

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 855

RECEIVED

MAY 01 2024

DEPT. OF WATER RESOURCES

This is to certify that:

CHRIS EMMERT
7180 BOWMONT RD
NAMPA, ID 83686

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)
63-194	6/1/1877	BOISE RIVER	0.04	9.0	2.0	0.02	4.5
Combined Rental Totals			0.04	9.0	2.0	0.02	4.5

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2028. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2024, whichever occurs last.

Annual Rental Fee:

2024 - 2028: \$207.00 annually

The full fee for the rental of the above-described right(s) is \$207.00 per year for years 2024 - 2028. The rental fee includes an administrative fee of \$20.70 per year for years 2024 - 2028.

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

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)
MITIGATION BY DELIVERY	0.04	7.0
Combined Total	0.04	7.0

***The authorized water usage reflects a reduction from the water right elements rented, to account for the consumptive use extent of the irrigation volume associated with water right 63-194**

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 855

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:

Chris A. Emmert
Signature of Renter

4-28-24
Date

Chris A. Emmert
Printed Name

Farm Owner
Title

*Title required if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By Brian Patton
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 05-06-2024

Rental approved by IDWR Cody R

Date 5-6-2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 855

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER NWSW Sec. 3, Twp 02N, Rge 03E, ADA County

BENEFICIAL USE

MITIGATION BY DELIVERY

DIVERSION RATE

0.04 CFS

VOLUME

7.0 AF

SEASON OF USE

Water Right No.
63-194

From
3/1

To
11/15

COPY

RENTERS PLACE OF USE: MITIGATION BY DELIVERY

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	02W	35	X		X	X													X

Total Acres: NA

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. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

STATE OF IDAHO
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WATER SUPPLY BANK RENTAL AGREEMENT No. 855

10. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
11. This right originated as all or part of right no. 63 in the Stewart Decree and the historic Boise River Water Masters records.
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. 63.

COPY

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

RECEIVED

FEB 15 2024

DEPT. OF WATER RESOURCES

Applicant Name: Chris Emmert

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)

~~63-146~~ 63-32593 + 63-38595

2935

Application to Rent Water (Continued)

A. Applicant Chris Emmert
Mailing Address 7180 Bowmont Rd. Nampa 83686
Street City State Zip Code
Email Address _____ Phone Number 208-989-5090

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

Mitigation For Permits 63-34079 - 63-34080
7 AF

- | Desired Rate
(Cubic Feet/Second) | Desired Volume
(Acre-Foot) | Minimum Rate*
(Cubic Feet/Second) | Minimum Volume*
(Acre-Foot) | Desired Acres
(if applicable) |
|-------------------------------------|-------------------------------|--------------------------------------|--------------------------------|----------------------------------|
| CFS | 9 AF | CFS | 9 AF | AC |

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
3-1-24	5-1-24	☐ 1	☐ 2	☐ 3	☐ 4	☒ 5	☒ Process application as soon as possible	☐ Return application to applicant

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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):

NY Canal will deliver Boise River water To Lake Lowell

- 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
<u>Diversion Dam</u>	<u>Boise River</u>	

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 _____ (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: mitigation from: 0-3-01 (mm/dd) to: 11-15 (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☒ Yes ☐ No ☐
If yes, justify the rate of flow and attach any supporting documents as Attachment 3J. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☐ No ☒
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it Attachment 3K.

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☐ No ☐

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

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

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

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
63-146	irrigation		9				7	
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			
						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**:

NO

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**:

renting 9 AF To secure 7 AF of consumptive use

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☒
If yes, describe:

- 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.

