

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 655

This is to certify that:

JOHN TERRY FIELD
PO BOX 217
GRAND VIEW, ID 83624-0217

RECEIVED

SEP 09 2022

DEPARTMENT OF
WATER RESOURCES

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)
2-7061	4/9/1970	SNAKE RIVER	0.35	88.0	17.6	0.02	5.0
Combined Rental Totals			0.35	88.0	17.6	0.02	5.0

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 2022, whichever occurs last.

Annual Rental Fee:

2022: \$176.00 annually
2023 - 2024: \$202.40 annually

The full fee for the rental of the above-described right(s) is \$176.00 for 2022 and \$202.40 per year for years 2023 - 2024. The rental fee includes an administrative fee of \$176.00 for 2022 and \$202.40 per year for years 2023 - 2024. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 2-7061.

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	0.35	79.2	17.6	0.02	4.5
Combined Total	0.35	79.2	17.6	0.02	4.5

*** The authorized water usage reflects a reduction from the water right elements rented, to account for a difference in allowed annual volume.**

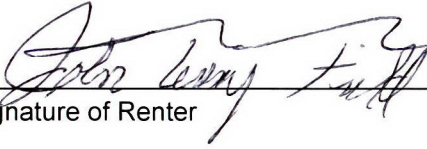
Detailed water right conditions are attached.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 655

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

Sept 3, 2022
Date

John Terry Field
Printed Name

water Renter / water 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 9/9/22

Rental approved by IDWR 

Date 9/9/22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 655

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER L9(SESW) Sec. 34, Twp 05S, Rge 04E, OWYHEE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.35 CFS

VOLUME
79.2 AF

SEASON OF USE

Water Right No. 2-7061 **From** 3/15 **To** 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	
05S	04E	32											0.2	12			3.4		15.6
06S	04E	5		2.0 L2															2.0

Total Acres: 17.6

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. The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
11. This right does not grant any right-of-way or easement across the land of another.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 655

12. 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(s).
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. 02.

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STATE OF IDAHO
WATER RESOURCE BOARD

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APR 06 2022

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

Applicant Name:

John Terry Field & Leslie Field

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)

2-7061

2346

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**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant John Terry Field
 Mailing Address P.O. Box 217 Grand View Id 83624
Street City State Zip Code
 Email Address fieldjts@msn.com Phone Number 208-834-2263

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

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

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

Propose to cover total acres irrigated by a water right
Rent some of our water in water bank #2-0761 and apply
it to acres irrigated under our water right 2-2082 2-2084

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)
<u>.2</u> CFS	<u>55</u> AF	<u>.2</u> CFS	<u>49.5</u> AF	<u>11</u> 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?	
<u>4-1-22</u>	<u>JUNE</u>	☐ 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):

POD is the CJ Strike Dam to Bybee Canal to be pumped out of canal as to POU

- 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
Pumps out of CJ	Snake River	Div water rights 2-2176A - 2-2405A
T055 R04E		2-7061 2-7062 2-7157
S24 SWSESW		

ere water is turned into a canal, lateral or ditch, or if they are located on your property delivered via a canal, lateral or ditch, your rental request must include documented val companies, irrigation districts and/or water delivery entities, confirming that they rom their system.

- F. Relevant water delivery entities been obtained? Yes ☒ N/A ☐
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 11 (number of acres) Duration: Subject to IDWR standard seasons of use
☐ Commercial from: 3-30- (mm/dd) to: 10-31 (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:

2-2083 2-2084 water rights source Bybee Canal delivery system To cover new point acres

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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)
2-7061	IRRIGATION					.2	55	11
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	.2 CFS	55 AF	11 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**:

This will not be unusually low rate per acre

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:

When the correct acres of the permit is determined
Permanent POW will be filed

- 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

We would like to rent back some of our own
water permit # 2-7061 that is in the water bank
to cover a new permit that will cover about 1000 acres

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.

Leslie Field
Signature of Applicant

Leslie Field
Printed Name of Applicant

4-05-22
Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

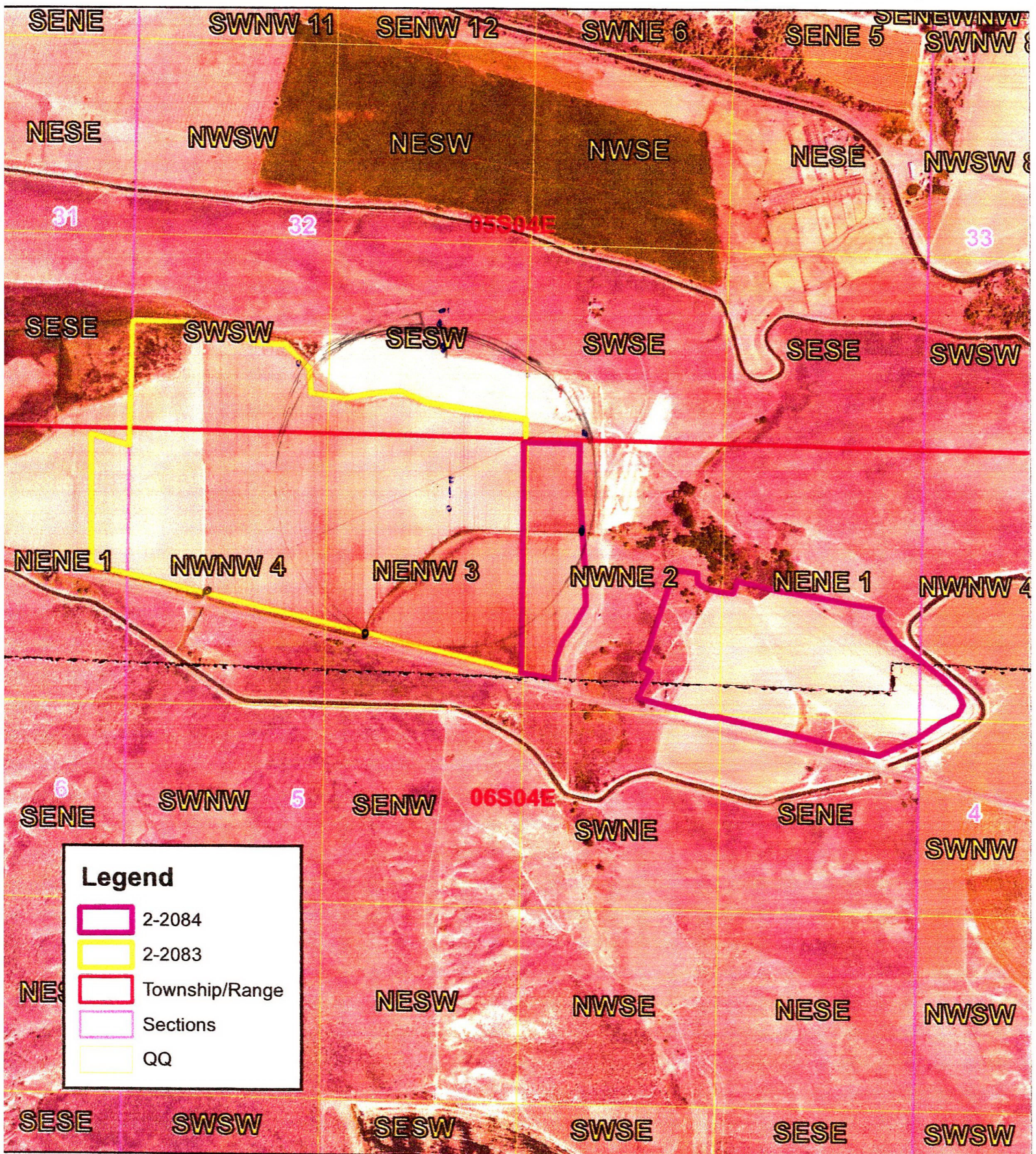
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

