STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 681

RECEIVED
May 25, 2023
DEPARTMENT OF
WATER RESOURCES

This is to certify that:

BILL KELLEY
PO BOX 25
ALBION, ID 83311-0025

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)
45-7153	9/19/1973	GROUND WATER	0.17	39.3	11.2	0.015	3.5
45-7176	5/20/1974	GROUND WATER	0.17	22.7	12.4	0.014	1.8
45-7260	2/25/1976	GROUND WATER	0.07	15.4	4.4	0.015	3.5
Combined Rental Totals			**0.26**	**73.5**	**21.0**	**0.012**	**3.5**

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 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: $147.00 annually
2023 - 2026: $169.05 annually

The full fee for the rental of the above-described right(s) is $147.00 per year for 2022 and $169.05 per year for years 2023 - 2026. The rental fee is the administrative fee of $147.00 per year for 2022 and $169.05 per year for years 2023 - 2026. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 45-7153, 45-7176, 45-7260.

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.

STATE OF IDAHO
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WATER SUPPLY BANK RENTAL AGREEMENT No. 681

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 _____ Date 5-25-23

George B Kelley _____ 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 5/25/23
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date 5/25/23

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 681

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec. 35, Twp 11S, Rge 24E, CASSIA County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	0.26 CFS	73.5 AF

SEASON OF USE

From	To
3/15	11/15

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	
11S	24E	25										21							21.0

Total Acres: 21.0

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.
10. 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. 140.

STATE OF IDAHO
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WATER SUPPLY BANK RENTAL AGREEMENT No. 681

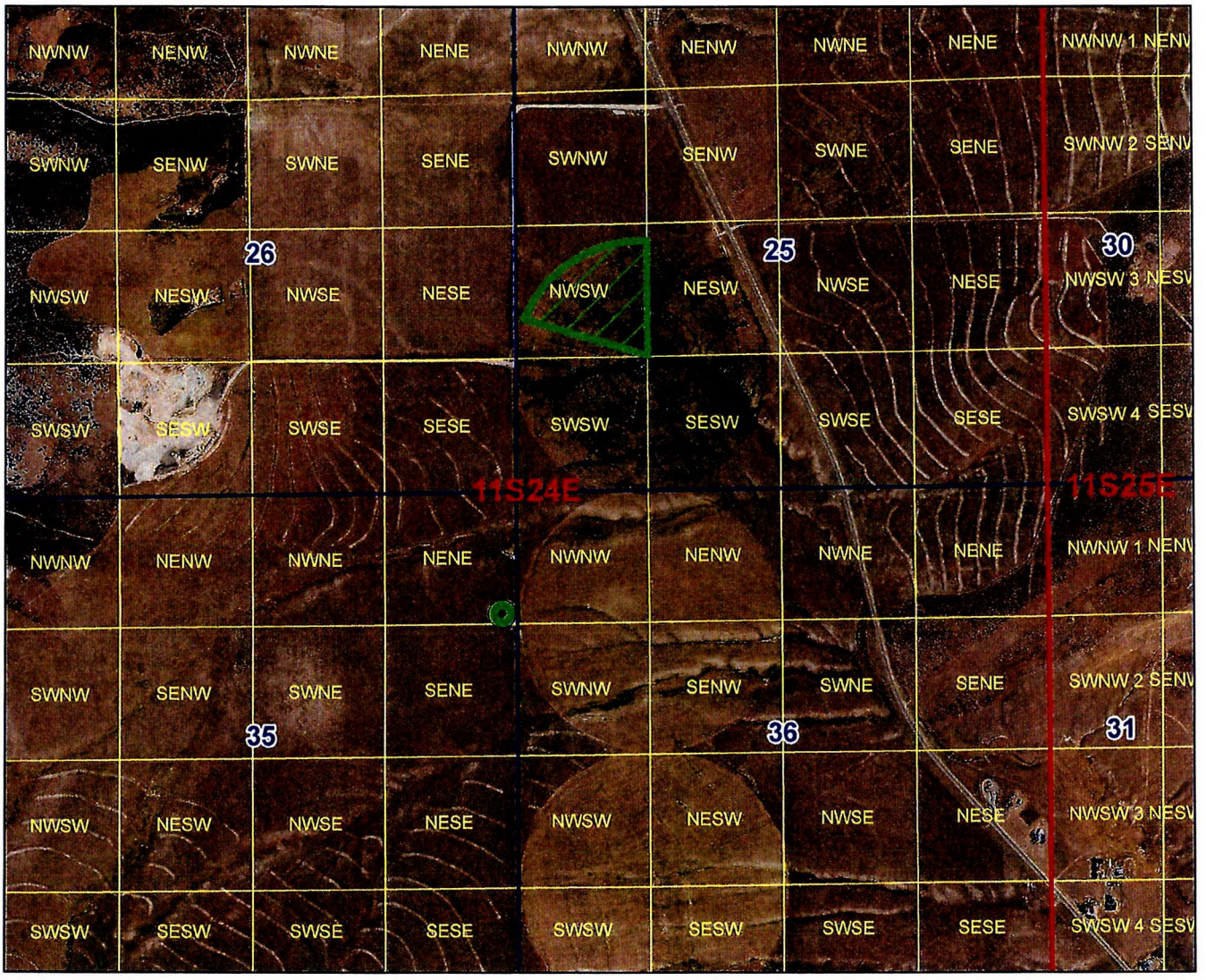
11. Upon specific notification of the Department, the renter shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. This rental is limited to the irrigation of 21.0 acres within the place of use described above in a single irrigation season.
13. This rental and rights 45-4084 and 45-4236 when combined shall not exceed a total diversion rate of 1.4 cfs, a total annual maximum diversion volume of 301.5 af at the field headgate, and the irrigation of 78.0 acres.
14. This rental and the unleased portions of rights 45-7153, 45-7176, and 45-7260 when combined shall not exceed a total diversion rate of 4.53 cfs, a total annual maximum diversion volume of 1304 af at the field headgate, and the irrigation of 372.5 acres.
15. This rental and the unleased portions of rights 45-7153, 45-7176, 45-7260, and 45-7498 when combined shall not exceed a total diversion rate of 4.53 cfs, a total annual maximum diversion volume of 2216 af at the field headgate, and the irrigation of 600.5 acres.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 681

