

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

\*AMENDED\*

WATER SUPPLY BANK RENTAL AGREEMENT No. 666

\*AMENDED\*

This is to certify that:

ROCKY MOUNTAIN  
ENVIRONMENTAL ASSOC INC  
482 CONSTITUTION WAY STE 303  
IDAHO FALLS, ID 83402-3552

JOEL S ANDERSEN  
2791 N 3375 W  
MOORE, ID 83255-8715

RECEIVED  
OCT 21 2022  
DEPT 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<br>Right No.            | Priority<br>Date | Source         | Diversion<br>Rate<br>(CFS) | Diversion<br>Volume<br>(AF) | Acres<br>(AC) | Rate Per<br>Acre<br>(CFS/AC) | Volume<br>Per Acre<br>(AF/AC) |
|-------------------------------|------------------|----------------|----------------------------|-----------------------------|---------------|------------------------------|-------------------------------|
| 34-14231                      | 5/20/1884        | BIG LOST RIVER | 0.19                       | 32.6                        | 9.3           | 0.020                        | 3.51                          |
| <b>Combined Rental Totals</b> |                  |                | <b>0.19</b>                | <b>32.6</b>                 | <b>9.3</b>    | <b>0.020</b>                 | <b>3.51</b>                   |

**Term of Rental:** This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2026. 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: \$65.20 annually  
2023 - 2026: \$74.98 annually

The full fee for the rental of the above-described right(s) is \$65.20 per year for years 2022 - 2022 and \$74.98 per year for years 2023 - 2026. The rental fee includes an administrative fee of \$65.20 per year for years 2022 - 2022 and \$74.98 per year for years 2023 - 2026. Note that the renter is obligated to pay only the administrative fees associated with water right(s): 34-14231.

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. 666**

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

10-19-22  
Date

Joe I S. Anderson  
Printed Name

Renter  
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 11/2/22

Rental approved by IDWR 

Date 11/2/22

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 666**

**WATER USE DETAILS**

**LOCATION OF POINT(S) OF DIVERSION**

BIG LOST RIVER                      SESE              Sec. 4, Twp 05N, Rge 26E,              BUTTE County

**BENEFICIAL USE**  
IRRIGATION

**DIVERSION RATE**  
0.19 CFS

**VOLUME**  
32.6 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 |        |
| 04N | 26E | 17  |    |    |    |    |    |    |    |    |    |    |    |    | 9.3 |    |    |    | 9.3    |

Total Acres: 9.3

**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 when combined with water right 34-13818 shall not exceed irrigation of 65.8 acres.
10. 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.
11. Water is delivered through Moore Canal.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT No. 666**

