

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 820

RECEIVED

MAR 11 2024

DEPT. OF WATER RESOURCES

This is to certify that:

TERRY C CAROTHERS
PO BOX 331
GRAND VIEW, ID 83624

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)
2-10471	2/25/1963	SNAKE RIVER	0.90	180	45	0.02	4.0
Combined Rental Totals			0.90	180	45	0.02	4.0

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 2024, whichever occurs last.

Annual Rental Fee:

2024: \$4,140.00

The full fee for the rental of the above-described right(s) is \$4,140.00 for 2024. The rental fee includes an administrative fee of \$414.00 for 2024.

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	0.90	120	30	0.03	4.0
Combined Total	0.90	120	30	0.03	4.0

*** The authorized water usage reflects a reduction from the water right elements rented, to account for seepage and evaporation losses from the Grandview Canal.**

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 820

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:

 3-11-24
Signature of Renter Date

Terry Carothers Owner
Printed Name 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 3/19/24
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR  Date 3/19/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 820

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER NWNW Sec. 34, Twp 05S, Rge 04E, OWYHEE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.90 CFS

VOLUME
120 AF

SEASON OF USE

From To
4/1 10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	03E	23										18		12					30

Total Acres: 30

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 4.0 afa per acre at the field headgate for irrigation of the place of use.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/8/2008.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

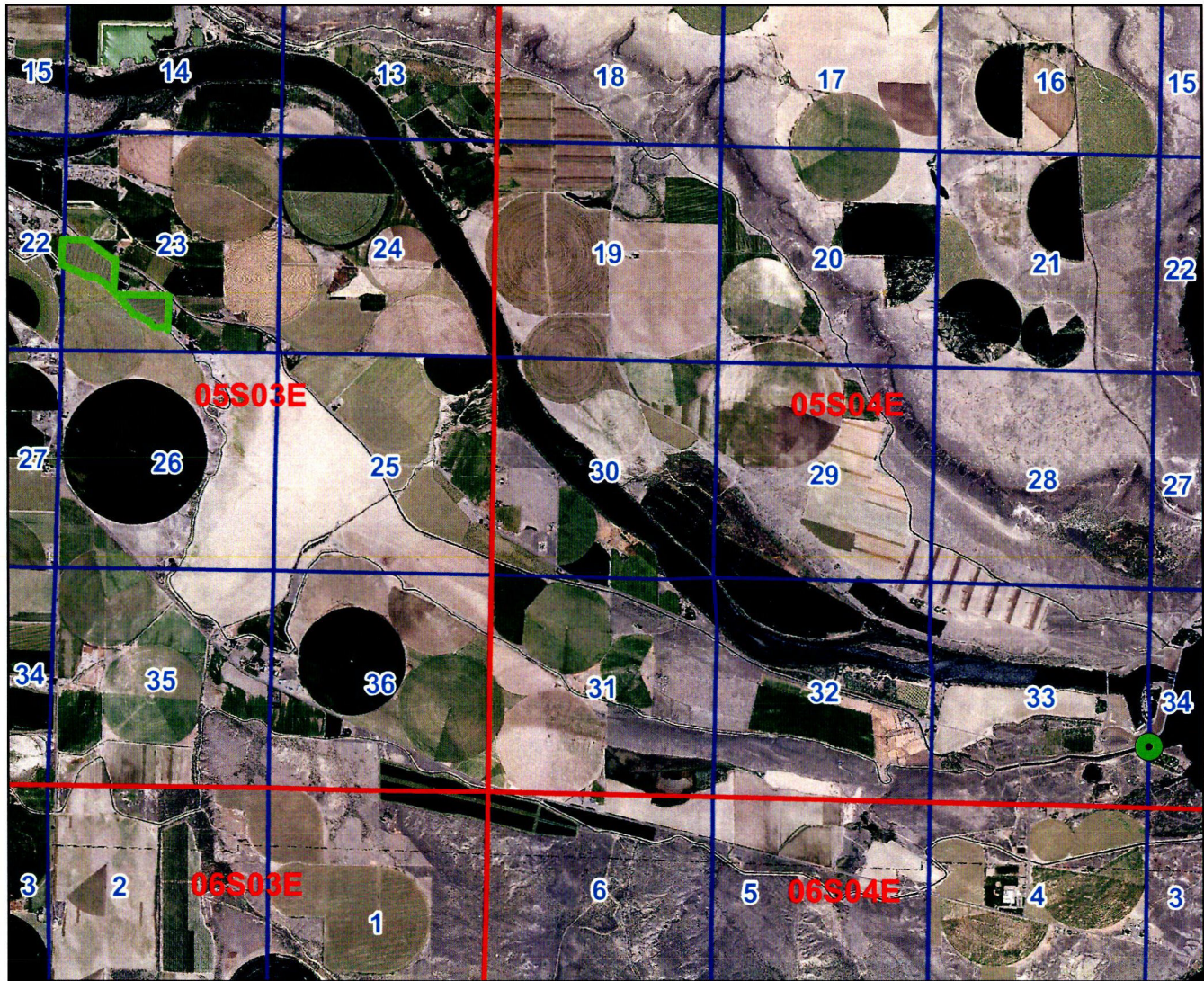
WATER SUPPLY BANK RENTAL AGREEMENT No. 820