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.



Legend

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

N

0 1,950 3,900 Feet

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Gary Spackman

May 26, 2023

BILL KELLEY
PO BOX 25
ALBION ID 83311

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS 45-4153, 45-7176 & 45-7260, AGREEMENT 681

Dear Renter:

Please find enclosed a receipt in the amount of **$66.05** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 73.5 acre-feet of water for irrigation of 21 acres during 2023. 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.

If you have any questions, please contact me at (208) 287-4936.

Sincerely,

Mary Condon
Water Supply Bank Coordinator

Enclosures: Receipt No. S039794
Rental Agreement (copy)

c: Southern Regional Office
Marten Law
Water District 140

IDAHO DEPARTMENT
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

5/24/23

BILL KELLEY
PO BOX 25
ALBION ID 83311-0025

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK WATER RIGHT NO(S). 45-7153, 45-7176, 45-7260 AGREEMENT 681

*****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 $147.00 for 2022 was calculated based on the past rental rate of $20.00 per acre-foot and a fee of $169.05 for 2023 is based on the new rate of $23.00 per acre-foot, times a diversion volume of 73.5 acre-feet.

You paid $750.00 on 5/2/22 (Receipt No. S039216). $500.00 of that payment is applied to the lease application fee, the remaining $250.00 will be applied to fees for rental agreement 681 according to the following breakdown:

2022:	$147.00
2023 - 2026:	$103.00

The remaining fee for 2023 is $66.05, Please send a check for $66.05 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, the fee 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

MEMORANDUM FOR AGREEMENT # 681

To: Water Right(s) 45-7153, 45-7176 & 45-7260

From: **Mary Condon**

Date: **November 14, 2022, December 20, 2022, January 30, 2023**

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

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PURPOSE/NARRATIVE: Application to rent as a companion package with new lease of rights requested, received on May 02, 2022. A temporary change was requested for the same purpose but was denied because the request is for new irrigation on lands not covered by an existing water right vs the intended purpose of a temporary change to provide more senior rights on lands which are curtailed, or the source is unavailable during a declared drought.

