

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 708

This is to certify that:

KIRK S EGBERT RANCHES INC
PO BOX 87
TERRETON, ID 83450

RECEIVED
FEB 13 2023
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)
22-2175A	2/23/1960	GROUND WATER	0.09	24.5	7.0	0.013	3.50
Combined Rental Totals			0.09	24.5	7.0	0.013	3.50

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2025. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2023, whichever occurs last.

Annual Rental Fee:

2023 - 2025: \$563.50 annually

The full fee for the rental of the above-described right(s) is \$563.50 per year for years 2023 - 2025. The rental fee includes an administrative fee of \$56.35 per year for years 2023 - 2025.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Detailed water right conditions are attached.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 708

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:

Kirk Egbert
Signature of Renter

February 7, 2023
Date

Kirk Egbert
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 Brian Patton
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 2/15/23

Rental approved by IDWR FR

Date 2/15/23

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 708

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESE Sec. 23, Twp 06N, Rge 35E, JEFFERSON County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.09 CFS

VOLUME
24.5 AF

SEASON OF USE

Water Right No. **From** **To**
22-2175A 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	
06N	35E	26	2.3	4.7															7.0

Total Acres: 7.0

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 rental agreement does not authorize the construction of a well.

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DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 708

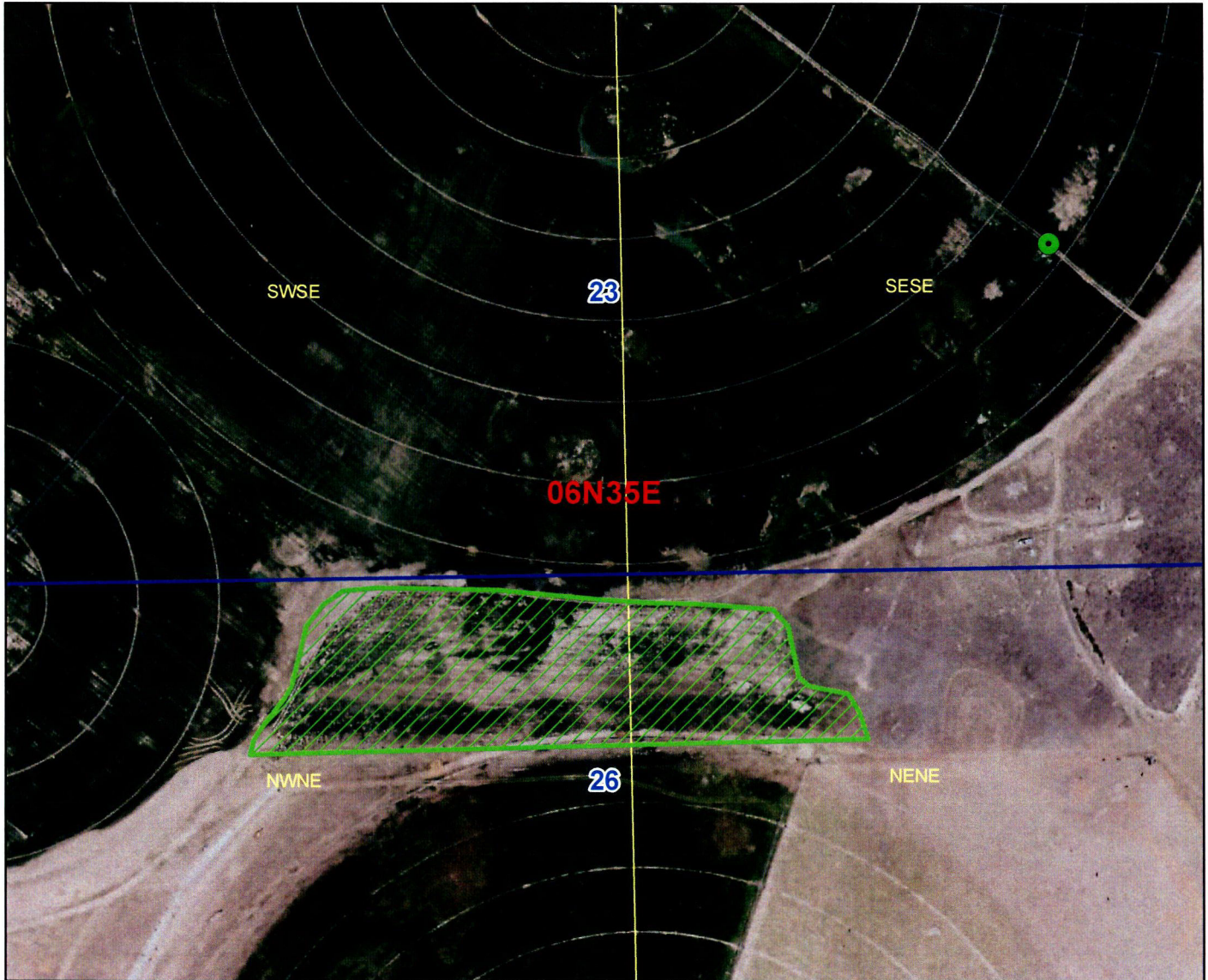
10. Prior to December 31 of each year, the Board may review this rental agreement to determine whether it is consistent with the management plan that may be approved for the Eastern Snake Plain Aquifer Ground Water Management Area ("ESPA GWMA Plan") pursuant to Idaho Code § 42-233b. The Board may cancel this rental agreement if the Board determines it is not consistent with the ESPA GWMA plan. If this rental agreement is canceled, the cancellation shall not take effect until December 31 of the year in which the rental agreement is canceled.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
12. 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. 110.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 708

