STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 01 2024
DEPT. OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 818

This is to certify that:

BROWN RANCH INC
247 GLENDALE RD
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)
37-22311	3/24/1883	BIG WOOD RIVER, tributary to MALAD RIVER	1.20	109	31	0.039	3.5
37-22316	3/24/1883	BIG WOOD RIVER, tributary to MALAD RIVER	0.14	109	31	0.005	3.5
37-22321	3/24/1883	BIG WOOD RIVER, tributary to MALAD RIVER	0.15	109	31	0.005	3.5
Combined Limit Totals			**1.49**	**109**	**31**	**0.050**	**3.5**
Combined Rental Totals			**1.49**	**109**	**31**	**0.050**	**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, 2024. 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 2024, whichever occurs last.

Annual Rental Fee:

2024: $2,495.50

The full fee for the rental of the above-described right(s) is $2,495.50 for 2024. The rental fee includes an administrative fee of $249.55 for 2024. 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	0.62	109	31	0.02	3.5
Combined Total	0.62	**109**	31	0.02	**3.5**

**** The authorized water usage reflects a reduction from the water right elements rented, to account for a standard duty of water for irrigation of 0.02 cfs per acre.***

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 818

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:

Dan Brown — Signature of Renter

1-25-24 — Date

DAN BROWN — Printed Name

PRESIDENT — 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 _____ Date 2/2/24
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date 2/2/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 818

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER SESW Sec. 12, Twp 01N, Rge 18E, BLAINE County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	0.62 CFS	109 AF

SEASON OF USE

From	To
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	15													31				31

Total Acres: 31

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 agreement, 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. Prior to diversion of water under this agreement, 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.
11. This agreement, agreement 698, and rights, 37-22219, 37-22221, 37-22223, 37-22225, and 37-22227 when combined shall not exceed the irrigation of 527 acres.

12. Water may not be diverted under this agreement unless the deliverable priority on the Big Wood River is July 1, 1892, or senior and the rented water rights are in priority.
13. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 818

Effective until December 31, 2024

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



0 1,000 2,000 3,000 Feet

Legend

- Water Supply Bank Rental Point of Diversion
- Water Supply Bank Rental Place of Use
- Township/Range
- Sections
- QQ

N

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED
Nov 20, 2023
DEPARTMENT OF
WATER RESOURCES

Applicant Name: Brown Ranch, 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)

Attachment	N/A	Yes	
		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
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)

2835

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Brown Ranch, Inc.

Mailing Address 247 Glendale Road (Street) Bellevue (City) ID (State) 833113 (Zip Code)

Email Address danbrown@sunvalley.net Phone Number 208-720-7982

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 NA Professional Title NA

Organization NA Relationship to Applicant NA

Mailing Address NA

Email Address NA Phone Number NA

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**:

Additional water is needed when junior rights are shut off by priority. Proposed use is for irrigation.

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
1.49 CFS	109 AF	0.05 CFS	3.5 AF	31 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?	
4/15/2024	6/15/2024	☑ 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):

Water is delivered from the POD to POU via the Glendale Canal. Water is diverted from the Glendale Canal via a pump station from which is delivered to various sprinkler systems on the farm.

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
Glendale Canal	Big Wood River	37-22219, 37-22221, 37-22223, 37-22225
1N 18E sec. 12NWSESW		37-22227

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 31 (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:

Water is also supplied through Bellevue City Sewage Treatment Plant to the east pivot. Additional water is needed when other water right are shut off by priority.

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)
37-22311	Irrigaion	1.20	109	31		1.20	109	31
37-22316	Irrigation	0.14	109	31		0.14	109	31
37-22321	Irrigation	0.15	109	31		0.15	109	31
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	1.49 CFS	109 AF	31 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**:

If water has unusually low rate per acre, we do not wish to rent it. Excess water was requested in case some rights are unavailable from combined limits, etc.