Existing water rights for irrigation, 45-4084 & 45-4236 authorize up to 57 acres of irrigation within a 1,350.6 acre PPU. Existing rental RA 555 for 70.5 acres through December 31, 2022, is on the east half of the and a sliver in the southwest half of the center pivot. No other water rights are dedicated within the PPU during 2022. The exact location of the 57 acres was to be provided to IDWR with their next rental application after a transfer moved a POD in 2010. There was not a land list identifying the POU for the 57 acres in the water right backfile. It appears as though the acres were identified in each rental application since at least 2017 as the NWNW & NENW in Section 36, or the top half of the center pivot, but was changed through email and phone conversations from the representatives with reviewing agents and rentals POUs were put on the same lands, stating the existing rights can fill in areas not covered by a rental within the PPU. As of December 2022, the 57 acre POU has been identified and the shapefile was updated by staff at Southern Region. Future changes to the 57 acre POU under the existing water rights requires an updated 206 map, which should be forwarded to the regional office for update and inclusion to the water right file.

Order of preference for renter through this rental application and RA 555 is center pivot, then top pivot, then bottom pivot. The top pivot measures 111 acres. Previous review memo for rental agreement 454, includes a table showing the acres within each pivot, shown below:

Field	IDWR Observations	Applicant's Request	Difference
North Field	111.0	106.0	-5.0
Center Field	119.0	119.0	0.0
Southern Field	116.0	123.0	+7.0
Totals	346.0	348.0	2.0

Additionally, a different rental application and prior approval under rental agreement 168 included the equipment specifications for two of the three pivots See Enlargement of Use, below, for specs and equivalent rate per acre required on the pivots.

Finally, initial lease and rental request was for 21 combined acres of rights 45-7153, 45-7176 & 45-7260 and 115 acres of right 45-7498. The initial lease proposal of the four rights requested resulted in an extremely low rate per acre, due to combined limits at the lease POD where right 45-7498 is limited to the rate available at the shared POD for all rights, 45-7153, 45-7176 & 45-7260, but to be used on separate lands. After consultation with the representative for the lease and rental, the applicants requested right 45-7498 not be leased to the bank, and only the 21

acres under rights 45-7153, 45-7176 & 45-7260 be leased and available to rent. This reduction from 136 acres to 21 acres allows full diversion under the leased and unleased portions.

AUTHORITY TO FILE: Rental application for Bill Kelley, was signed by Kelley, and submitted by their representative, Sarah Higer with Barker, Rosholt & Simpson. Parcel information for rental POU and POD lists Kelley or Kelley Trust as the owner. No concerns with authority to file.

WATER RIGHT VALIDITY: Rights 45-7153, 45-7176 & 45-7260 were decreed in 2005, with portions placed in CRP from 2010-2021. Portions of these rights proportionate to the 21 acres will be leased to the bank from 2022-2026, and review of the lease found offered acres were either protected from forfeiture or were irrigated in recent years. No concerns with validity.

INJURY TO OTHER WATER RIGHTS: Rental and Lease PODs are in the Oakley Valley area, outside of the ESPA. Movement from the leased location to the rental location is about 4 miles northwest, and both the lease and rental locations are within the same watershed, but conjoined aquifers. Area SOU is 4/1 – 10/31, leased rights have a SOU of 3/15 – 11/15, and the existing rights at the rental POD have a SOU of 4/1 – 10/31. Movement of this rental for irrigation to irrigation including allowing extended SOU of rented rights with ground water is not anticipated to injure other water rights.

ENLARGEMENT OF USE: Requested rights 45-7153, 45-7176 & 45-7260 are under one lease and were all used on the same farm within a PPU. Existing rights at the rental POU are only for 57 aces of irrigation and have full standard duty, but WMIS records and previous bank applications indicate the pivots operate on an extremely low duty of water for only 0.01 cfs per acre and 1.0 afa per acre, see table 1 below.