Effective until December 31, 2025

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



Legend

- Water Supply Bank Rental POD
- Water Supply Bank Rental POU
- Township/Range
- Sections
- QQ



0 0.1 0.2 Miles

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STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKRECEIVED
OCT 21 2022
DEPARTMENT OF
WATER RESOURCESApplicant Name: Kirk S Egbert

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)

21-12952 Combined

21-7089

2467

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STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Kirk S Egbert

Mailing Address	1410 E 1300 N, P.O. Box 87	Terreton	ID	83450
	Street	City	State	Zip Code
Email Address	<u>kkegbert1985@yahoo.com</u>		Phone Number	<u>208-663-4505</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 Kristin Moore Professional Title Senior Water Rights Analyst

Organization Rocky Mountain Environmental Assoc. Inc Relationship to Applicant Consultant

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

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

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

Applicant would like to irrigate a field that has no water rights. They have access to an existing well and can divert water through a mainline and handlines.

- 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)
0.14 CFS	24.5 AF	0.11 CFS	17.5 AF	7 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?	
4/15/2023	6/01/2023	☒ 1	☒ 2	☐ 3	☐ 4	☐ 5	☒ Process application as soon as possible	☐ Return application to applicant

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

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

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STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):

One well with mainline to handlines at the proposed rental 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
Well in SESE Sec 23	Ground Water	31-12279, 31-12281
Of T06N R35E		

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 7 (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 rights 31-12279 and 31-12281 share the same point of diversion. No other water rights at the proposed rental place of use.

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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)
21-12952	Irrigation	0.6	107	31		0.03	5.9	1.7
21-7089	Irrigation	1.92	336	96		0.11	18.5	5.3
Combined		1.92	443	127				
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	0.11	24.4	7
						CFS	AF	AC

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

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

N/A

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

Yes ☐ No ☒

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

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STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

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

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

Water has been previously rented at this POU in rental agreement number 476. No permanent water rights have been identified.

