

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 832

RECEIVED
OCT 03 2024
DEPARTMENT OF
WATER RESOURCES

This is to certify that:

CLAY THOMAS
139 N 4080 E
RIGBY, ID 83442-5893

KAREN THOMAS
139 N 4080 E
RIGBY, ID 83442-5893

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
22-7687	10/23/1990	GROUND WATER	0.011	1.6	0.55	0.020	2.9
Rental Totals			0.011	1.6	0.55	0.020	2.9

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2025. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2024, whichever occurs last.

Annual Rental Fee:

2024 & 2025: \$36.80 annually

The full fee for the rental of the above-described right(s) is \$36.80 per year for years 2024 & 2025. The rental fee includes an administrative fee of \$3.68 per year for years 2024 & 2025.

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

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.006	1.6	0.4	0.015	4.0
Total	0.006	1.6	0.4	0.015	4.0

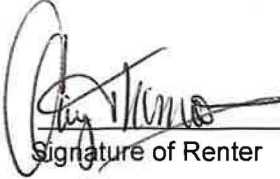
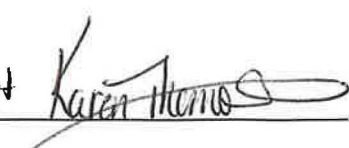
*** The authorized water usage reflects a reduction from the water right elements rented, to account for 4.0 acre-feet per acre area standard headgate at rental diversion.**

Detailed water right conditions are attached.

STATE OF IDAHO
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WATER SUPPLY BANK RENTAL AGREEMENT No. 832

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

09-30-2024
Date

Clay Thomas + Karen Thomas
Printed Name

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, Executive Manager
Idaho Water Resource Board

Date 10/4/24

Rental approved by IDWR 

Date 10/4/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 832

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE Sec. 29, Twp 04N, Rge 39E, JEFFERSON County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.006 CFS

VOLUME
1.6 AF

SEASON OF USE

Water Right No. **From** **To**
22-7687 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	39E	29													0.4				0.4

Total Acres: 0.4

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. The rental of water under right 22-7687 shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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10. Use of water under this right will 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. 120.
11. This rental agreement does not authorize the construction of a well.
12. Prior to December 31 of each year, the Board may review this rental agreement to determine whether it is consistent with the management plan that may be approved for the Eastern Snake Plain Aquifer Ground Water Management Area ("ESPA GWMA Plan") pursuant to Idaho Code § 42-233b. The Board may cancel this rental agreement if the Board determines it is not consistent with the ESPA GWMA plan. If this rental agreement is canceled, the cancellation shall not take effect until December 31 of the year in which the rental agreement is canceled.