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2-2083 & 2-2084

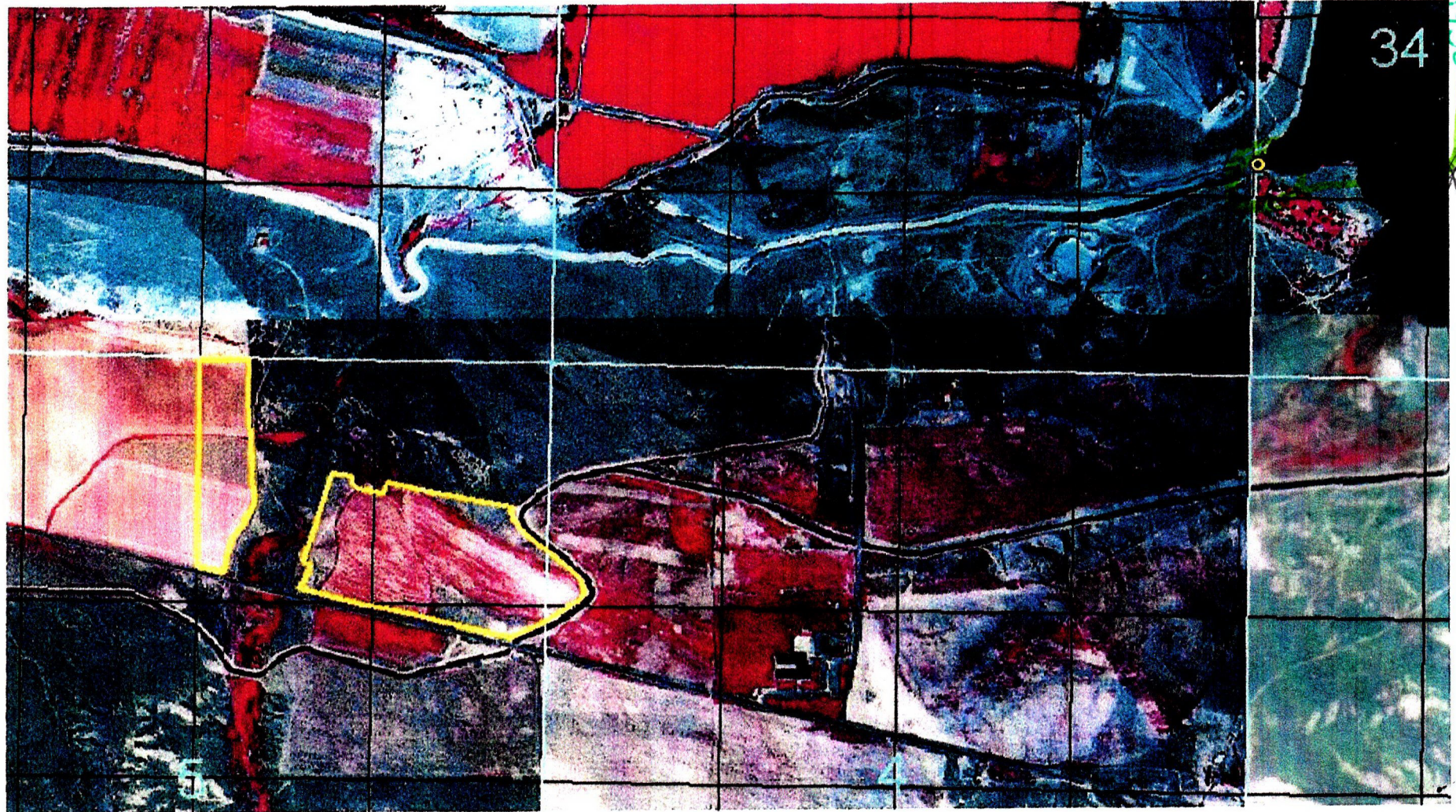
Place of Use

Att. 2
John Terry



Idaho Department of Water Resources

Point of Diversion
OCT 1 2002



34



Claim Number: 02-02084
Legal: T05S, R04E, S34 &
T06S, R04E, S4 & S5
Reviewed By: JLD 6/13/05

- Point of Diversion *
- Place of Use
- Section Lines
- Quarter Quarter Lines



3F

BYBEE LATERAL WATER USERS ASSOCIATION

PO Box 235

Mountain Home, Id. 83647

208-587-2789

calzola@earthlink.net

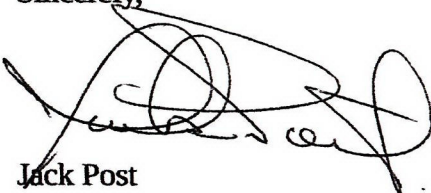
January 13, 2022

**Idaho Department of Water Resources
Water Supply Bank
Mary Condon
208-287-4936**

To Whom It May Concern:

**This is to advise you that Bybee Lateral Water Users Association does not object to
J. Terry and Leslie A Field applying a portion of their Water Right #2-2176A and 2-2405A
in the Water Supply Bank.**

Sincerely,

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

**Jack Post
Secretary**

**SCANNED
OCT 12 2022**

WSB Mailing Checklist for Rentals

(use on all new rental applications)

Key: Who Completes What?