- 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

Kirk Egbert

Printed Name of Applicant

10/14/22

Date

Signature of Representative

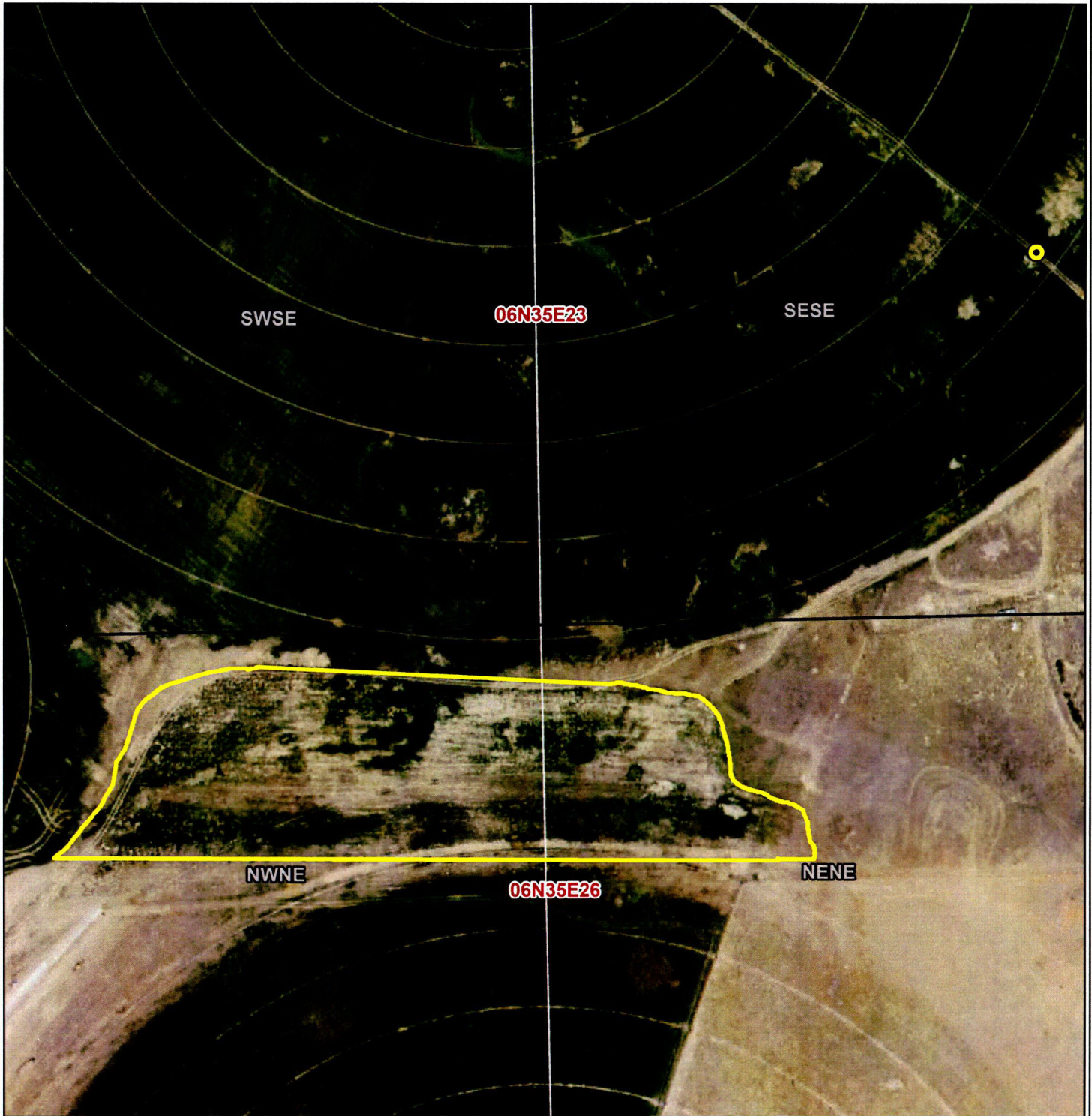
Printed Name of Representative

Date

Mail to:

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

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MAR 18 2023



0 330 660 Feet

2021 NAIP

- TO Well (7ac)
- Proposed Rental (7ac)
- Twn & Rng
- Section
- QQ



Water Supply Bank Rental

Kirk S Egbert

Project #: 14-0152

Drawn by: AD

Date: 9/26/2022



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

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MAR 18 2023

Eastern Snake Plain Aquifer Modeling Analysis and Narrative

WSB Rental Application for WR#21-12952 and 21-7089

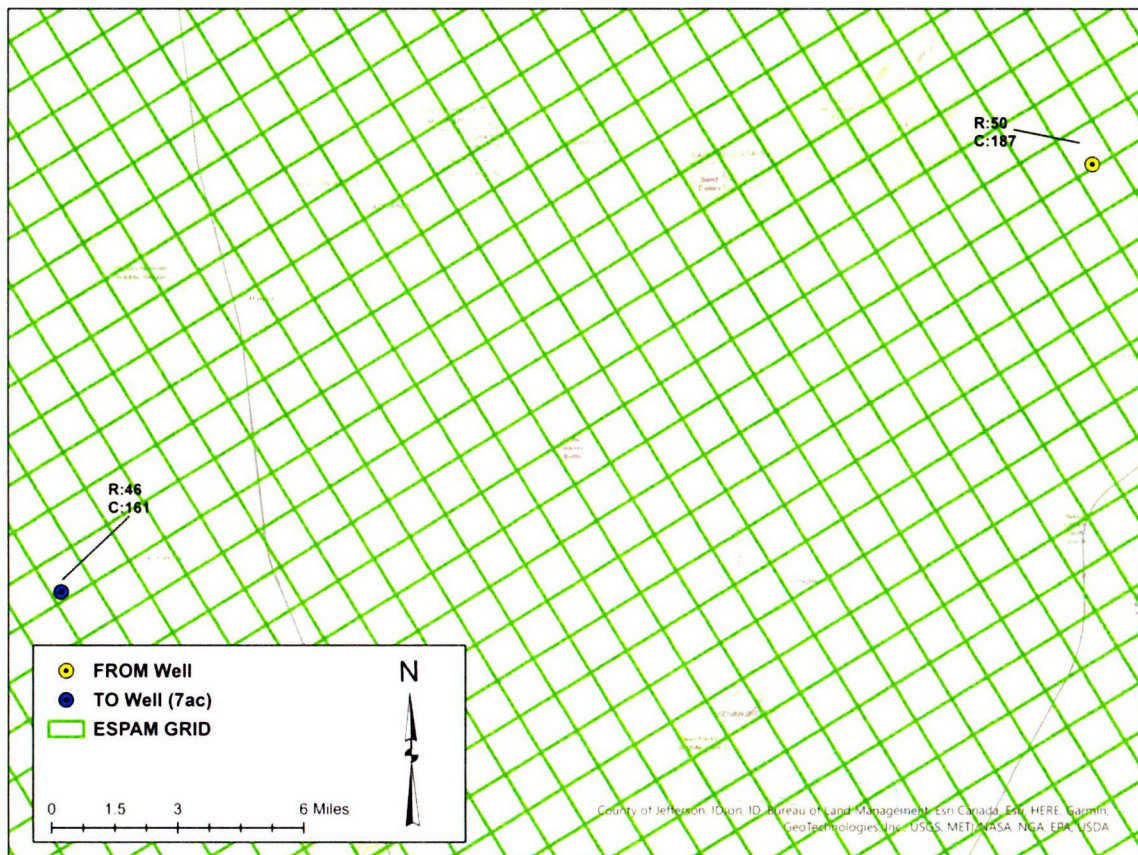
The Applicant requires an additional 7 acres at the proposed place of use to irrigate additional acres. This application proposes to rent water from water right nos. 21-12952 and 21-7089 for the 2023-2024 seasons that will cover the acres required.