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:

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
Dan Brown	DAN BROWN	11-15-23
Signature of Representative	Printed Name of Representative	Date

Mail to:

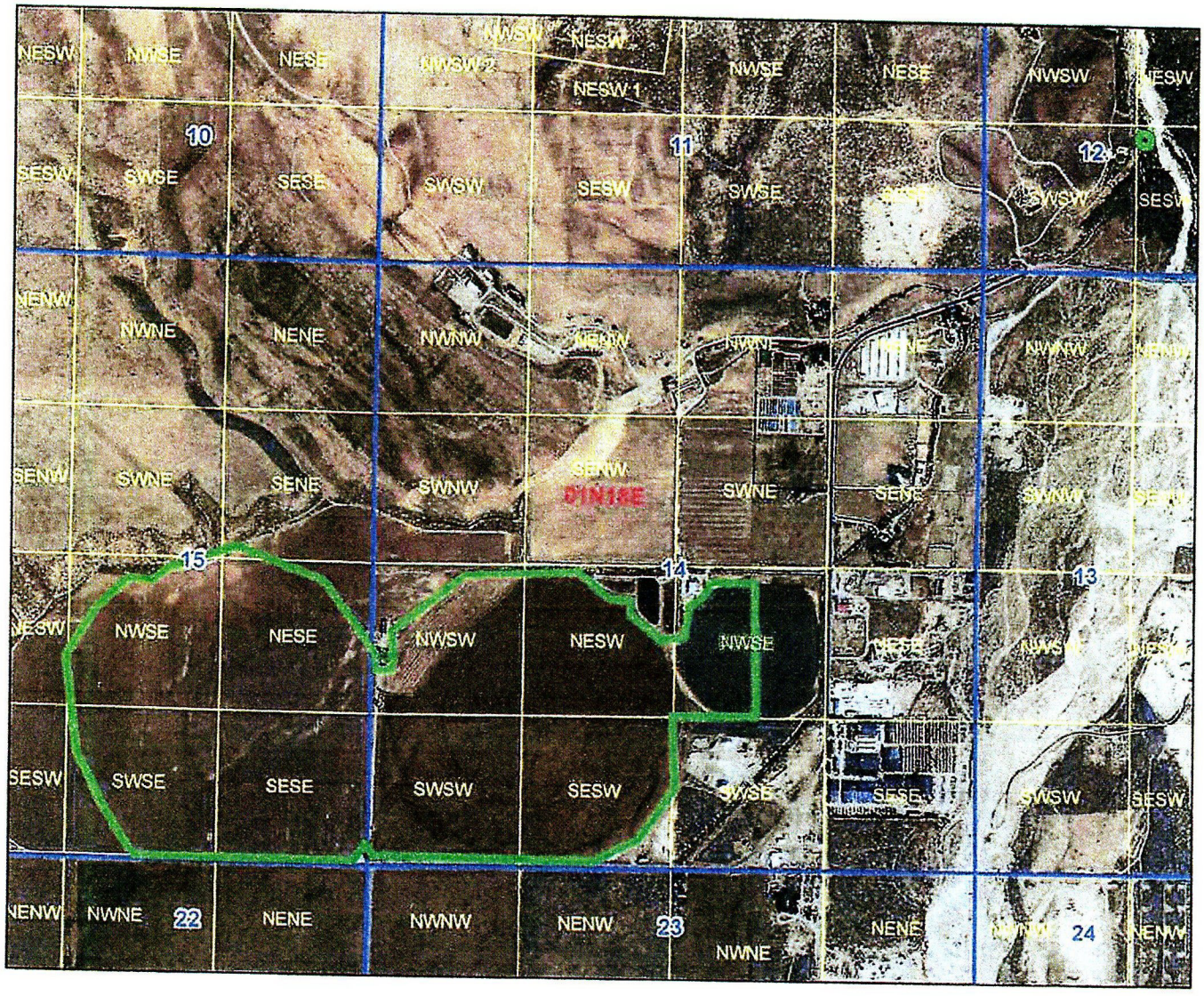
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 697

Effective until December 31, 20XX

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



Legend

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

N

0 2,000 4,000 Feet

WSB Mailing Checklist for Rentals

(For use on all new rental applications)

Key: Who Completes What?
CLERICAL STAFF: MK
REVIEWER: SC

Received Date: 11/20/2023
Latest Start Date: 6/15/2024
Renter: Brown Ranch Inc.
Rental Expiration Date 2024
Lease/Rental Package Y (N)

Application # 2835 Agreement # 818

Water Right	Lease Contract ID
# 37-22311	1764
# 37-22316	1764
# 37-22321	1764
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	