CLERICAL STAFF:

MC MK

REVIEWER:

Received Date: 04/06/2022

Latest Start Date:

Renter: J Terry Field

Rental Expiration Date

Lease/Rental Package

Y (N)

Application # 2346

Agreement #

Water Right	Lease Contract ID
# 2-7061	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	

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:

Renting their own right

10% only

Mailings (per application)

Original

CC

Email or Address

Renter: John Terry Field



Attorney:

N/A



Consultants

Name:

N/A



Conveyance Entity:

Ex. Irrigation Dist. of Canal Co.

Palmer Canal
Jack Post ok'd

(final only)



(Ground) Water Dist:

(final only)



Other:

02

(final only)



WD Snake 01, Boise, Payette, and Bear River

Region:

Western

(final only)



Watermaster:

Rob Whitham

(final only)



Compliance:

(final only)



Resolving NOV? Y / N

#

Call up Date: _____

DO NOT SCAN



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

Governor Brad Little

Director Gary Spackman

October 12, 2022

JOHN TERRY FIELD
PO BOX 217
GRANDVIEW, ID 83627-0217

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 2-7061 AGREEMENT 655**

Dear Renter:

Please find enclosed receipts in the amount of **\$176.00** and a copy of the fully executed Water Supply Bank Rental Agreements in connection with the rental of 88 acre-feet of water for irrigation of 17.6 acres during 2022. 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.

Because you are renting your own water, you are only obligated to pay the 10% administrative fee or \$176.00.

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. C113960
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Western Regional Office
Water District 02

SCANNED
OCT 12 2022



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

August 31, 2022

JOHN TERRY FIELD
PO BOX 217
GRANDVIEW, ID 83624-0217

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 2-7061, AGREEMENT 655**

*****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 **\$176.00** was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 88 acre-feet. Because you are renting your own water, **you are only obligated to pay the 10% administrative fee or \$176.00.** An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for \$176.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

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

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure(s)

c: IDWR Front Desk

SCANNED
OCT 12 2022

MEMORANDUM FOR AGREEMENT #655

To: Water Right(s) 2-7061
From: Michele Edl
Date: 8/23/2022
Re: Review and Analysis of Application to Rent Water to the State Water Supply Bank

PURPOSE/NARRATIVE: On April 6, 2022, the Department received an Application to Rent Water from the Board's Water Supply Bank (WSB) which was submitted by John Terry Field and Leslie Field.

The application requested a 3-year rental using water from the Snake River to irrigate acres under a new pivot. The rental water would be delivered through the Bybee Lateral Water Users' Canal. The same diversion and delivery works convey the applicant's own water rights and two of those rights provide water for the preexisting irrigation use. The rental request is for new acres which when added to existing rights, will allow full rotation of the subject pivot.

The application requested to rent portion of irrigation water right 2-7061 which is fully leased to the WSB 2021-2025 under lease contract #1307.

AUTHORITY TO FILE: The rental application documents didn't provide the necessary links between the land ownership, the water right ownership and the rental applicants.

Although the application lists both John Terry Field and Leslie Field as applicants, only Leslie Field signed the application. The water right proposed for use in the rental lists John Terry Field as the only current owner. The rental would be a candidate for Admin Fee Only processing if a link could be made. And according to available Owyhee County parcel information, the J Terry and Leslie Field Joint Trust owns the property containing the rental place-of-use (POU). There was no documentation that the applicant Leslie Field was a trustee and could act alone in matters related to the trust.

I requested and received additional information which resolved the ambiguities about the POU and water right ownership and whether permission to rent and use the water was required.

Authorization to access and use the Bybee Canal to convey water to the POU was given in a letter dated January 13, 2022, from Jack Post (secretary of the Bybee Lateral Water Users Association). It gives permission for J Terry and Leslie Field to 'apply' a portion of their water rights 2-2176A and 2-2405A. Although those rights also belong to the Fields and are also active in the WSB, the rental application requested rental of 2-7061. I assumed that the Bybee Lateral Water Users would allow a portion of the requested rental right to be conveyed through their system instead.

WATER RIGHT VALIDITY: The validity of the water right to be rented is not a concern. A thorough validity review was completed when the right was again leased to the WSB. The lessor has complied with the prior lease terms as aerial imagery of the POU shows that the leased acres have not been irrigated.

Rights 2-7061, 2-7062 and 2-7157C are currently leased through 2021-25 under contract #1307. Right 2-7061 is not tied to the other two rights by combined limits and can be rented separately.

SCANNED
OCT 12 2022

Sufficient leased water is available from right 2-7061 to satisfy this rental request.

INJURY TO OTHER WATER RIGHTS: No injury to other water rights is apparent from this rental.

The proposed rental POD is the head of the Bybee Canal (WMIS 1001397) located in section 34, of gov't lot 9 (SESW) Twp 05S Rge 04E. Dozens of other water rights divert from the POD.

Water rights diverting from this reach of the Snake River are subject to a Trust Water Rights review. The right providing the rental water and the native rights providing the majority of the water used by the pivot, are all senior to October 1, 1984, and therefore protected from a call to meet the minimum stream flow at the Murphy gage.