Data Input Values

The TO Well location is two existing points of diversion for water rights 31-12279 and 31-12281. The model cell is identified as R46 C161.

The FROM Well location is the sole diversion for the proposed rented ground water right. The model cell is identified as R50 C187. Figure 1 shows the locations of the points of diversion used in the modeling scenario.

Figure 1. ESPA Model Grid



The standard consumptive use volume of 2.5 afa/acre was used to calculate a volume for modeling. Both the TO and the FROM wells share the same standard volume. For 7 acres of rental, a total annual volume of 17.5 af, or 5.8 af/trimester was used in the modeling simulation.

Results

Using ESPAM 2.1 to simulate the depletions of transferring 7 acres to the proposed place of use, the affects do not exceed the threshold of 2.0 af/trimester. No mitigation is required. Figures 2-4 include excerpts from the model simulation.

Figure 2. Data Entry

ENHANCED GROUND-WATER RIGHTS TRANSFER
 UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO: 14-0152

YEAR: 1976

SEASON: SPRING

TRANSFER NAME: KE

UPDATE DATES

RUN MODEL

GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	46	50	0	0
COLUMN	161	187	0	0

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1976	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SUM 1976	0.00	5.80	5.80	0.00	0.00	0.00	0.00
WIN 1976	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SPR 2021	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SUM 2021	0.00	5.80	5.80	0.00	0.00	0.00	0.00
WIN 2021	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SPR 2022	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SUM 2022	0.00	5.80	5.80	0.00	0.00	0.00	0.00
WIN 2022	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SPR 2023	5.80	0.00	5.80	0.00	0.00	0.00	0.00
SUM 2023	5.80	0.00	5.80	0.00	0.00	0.00	0.00
WIN 2023	5.80	0.00	5.80	0.00	0.00	0.00	0.00
SPR 2024	5.80	0.00	5.80	0.00	0.00	0.00	0.00
SUM 2024	5.80	0.00	5.80	0.00	0.00	0.00	0.00
WIN 2024	5.80	0.00	5.80	0.00	0.00	0.00	0.00
SPR 2025	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SUM 2025	0.00	5.80	5.80	0.00	0.00	0.00	0.00
WIN 2025	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SPR 2026	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SUM 2026	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SPR 2123	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SUM 2123	0.00	5.80	5.80	0.00	0.00	0.00	0.00
WIN 2123	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SPR 2124	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SUM 2124	0.00	5.80	5.80	0.00	0.00	0.00	0.00
WIN 2124	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SPR 2125	0.00	5.80	5.80	0.00	0.00	0.00	0.00
SUM 2125	0.00	5.80	5.80	0.00	0.00	0.00	0.00
WIN 2125	0.00	5.80	5.80	0.00	0.00	0.00	0.00