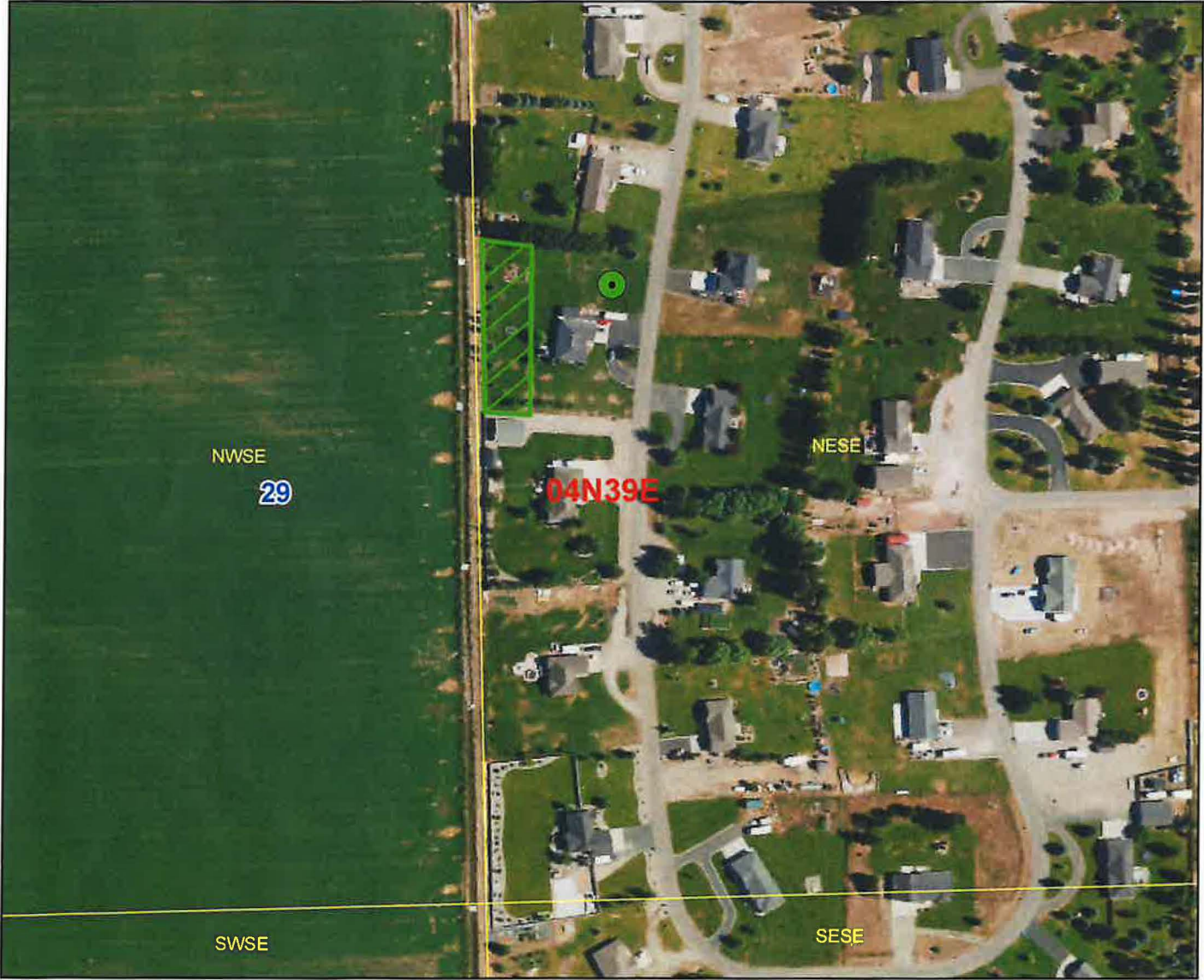


Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 832

Effective until December 31, 2025

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

0 200 400 Feet



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

FEB 12 2024

DEPARTMENT OF
WATER RESOURCEAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Clay & Karen Thomas

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)

2925

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Clay + Karen Thomas
 Mailing Address 139 North 4080 East Rigby ID 83442
Street City State Zip Code
 Email Address Clay KTL5@hotmail.com Phone Number 706-949-9876

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

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

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

I will need to rent water for .31 acres to legally water my current landscaping. We will make adjustments to the yard in the next 3 to 5 years.

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
<u>.004</u> CFS	<u>1.1</u> AF	CFS	AF	<u>.31</u> AC

* Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?
<u>04-01-2024</u>	<u>05-01-2024</u>	☐ 1	☐ 2	☒ 3	☐ 4	☐ 5	☒ Process application as soon as possible ☒ Return application to applicant

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

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

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

A private Well on the property will supply the water with sprinkler system.

- 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

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 31 (number of acres) Duration: Subject to IDWR standard seasons of use
☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

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

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

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

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

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

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

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
	irrigation	.004	1.1	.31				
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**:

This will make me compliant with the water regulations for watering all of my vegetation & landscaping.

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

Yes ☐ No ☒

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

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

- 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.

E2020-1118 was the violation for our subdivision. my property is not part of this Dispute, but the matter of our yards were Drought to attention about water issues.

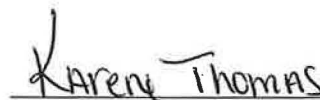
- D. Additional Information

I would like to Become Compliant for the State of Idaho and watering needs. Thank you.