Chris Emmert
Signature of Applicant

Chris Emmert
Printed Name of Applicant

2-10-24
Date

Signature of Representative

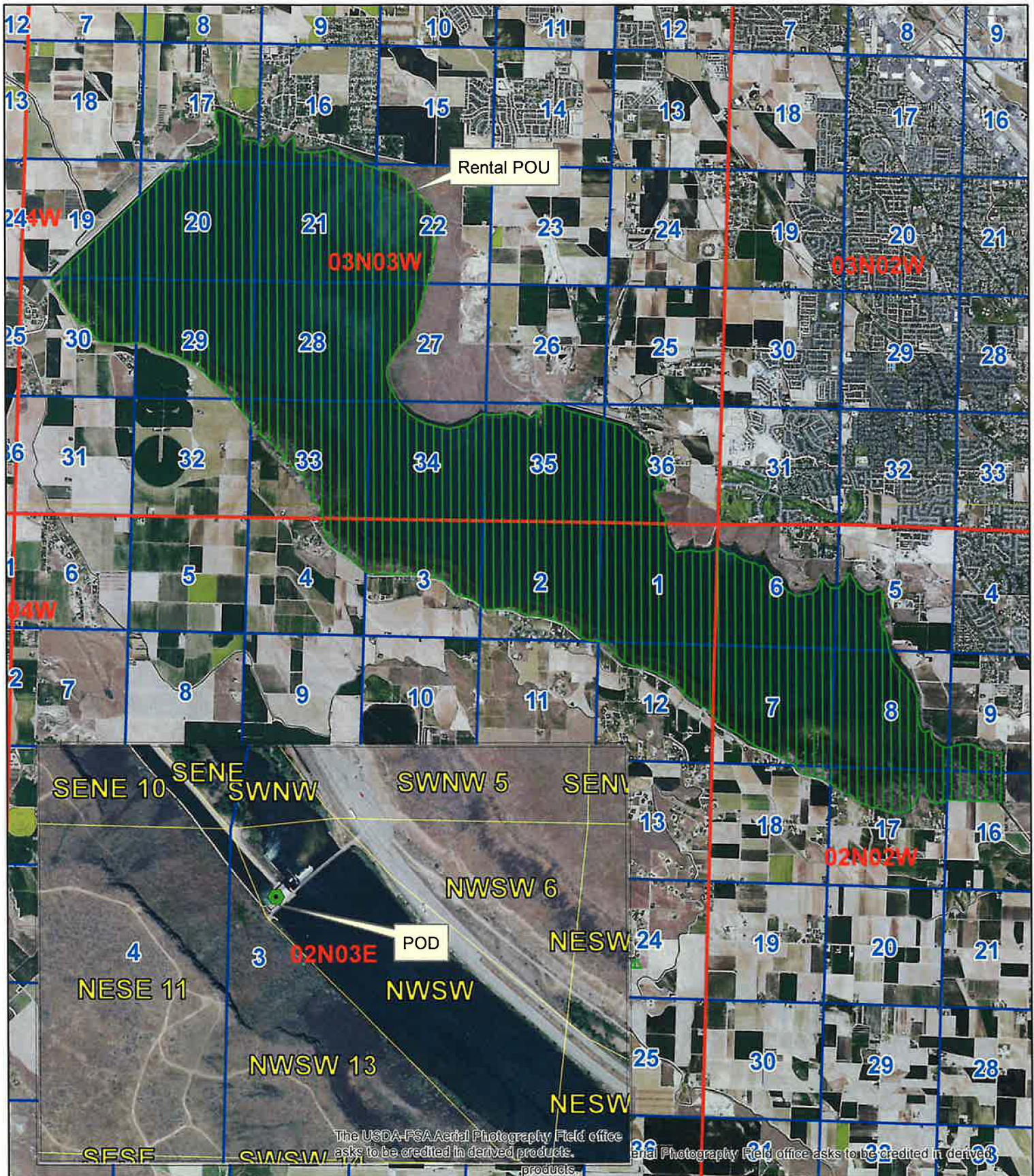
Printed Name of Representative

Date

Mail to:

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

Map for Rental Application





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 Mathew Weaver

May 07, 2024

CHRIS EMMERT
7180 BOWMONT RD
NAMPA, ID 83686

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 63-194, AGREEMENT 855**

Dear Renter:

Please find enclosed a receipt in the amount of **\$207.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 4.5 acre-feet of water for Mitigation by Delivery of 2.0 acres during 2024. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$186.30 of the rental fee will be paid to the lessor(s) and 10% or \$20.70 will be retained by the Department to offset administrative costs.

The annual rental fee for 2025 is due by December 31, 2024. If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

for

Water Supply Bank

Enclosures: Receipt No. C118238
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Western Regional Office
~~Representative~~
Water District **63**
~~Ground Water District~~
~~IDWR Compliance Officer~~

Mansfield, Debra

From: Mansfield, Debra
Sent: Monday, May 6, 2024 11:26 AM
To: Miller, Nick; Mike Meyers; IdwrPayable
Cc: Bank
Subject: Executed WSB Rental Agreement 855
Attachments: Executed WSB Rental Agreement 855.pdf

Hello,

Please see the attached copy of executed Water Supply Bank Rental Agreement 855, in the name of Chris Emmert, for your records.