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:
prev agreement #697 (698)
*phone # is 208 (720) 1982 NOT 7982
*see rental #621 review memo, amts in canal won't change - Bryan Dilworth is chare of Canal Lateral User's Assn → phone # is in contact search if needed (305 Glendale Rd)

Mailings (per application)	Original	CC	Email or Address
Renter: Brown Ranch Inc.	☑	☐	
Attorney:	☐	☐	
Consultants Name:	☐	☐	
Conveyence Entity: Glendale Canal (Ex. Irrigation Dist. of Canal Co.)	(final only)	☑	
(Ground) Water Dist:	(final only)	☐	
Other: 37 (WD Snake 01, Boise, Payette, and Bear River)	(final only)	☑	
Region: Southern	(final only)	☑	
Watermaster: Sunny Healey	(final only)	☑	
Compliance:	(final only)	☐	

Signed Rental PM 2/2/24

Resolving NOV? Y / (N)
#

Call up Date: 2/4/2024

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 Mathew Weaver**

February 06, 2024

BROWN RANCH INC
247 GLENDALE RD
BELLEVUE, ID 83313

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-22311, 37-22316 & 37-22321, AGREEMENT 818

Dear Renter:

Please find enclosed a receipt in the amount of **$2,496.40** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 109 acre-feet of water for irrigation of 31 acres during 2024. 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 $2,246.76 of the rental fee will be paid to the lessor(s) and 10% or $249.64 will be retained by the Department to offset administrative costs for 2024.

Sincerely,

Debra Mansfield

Debra Mansfield

for
Water Supply Bank

Enclosures: Receipt No. C117717
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Southern Regional Office
Representative

Water District

Ground Water District

Mansfield, Debra

From: Mansfield, Debra
Sent: Monday, February 5, 2024 2:41 PM
To: Skinner, Corey; watermanager; IdwrPayable
Cc: Bank
Subject: Executed Rental Agreement 818, Brown Ranch INC
Attachments: Executed Rental Agreement 818.pdf

Hello,

Please see the attached copy of executed Rental Agreement 818 in the name of Brown Ranch Inc for your records.

Thank you,

Debra Mansfield | Technical Records Specialist 1
IDWR – State Office
322 E Front St, Boise ID 83702-7371
(208) 287-4921 | Debra.Mansfield@idwr.idaho.gov

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Mathew Weaver

January 19, 2024

BROWN RANCH INC.
247 GLENDALE RD.
BELLEVUE ID, 83313

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-22311, 37-22316, AND 37-22321, AGREEMENT 818

*****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 $2,495.50 per year was calculated based on the current rental rate of $23.00 per acre-foot times a diversion volume of 108.5 acre-feet.

Please send a check for $2,495.50 for 2024 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 $2,245.95 of the rental fee will be paid to the lessor(s) and 10% or $249.55 will be retained by the Department to offset administrative costs for **2024**.

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

Sincerely,

Skyler Cheever
Water Resource Agent

Enclosure: Rental Agreement

c: IDWR Front Desk

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 818

Effective until December 31, 2024

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



0 1,000 2,000 3,000 Feet

Legend

- Water Supply Bank Rental Point of Diversion
- Water Supply Bank Rental Place of Use
- Township/Range
- Sections
- QQ

N

Cheever, Skyler

From: Cheever, Skyler
Sent: Monday, January 8, 2024 8:50 AM
To: Skinner, Corey; watermanager
Subject: Water Supply Bank Rental Application 2835 Brown Ranch Inc.
Attachments: Rental Review Memo 818.pdf; Rental Agreement 818.pdf; Rental 818 Map.pdf

Hello Corey and Sunny,

I have completed my review of a Water Supply Bank Rental application 2835 with the point of diversion within basin 37, and Water District 37. The applicant is Brown Ranch Inc. The applicant proposes to rent the entirety of contract 1784 to irrigate 31 acres for 2024. Attached is a copy of the rental agreement, review memo, and map of the place of use. If you have any comments on the applicant's proposal or my review, please let me know within 7 days. If you have any questions or concerns, please let me know.