11. The following rights are diverted through the point of diversion described above: 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, 2-10503.
12. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
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. 2.
14. This right does not grant any right-of-way or easement across the land of another.

Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 820

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 5,000 10,000 15,000 Feet

Legend

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



RECEIVED

SEP 14 2023

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK

RECEIVED

DEC 15 2023

WATER RESOURCES
WESTERN REGION

RECEIVED

SEP 13 2023

WATER RESOURCES
WESTERN REGION

Applicant Name: Terry Carothers

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)

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Terry C Carothers

Mailing Address	<u>PO Box 331</u>	<u>Grand View</u>	ID	<u>8325</u>
	Street	City	State	Zip Code
Email Address	<u>teryc@agri-lines.com</u>		Phone Number	<u>208-880-1609</u>

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

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

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

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)
0.6 CFS	AF	0.6 CFS	AF	30 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?	
3/1/2024	4/1/2023	☐ 1	☐ 2	☐ 3	☐ 4	☒ 5	☒ Process application as soon as possible	☐ Return application to applicant

* *The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.*

** *Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.*

**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):

From CJ Strike through Grand View Mutual Irrigation then sprinkled onto ground.

- 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
Pump	Snake River	N/A

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 30 (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:

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)
2-10471	Irrigation					0.6		30
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	0.6		30
						CFS	AF	AC

**Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.*

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☐ No ☒

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

Agreement 426. Perminant water right has not been granted yet. Process of obtaining the water right is still in process.

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental?

If yes, describe:

Yes ☒ No ☐

Applied for water right. The process is still ongoing.