Thank you,

Debra Mansfield | Technical Records Specialist 1
IDWR – State Office
322 E Front St, Boise ID 83702-7371
(208) 287-4921 | Debra.Mansfield@idwr.idaho.gov



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
April 19, 2024

Director Mathew Weaver

CHRIS EMMERT
7180 BOWMONT RD
NAMPA, ID 83686

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 63-194 AGREEMENT 855**

*****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 \$207.00 was calculated based on the current rental rate of \$23.00 per acre-foot times a diversion volume of 9.0 acre-feet.

Please send a check for \$207.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

Pursuant to the Water Supply Bank Rules, 90% or \$186.30 of the rental fee will be paid to the lessor(s) and 10% or \$20.70 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,

Bob Howe

for
Water Supply Bank

Enclosure

c: IDWR Front Desk

MEMORANDUM FOR AGREEMENT 855

To: Water Right(s) 63-194
From: Bob Howe
Date: April 12, 2024
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

Purpose/Narrative: The Department received the application for rental from Chris Emmert, February 15, 2024. The application proposes a rental to mitigate for the applicants two supplemental ground water permits 63-34079 and 63-34080. The permits authorize pumping ground water, to supplement irrigation from surface water shares owned by the applicant. A condition carried on each permit requires that Mr. Emmert secure mitigation of a total of 7-acre feet, for delivery to Lake Lowell, to account for depletions to the lake, attributable to ground water diversions under his permits. The rental request is a repeat of previous rental 306, only the leased rights to be rented have changed.

The mitigation water is being delivered to Lake Lowell via the New York Canal. As discussed in the review for the applicant's permits, the New York Canal experiences an estimated 50% conveyance loss between the head of the canal (at Diversion Dam on the Boise River) and Lake Lowell.

Authority to File: Mr. Emmert has signed the submitted applications, and he has included with his applications a documented consent form from the Boise Project Board of Control, which is the entity responsible for operating the New York Canal, into which Mr. Emmert will deliver rented water, for mitigation purposes. No concerns about authority to file.

Water Right Validity: Based on the lease reviews water rights 63-194 are valid and accepted into the Bank.

Injury To Other Water Rights: Water right 63-194 authorize diversion from the Boise River west of the Eagle Rd Bridge, which is approximately 15.0 miles downstream of the rental point of diversion. This rental proposes to rent a portion of water right 63-194, sufficient to divert 0.04 cfs of water from the Boise River, so that it can be delivered into the New York Canal. It is not anticipated that the diversion and delivery of 0.04 cfs from the Boise River into the New York Canal will cause injury to appropriators or water users on Boise River or New York Canal.

Enlargement of Use: Water right 63-194 is an irrigation and aesthetic water right, which will be rented for mitigation purposes, through a change in nature of use. The regional irrigation consumptive use standard is 3.5 afa, which is 77.8% of the regional headgate standard of 4.5 afa. The rental proposes to rent 9 AF of water right 63-194, of which 77.8% can be authorized to be use for mitigation purposes.

The irrigation season of use on the permits is 260 days. Dividing 9.0 AF by 260 days, and then converting daily af volumes into instantaneous flow (via use of a conversion factor of 1.9835) suggests that a constant diversion of 0.0175 (rounded to 0.018) cfs into the New York Canal will provide 9.0 AF within the irrigation season. The rental application has identified two Boise River natural flow water right 63-194 that authorize diversion from the Boise River throughout the irrigation season. The proposed rental would continuously divert approximately 0.04 cfs of Boise River water into the New York Canal, to mitigate water loss in Lake Lowell, attributable to the pumping of ground water under permits 63-34079 and 34080.

Water right 63-194 carries a Stewart Decree condition requiring that diversions under the water rights should be reduced by 40%, if natural flows on the Boise River are insufficient to satisfy 75% of senior rights and other rights carrying the same condition. Two acres of right 63-194 would provide with 0.04 cfs, and 9 AF annually. When reduced by 40%, the combined rights authorize the diversion of 0.024 cfs, which is more than sufficient to provide 0.018 cfs for mitigation purposes, without causing enlargement.

Local Public Interest: Staff are unaware of any concerns that this rental might have negative impacts on local economics and/or water users and this rental is consistent with local interests.

Beneficial Use/Conservation of Water Resources: Mitigation by non-use is a recognized beneficial use and Mr. Emmert has a mitigation obligation to satisfy water use conditions associated with his permits. This rental appears to be consistent with water conservation practices.