	Report Year	FM	PCC	Existing	Rental (RA)	ID	Rental (RA)	ID	Total Acres	AF/AC
WMIS 1000201	2022	209.25		57	111	2370	70.5	555	**238.5**	**0.88**
	2021	150.5		57	25.3	556	70.5	555	**152.8**	**0.98**
	2020	517.88		57	220.5	454	45.2	215	**346**	**1.50**
	2019	313.82		57	196	168	45.2	215	**298.2**	**1.05**
	2018	280.3		57	196	168	45.2	215	**298.2**	**0.94**
	2017	304.68	386.59	57	51	81	196	168	**304**	**1.00**
	2016		458.25	57						
	2015		169.15	57						
	2012		0	57						
	2011		0	57						

*RA column = number of authorized acres under rental

*ID column = corresponding rental agreement ID

2020 had RA 168 which was curtailed and replaced by RA 454 in June, with 346 acres observed irrigation in May

Transfer in 2010 changed POD and POU

Table 1. WMIS data on rental POD alongside rental information from years 2017-2022

Rentals on the rental POU have occurred as water is available to irrigate up to 3 pivots, and up to a total of just under 360 acres since 2007 but amounts above 346 acres were on different lands and POD prior to 2010 and are not shown in table above.

SN 743090 (center)		
total	140.1	600 gpm
inner	121.7	4.28 gpm per acre
End Gun (EG)	18.4	0.23 in per day
Calculated total CFS inner	1.160	0.078 in app depth 100%
Calculated CFS per acre on inner	0.010	79.6 gpm EG
SN 2297793 (southern)		
total	142.5	600 gpm
inner	124.7	4.21 gpm per acre
End Gun (EG)	17.8	0.22 in per day
Calculated total CFS inner	1.172	0.075 in app depth 100%
Calculated CFS per acre on inner	0.009	74 gpm EG

Table 2. Pivot Specs submitted in 2017 for rental applicant

600 GPM is equal to 1.3 CFS ((1 CFS/448.8 GPM) * 600 GPM = 1.3 CFS) for the entire pivot with end guns. Without end guns, the (center) pivot requires 1.16 CFS for 127.1 acres at 0.009 CFS per acre, and (southern) pivot requires 1.17 CFS for 124.7 acres at 0.009 CFS per acre. Rights requested for rental provide sufficient rate and volume per acre for pivots at rental POU. Rental POU is for a wedge of the pivot with no other existing rights, and rental application 2370 for 2023 was submitted on January 6, 2023 to rent additional water to finish the pivot.

	Water Rights	Priority	Use	Source	Div. Rate	Div. Vol	Acres	PPU Acres	Rate/AC	Vol/AC
Lease / Rentable CLs	45-7153	9/19/1973	Irrigation	Ground Water	0.169	39.29	11.2	21.0	0.015	3.50
	45-7176	5/20/1974	Irrigation	Ground Water	0.169	22.66	12.4	21.0	0.014	1.83
	45-7260	2/25/1976	Irrigation	Ground Water	0.066	15.39	4.4	21.0	0.015	3.50
	Combined Limit		Irrigation	Ground Water	0.255	73.51	21.0	21.0	0.012	3.50

Table 3. Leased Portions and Amounts Rentable

No enlargement through this rental is anticipated.

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 is a for a beneficial use and appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental POD is within Southern Region and is subject to Water District # 140 – Oakley Valley Area WD. Request for comments or concerns was sent on November 15, 2022 for original proposal, and will be sent again on January 30, 2023 for the 21 acres only.

Rental Fees and Payments: Rental fee is based on combined limits of 73.5 acre-feet. Lease application filing fee was overpaid by $250 through receipt S039216. Representative of applicants requested overage be applied to rental fees of these rights and will be admin fee only. Total of $147.00 for 2022 applied, and $103.00 of the $169.50 due for 2023 has been paid. Owes ~~$66.05~~ .05 for 2023.