- 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

Terri C. Carothers
Printed Name of Applicant

9-13-23
Date

Signature of Representative

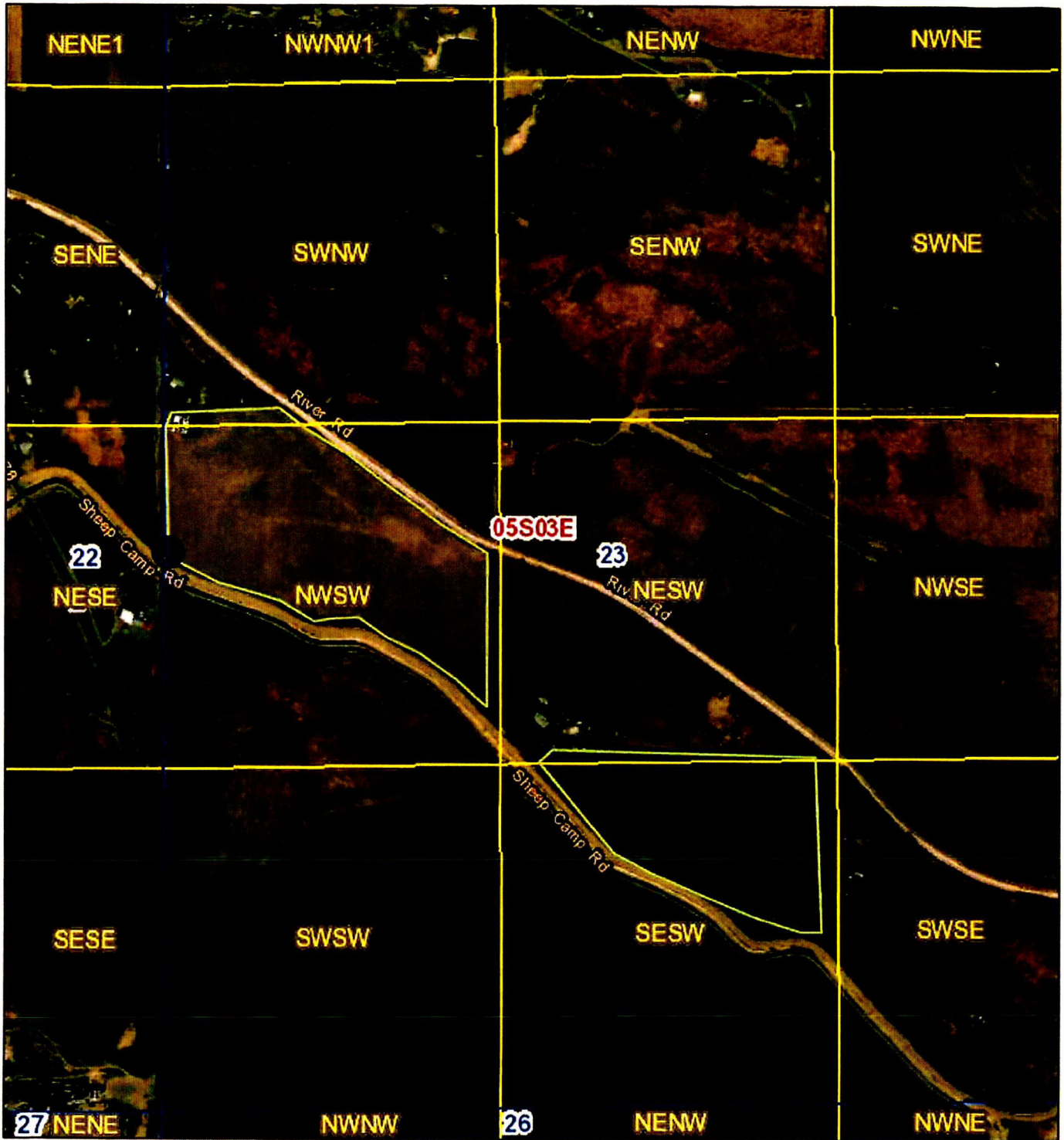
Printed Name of Representative

Date

Mail to:

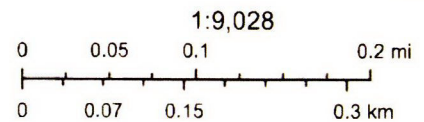
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Application for Water Right



1/27/2020 10:37:25 AM

-  **POD**
Override 1
-  **POV**
Override 1
-  Section
-  Township/Range
-  Counties
-  Idaho Outline
-  Quarter Quarter
-  Idaho Mask



Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Created by NRCS from 1:24,000 scale USGS topographic maps., Idaho Department of Water

Grand View Mutual Canal Company

PO Box 9

Grand View, Idaho 83624

208 834-2350

December 13, 2023

Idaho Department of Water Resources

PO Box 83720

Boise, Idaho 83720

RE: Rental Water from the Water Bank

Terry and Jackie Carothers

Dear Idaho Department of Water Resources,

The Grand View Mutual Canal will honor the request of Terry Carothers to deliver the Rental water through the Grand View Mutual Canal system.

The Grand View Mutual Canal recommends one inch per acre plus and additional half inch for evaporation and ditch loss.

If you have any questions, please contact the Grand View Mutual Canal Company.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Hipwell". The signature is fluid and cursive, with the first name "Randy" being more prominent and the last name "Hipwell" following in a similar style.