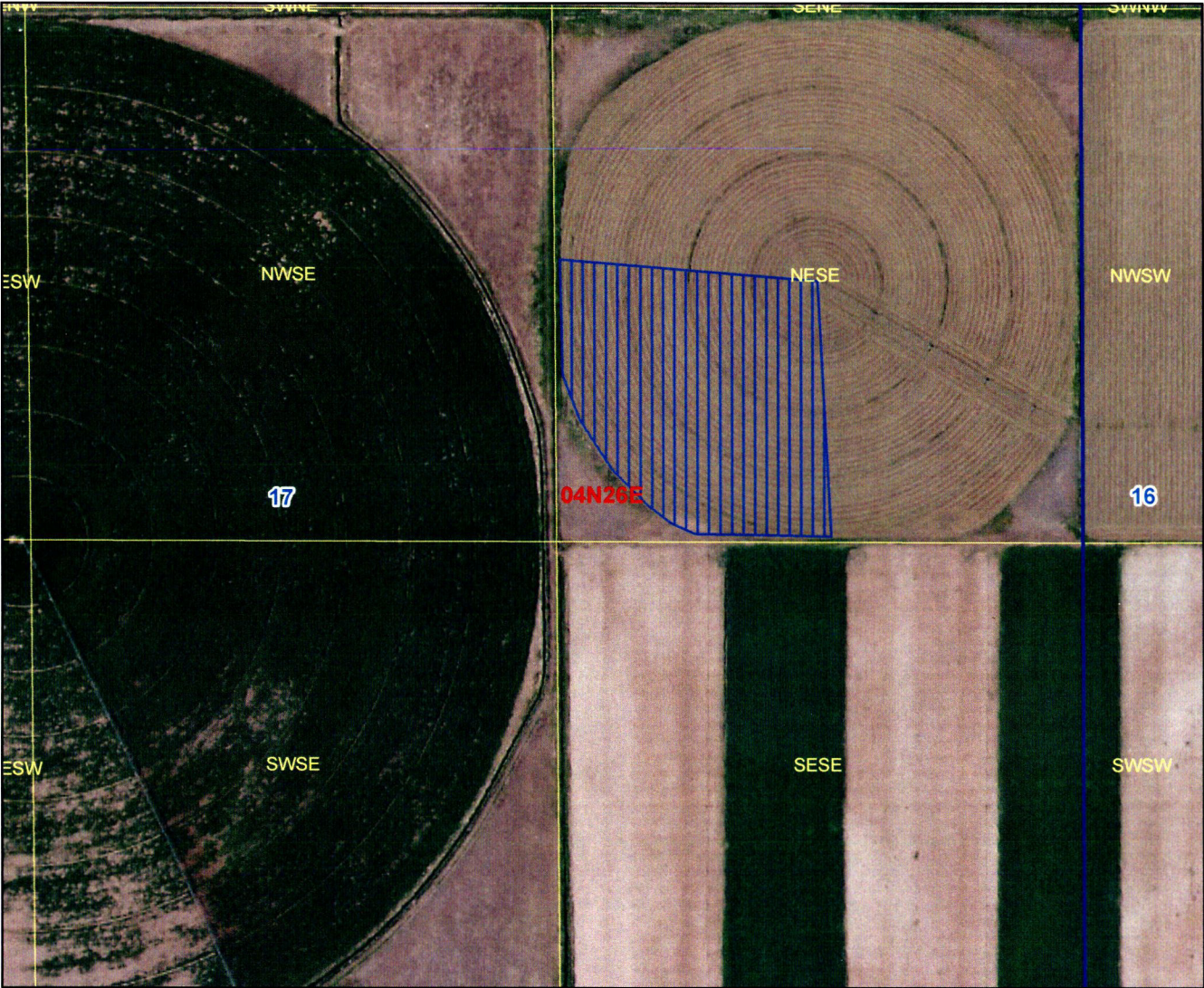
12. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
13. The renter shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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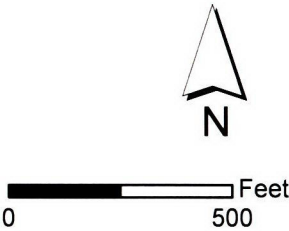
Idaho Water Resource Board  
Attachment to Water Supply Bank Rental Agreement No. 666

Effective until December 31, 2026

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



- Township/Range
- Sections
- QQ



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STATE OF IDAHO  
WATER RESOURCE BOARD

RECEIVED

JAN 18 2022

DEPARTMENT OF  
WATER RESOURCES

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

Applicant Name: Joel Andersen

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](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  | <input checked="" type="checkbox"/>                          | 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 | <input checked="" type="checkbox"/> <input type="checkbox"/> | Detailed information on a proposed use of rental water                                                                                                       |
| 3F | <input checked="" type="checkbox"/> <input type="checkbox"/> | Authorization from the owner/operator of the rental point(s) of diversion                                                                                    |
| 3H | <input checked="" type="checkbox"/> <input type="checkbox"/> | Water modeling to account for the impacts of the rental request                                                                                              |
| 3J | <input checked="" type="checkbox"/> <input type="checkbox"/> | Documents justifying a rate of flow greater than 0.02 cfs/acre                                                                                               |
| 3K | <input checked="" type="checkbox"/> <input type="checkbox"/> | Authorization from the owner/operator of the property at the proposed rental place(s) of use                                                                 |
| 4B | <input checked="" type="checkbox"/> <input type="checkbox"/> | Explanation of how the rental water will sufficiently accomplish your rental purposes                                                                        |
| 4C | <input checked="" type="checkbox"/> <input type="checkbox"/> | Explanation of consumptive use amounts for water rights experiencing a change in nature of use                                                               |

Department Use Only – Proposed Water Right(s)

34-14231

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STATE OF IDAHO  
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Joel Andersen

Mailing Address 2791 N 3375 W, Moore, ID 83255

Street

City

State

Zip Code

Email Address \_\_\_\_\_ Phone Number 208-589-0019

- 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, Ste 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 desires to rent additional surface water rights to supplement the existing surface water right under a pivot.

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

| Desired Rate<br>(Cubic Feet/Second) | Desired Volume<br>(Acre-Foot) | Minimum Rate*<br>(Cubic Feet/Second) | Minimum Volume*<br>(Acre-Foot) | Desired Acres<br>(if applicable) |
|-------------------------------------|-------------------------------|--------------------------------------|--------------------------------|----------------------------------|
| 0.19 CFS                            | 32.6 AF                       | 0.14 CFS                             | 23.3 AF                        | 9.3 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<br>(month/day/year) | Latest Possible Start Date<br>(month/day/year) | *Mark Desired Rental Duration<br>(Calendar Years) |                            |                            |                            |                                       | **Applicant's preference if rental application cannot be processed prior to the latest possible start? |                                                          |
|----------------------------------------|------------------------------------------------|---------------------------------------------------|----------------------------|----------------------------|----------------------------|---------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| 4/15/2022                              | 6/01/2022                                      | <input type="checkbox"/> 1                        | <input type="checkbox"/> 2 | <input type="checkbox"/> 3 | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 5 | <input checked="" type="checkbox"/> Process application as soon as possible                            | <input type="checkbox"/> 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):  
Big Lost River to Moore Canal to ditches to pressurized mainline to center pivot

- 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 |
|-----------------------|----------------|-------------------------------------------|
| NWSESE Sec 04 05N 26E | Big Lost River | 34-13818 and many others                  |
|                       |                |                                           |
|                       |                |                                           |
|                       |                |                                           |

*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**.