Best,

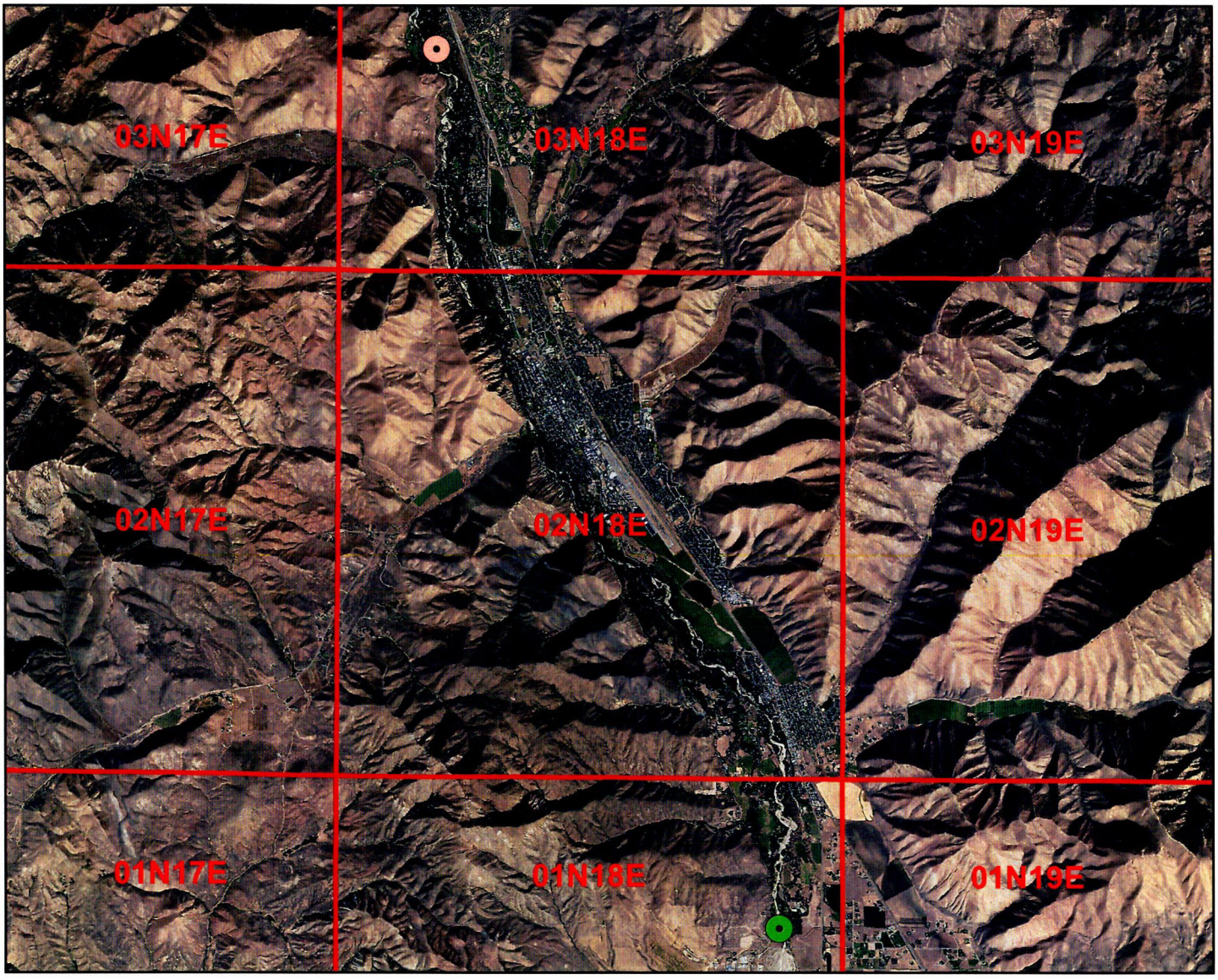
Skyler

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

Idaho Water Resource Board

WSB Move Map

37-22311, 37-22316, 37-22321
2024



0 2 4 6 Miles

N

Water Supply Bank Rental Point of Diversion

Water Supply Bank Lease Point of Diversion

Township/Range

MEMORANDUM FOR WSB RENTAL AGREEMENT # 818

To: Water Right No(s). 37-22311, 37-22316, 37-22321

From: Skyler Cheever-Water Resource Agent

Date: 1/5/2024

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

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PURPOSE/NARRATIVE:
Application 2835 was sent in by Brown Ranch Inc. and received on November 20th, 2023. The applicant proposes to rent 31 acres of irrigation from contract 1784 for 2024. This applicant has rented from contracts containing water rights 37-22311, 37-22316, and 37-22321 and others in the past to irrigate 266 acres in 2022 and 92.2 acres in 2023. However, this application proposes 31 acres. The applicant was contacted confirming they only want to irrigate 31 acres. They confirmed the specific 31 acre irrigated via a map on December 10th, 2023. The point of diversion is within the Snake River Basin and Big Wood River Moratorium Area, Big Wood River Groundwater Management Area, South Valley Groundwater District, and Trust Water Area. This application is intended as a renewal of rental agreement 698 which expired on December 31st, 2023.