Department/Watermaster Comments: A comment request was sent by email to Western region, Ethan Geisler (IDWR Hydrology section) and Water District 63-Watermaster Mike Myers. Ethan Geisler responded that he did not note any negative effect on water right accounting, or have concerns regarding the proposed rental.

Howe, Bob

From: Geisler, Ethan
Sent: Friday, April 19, 2024 6:57 AM
To: Howe, Bob
Subject: RE: Comment Request-Water Supply Bank Rental 855-for Chris Emmert

Bob,

I don't see a problem with this. It appears the diversion is being moved upstream and it should be able to be delivered to either the Eagle area or the New York Canal without issue because we have plenty of reach gains throughout this section of the river. It is a very senior water right and is also only 0.04 cfs so that makes it very small with regard to the rest of the diversions in both areas.

I believe this rental will not affect anything in water right accounting.

Thanks,
Ethan

Ethan Geisler | Hydrologist
Idaho Department of Water Resources
Office: 208-287-4816 | Email: ethan.geisler@idwr.idaho.gov
P.O. Box 83720 | Boise, ID 83720 | <https://idwr.idaho.gov>

From: Geisler, Ethan
Sent: Thursday, April 18, 2024 7:52 AM
To: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Subject: RE: Comment Request-Water Supply Bank Rental 855-for Chris Emmert

Bob,

I will take a look at this. I'll get back to you either today or tomorrow.

Thanks,
Ethan

Ethan Geisler | Hydrologist
Idaho Department of Water Resources
Office: 208-287-4816 | Email: ethan.geisler@idwr.idaho.gov
P.O. Box 83720 | Boise, ID 83720 | <https://idwr.idaho.gov>

From: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Sent: Tuesday, April 16, 2024 11:42 AM
To: Geisler, Ethan <Ethan.Geisler@idwr.idaho.gov>
Cc: Bank <Bank@idwr.idaho.gov>
Subject: FW: Comment Request-Water Supply Bank Rental 855-for Chris Emmert

Good Morning Ethan,

I am forwarding the comment request for Chris Emmert's proposed rental agreement for your review. Can you please tell me if the proposed move would cause injury according to the Boise River accounting?

Thank you for your time and attention in this matter.

Best Regards,

Bob Howe



IDAHO DEPARTMENT OF
WATER RESOURCES

Bob Howe | Water Resource Agent

322 E Front St, PO Box 83720, Boise, ID 83720

(208) 287-4800 | www.idwr.idaho.gov

From: Howe, Bob

Sent: Monday, April 15, 2024 11:43 AM

To: Miller, Nick <Nick.Miller@idwr.idaho.gov>; Mike Meyers <mike@wd63.org>

Subject: Comment Request-Water Supply Bank Rental 855-for Chris Emmert

Good Morning Nick Miller and Mike Myers:

The Department of Water Resources is seeking comment from your agencies, regarding the Water Supply Bank (WSB) Rental Agreement 855, for Chris Emmert. The rental is for the same portion as the previous rental for Mr. Emmert (Agreement #306 -ending 12/31/2023). The proposed rental is for a 9 AF portion of right 63-194 (lease contract 1801) for mitigation use, for the term from 2024-2028. A copy of the proposed rental agreement, the rental review, and maps are attached for your reference.

Please submit your comments within 14 days, no later than April 29, 2024. If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the execution of the lease.

Comments are preferred to be received by e-mail to bob.howe@idwr.idaho.gov. However, comments by regular mail and/or FAX to 208-287-6700 are acceptable.

If you have any questions, don't hesitate to contact me at the State Office at (208) 287-4847.

Bob Howe



IDAHO DEPARTMENT OF
WATER RESOURCES

Bob Howe | Water Resource Agent

322 E Front St, PO Box 83720, Boise, ID 83720

(208) 287-4800 | www.idwr.idaho.gov

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BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000
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NAMPA-MERIDIAN DISTRICT
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NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

15 February 2024

Idaho Department of Water Resources
322 E. Front Street, Ste. 648
Boise, Idaho 83702-7371

RE: Chris Emmert- Mitigation Water

To Whom It May Concern:

This letter is to serve as notice that the Boise Project Board of Control will accept 7 acre feet of water, obtained by Chris Emmert for mitigation purposes, through the head end of the New York Canal.

Please feel free to contact me, if you have any questions regarding this matter, at 208-344-1141.

Sincerely,



Robert Carter
Project Manager, Boise Project Board of Control
bdc/bc