension of Time to Avoid Forfeiture was submitted and approved. This extended the time to resume beneficial use to 2021. A transfer was approved for this water right in 2020 which also showed the water right to be valid. The water right was placed into the WSB in 2021 until expiration end of 2025. No concerns about water right validity at this time.

INJURY TO OTHER WATER RIGHTS: This rental is for irrigation of 36 acres of pasture hay after surface water is curtailed. This is the first time water is being rented at this location.

The Lease POD is approximately 5.8 miles north/northwest of the rental POD. IDWR has recognized that surface and ground water are interconnected in the Wood River Valley. There are multiple water right PODs that exist between both locations. Although there are multiple

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MAR 23 2023

water right PODs between both locations, water is moving downstream from the lease location to the rental location which should make impacts between locations least likely to be felt by those water right holders.

To avoid injury to the minimum stream flow rights and to reduce potential impacts on the Big Wood River, a condition will be added to the rental agreement to limit the ground water diversions to only those times when more than 189 cfs is flowing in the Big Wood River, as measured at the Hailey Gauge.

Both the rental and lease locations fall within the Big Wood River Ground Water Management Area. This rental does not appear to be affected by the BWRGWMA Moratorium Order because WSB as rights that were established and are not new. This rental falls within Water District 37 which regulates both surface and ground water within the water district boundaries. Both the rental and lease locations are in the Galena Ground Water District. The watermaster will be contacted to voice any concerns of injury to other water rights in the area.

ENLARGEMENT OF USE: Water right 37-22019 is an irrigation water right that has a duty of water of 0.019 cfs/ac and 3.5 af/ac. To avoid enlargement, this duty of water will be carried to the rental agreement by keeping the requested minimum rate and adjusting the rented volume and acres. See table below:

	Acres	CFS	AF
	37	0.72	131
Use limited to:	**36**	**0.72**	**126**

Enlargement is not a concern.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

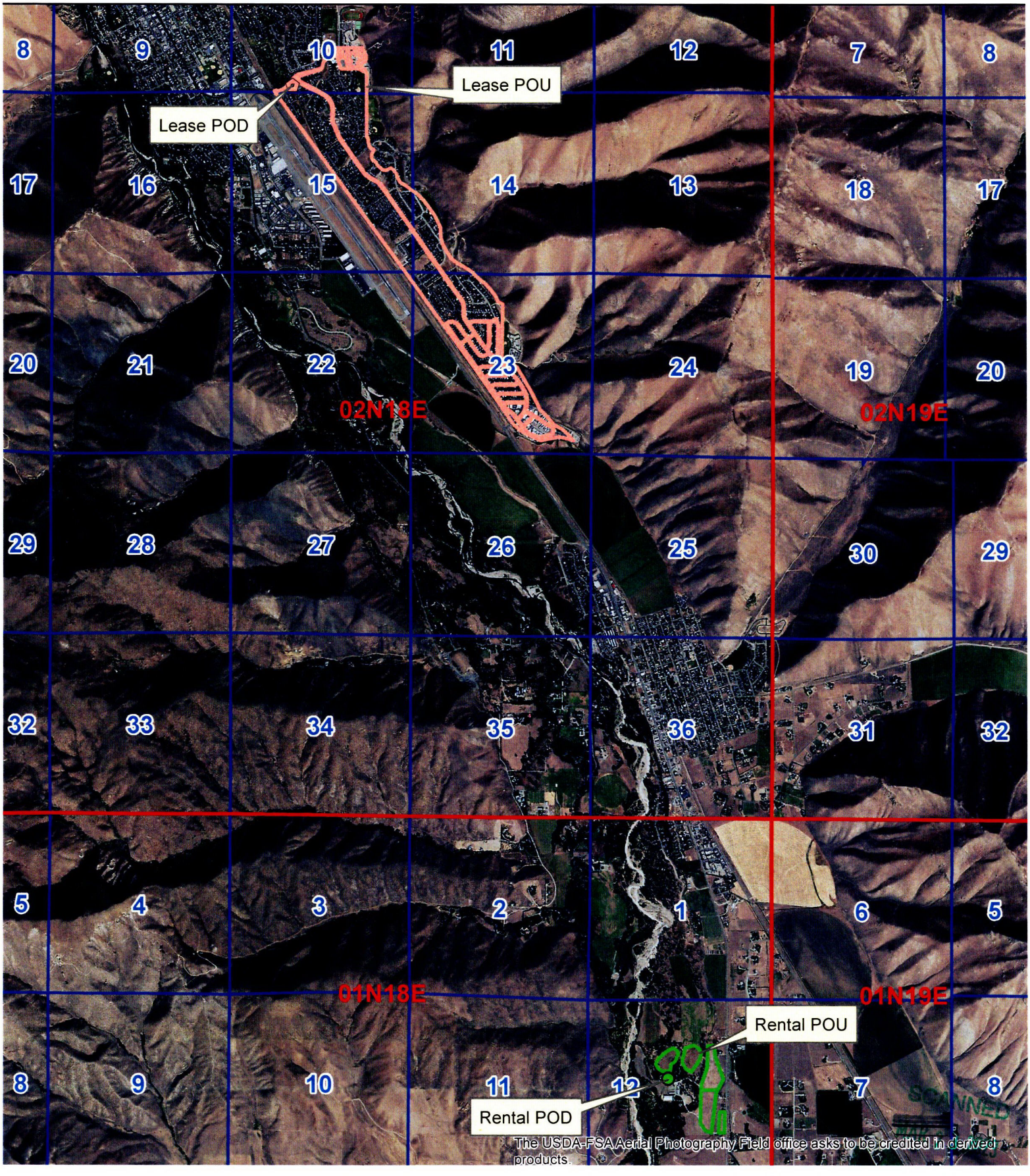
BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is subject to Water District #37. Any additional comments from the Southern Regional Office and the watermaster will be added to this section.