ENLARGEMENT OF USE: The application lists two water rights as overlapping the rental place of use. The two water rights (2-2083, and 2-2084) belong to the applicant and are appurtenant to most of ground under the pivot. Only ~17.6 new acres worth of irrigation water is needed. The rental application states that a transfer will be filed to adjust the POU for the existing rights.

The new pivot is centered in government lot 3 (NENW), straddling the section 32 and section 5 line of Twp 5S, Rge 4E and is within property owned by the applicant. Construction was delayed by equipment backlogs but beginning July 2022, the pivot can be seen irrigating ~84 acres on the applicant's property.

While the leased water comes from Basin 2 where the headgate volume allowance is 5.0, the rental water will be used in an area of Basin 57 where the headgate volume allowance is 4.5 af/ac. The rental water use will be made proportionate to the volume allowed at the POU.

The total rate authorized by the rental will be 0.02 cfs/ac which is more than sufficient for pivot irrigation and comparable to the rate authorized by Field's own water rights for irrigation of the ground under the pivot.

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: There are no concerns about the efficiency of the diversion system, or the water use proposed by this application.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The point-of-diversion (POD) for the rental is subject to Water District No. 2. The B2 watermaster is not opposed to this rental.

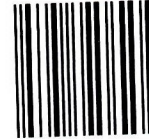
SCANNED
OCT 12 2022

Guild
P.O. Box 217
Grand View, ID
83624

RECEIVED
AUG 22 2022
DEPARTMENT OF
WATER RESOURCES



1000



83720

U.S. POSTAGE PAID
FCM LG ENV
GRAND VIEW, ID
83624
AUG 19, 22
AMOUNT

\$5.44

R2308M153816-02

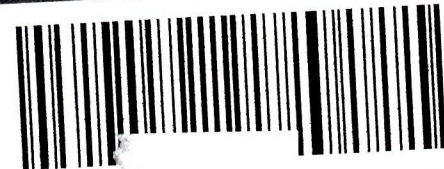
SCANNED
OCT 12 2022

Idaho Department of Water Resources
322 E Front Street
Boise, Idaho 83720-0098

Attention: Michelle Eli

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®



7020 1810

3603 8807

Edl, Michele

From: Edl, Michele
Sent: Monday, August 22, 2022 1:24 PM
To: Leslie Field
Subject: RE: Your Water Supply Bank rental application
Attachments: total rental acres needed (Field).jpg

Leslie,

This morning, I received the documents you mailed last Friday. And I can see from the map why your estimate of new pivot acres differ from my acres for that same pivot.

I am looking at what your existing water rights authorize versus what the what the pivot puts into irrigation. The attached screen shot shows my work. The background is the imagery that was used by the adjudication court to determine the irrigated acres for your water right decrees.

The places-of-use for your decreed right 2-2084 are the 2 light green colored shapes. That right authorizes 50 acres in total for irrigation use and the two shapes total a bit more than 50 acres. I believe that your irrigation practices have changed a little bit since the 1987 images were taken. But I need to work with the decree record as the official record and to compare current irrigation with the irrigation recommended to the court for your decrees.

The place-of-use for your decreed water right 2-2083 has been cut out of the center and left side of the pivot. We are mostly in agreement about the irrigated acres for that right.

My circle for the new pivot overlays the water right shapes and shows the additional irrigated acres above and beyond the place-of-use for both rights. The acres that are irrigated by the pivot but not included in the place-of-use for either of your decreed rights is the light purple colored the shape.

The table I've inserted into the screen shot shows the new acres for that new pivot as they have been calculated by the mapping software.

I am setting up your water supply bank rental agreement to be applicable to those 17.6 acres. You have plenty of water leased to the bank for us to repurpose into this rental.

I recognize that you need to be able to reconcile your contemporary water use with the court decrees of your water rights.

I spoke briefly with the watermaster for Water District 2. His is aware of your stalled application for transfer (stalled now almost 10 years), what discussions have taken place and what discussions need to take place. I understand from that conversation with him that he is willing to take steps to get that transfer moving again.

The mechanism IDWR uses to make changes to a water right is a transfer. You have shown a willingness to go through the steps. I can put the issue in front of management and hope they address it.

Sincerely,
MICHELE EDL

From: Leslie Field <field35@msn.com>
Sent: Thursday, August 18, 2022 4:53 PM
To: Edl, Michele <Michele.Edl@idwr.idaho.gov>
Subject: [EXTERNAL] Re: Your Water Supply Bank rental application

Edl, Michele

From: Whitney, Rob
Sent: Friday, August 19, 2022 8:56 AM
To: Edl, Michele
Subject: RE: request contact for watermaster B2

Michele,

I am aware of the protested transfer application. I have had several discussions with Nick, and he was going to contact Fred Price with BLE to see if they could agree on a path forward. I don't know if that conversation ever took place. Sorry about the WD02 contact information. I continue as the watermaster, and we'll update the contact list.

RW

From: Edl, Michele <Michele.Edl@idwr.idaho.gov>
Sent: Thursday, August 18, 2022 4:18 PM
To: Whitney, Rob <Rob.Whitney@idwr.idaho.gov>
Subject: request contact for watermaster B2

Rob,
I have nearly completed the review and work-up on a Water Supply Bank rental for J. Terry Field and Leslie Field. They put in a new pivot on their property in July and are proposing to use some of their own leased B2 water to cover the bit of extra irrigation. The water will come through the Bybee Canal which is the same delivery system as the other rights held by the Fields. The rental application states that they will file a transfer to adjust their old POU acres to their new water use acres.

In my WSB review I found that the Fields had an active but protested transfer (78909 was filed in 2013). I understand that the BLM protested that transfer because the headgate of the Bybee Canal is on BLM land. I'm a bit puzzled by that and I emailed Nick Miller earlier today hoping to find out if there has been any traction on resolving that almost 10-year-old protest.

Also today, I found that the list of watermasters on our website doesn't show anyone for Basin 2. To whom do I send my request for comment on this rental?

Michele
x4946

Field
WSB rental acres needed

WR Edit

Save Pls As Layer?