Kelley - Move Map Rental 2022-2026

11/15/2022, 10:21:04 AM

ESPA Model Outline

1:72,224

0 0.45 0.9 1.8 mi

0 0.75 1.5 3 km

Esri, HERE, Garmin, Esri, HERE, Earthstar Geographics

Idaho Department of Water Resources

Earthstar Geographics | Esri, HERE | USGS TNM – National Hydrography Dataset. Data Refreshed October, 2022. | IDWR | Idaho Department of Water Resources (IDWR)

Condon, Mary

From: Condon, Mary
Sent: Monday, January 30, 2023 5:29 PM
To: Adam McCoy
Cc: Skinner, Corey
Subject: Kelley - Lease and Rental Review 2022-2026
Attachments: Lease Review Memo v2.docx; Rental Review Memo - 2370.docx; Move Map 2022-2026.pdf

Adam - Please see the attached review memos for companion WSB lease rental and move map, and kindly respond with comments or concerns within 10 days.

Corey - I sent the lease review and rental review to you back in November, but after consulting with the applicant's representative on the low rate per acre for one of the rights, they have requested to remove right 45-7498 from the lease rental. The authorized acres do not overlap the lease POU.

Thank you,
Mary

Mary Condon
Water Supply Bank Coordinator
IDAHO DEPARTMENT OF WATER RESOURCES
Planning & Projects
mary.condon@idwr.idaho.gov
Direct: (208) 287-4936

Condon, Mary

From: Sarah Higer <swh@idahowaters.com>
Sent: Friday, January 27, 2023 2:25 PM
To: Condon, Mary
Subject: Kelley Water Bank Rental for 45-7153, 45-7176 & 45-7260
Attachments: Kelley WSB 21 Acre POU.pdf

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

Hi Mary,

As we discussed, the Kelleys will be removing water right 45-7498 from the rental/lease application for George and Bill Kelley, and instead rent/lease 21 acres rather than the 136 in the application. Attached is a map with the proposed POU for the 21 acres. Please let me know if you need any additional information or any edits.

Thanks so much for your help on all this,
Sarah

Sarah W. Higer
Barker Rosholt & Simpson LLP
1010 W Jefferson, Suite 102
Boise, Idaho 83702
(208) 336-0700
CONFIDENTIALITY NOTICE: This e-mail and its attachments are confidential and may be privileged. If you believe this e-mail has been sent to you in error, please notify the sender immediately and delete this email. Do not deliver, distribute or copy this transmission.

From: Sarah Higer
To: Condon, Mary
Subject: RE: Kelley Water Bank Rentals
Date: Tuesday, December 20, 2022 10:56:41 AM
Attachments: image001.png

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Hi Mary,

Please put the remaining 25 acres on the NESW QQ of the southern pivot.
Thanks,
Sarah

From: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Sent: Monday, December 19, 2022 1:29 PM
To: Sarah Higer <swh@idahowaters.com>
Subject: RE: Kelley Water Bank Rentals

Hi Sarah,

I'm sorry I didn't realize this earlier, but the northern pivot is only 111 acres, and the rental request is for 136 acres. I can put the remaining 25 acres of the rental in the southern pivot, I just need to know which QQ.

Best,
Mary

Mary Condon
Water Supply Bank Coordinator
IDAHO DEPARTMENT OF WATER RESOURCES

From: Sarah Higer <swh@idahowaters.com>
Sent: Friday, December 16, 2022 8:49 AM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: Kelley Water Bank Rentals

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Hi Mary,

For the 136-acre rental-lease applications, the POU will be the northern pivot.

Thanks,
Sarah

Sarah W. Higer
Barker Rosholt & Simpson LLP
1010 W Jefferson, Suite 102
Boise, Idaho 83702
(208) 336-0700
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Condon, Mary

From: Sarah Higer <swh@idahowaters.com>
Sent: Thursday, December 15, 2022 2:27 PM
To: Condon, Mary
Subject: RE: Kelley Water Bank Rentals