Figure 3. Net Transfer Graphs

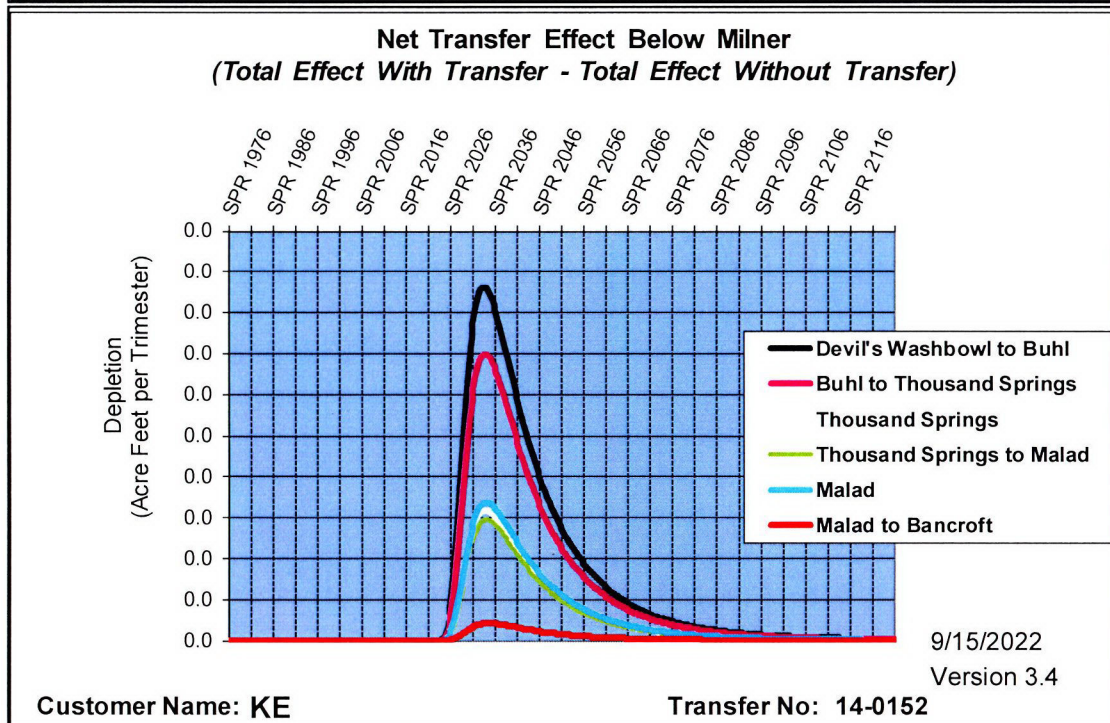
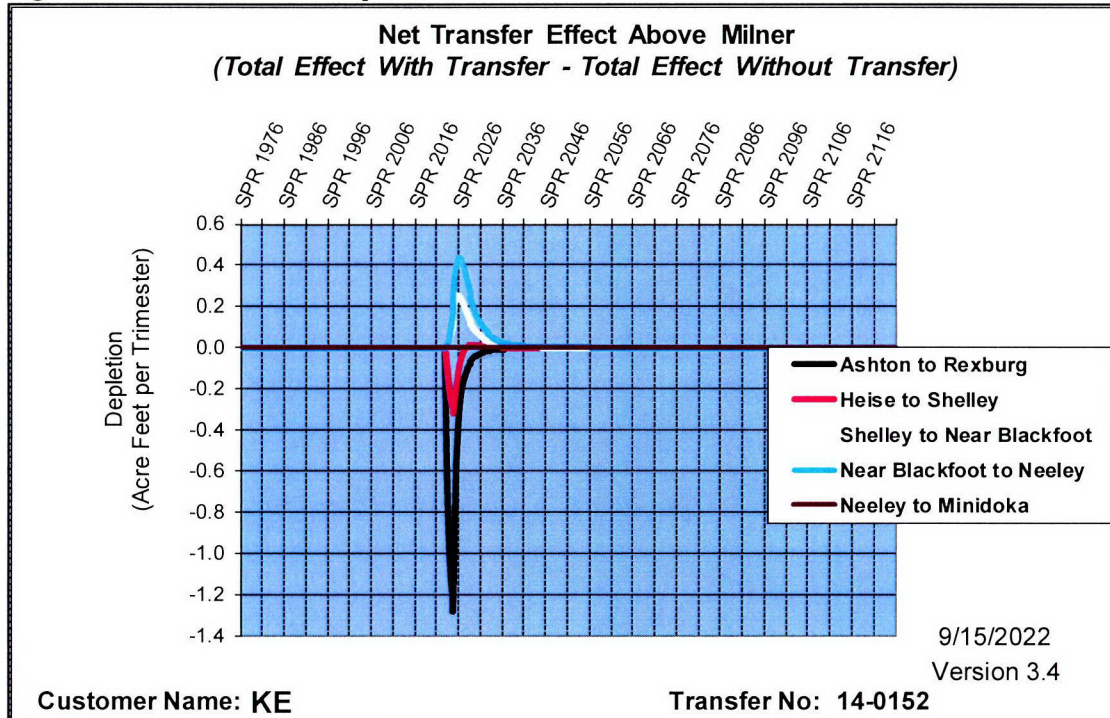