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


Printed Name of Applicant

02-02-2024
Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

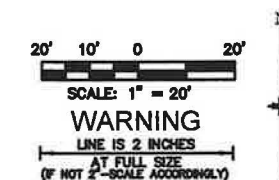
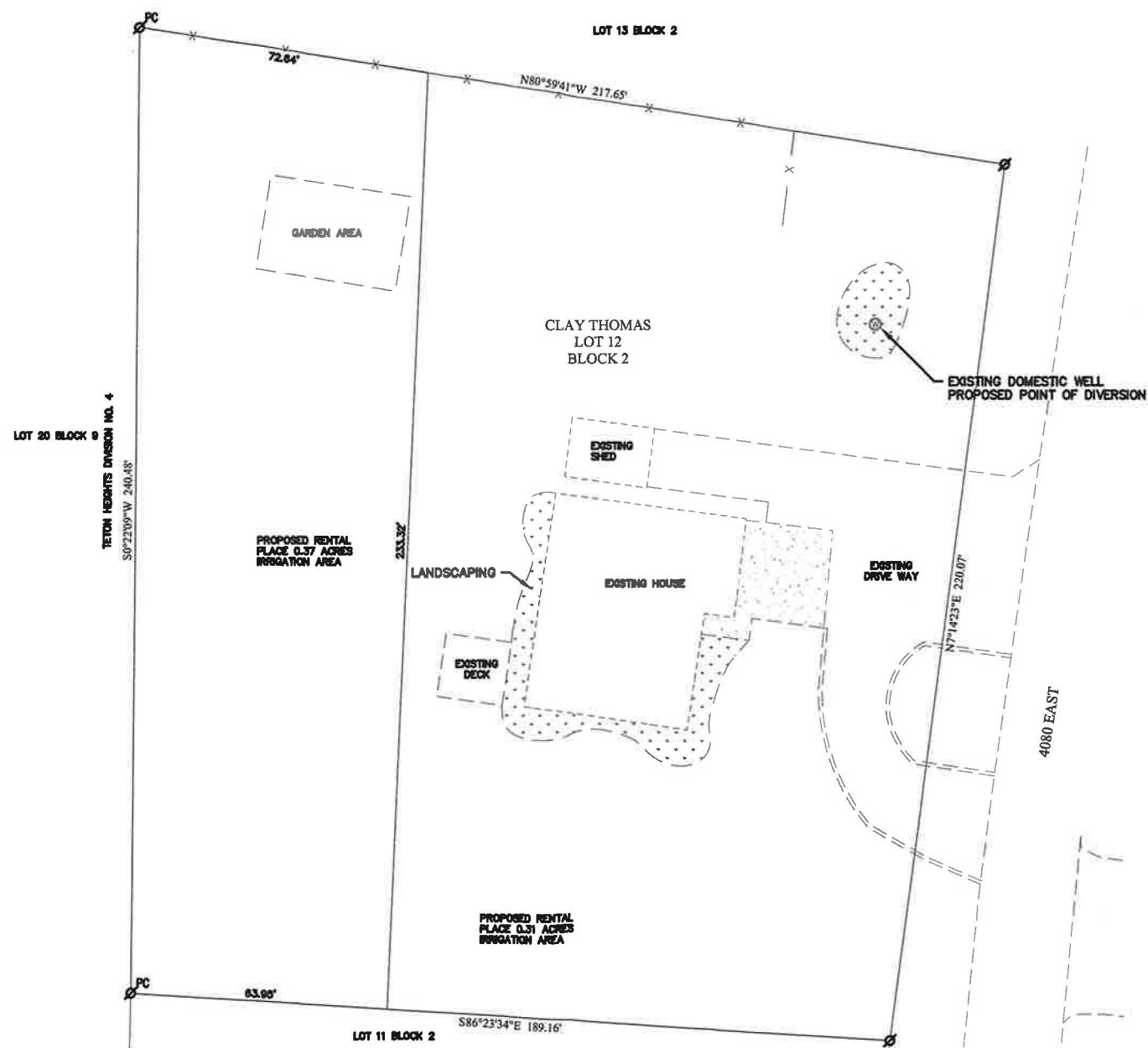
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

TOPOGRAPHIC SURVEY
CLAY THOMAS

LOT 12 BLOCK 2 OF THE ROCKY MOUNTAIN ESTATES SUBDIVISION NO. 2
PART OF SECTION 24, TWP. 4 N, RANGE 39 E, B.M.
JEFFERSON COUNTY, IDAHO

NOTES:
BEARINGS SHOWN HEREIN ARE BASED ON THE IDAHO STATE PLANE
COORDINATE SYSTEM, EAST ZONE, NAD 83 DATUM. DISTANCES SHOWN
HEREIN ARE GROUND DISTANCES USING AN AVERAGE PROJECT ELEVATION
OF 4000 FEET.