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

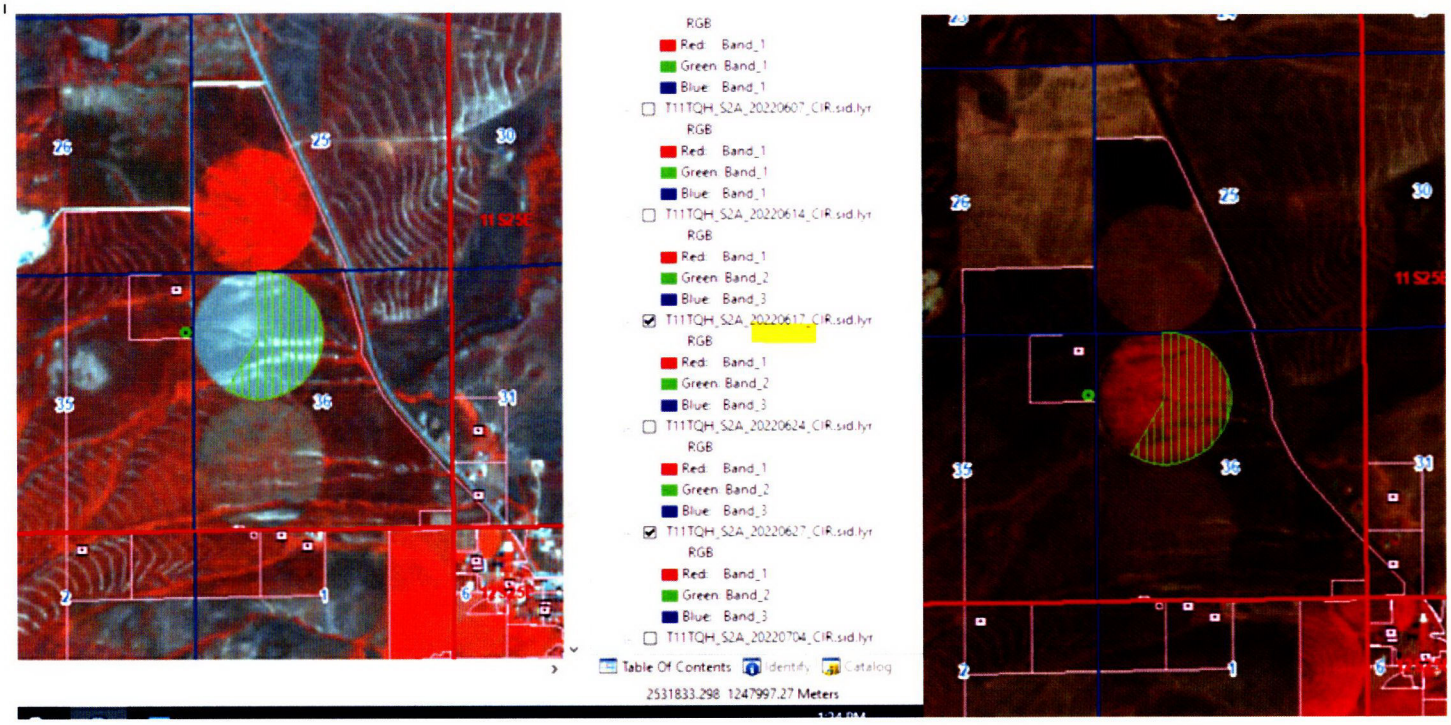
Hi Mary,

Yes, please put the 136 acres under the rental/lease applications on the northern pivot.
Thanks,
Sarah

From: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Sent: Thursday, December 1, 2022 1:35 PM
To: Sarah Higer <swh@idahowaters.com>
Subject: RE: Kelley Water Bank Rentals

Hi Sarah,

The north pivot appears to have heavy vegetation in June, then harvest sometime before July 4th. Vegetation begins to darken in the center pivot on July 14th and is heavy through September, then there is vegetation appearing again in the Northern pivot during 2022. At no time was irrigation or vegetation apparent in the southern pivot. Additionally, there still needs to be a land list and map of the dedicated land for the existing water rights for the water right file submitted, per the condition on rights 45-4084 & 45-4236.



If the Kelley's have some other information to support renting water in the southern pivot during 2022 instead of the northern pivot, please have them provide it.
My review of the sentinel imagery would only justify this new rental on the northern pivot.

Mary Condon
Water Supply Bank Coordinator
IDAHO DEPARTMENT OF WATER RESOURCES

From: Sarah Higer <swh@idahowaters.com>
Sent: Wednesday, November 30, 2022 2:19 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: RE: Kelley Water Bank Rentals

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

Hi Mary,

The 136 acres under our rental/lease application will go to the south pivot. The 70.5 acres under RA 555 (if renewed) will stay at the east half of the center pivot, and the 57 acres under water rights 45-4084 and 45-4236 will go to the west half of the center pivot. Let me know if you have any questions on that info, or if you need more info.