Figure 4. Calculated Affects

	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft to Neeley	Neeley to Minidoka	Dev. Wbl. to Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
	Rexburg	Shelley	Nr Bickft	Neeley	Minidoka	Buhl	Kspr		Malad		Bancroft
SPR 1976	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1976	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1976	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	-0.5	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	-0.8	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	-1.0	-0.2	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	-1.1	-0.3	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	-1.2	-0.3	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	-1.3	-0.3	0.2	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	-0.9	-0.3	0.2	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	-0.6	-0.2	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	-0.4	-0.1	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	-0.3	-0.1	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	-0.2	0.0	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	-0.2	0.0	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	-0.1	0.0	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	-0.1	0.0	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	-0.1	0.0	0.2	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2028	-0.1	0.0	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2028	-0.1	0.0	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2028	-0.1	0.0	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2029	-0.1	0.0	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2029	0.0	0.0	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2029	0.0	0.0	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2030	0.0	0.0	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2030	0.0	0.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2030	0.0	0.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2031	0.0	0.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: SPR 2010

Match: 103

Match: 456

	AtR	HS	StNB	NBN	NIM	DWIB	BTIS	TS	TSM	M	MTB	Total	
Preexisting Effects @ SS (Last Time Step):	3.16	1.39	0.37	0.83	0.01	0.01	0.01	0.00	0.00	0.00	0.00	5.80	Total Effect
dy State - Value of Dep. @ Last Time Step:	3.16	1.39	0.37	0.83	0.01	0.01	0.01	0.00	0.00	0.00	0.00	5.80	Total Effect
is @ Transient State (Max Value Timestep):	3.16	1.39	0.37	0.83	0.01	0.01	0.01	0.00	0.00	0.00	0.00	5.80	Total Effect
nt State - Max. Value of Dep. After Transfer:	3.16	1.39	0.62	1.26	0.01	0.01	0.01	0.00	0.00	0.01	0.00	6.47	Total Effect
Steady State Change:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	0.00	0.00	0.24	0.42	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

WSB Filing Checklist for Rentals

(for use on all new rental applications)

ESPA

Key: Who Completes What?

CLERICAL STAFF: MK

REVIEWER: MK

Received Date: 10/21/2022

Latest Start Date: 4/1/2023

Renter: Kirk S Egbert

Rental Expiration Date 12/31/2025

Lease/Rental Package Y (N)

Application # 2467

Agreement # 708

Water Right	Lease Contract ID
# 21-12952	
# 21-7089	
# 2-2175A	1419
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	

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 476
ESPA
WRS Not Available
Irrigation

Mailings (per application)

Renter: Kirk S Egbert

Attorney:

Consultants

Name: Kristin Moore - RMEA

Conveyance Entity:

Ex. Irrigation Dist. of Canal Co.

(Ground) Water

Dist: Jefferson-Clark GWD

Other: ESPA

WD Snake 01, Boise, Payette, and Bear River

Region: Eastern

Watermaster: Blake Jordan

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: _____

DO NOT SCAN



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Gary Spackman

March 20, 2023

KIRK S EGBERT RANCHES INC
PO BOX 87
TERRETON, ID 83405

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 22-2175A & 22-2175B AGREEMENTS 708 & 709**

Dear Renter:

Please find enclosed receipts in the amount of **\$2,058.50** and a copy of the fully executed Water Supply Bank Rental Agreements in connection with the rental of 24.5 acre-feet of water for irrigation of 7 acres and the rental of 65 acre-feet of water for irrigation of 11.96 acres. . 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 \$1,852.5 of the rental fees will be paid to the lessor(s) and 10% or \$205.85 will be retained by the Department to offset administrative costs.

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

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosures: Receipt No. C115272
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
Kristin Moore – Rocky Mountain Environmental
Water District 110

SCANNED
MAR 18 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Gary Spackman

January 27, 2023

KIRK S EGBERT RANCHES INC
PO BOX 87
TERRETON, ID 83450

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 22-2175A & 22-2175B AGREEMENTS 708 & 709**

*****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 \$563.50 per year was calculated based on the current rental rate of \$23.00 per acre-foot times a diversion volume of 24.5 acre-feet for rental 708. A rental fee of \$1,495.00 per year was calculated based on the current rental rate of \$23.00 per acre-foot times a diversion volume of 65.0 acre-feet for rental 709.

Please send a check for \$2,058.50 for 2023 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Pursuant to the Water Supply Bank Rules, 90% or \$1,852.65 of the rental fee will be paid to the lessor(s) and 10% or \$205.85 will be retained by the Department to offset administrative costs for **2023**.