The existing diversion for 34-14231 is the Moore Canal, which will also be used for this rental.

- 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 9.3 (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:

WR 34-13818 is used at the proposed rental place of use for irrigation. Additional water is required in short water years to supplement a more junior priority.

STATE OF IDAHO  
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

**Important Information:** Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via [IDWR's website](#).

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.** For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

| Water Right Elements Leased to Water Supply Bank                                                                                                                                  |               |                      |             |            | Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent | Water Supply Bank Rental Request |             |            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------|-------------|------------|--------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-------------|------------|
| Water Right Number<br>(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) |
| 34-14231                                                                                                                                                                          | Irrigation    | 0.19                 | 32.6        | 9.3        |                                                                                                                                | 0.19                             | 32.6        | 9.3        |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
| 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                                                                                                                          | 0.19                             | 32.6        | 9.3        |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                | 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**:

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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:

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- 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:

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- 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.

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- D. Additional Information

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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

Joe I. S. Andersen  
Printed Name of Applicant

1-12-22  
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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0 2,000 4,000 6,000 8,000 ft

### Legend

- Proposed Rental POU     TRS  
 WR POU 34-13818    QQ  
 TR

WSB Rental App  
Joel Andersen

RMEA #21-0268

by: MM

Date: 1/11/2022



Rocky Mountain  
**ENVIRONMENTAL**  
ASSOCIATES, INC.

NOV 2 2022

# WSB Mailing Checklist for Rentals

(For use on all new rental applications)

Key: Who Completes What?

CLERICAL STAFF: MC

REVIEWER: CP

Received Date: 1-18-2022

Latest Start Date: 6-1-2022

Renter: Andersen

Rental Expiration Date: \_\_\_\_\_

Lease/Rental Package Y N

Application # 2284

Agreement # 6466

| Water Right       | Lease Contract ID             |
|-------------------|-------------------------------|
| # <u>34-14231</u> | App <u>2284</u> → <u>1536</u> |
| # _____           | _____                         |
| # _____           | _____                         |
| # _____           | _____                         |
| # _____           | _____                         |
| # _____           | _____                         |
| # _____           | _____                         |
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| # _____           | _____                         |
| # _____           | _____                         |
| # _____           | _____                         |
| # _____           | _____                         |
| # _____           | _____                         |
| # _____           | _____                         |

Applicant Authorized? Y N

Map of POU and POD Y N

POD consent? Y N

ESPA Modeling? Y NA

Application Complete? Y N

Minimum Checklist in database? ☐

Request for additional information letter sent: Y NA

WSB Action Request for deficiencies ☐

Comments:

Admin Fee Only

## Mailings (per application)

|                                                               | Original                            | CC                                  | Email or Address |
|---------------------------------------------------------------|-------------------------------------|-------------------------------------|------------------|
| Renter: <u>Joel Andersen</u>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____            |
| Attorney: _____                                               | <input type="checkbox"/>            | <input type="checkbox"/>            | _____            |
| Consultants Name: <u>Kristin Moore - Rocky Mountain</u>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | _____            |
| Conveyance Entity: _____<br>Ex. Irrigation Dist. of Canal Co. | (final only)                        | <input type="checkbox"/>            | _____            |
| (Ground) Water Dist: <u>34</u>                                | (final only)                        | <input type="checkbox"/>            | _____            |
| Other: _____<br>WD Snake 01, Boise, Payette, and Bear River   | (final only)                        | <input type="checkbox"/>            | _____            |
| Region: <u>Eastern</u>                                        | (final only)                        | <input type="checkbox"/>            | _____            |
| Watermaster: <u>Weas Lockery</u>                              | (final only)                        | <input type="checkbox"/>            | _____            |
| Compliance: _____                                             | (final only)                        | <input type="checkbox"/>            | _____            |

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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

November 22, 2022

JOEL S ANDERSEN  
2791 N 3375 W  
MOORE, ID 83255-8715

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO(S). 34-14231 AGREEMENT 666**

Dear Renter:

Please find enclosed receipts in the amount of **\$652.00** and a copy of the fully executed Water Supply Bank Rental Agreements in connection with the rental of 32.6 acre-feet of water for irrigation of 9.3 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.