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MAR 2 3 2023

Rental Move Map

Lease #1273 to Rental #2347



Novak, Shilynn

From: Paul Bennett <paul@swiftsureranch.org>
Sent: Monday, February 13, 2023 9:46 AM
To: Novak, Shilynn
Subject: RE: WSB Rental Application #2347

Follow Up Flag: Follow up
Flag Status: Completed

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.**

Shilynn,
Thank you so much for reaching out !. Please could we take your advice and change to contract 1273 and rent up to 45 acres!.

Thanks again

Paul

Paul Bennett
Executive Director
Swiftsure Ranch Therapeutic Equestrian Center Inc
Office (208) 450-3489
Cell (832) 449-2088
paul@swiftsureranch.org

sent from Mail for Windows

From: Novak, Shilynn
Sent: Friday, February 10, 2023 4:30 PM
To: paul@swiftsureranch.org
Subject: WSB Rental Application #2347

Hello,

I am processing your Water Supply Bank rental application and I had a question about the water right that you requested; 37-885B. This specific water right is a ground water right that is administered as a surface water right. In short, if you rented this right, you could still get curtailed early due to low flows in the Big Wood River. If there is a reason in which you requested this right, such as a private agreement, I can keep moving forward with the request. If there is no private agreement and you are open to renting from a different water right, I found a different lease you may rent from.

Lease Contract 1273 (water right 37-22019) is for ground water use, is not administered as surface water, is available until 2025, and is also for irrigation. One difference is that the water right has a rate of 0.019 cfs/ac (instead of the 0.02 cfs/ac) which also affects the rented acres and volume. To make up for the decreased rate, you can either 1) irrigate at a lower rate to while keeping the same number of acres and volume or 2) rent more water while being limited to the requested rate, volume, and acres requested. I've made a table below to better show what I am trying to explain.

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Lease 1273	cfs/acre	af/acre
	0.019	3.5

Option 1	Acres	CFS	AF	approx fee
	36	0.69	126.0	$ 2,898.00

Option 2	Acres	CFS	AF	approx fee
	37	0.72	131	$ 3,013.00
Use limited to:	**36**	**0.72**	**126**	

I am choosing this lease because it has the most water available to rent from and is not administered as a surface water right. I noticed that your rental request listed "36+ acres" as the desired acres. If you wish to rent more water for irrigation of more acres, this lease has more to work with. The rental fee is $23/af.

I've included a copy of your rental application in case you wanted to reference it. Please respond to this email letting me know if renting water from Lease Contract 1273 works for you or if you would like for me to continue using 37-885B.

Sincerely,
Shilynn

Shilynn Novak
Water Resource Agent, Sr. | Water Rights Section
322 E Front St Ste 648 | Boise ID 83702-7371
Direct: 208.287.4915 | Front Desk: 208.287.4800
IDAHO DEPARTMENT OF WATER RESOURCES

SCANNED
MAR 2 3 2023

Kienholz, Mackenzie

From: Paul Bennett <paul@swiftsureranch.org>
Sent: Monday, August 8, 2022 10:28 AM
To: Kienholz, Mackenzie
Cc: Bank
Subject: RE: Swiftsure Ranch: Water Supply Bank Rental App #2347 Preferred Course of Action

Mackenzie,
That's great thank you for your help !