Thank you for your help on this, hope you had a great Thanksgiving!
Sarah

From: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Sent: Wednesday, November 23, 2022 12:15 PM
To: Sarah Higer <swh@idahowaters.com>
Subject: RE: Kelley Water Bank Rentals

You as well, Sarah!

From: Sarah Higer <swh@idahowaters.com>
Sent: Wednesday, November 23, 2022 12:14 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: RE: Kelley Water Bank Rentals

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

Hi Mary,

I don't, but I'll get that to you early next week. Sorry about the delay, had some things come up. Have a great Thanksgiving!
Sarah

From: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Sent: Wednesday, November 23, 2022 10:49 AM

To: Sarah Higer <swh@idahowaters.com>
Subject: FW: Kelley Water Bank Rentals

Hi Sarah,

Do you have an update for the POU shapefile of existing right and the rental POU?

Thanks,
Mary

Mary Condon
Water Supply Bank Coordinator
IDAHO DEPARTMENT OF WATER RESOURCES

From: Condon, Mary
Sent: Tuesday, November 15, 2022 9:28 AM
To: Sarah Higer <swh@idahowaters.com>
Subject: RE: Kelley Water Bank Rentals

Hi Sarah,

Condition 206 on existing rights 45-4084 and 45-4236 for Mr. Kelley is that the exact acres to be irrigated under the 57 acres within the PPU must be identified and updated prior to the irrigation season if changing. A map and land list identifying the specific 57 acres is not in the water right backfile and may not have been received by IDWR after the approved transfer in 2010. Existing RA 555 is for 70.5 acres on the east half of the center pivot during 2022. Please provide a map and land list of the specific 57 acres under existing rights for 2022 and for 2023 if changing between the two due to RA 555 expiring this year.

The map provided with the rental application I am reviewing only shows the POU for existing RA 555. I also need a map identifying the 136 acres requested under this rental to finish my review, which acknowledges and is different than shapefiles for RA 555 and existing rights.

Best,
Mary
Mary Condon
Water Supply Bank Coordinator
IDAHO DEPARTMENT OF WATER RESOURCES

From: Sarah Higer <swh@idahowaters.com>
Sent: Thursday, November 10, 2022 3:25 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: RE: Kelley Water Bank Rentals

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If Mr. Kelley wants to try to rent 45-13998 & 45-14000, should we file an application now so that we're ready to go if/when it gets approved?

From: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Sent: Thursday, November 10, 2022 12:47 PM
To: Sarah Higer <swh@idahowaters.com>
Subject: RE: Kelley Water Bank Rentals

Sarah,

Lessors for 45-13998 & 45-14000 are under review for 2023-2027. I do not see any rental applications requesting them. Right 45-2746 is unrentable due to Ragan Curtailment.

Mary Condon
Water Supply Bank Coordinator
IDAHO DEPARTMENT OF WATER RESOURCES

From: Sarah Higer <swh@idahowaters.com>
Sent: Thursday, November 10, 2022 10:12 AM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: Kelley Water Bank Rentals

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Hi Mary,

I'm following up on our phone call last week about Bill Kelley's Water Bank rentals. He is interested in renewing the contract that expires at the end of this year, # 555 (water rights 45-13998 & 45-14000), is that lease being renewed? Another rental he is interested in is Simplot's water lease contract # 1465 for water right 45-2746 which was placed in the bank earlier this year, is that water available for rental?

Thank you for your help on this,
Sarah

Sarah W. Higer
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Condon, Mary

From: Condon, Mary
Sent: Tuesday, November 15, 2022 1:32 PM
To: Skinner, Corey
Subject: Kelley - Rental review
Attachments: Rental Review Memo - 2370.docx; Move Map 2022-2026.pdf

Hi Corey,

I'm waiting on a new 206 map for the existing rights at the rental POU and a map of the proposed rental acres, but I have attached my review memo and move map. I would expect to receive the information I requested from them some time this week. Please let me know if you any comments or concerns.

Best,
Mary

Mary Condon
Water Supply Bank Coordinator
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