Randy Hipwell

Vice Chairman of the Board

WSB Mailing Checklist for Rentals

(For use on all new rental applications)

Key: Who Completes What?

CLERICAL STAFF: MK

REVIEWER: SC

Received Date: 12/15/2023
 Latest Start Date: 4/1/2024
 Renter: Terry C Carothers
 Rental Expiration Date: 2024
 Lease/Rental Package Y N

Application # 2749 Agreement # 1159

Water Right	Lease Contract ID
# 2-10471	1159
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	

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:

Previous agreement 426

Mailings (per application)

Renter: Terry C Carothers

Attorney: -

Consultants -

Name: -

Conveyance Entity: Grandview Mutual Canal Co.
 Ex. Irrigation Dist. of Canal Co.

(Ground) Water

Dist: -

Other: WDZ

WD Snake 01, Boise, Payette, and Bear River

Region: -

Watermaster: Rob Whitney

Compliance: -

Original

CC

Email or Address

☐
☐
☐
☐
☐
☐

(final only)

☐

(final only)

☐

(final only)

☐

(final only)

☐

(final only)

☐

(final only)

☐

Resolving NOV? Y / N

#

Call up Date: 2/21/2024

DO NOT SCAN



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

Governor Brad Little

Director Mathew Weaver

March 20, 2024

TERRY C CAROTHERS
PO BOX 331
GRAND VIEW, ID 83624

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 2-10471, AGREEMENT 820**

Dear Renter:

Please find enclosed a receipt in the amount of **\$4,140.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 180.0 acre-feet of water for irrigation of 45 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 \$3,726.00 of the rental fee will be paid to the lessor(s) and 10% or \$414.00 will be retained by the Department to offset administrative costs.

Sincerely,

A handwritten signature in blue ink that reads "Debra Manzfield".

for
Water Supply Bank

Enclosures: Receipt No. C117934
Rental Agreement (copy)

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



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 20, 2024

GRANDVIEW MUTUAL CANAL CO
PO BOX 9
GRAND VIEW ID 83624

TERRY C CAROTHERS
PO BOX 331
GRAND VIEW, ID 83624

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 2-10471, AGREEMENT 820**

Dear Renter:

Please find enclosed a receipt in the amount of **\$4,140.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 180.0 acre-feet of water for irrigation of 45 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 \$3,726.00 of the rental fee will be paid to the lessor(s) and 10% or \$414.00 will be retained by the Department to offset administrative costs.

Sincerely,

A handwritten signature in blue ink that reads "Delra Mansfield".

for
Water Supply Bank

Enclosures: Receipt No. C117934
Rental Agreement (copy)

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

Mansfield, Debra

From: Mansfield, Debra
Sent: Tuesday, March 19, 2024 3:15 PM
To: Whitney, Rob; Miller, Nick; IdwrPayable
Cc: Bank
Subject: Executed WSB Rental 820
Attachments: Executed WSB Rental Agreement 820.pdf

Good Afternoon,

Please see the attached copy of executed Rental Agreement 820, in the name of Terry C Carothers, 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



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 7, 2024

TERRY CAROTHERS
PO BOX 331
GRAND VIEW, ID 83624

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 2-10471, AGREEMENT 820**

*****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 \$4,140.00 per year was calculated based on the current rental rate of \$23.00 per acre-foot times a diversion volume of 180 acre-feet.

Please send a check for \$4,140.00 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 \$3,726.00 of the rental fee will be paid to the lessor(s) and 10% or \$414.00 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

c: IDWR Front Desk
Representative (via email)

Cheever, Skyler

From: Cheever, Skyler
Sent: Friday, February 2, 2024 9:34 AM
To: Whitney, Rob; Miller, Nick
Subject: Water Supply Bank Rental Application 2749
Attachments: Rental 820 Map.pdf; Rental Review Memo 820.pdf; Rental Agreement 820.pdf

Hello Rob and Nick,

I have completed my review of a Water Supply Bank Rental application 2749 with the point of diversion within basin 2, Water District 2, and the place of use is within basin 57. The applicant is the Terry Carothers. The applicants propose to rent 30 acres from lease contract 1159 for water right 2-10471 from the water supply bank for 2024. Attached is a copy of the review memo, rental agreement, 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