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

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure

c: IDWR Front Desk
Kristin Moore

SCANNED
JAN 18 2023

MEMORANDUM FOR AGREEMENT #708

To: Water Right(s) 22-2175A

From: Mackenzie Kienholz

Date: 1/11/2023

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

PURPOSE/NARRATIVE: Rental application #2467 was submitted by Kristin Moore (Rocky Mountain Environmental Assoc.) on behalf of Kirk Egbert. The application was received by the Department on 10/21/2022 and requested 7.0 acres of rights 21-7089 and 21-12952 for irrigation of a field which is not covered by any water rights, however the requested rights are not yet available for the period requested. Right 22-2175A was identified by review staff as an alternative.

This rental is located in the ESPA GWMA, WD 110, and the Jefferson Clark GWD.

AUTHORITY TO FILE: The application was signed by the applicant, Kirk Egbert. The parcels at the proposed rental POU and POD are both owned by Kirk Egbert. Two other water rights, 31-12281 and 31-12279, are diverted from the proposed POD; both these rights are owned by Kirk Egbert. No concerns with authority to file.

WATER RIGHT VALIDITY: Water right 22-2175A was decreed on 11/24/2008. A review of the validity of the right was completed in 2019 when the right was first leased to the Bank and in 2021 when the lease was renewed. The lease reviews found that irrigation occurred in the years leading up to 2019 when the right was leased to the Bank. Part of 22-2175A's POU became a subdivision, but water rights were withheld from the sale of land. Acres at the lease POU will continue to be irrigated using water from the City of Rexburg. No concerns with water right validity.

INJURY TO OTHER WATER RIGHTS: Both the lease and rental fall within the ESPA. The lease POD is located in 06N40E, and the rental is located in 06N35E. Modeling was completed using the data entry below and found that no mitigation would be required. No concerns with injury to other water rights.

SCANNED
DATE 1/18/2023

YEAR		1959		TRANSFER NAME:		CALCULATE EFFECTS	
SEASON		SPRING		KE 7ac 22-2175A			
ENTER CELL LOCATIONS:							
	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL			
ROW	44	61	0	0			
COLUMN	176	182	0	0			

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1959	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 1959	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1959	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 1960	0.00	5.83	5.83	0.00	0.00	0.00	0.00
SUM 1960	0.00	5.83	5.83	0.00	0.00	0.00	0.00
WIN 1960	0.00	5.83	5.83	0.00	0.00	0.00	0.00
SPR 1961	0.00	5.83	5.83	0.00	0.00	0.00	0.00
SUM 1961	0.00	5.83	5.83	0.00	0.00	0.00	0.00
WIN 1961	0.00	5.83	5.83	0.00	0.00	0.00	0.00
SPR 2022	0.00	5.83	5.83	0.00	0.00	0.00	0.00
SUM 2022	0.00	5.83	5.83	0.00	0.00	0.00	0.00
WIN 2022	0.00	5.83	5.83	0.00	0.00	0.00	0.00
SPR 2023	5.83	0.00	5.83	0.00	0.00	0.00	0.00
SUM 2023	5.83	0.00	5.83	0.00	0.00	0.00	0.00
WIN 2023	5.83	0.00	5.83	0.00	0.00	0.00	0.00
SPR 2024	5.83	0.00	5.83	0.00	0.00	0.00	0.00
SUM 2024	5.83	0.00	5.83	0.00	0.00	0.00	0.00
WIN 2024	5.83	0.00	5.83	0.00	0.00	0.00	0.00
SPR 2025	5.83	0.00	5.83	0.00	0.00	0.00	0.00
SUM 2025	5.83	0.00	5.83	0.00	0.00	0.00	0.00
WIN 2025	5.83	0.00	5.83	0.00	0.00	0.00	0.00
SPR 2026	0.00	5.83	5.83	0.00	0.00	0.00	0.00
SUM 2026	0.00	5.83	5.83	0.00	0.00	0.00	0.00
WIN 2026	0.00	5.83	5.83	0.00	0.00	0.00	0.00

ENLARGEMENT OF USE: Although part of the leased water right place of use has continued to be irrigated with municipal rights, it does not appear that 22-2175A has been used at the lease location.

22-2175A has a combined limit for rate with 22-2175B and 22-7502. Rentable rate amounts were reduced at the lease stage to accommodate this limit so rights could be leased and rented individually. Because of the way 22-2175A is leased in, renting it without 22-2175B and 22-7502 is not an enlargement of the rights.