REFERENCES:
ROCKY MOUNTAIN ESTATES SUBDIVISION NO. 2
THOMPSON ENGINEERING INS. 319168



LEGEND

- Ø REBAR W/NO CAP FOUND
- Ø PC REBAR W/PLASTIC CAP FOUND
- - - - - EXISTING HOUSE AND DECK
- - - - - EXISTING DRIVEWAY
- - - - - EXISTING FENCE
- - - - - EXISTING LANDSCAPING
- - - - - EXISTING PROPERTY LINE

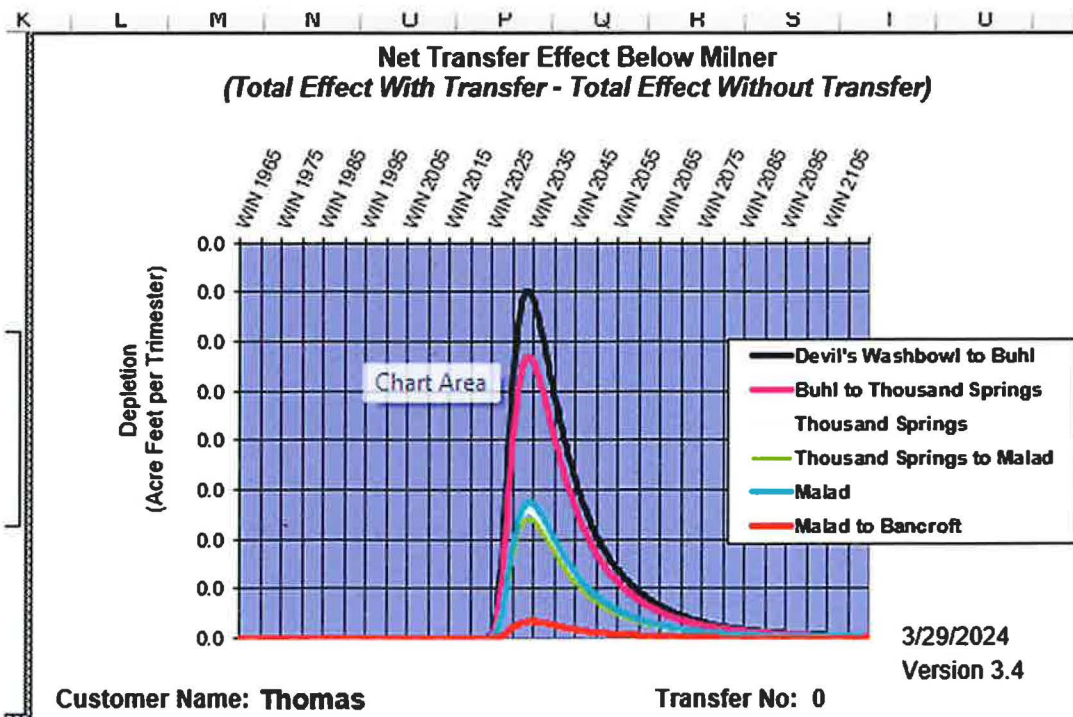
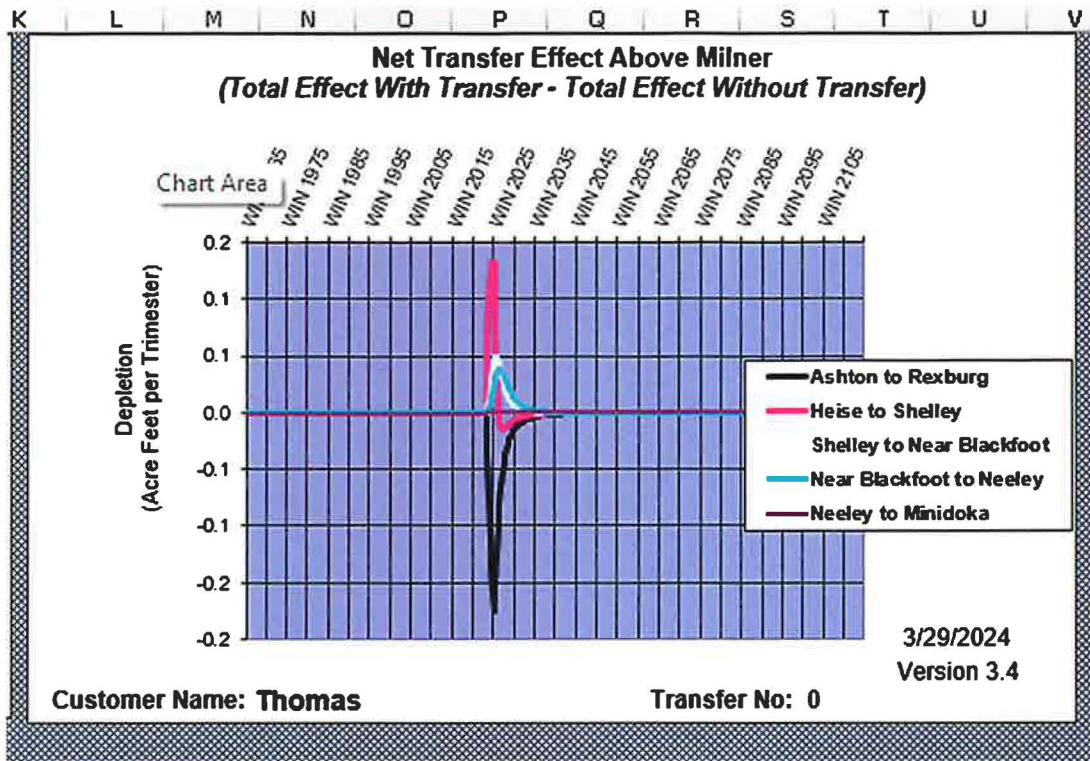
TOPOGRAPHIC SURVEY
CLAY THOMAS
PART OF SECTION 24, TWP. 4 N, R 39 E, B.M.
JEFFERSON COUNTY, IDAHO