MEMORANDUM FOR WSB RENTAL AGREEMENT # 820

To: Water Right No(s). 2-10471

From: Skyler Cheever-Water Resource Agent

Date: 2/2/2024

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

PURPOSE/NARRATIVE:

Application 2749 was sent in by Terry C. Carothers and was originally received on December 15th, 2023. The proposed point of diversion diverts from the Grandview Canal. Consent from the canal company was not included with the application. Therefore, the application was considered incomplete and returned to the applicant on December 4th, 2023. The application including an authorization letter from the canal company was received on December 15th, 2023. The applicant proposes to rent 30 acres of irrigation from lease contract 1159 from 2024-2028. However, the contract is only available through 2024. The applicant was informed on January 19th, 2023, and confirmed moving forward with a one-year rental. The applicant is currently in the process of acquiring a permanent water right, 2-10561. The point of diversion is within the Snake River Basin Moratorium Area, Bruneau-Grandview Groundwater Management Area, and Trust Water Area. This application is intended as a renewal of agreement 426 which expired on December 31st, 2023.

AUTHORITY TO FILE:

Terry Carothers signed the application. Mr. Carothers has the authority to file this agreement because he is the current owner of the place of use and point of diversion according to Tax Parcel Data and Department records.

INJURY TO OTHER WATER RIGHTS:

The proposed point of diversion is delivered through the Grandview Mutual Canal Company. An authorization letter was sent by the Canal Company recommending 0.5 in per acre or 0.03 cfs per acre total be delivered into the canal system to account for evaporation and seepage losses. I am recommending the rented diversion rate be increased to 0.03 cfs per acre with an equivalent volume and acres to account for seepage and evaporation losses. The authorized diversion volume and acres should be reduced to the applicant's proposal. The lease point of diversion and the delivery headgate for the Grandview Mutual Canal Company divert from the CJ Strike Reservoir. Therefore, it is unlikely injury would occur to other water users. There are no other injury concerns.

ENLARGEMENT OF USE:

The applicant does have an active application for permit, 2-10561, which would overlap the place of use and point of diversion. However, Department records indicate the application has not been approved as a permit yet. So, a combined limit condition is not necessary. 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.