Mendian	Twp	Rng	Rng Partial	Sec	QQ	Q	Govt Lot	County	Acres	Tract ID
1	05S	04E	0	32	SW	SE		OWYHEE	3.4	
1	05S	04E	0	32	SE	SW		OWYHEE	12	
1	05S	04E	0	32	SW	SW		OWYHEE	0.2	
1	06S	04E	0	5	NW	NE	2	OWYHEE	2	

Total Acres: 17.6

No Yes

WHEN RECORDED, RETURN TO:

Bullock Law Firm
353 East 300 South
Salt Lake City, Utah 84111

GRANTEE NAME(S) AND ADDRESS(ES):

J. Terry Field, Trustee
Leslie S. Field, Trustee
38167 State Hwy 78
Grand View, Idaho 83624

Space Above This Line For Recorder's Use

[Parcel I.D. # _____]

WARRANTY DEED

JOHN T. FIELD

("Grantor")

hereby conveys and warrants to

J. Terry Field and Leslie S. Field, Trustees of the
J. TERRY AND LESLIE S. FIELD 2015 JOINT TRUST,
established February 17, 2015

("Grantee")

for the sum of Ten Dollars and other good and sufficient consideration, the following described tract of land, together with improvements thereon, located in Owyhee County, State of Idaho, to-wit:

Boise Meridian, Idaho

T. 6 S., R., 3 E.,

Section 7, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Section 8, W $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Containing 320.00 acres.

Together with Water Right # 02-7061.

TOGETHER WITH all improvements and appurtenances thereunto belonging, but being **SUBJECT TO** encumbrances, easements, restrictions and rights of way appearing of record or enforceable in law and equity.

[CONTINUED ON NEXT PAGE]

SCANNED
OCT 12 2022

THIS SIGNATURE AND NOTARY PAGE IS PART OF A DOCUMENT ENTITLED
"WARRANTY DEED" AND HAS NOT BEEN SIGNED BY THE FOLLOWING
PERSON(S) FOR ANY OTHER PURPOSES.

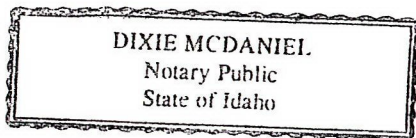
WITNESS the hand of the said Grantor to this Deed this 22nd day of
December 2015.

"GRANTOR"

John T. Field
JOHN T. FIELD

STATE OF Idaho)
COUNTY OF Owyhee) :ss

On the 22 day of December, 2015, before me, the undersigned
Notary, personally appeared JOHN T. FIELD, who is personally known to me or who proved to me
his identity through documentary evidence to be the person who signed the preceding Instrument
as GRANTOR, in my presence, and who acknowledged to me that he signed the preceding
Instrument voluntarily, for its stated purpose.



Dixie McDaniel
Notary Public for the State of Idaho
Residing at: Grand View ID
My Commission Expires: 2-21-19

**J. TERRY AND LESLIE S. FIELD
2015 JOINT TRUST AGREEMENT**

THIS TRUST AGREEMENT is entered into by and among:

J. TERRY FIELD
38167 STATE HWY 78
Grand View, Idaho 83624 ("Trustmaker" and "Husband")
and
LESLIE S. FIELD
38167 STATE HWY 78
Grand View, Idaho 83624 ("Trustmaker" and "Wife")

AND

J. TERRY FIELD
38167 STATE HWY 78
Grand View, Idaho 83624 ("Husband First Trustee" and "Trustee")
and
LESLIE S. FIELD
38167 STATE HWY 78
Grand View, Idaho 83624 ("Wife First Trustee" and "Trustee")

The Effective Date of this Instrument is February 17, 2015.

The name of this Trust is the J. TERRY AND LESLIE S. FIELD 2015 JOINT TRUST.

The record ownership of all property owned by the Trust shall be taken in the
name of:

"J. TERRY AND LESLIE S. FIELD 2015 JOINT TRUST"

or

"J. Terry Field and Leslie S. Field, Trustees of the
J. TERRY AND LESLIE S. FIELD 2015 JOINT TRUST."

The Terms and Definitions contained in this Trust Agreement shall be applicable
to all of the provisions of this Instrument.

1. **UNDERSTANDINGS.** By the execution of this Instrument the Trustmakers have established an *intervivos* revocable trust which will provide for the use of and Trust Income from the Trust Property by the Trustmakers during the joint lifetimes of the Trustmakers, become irrevocable upon the death of the Deceased Trustmaker and provide for the distribution of the Survivor Share, Personal Residence Share, Marital Share and Family Trust following the death of the Surviving Trustmaker without the necessity of probate proceedings being undertaken.

[END OF SECTION]

...and the Trustmaker and the First Trustee as of the Effective Date...

"TRUSTMAKER"

J. Terry Field
J. TERRY FIELD

Leslie S. Field
LESLIE S. FIELD

"FIRST TRUSTEE"

J. Terry Field
J. TERRY FIELD

Leslie S. Field
LESLIE S. FIELD

STATE OF Idaho)
COUNTY OF Owyhee) :SS

On the 22 day of December, 2015, personally appeared before me J. TERRY FIELD, who is personally known to me or who proved to me his identity through documentary evidence to be one of the signers of the foregoing instrument as TRUSTMAKER, and who acknowledged to me that he signed it voluntarily for its stated purpose.