TETON VIEW SURVEYING
2847 East 700 North
St. Anthony, Id. 83445
P: 208.516.8877

Sheet No: 1 OF 1
Date: 2/28/2024
Drawn By: JRB
Reviewed By: JMR

TRIMESTER	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
OF	Projected Use	With Transfer	Without Transfer	With Transfer	Without Transfer	With Transfer	Without Transfer
ACTIVITY	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER
1 WIN 1965	0.00	0.58	0.58	0.00	0.00	0.00	0.00
2 SPR 1966	0.00	0.58	0.58	0.00	0.00	0.00	0.00
3 SUM 1966	0.00	0.58	0.58	0.00	0.00	0.00	0.00
4 WIN 1966	0.00	0.58	0.58	0.00	0.00	0.00	0.00
5 SPR 1967	0.00	0.58	0.58	0.00	0.00	0.00	0.00
6 SUM 1967	0.00	0.58	0.58	0.00	0.00	0.00	0.00
7 WIN 1967	0.00	0.58	0.58	0.00	0.00	0.00	0.00
8 SPR 1968	0.00	0.58	0.58	0.00	0.00	0.00	0.00
9 SUM 1968	0.00	0.58	0.58	0.00	0.00	0.00	0.00
10 WIN 1968	0.00	0.58	0.58	0.00	0.00	0.00	0.00
11 SPR 1969	0.00	0.58	0.58	0.00	0.00	0.00	0.00
12 SUM 1969	0.00	0.58	0.58	0.00	0.00	0.00	0.00
13 WIN 1969	0.00	0.58	0.58	0.00	0.00	0.00	0.00
14 SPR 1970	0.00	0.58	0.58	0.00	0.00	0.00	0.00
15 SUM 1970	0.00	0.58	0.58	0.00	0.00	0.00	0.00
16 WIN 1970	0.00	0.58	0.58	0.00	0.00	0.00	0.00
17 SPR 1971	0.00	0.58	0.58	0.00	0.00	0.00	0.00
18 SUM 1971	0.00	0.58	0.58	0.00	0.00	0.00	0.00
19 WIN 1971	0.00	0.58	0.58	0.00	0.00	0.00	0.00
20 SPR 1972	0.00	0.58	0.58	0.00	0.00	0.00	0.00
21 SUM 1972	0.00	0.58	0.58	0.00	0.00	0.00	0.00
22 WIN 1972	0.00	0.58	0.58	0.00	0.00	0.00	0.00
23 SPR 1973	0.00	0.58	0.58	0.00	0.00	0.00	0.00
24 SUM 1973	0.00	0.58	0.58	0.00	0.00	0.00	0.00
25 WIN 1973	0.00	0.58	0.58	0.00	0.00	0.00	0.00
26 SPR 1974	0.58	0.00	0.58	0.00	0.00	0.00	0.00
27 SUM 1974	0.58	0.00	0.58	0.00	0.00	0.00	0.00
28 WIN 1974	0.58	0.00	0.58	0.00	0.00	0.00	0.00
29 SPR 1975	0.58	0.00	0.58	0.00	0.00	0.00	0.00
30 SUM 1975	0.58	0.00	0.58	0.00	0.00	0.00	0.00
31 WIN 1975	0.58	0.00	0.58	0.00	0.00	0.00	0.00
32 SPR 1976	0.00	0.58	0.58	0.00	0.00	0.00	0.00
33 SUM 1976	0.00	0.58	0.58	0.00	0.00	0.00	0.00
34 WIN 1976	0.00	0.58	0.58	0.00	0.00	0.00	0.00
35 SPR 1977	0.00	0.58	0.58	0.00	0.00	0.00	0.00
36 SUM 1977	0.00	0.58	0.58	0.00	0.00	0.00	0.00
37 WIN 1977	0.00	0.58	0.58	0.00	0.00	0.00	0.00
38 SPR 1978	0.00	0.58	0.58	0.00	0.00	0.00	0.00
39 SUM 1978	0.00	0.58	0.58	0.00	0.00	0.00	0.00
40 WIN 1978	0.00	0.58	0.58	0.00	0.00	0.00	0.00
41 SPR 1979	0.00	0.58	0.58	0.00	0.00	0.00	0.00
42 SUM 1979	0.00	0.58	0.58	0.00	0.00	0.00	0.00
43 WIN 1979	0.00	0.58	0.58	0.00	0.00	0.00	0.00
44 SPR 1980	0.00	0.58	0.58	0.00	0.00	0.00	0.00
45 SUM 1980	0.00	0.58	0.58	0.00	0.00	0.00	0.00
46 WIN 1980	0.00	0.58	0.58	0.00	0.00	0.00	0.00
47 SPR 1981	0.00	0.58	0.58	0.00	0.00	0.00	0.00
48 SUM 1981	0.00	0.58	0.5				