Two other water rights are owned by the applicant and diverted from the rental POD: 31-12279 and 31-12281. The rentable amounts for 22-2175A under the lease contract have a relatively low duty of water, about 0.013 cfs/acre, however so do the applicant's other water rights at the rental POD. These rights and the right being rented, 22-2175A, have duties of water all equivalent when rounded to the appropriate number of significant figures. Both the right being rented, 22-2175A, and the aforementioned rights diverted from the rental POD have a season of use from 4/1 to 10/31.

No concerns with enlargement of use.

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

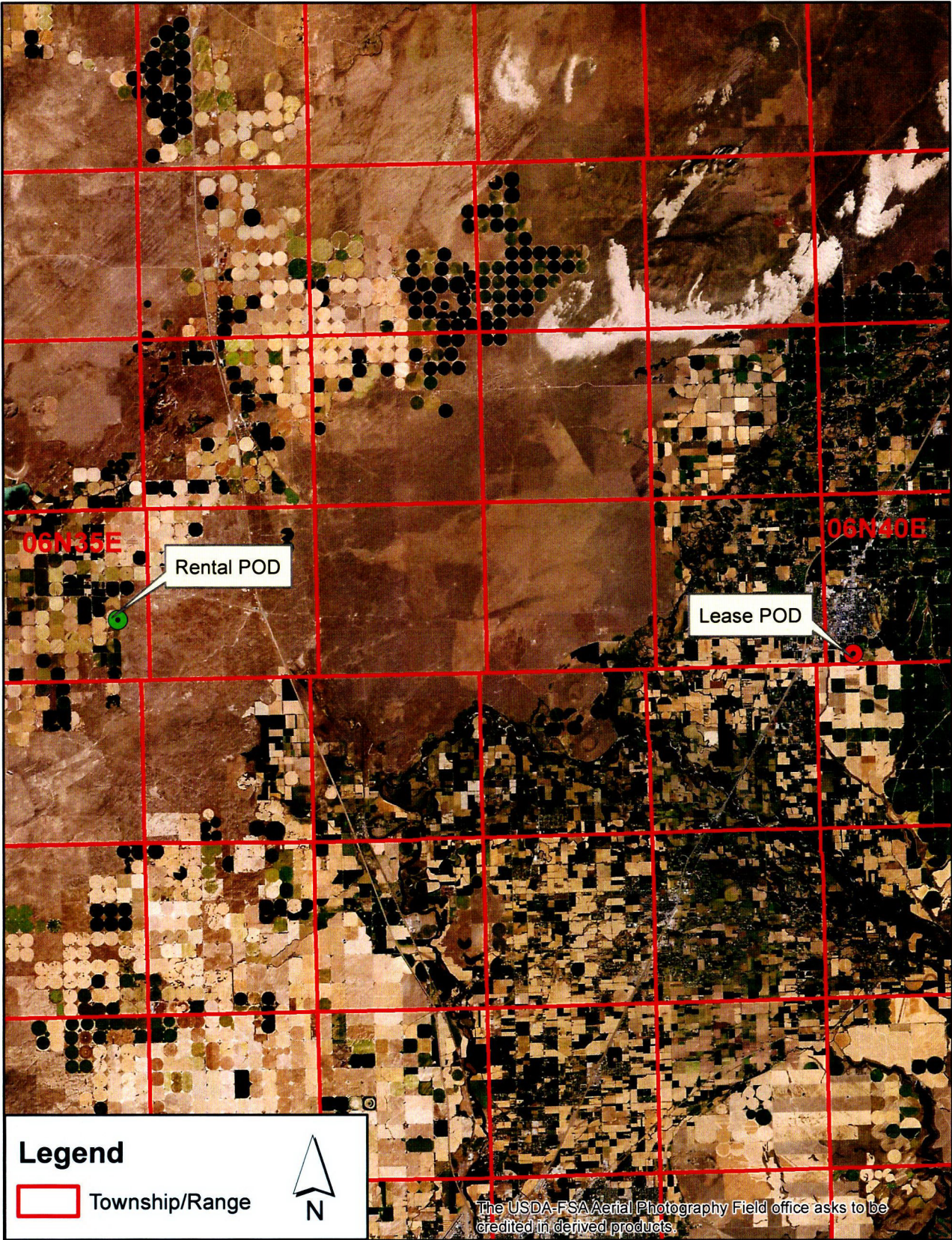
BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rental appears consistent with the conservation of water resources in Idaho.

SCANNED
MAY 18 2023

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental POD is subject to Water District #110. A request for comments was sent to the WD #110 watermaster and the Eastern Regional Office on 1/11/2023.

SCANNED
MAR 18 2023

Water Supply Bank Rental Application #2467, K Egbert 2023



SCANNED
MAR 18 2023