DIXIE MCDANIEL
Notary Public
State of Idaho

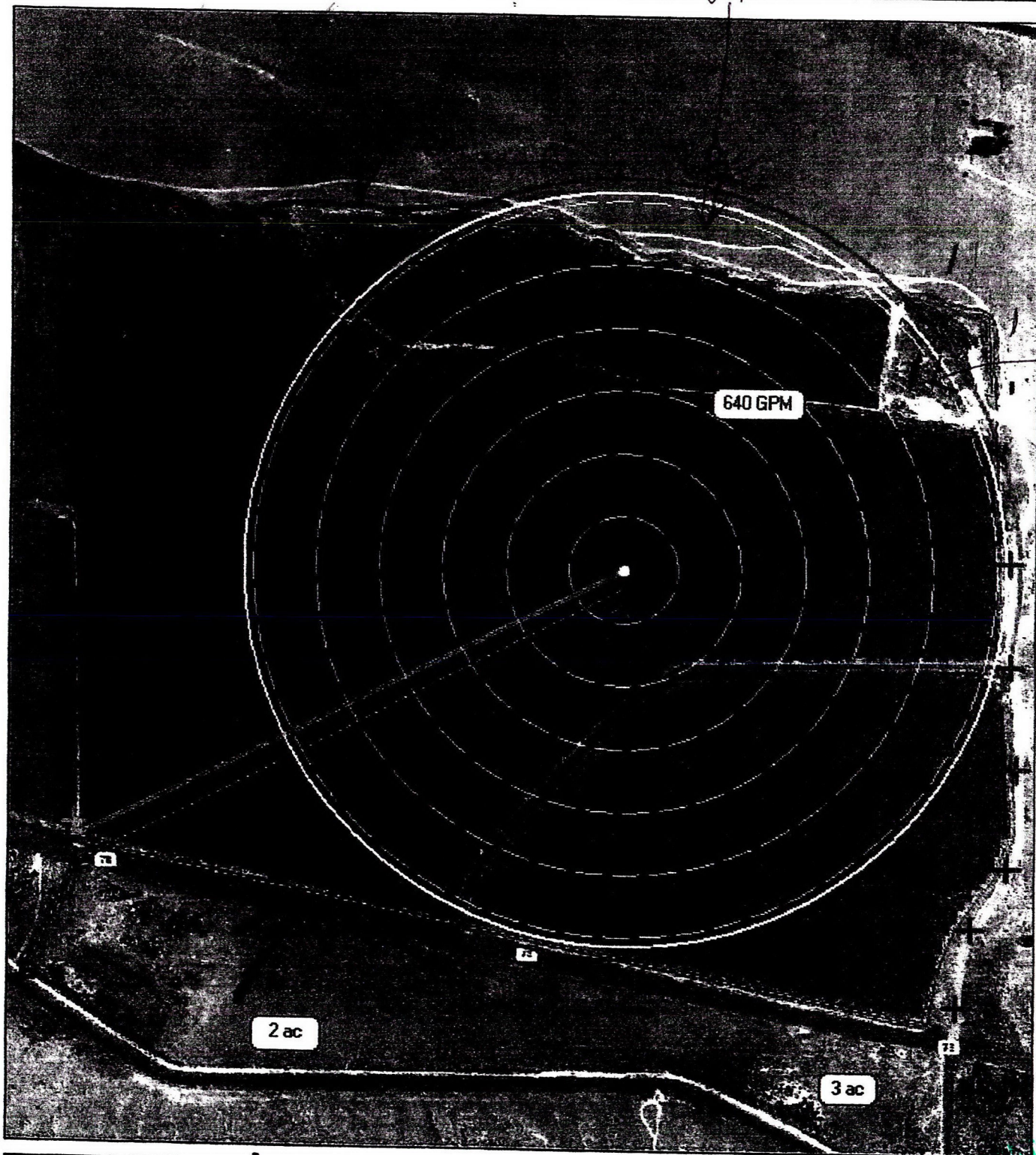
Dixie McDaniel
Notary Public for the State of Idaho
Residing at: Grand View ID
My Commission Expires: 2-21-19

SCANNED
OCT 12 2022

J Terry Field Pivot

2 1/2 acres

Bart's Map



Lindsay Manufacturing Co. Omaha, NE 800-829-5300 office

RECEIVED
OCT 17 2022

Fax Cover Page

5 Total pages including
cover page

To: Idaho Department of Water Resources
322 E Front Street
Borise, Idaho 83720-0098

Fax Phone #

208-287-6700

From: Leslie Field

208-834-2263

Attention Michele E/I

SCANNED
OCT 12 2022

MURPHY, OWYHEE, IDAHO
4-18-2016 11:04:01 AM No. of Pages: 2
Recorded for : BULLOCK LAW FIRM
ANGELA BARKELL Fee: 13.00
Ex-Officio Recorder Deputy Angela Barkell
Index for: DEED, WARRANTY

WHEN RECORDED, RETURN TO:

Bullock Law Firm
353 East 300 South
Salt Lake City, Utah 84111

GRANTEE NAME(S) AND ADDRESS(ES):

J. Terry Field, Trustee
Leslie S. Field, Trustee
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Grand View, Idaho 83624

Space Above This Line For Recorder's Use

[Parcel ID. # _____]

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Boise Meridian, Idaho

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Section 7, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
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Together with Water Right # 02-7061.

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[CONTINUED ON NEXT PAGE]

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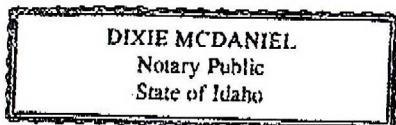
WITNESS the hand of the said Grantor to this Deed this 22nd day of
December, 2015.

"GRANTOR"

John T. Field
JOHN T. FIELD

STATE OF Idaho)
COUNTY OF Oneida) :ss

On the 22 day of December, 2015, before me, the undersigned
Notary, personally appeared JOHN T. FIELD, who is personally known to me or who proved to me
his identity through documentary evidence to be the person who signed the preceding Instrument
as GRANTOR, in my presence, and who acknowledged to me that he signed the preceding
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Dixie McDaniel
Notary Public for the State of Idaho
Residing at: Grand View ID
My Commission Expires: 2-21-19

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AND

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[END OF SECTION]

as of the Effective

"TRUSTMAKER"

J. Terry Field
J. TERRY FIELD

Leslie S. Field
LESLIE S. FIELD

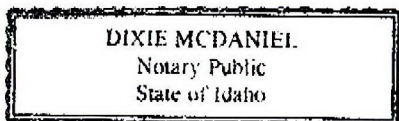
"FIRST TRUSTEE"

J. Terry Field
J. TERRY FIELD

Leslie S. Field
LESLIE S. FIELD

STATE OF Idaho)
COUNTY OF Owyhee) :ss

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Dixie McDaniel
Notary Public for the State of Idaho
Residing at: Grand View, ID
My Commission Expires: 2-21-19

Edl, Michele

From: Edl, Michele
Sent: Thursday, August 18, 2022 5:46 PM
To: Leslie Field
Subject: RE: Your Water Supply Bank rental application

Thank you Leslie,
Our FAX is 208 287-6700.