AUTHORITY TO FILE:
Dan Brown signed the application. Mr. Brown has the authority to file this agreement because he is the President of Brown Ranch Inc according to the Idaho Secretary of States Office Database. Brown Ranch Inc. is the current owner of the place of use and point of diversion according to Department Records and Tax Parcel Data.

INJURY TO OTHER WATER RIGHTS:
Brown Ranch Inc. is the current owner of water rights 37-22219, 37-22221, 37-22223, 37-22225, and 37-22227 according to Department records. These rights divert from the proposed point of diversion and includes the proposed acres within the authorized place of use. The proposed point of diversion diverts from the Glendale Canal. According to section 3A on the application the applicants require more water when their junior rights are curtailed by priority. This rental would allow the same amount of water to be delivered through the canal at the same rate as if the applicants' junior rights were not curtailed. Therefore, authorization from the Glendale Canal Association isn't necessary.

The rental point of diversion is 11 miles downstream of the lease POD on the Big Wood River. This move downstream could impact users on tributaries in between the lease and rental POD if a call for water were made by the applicants. Users could be shut off to provide enough water to the Big Wood River, satisfying the rental downstream. Junior users could also be impacted due to the possible lack of return flows from the lease point of diversion. To alleviate possible impacts to water users in between the lease and rental POD the condition below should be added to the rental agreement.

> *"Water may not be diverted under this rental agreement unless the deliverable priority on the Big Wood River is July 1, 1892, or senior and the rented water rights are in priority."*

The past rental agreement 448, approved in 2020, the Big Wood River was identified as a "losing reach". The authorized diversion rate was reduced by 15% to account for conveyance losses between the lease and rental point of diversion, preventing injury to junior water users. However, this thinking changed in 2021. A reduction to the authorized diversion rate to 0.02 cfs per acre, the standard duty of water in the area, was deemed sufficient to account for

conveyance losses. The authorized diversion rate/acre under lease contract 1784 is 0.06 cfs per acre. The authorized diversion rate should be reduced to 0.02 cfs per acre to prevent injury to water users on the Big Wood River and its tributaries in between the lease and rental POD. There are no other injury concerns.

ENLARGEMENT OF USE:
Water rights 37-22219, 37-22221, 37-22223, 37-22225 and 37-22227 overlap the proposed place of use and are limited to the irrigation of 527 acres. To prevent an enlargement in the number of acres irrigated a condition should be added limiting this rental and overlapping water rights to the irrigation of 527 acres. There are no other enlargement concerns.

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 point of diversion is within basin 37 and Water District 37. The Water Master and Southern Regional Manager were contacted for comment on January 8th, 2024. No comment was received, it is assumed there are no concerns with the applicant's proposal.

From: danbrown@qosi.net
To: Kienholz, Mackenzie
Subject: RE: Specifying WSB Rental Acres - Brown Ranch 2024
Date: Sunday, December 10, 2023 3:32:05 PM
Attachments: image002.png
image003.png
image004.png

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

Mackenzie,

I think that this map would be fine. If it works for IDWR it works for me.

Thanks

Dan

On Fri, 8 Dec 2023 17:06:08 +0000, "Kienholz, Mackenzie" <Mackenzie.Kienholz@idwr.idaho.gov> wrote:

Good morning, Dan,

Per our phone conversation yesterday, I am attaching a draft map for your Water Supply Bank rentals for 2024. The red/larger section would represent the 191.8 acres covered under active Rental Agreement #698 while the green/smaller pivot portion would be the area under your new application #2835. Please let me know if this map matches your purposes or if any changes need to be made.