Regards
Paul

Paul Bennett
Executive Director
Swiftsure Ranch Therapeutic Equestrian Center Inc
Office (208) 450-3489
Cell (832) 449-2088
paul@swiftsureranch.org

sent from Mail for Windows

From: Kienholz, Mackenzie
Sent: Monday, August 8, 2022 10:17 AM
To: paul@swiftsureranch.org
Cc: Bank
Subject: RE: Swiftsure Ranch: Water Supply Bank Rental App #2347 Preferred Course of Action

Hi Paul,

As we discussed on the phone, I have pushed the start date for your rental application to 4/15/2023 and the end date to 12/31/2027. When we review the application, we will try to find water to cover your request for as much of that period as we can. The water right you requested is currently available through 2024, so that may be the longest period, but we will see if there is anything else available for a longer period when we review the application.

Have a great day!
Mackenzie

From: Kienholz, Mackenzie
Sent: Monday, August 8, 2022 10:06 AM
To: paul@swiftsureranch.org
Cc: Bank <Bank@idwr.idaho.gov>
Subject: Swiftsure Ranch: Water Supply Bank Rental App #2347 Preferred Course of Action

SCANNED
MAR 2 3 2023

Hello Mr. Bennett,

Water Supply Bank Rental Application #2347 for Swiftsure Ranch is expected to be picked up by an agent in the next week, however it may take as long as 20 days to complete the review and recommend a decision. At this time, we would

like to ensure your preferred course of action. Your application will remain in line to be processed, but you may also withdraw your application or push the start date back to 2023. Please respond to this message to verify how you would like to proceed.

Thank you,

Mackenzie Kienholz

Water Supply Bank Specialist

IDAHO DEPARTMENT OF WATER RESOURCES

Planning & Projects

mackenzie.kienholz@idwr.idaho.gov

Phone: (208) 287-4822

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MAR 23 2022

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

May 9, 2022

SWIFTSURE RANCH THERAPUTIC EQUESTRIAN CENTER INC
C/O PAUL BENNETT
114 CALYPSO LANE
BELLEVUE ID 83313

RE: APPLICATION 2347 TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Applicant:

The Idaho Department of Water Resources (Department) acknowledges receipt of your application(s) to rent water from the Idaho Water Resource Board's Water Supply Bank (Bank) for the irrigation of 28 acres. Filing a Bank rental application does not automatically result in approval.

Before a rental application can be approved, the rental request must be reviewed, a rental agreement must be prepared, the agreement must be approved by the applicant and the Department, and the rental fee must be paid. To maximize the number of rental applications processed while managing competing priorities, the Department begins accepting rental applications on November 1 for use in the next calendar year, and it processes as many applications as it can before the start of the irrigation season in March or April. Once the irrigation season begins, Department staff members are reassigned to address field work and other duties. Consequently, few rental applications are processed after May 1.

Because your application was received near the beginning of the irrigation season, which is now underway, the Department will not be able to process your application prior to the latest possible start date on your application. Your application will remain in the order it was received for review, unless you request it be returned, or request it be amended to begin next season in 2023.

In future years, we encourage you to file your rental applications as soon as possible after November 1 to improve the chances that they will be processed.

Water Supply Bank Processing for application status may be found on the Department's website at https://idwr.idaho.gov/iwrb/programs/water-supply-bank/reports/

If you have questions regarding this matter, please contact me at 287-4936.

Sincerely,

Mary Condon
Water Supply Bank Coordinator

SCANNED
MAR 2 3 2023

Hersley, Jean

From: Paul Bennett <paul@swiftsureranch.org>
Sent: Thursday, April 7, 2022 11:24 AM
To: IDWR File
Subject: Application to rent ground water
Attachments: Application to rent ground water .pdf

Importance: High

Mary,

Thank you so much for your time and patience today !.please find attached our application to rent ground water.

Regards

Paul Bennett

Paul Bennett
Executive Director
Swiftsure Ranch Therapeutic Equestrian Center Inc
Office (208) 450-3489
Cell (832) 449-2088
paul@swiftsureranch.org

sent from Mail for Windows

SCANNED
MAR 2 3 2023