The note explaining that the use of his water right for irrigation on the trust land is a use he has authorized, could probably be sent back to me in an email.

But I believe I should have a copy of the deed which shows both of your names as joint trustees (or whatever title the document gives to you) to make a part of the application package.
And if you don't have easy access to a scanner or a fax machine, then getting the map and copy of the deed to me would be easier if sent them through the mail. So send them altogether to my attention
at:

Idaho Department of Water Resources
322 E Front St
Boise ID 83720-0098

Sincerely
Michele Edl

From: Leslie Field <field35@msn.com>
Sent: Thursday, August 18, 2022 4:53 PM
To: Edl, Michele <Michele.Edl@idwr.idaho.gov>
Subject: [EXTERNAL] Re: Your Water Supply Bank rental application

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.

Michele , Thank you for your time and effort. We are figuring the acres like this:

SWSE at 1 acre
NWNE 0 the pivot doesn't pick up any new ground
SWSW .02 is OK
SESW 12 is Ok (we called it closer to 10 acres0

I have a map that shows the pivot, that our renter used to estimate the acres.

The water right 2-7061 was John Terry Field desert entry so that is why it is in his full name.
The trust has the deeds to our ground and it is in both our names. Terry was not with me when I met with Mary Corden in Mt Home but she said if my name was on the deed I could sign it and she could take it to work the next day. My husbands full name is John Terry Field. He goes by J. Terry and Terry. We can send you a

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Thank you again for your help.

Leslie Field 208-834-2263

From: Edl, Michele <Michele.Edl@idwr.idaho.gov>

Sent: Wednesday, August 17, 2022 6:49 PM

To: field35@msn.com <field35@msn.com>

Subject: Your Water Supply Bank rental application

John Terry Field,

I have begun a review of the application to rent back some of the water that you have leased to the State's Water Supply Bank (WSB).

I spoke briefly with a very pleasant person earlier today but failed to collect her name or to remember it, but I suspect I was speaking with Leslie Field.

I need to clarify a few items and find that an email exchange or two can save a lot of time over traditional mail. If you would prefer that I call you instead, just let me know.

First

I have confirmed using satellite imagery that the pivot you had planned for has been installed (a little later than expected) but it is successfully delivering water as intended.

I have attached a screen shot taken from my computer showing the pivot irrigation shape and the total number of acres that the pivot covers. The red colored areas indicate irrigation (including irrigation by your other rights) and is based on imagery dated July 2022. The rental application was a little uncertain about the total number of new acres to be covered. Based on the circle I created to represent your pivot, the new acres irrigated total ~17.2 acres.

SWSE 3.4 acre

Gov't L2 NWNE 1.6 acres

SWSW 0.2 acre

SESW 12 acres.

If this total of new acres is not a match to your understanding of the pivot design, or if the full circle I have projected is not the correct irrigation, I will happily make changes.

Second

I am expected to be very careful to confirm the authority to file and the authority to request use of water on any property. IDWR cannot authorize a water use in trespass.

The only water right listed on the rental application is 2-7061 and is in your name (John Terry Field) only. Leslie Field is not a co-owner of that right. Several of your rights are leased to the WSB and list both your names as owners but not 2-7061.

The place of use for this rental water is under a new pivot which located within property owned by the Terry and Leslie Field Joint Trust.

Only Leslie Field signed the application to rent water.

I need to connect the dots.

- The trust name is not the same as the person who signed the application and not the same as the owner of the water right.
- The owner of the water right is not the same as the person who signed the application nor the name of the property owner.

Do you have documentation that can show me that Leslie can act on behalf of the joint trust and can act on your behalf in water rights matters? If not, can you provide me a brief note which states that she can?

Have you considered updating the ownership of your water rights to reflect the ownership preference you have for the land that you own? Consistency between the land ownership and the water right ownership makes processing easier for us.

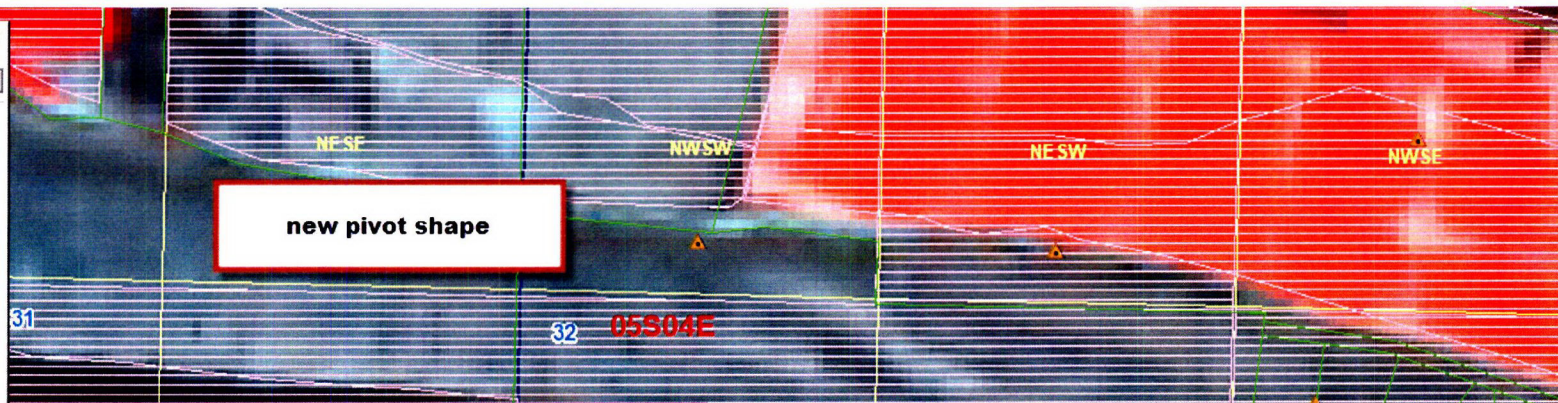
I am recovering from a surgery to my foot so I am in the office most days between 9-6 and can be reached at 208-287-4946. Please call if you have questions.