Thank you,

Mackenzie



From: Kienholz, Mackenzie
Sent: Tuesday, December 5, 2023 1:14 PM
To: danbrown@sunvalley.net
Subject: Specifying WSB Rental Acres - Brown Ranch 2024

Good afternoon,

Thank you for discussing your Water Supply Bank rental application with me this afternoon. As we discussed, we will need to specify which acres you would like the WSB rentals to cover in 2024. The maps below show the total shape that is currently being used. I divided it into three sections just to give you an idea of how many acres each section is. Rental Agreement #698 is already active and covers 191.8 acres. Your application has proposed an additional 31 acres for 2024 for a total of 222.8 acres. Could you please return a drawing or specifications about where the 222.8 acres should correspond to?

Thank you,

Mackenzie Kienholz

Water Supply Bank Specialist

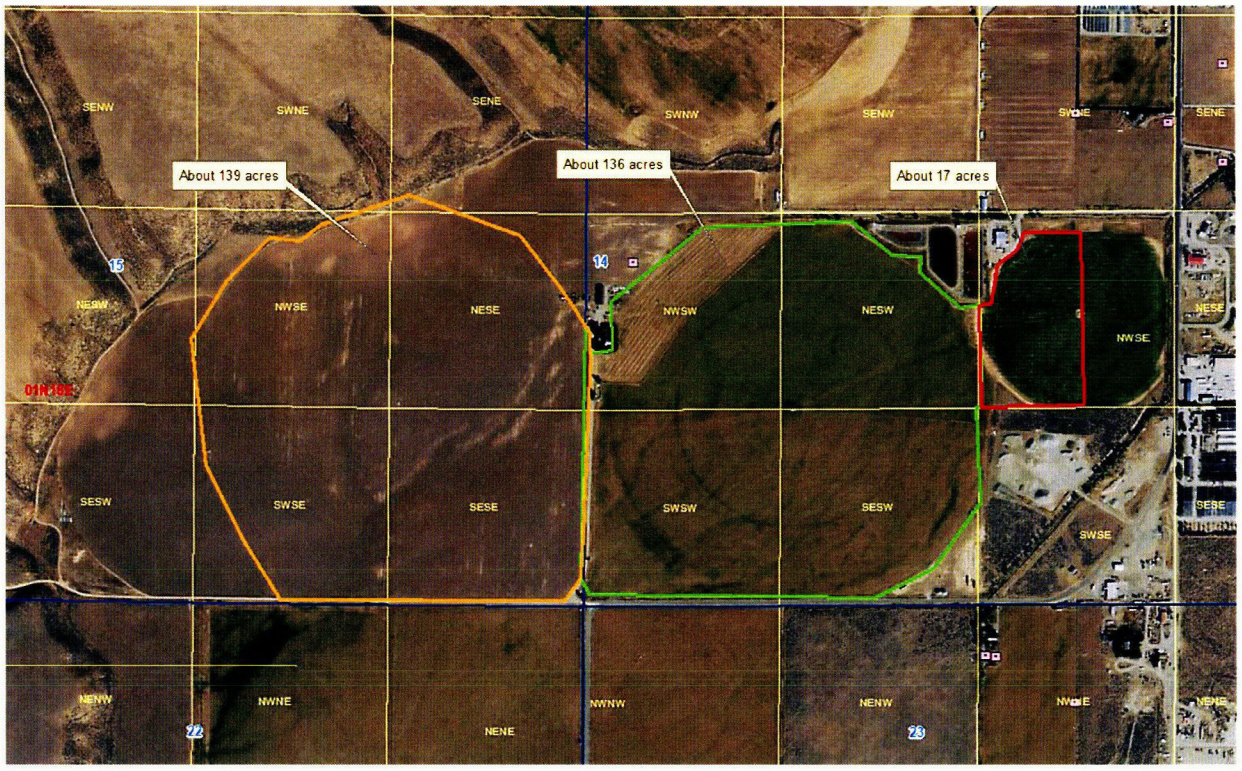
IDAHO DEPARTMENT OF WATER RESOURCES

Planning & Projects

Mackenzie.kienholz@idwr.idaho.gov

Phone: (208) 287-4822




About 139 acres
About 136 acres
About 17 acres
SENW
SWNE
SENE
SWNW
SENW
SWNE
SENE
15
14
NESW
NWSE
NESE
NWSW
NESW
NWSE
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23