Since you are renting your own water rights, you are only obligated to pay the administrative fee of \$65.20 for 2022. An overpayment of \$586.80 was submitted due to an administrative error on the original rental agreement. An amended page 1 of the rental agreement has replaced the original page 1 for clarification. As per conversations between Mr. Andersen and Water Supply Bank staff, the overpayment has been applied to fully cover the remaining years of Mr. Andersen's water supply bank rental agreement number 666, and partially cover the 2022 fee for Mr. Andersen's water supply bank rental agreement number 670.

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

Sincerely,

*Amanda Johnson-Veibell*

for  
Water Supply Bank

Enclosures: Receipt No. C114372  
Rental Agreement (copy)

c: Sascha Marston – Fiscal  
IDWR Eastern Regional Office  
Water District 34

SCANNED  
NOV 24 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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

October 11, 2022

ROCKY MOUNTAIN ENVIRONMENTAL  
ASSOC  
482 CONSTITUTION WAY STE 303  
IDAHO FALLS, ID 83402-3552

JOEL S ANDERSEN  
2791 N 3375 W  
MOORE, ID 83255-8715

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO(S). 34-14231 AGREEMENT 666**

**\*\*\*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 \$652.00 per year was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 32.6 acre-feet.

**Please send a check for \$652.00 for 2022** 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 \$586.80 of the rental fee will be paid to the lessor(s) and 10% or \$65.20 will be retained by the Department to offset administrative costs for **2022**.

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

Sincerely,

*Amanda Johnson-Veibell*

for  
Water Supply Bank

Enclosure

c: IDWR Front Desk

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# Memorandum

**TO:** water right 34-14231 file  
**FROM:** Cody Parker  
**RE:** Evaluation of WSB rental application 2284  
**DATE:** September 26, 2021

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## Purpose

Water right 34-13818 authorizes the irrigation of 65.8 acres from the Big Lost River under a priority date of May 20, 1884. 33.5 acres of the system are under a pivot. The other 32.3 acres appear to be row-irrigated (likely handlines, siphon tubes, or wheel lines). The applicant is proposing to rent 9.3 acres and 0.19 cfs from water right 34-14231 to bring the diversion rate for the system up when additional water from the Big Lost River Irrigation District is not available.

## Authority to File

The applicant owns the land proposed for irrigation (9.3 acres under the pivot). The point of diversion proposed for use is the same POD that the applicant currently uses under water right 34-13818. No concerns.

## Water Right Validity

The validity of water right 34-14231 was assessed separately as part of the evaluation for WSB lease application 2298. No concerns.

## Injury to Other Water Rights

The application proposes to divert the leased water from the same point of diversion as the leased water right authorizes. This should not negatively impact other water users on the Big Lost River provided that: 1. The rented right is valid (see **Authority to File** above) and 2. There is no enlargement of use of the rented right (see **Enlargement of Use** below). No concerns

## **Enlargement of Use**

The applicant proposes to rent 9.3 acres of irrigation for application to land that already has an underlying irrigation water right. The purpose is to bring the total diversion rate for the system up 1.09 cfs from 0.9 cfs. This implies that the additional 0.19 cfs rented will be applied over the full 65.8 acres, rather than just the 9.3 acres it is associated with.

Underlying water right 34-13818 has a priority date of May 20, 1884. The rented water right has the exact same priority date. Both rights divert from the same location on the Big Lost River. When viewed wholistically, the total number of acres irrigated under that priority date from the Big Lost River will decrease, since no new irrigation will be achieved from this rental and 9.3 acres are being idled under the lease. For that reason, I do not think that enlargement will really occur even though the rented diversion rate may be applied to more than 9.3 acres. If the priority dates or the sources were different, the same logic would not necessarily apply.

## **Local Public Interest**

I am not aware of any information that suggests the rental application conflicts with the local public interest. No concerns.

## **Beneficial Use/Conservation of Water Resources**

The application proposes an irrigation use which is within the accepted diversion standards for irrigation.

## **Department Staff or Watermaster Comments**

Comments were requested from IDWR eastern region and the watermaster for water district 34. Correspondence is included with this memo in the file.

## Parker, Cody

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**From:** Parker, Cody  
**Sent:** Wednesday, October 5, 2022 10:22 AM  
**To:** Cefalo, James; waterdist34@atcnet.net  
**Subject:** WSB Rental Agreement 666  
**Attachments:** RA2284\_Memo.docx; map.pdf; Rental Agreement.docx

Hello,

Attached are the documents for Water Supply Bank rental agreement 666. The point of diversion is the same as authorized by the rented water right. Please let me know if you have any comments or concerns.

Thanks

Cody