Sincerely,
Michele Edl

identify

identify from: Water Right POU

- ☐ Water Right POU
 - 2-2176
 - 2-2084



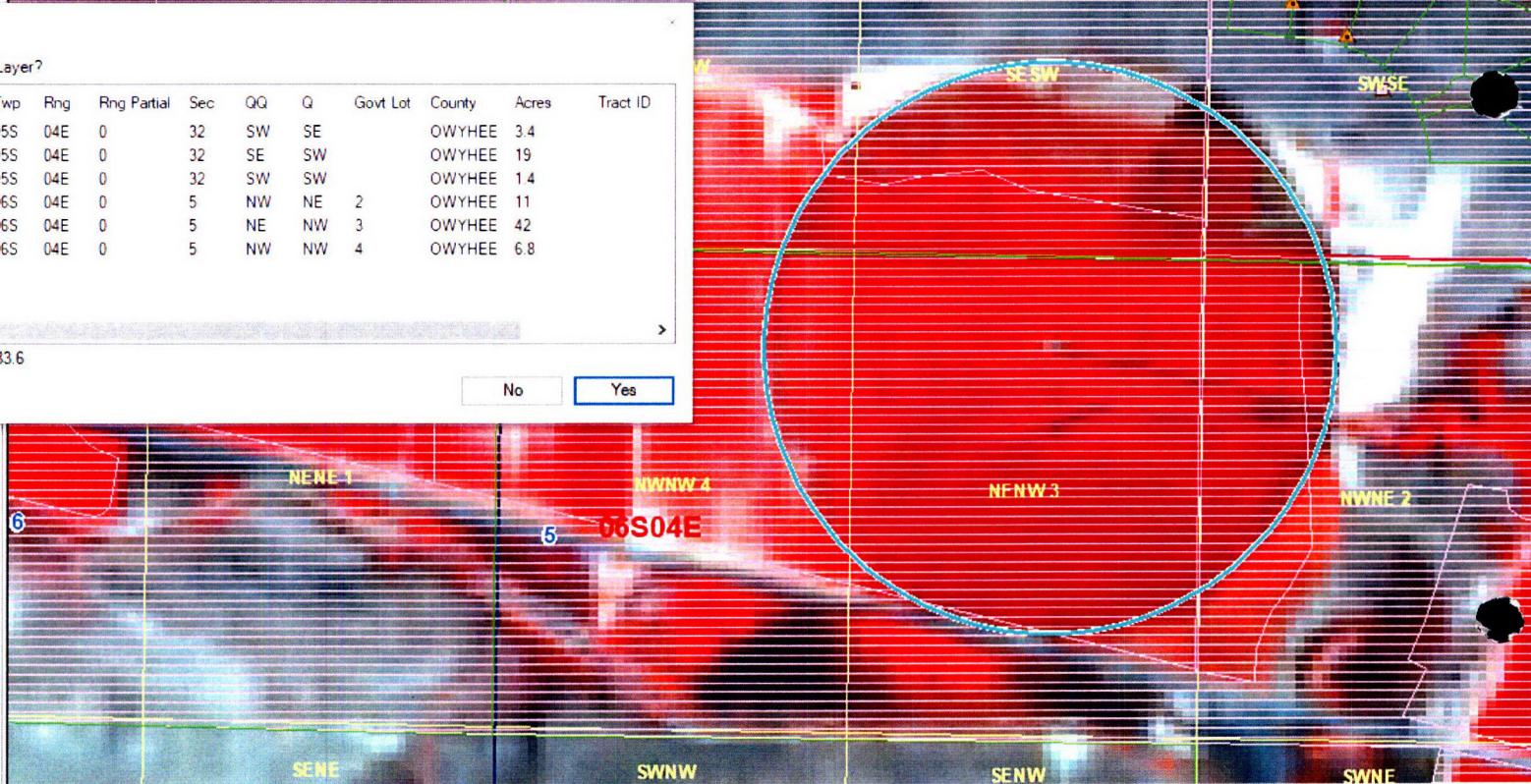
Location: 2,336,684.755 1,305,879.914 Meters

Field	Value
SHAPE	Polygon
WaterRightNumber	2-2084
BasinNumber	2
SequenceNumber	2084
SplitSuffix	
Status	Active
Basis	Decreed
PriorityDate	6/8/1958
DecreedDate	6/15/2009
Owner	FIELD, J TERRY; FIELD, LESLIE
WaterUse	IRRIGATION
WaterUseCode	01
TotalAcres	50
AcreLimit	<null>
Source	SNAKE RIVER
SourceQualifier	<null>
TributaryOf	COLUMBIA RIVER
TributaryOfQualifier	<null>
WaterDistrictNumber	02
LargePOU	0
RightID	590556
PlaceOfUseID	707890
WRReport	https://research.idwr.idaho.gov/apps/wate
WRDocs	https://research.idwr.idaho.gov/apps/wate
GISAcres	51.5
WRMap	https://maps.idwr.idaho.gov/apps/Shared/f
TrustOrNonTrust	<null>

Save Pls As Layer?

Meridian	Twp	Rng	Rng Partial	Sec	QG	Q	Govt Lot	County	Acres	Tract ID
1	05S	04E	0	32	SW	SE		OWYHEE	3.4	
1	05S	04E	0	32	SE	SW		OWYHEE	19	
1	05S	04E	0	32	SW	SW		OWYHEE	1.4	
1	06S	04E	0	5	NW	NE	2	OWYHEE	11	
1	06S	04E	0	5	NE	NW	3	OWYHEE	42	
1	06S	04E	0	5	NW	NW	4	OWYHEE	6.8	

Total Acres: 83.6



SCANNED
001 1 2 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

JOHN AND LESLIE FIELD
PO BOX 217
GRANDVIEW ID 83624

RE: APPLICATION 2346 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 11 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

COANNED
OCT 12 2022