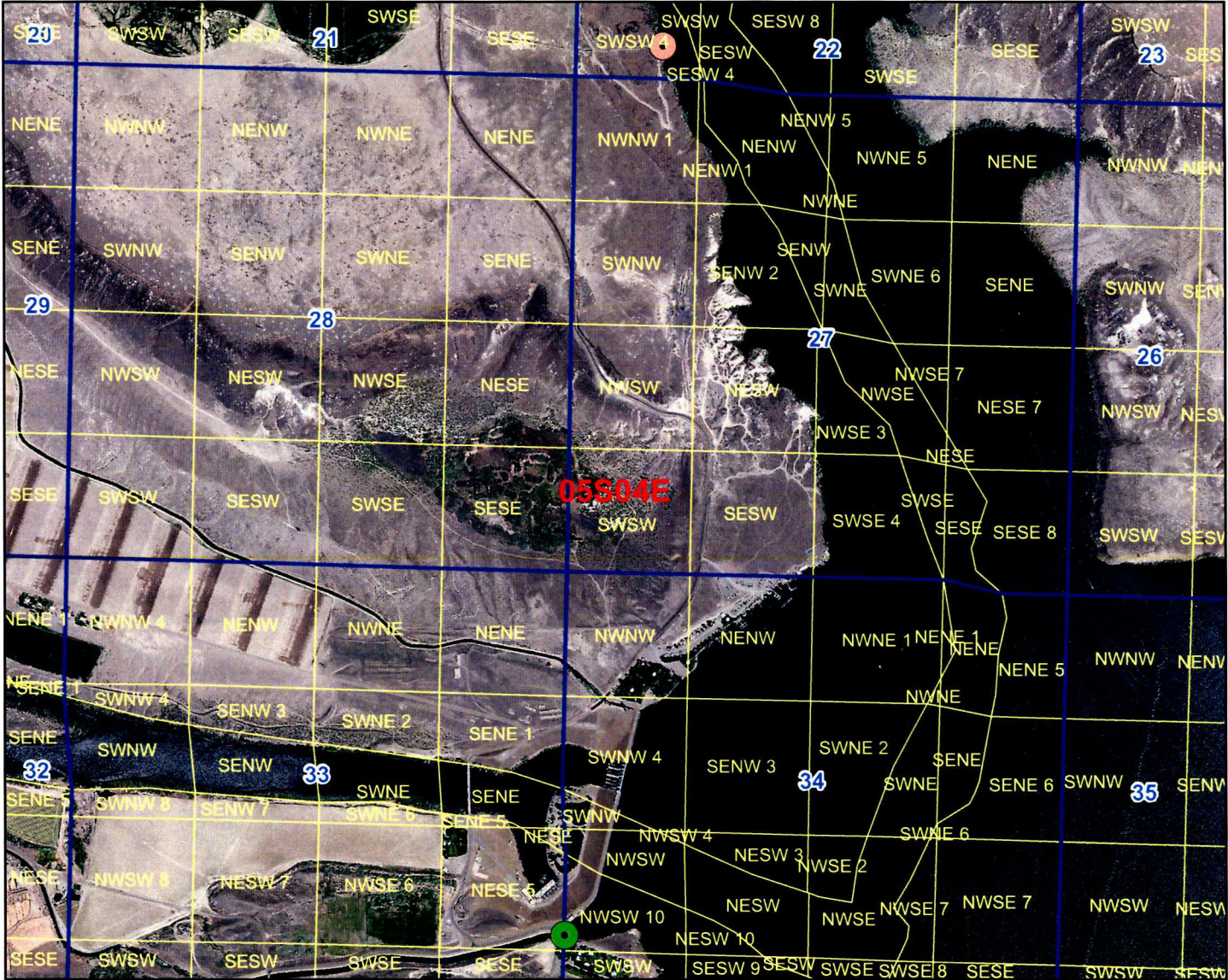
DEPARTMENT STAFF OR WATERMASTER COMMENTS:

The point of diversion is within basin 2, Water District 2, and the place of use is within basin 57. The Watermaster and Western Regional Manger were contacted for comment on February 2nd, 2024. No response was received, it is assumed there are no concerns with the applicant's proposal.

Idaho Water Resource Board

WSB Move Map

2-10471
2024



Legend

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





IDAHO DEPARTMENT OF
WATER RESOURCES

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Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

December 4, 2023

RECEIVED

TERRY C CAROTHERS
PO BOX 331
GRAND VIEW, ID 83624

DEC 19 2023
DEPARTMENT OF
WATER RESOURCES

**RE: RETURN OF RENTAL APPLICATION 2749 TO RENT WATER FROM THE WATER
SUPPLY BANK**

Dear Applicant:

The Department of Water Resources is closing your Application to Rent Water from the Water Supply Bank. We sent a Request for Additional Information on November 1, 2023 to you to be submitted within 30 days to be considered for the 2024 season. As of today, we have not received the additional information requested. Therefore, the department is returning your application.

If you wish to rent water in the future, use forms found here:

<https://idwr.idaho.gov/iwrb/programs/water-supply-bank/water-supply-bank-forms/>. The Department will accept applications proposed for the next calendar season on November 1 of the prior year. Please note that applications received earlier in time and meet all the minimum requirements have an increased chance of being approved. **YOU ARE ENCOURAGED TO FILE AN APPLICATION AT LEAST 3 MONTHS PRIOR TO THE DATE YOU DESIRE TO USE THE RENTAL WATER.**

Finally, filing a rental application does not authorize diversion and use of water. It is unlawful to use water without a valid water right or an approved Bank rental agreement. You are not authorized to divert any water for the purposes described in a rental application until the rental fee is paid and the Department executes a rental agreement. If you have any questions regarding this matter, please contact me at (208) 287-4822.

Sincerely,

Mackenzie Kienholz
Water Supply Bank Specialist