[illegible]



SPR 2024

[illegible]



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

October 7, 2024

CLAY THOMAS
KAREN THOMAS
139 N 4080 E
RIGBY, ID 83442-5893

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 22-7687, AGREEMENT 832**

Dear Renter:

Please find enclosed a receipt in the amount of **\$36.80** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 1.6 acre-feet of water for irrigation of .55 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 \$33.12 of the rental fee will be paid to the lessor(s) and 10% or \$3.68 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. C119010
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
Water District 120

Mansfield, Debra

From: Mansfield, Debra
Sent: Friday, October 4, 2024 4:42 PM
To: IdwrPayable; Cefalo, James; Jordan, Blake
Cc: Bank
Subject: Executed WSB Rental Agreement 832, Clay & Karen Thomas
Attachments: Executed WSB Rental Agreement 832, Clay & Karen Thomas 2024-2025.pdf

Hello,

Please see the attached copy of Executed WSB Rental Agreement 832, for Clay & Karen Thomas, 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



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Governor Brad Little

Director Mathew Weaver

September 23, 2024

CLAY THOMAS
KAREN THOMAS
139 N 4080 E
RIGBY, ID 83442-5893

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 22-7687 AGREEMENT 832**

*****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 **\$36.80 per year** was calculated based on the current rental rate of \$23.00 per acre-foot times a diversion volume of 1.6 acre-feet. The annual rental fee for 2025 is due by December 31, 2024. 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.

Please send a check in the amount of \$36.80 for 2024 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

Pursuant to the Water Supply Bank Rules, 90% or \$33.12 of the rental fee will be paid to the lessor(s) and 10% or \$3.68 will be retained by the Department to offset administrative costs for **2024**.

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

Sincerely,

Debra Mansfield

for

Water Supply Bank

Enclosure(s)

c: IDWR Front Desk
Representative (via email)

MEMORANDUM FOR APPLICATION # 2925 / AGREEMENT # 832

To: Water Right(s) 22-7687

From: Mary Condon

Date: August 12, 2024

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

PURPOSE/NARRATIVE: Application to rent ground water in the Eastern Snake Plain Aquifer for lawn irrigation beginning in 2024 was received on February 12, 2024. The irrigation rental place of use is approximately 0.4 acres of a 1.1-acre private parcel, after removing the 0.5 acre domestic exemption and another 0.25 acres for the home and driveway.

An additional information request letter for missing ESPA modeling was sent on February 21, 2024, and again on March 11, 2024. An update from the rental applicant was received on March 29, 2024 with the required water modeling to rent ground water right 22-7687 for two years from 2024-2025.

AUTHORITY TO FILE: Application to rent ground water for irrigation of a private lawn in the Rocky Mountain Estates Subdivision was submitted for Clay & Karen Thomas and was signed by Karen Thomas. The Jefferson County tax lot data shows Clay as the owner of the parcel for the rental place of use and location of the private well used for indoor domestic and outdoor irrigation. No concerns with authority to file.

WATER RIGHT VALIDITY: Water right 22-7687 requested under the rental was licensed in 2013 and has been leased into the bank and rented since 2016. No concerns with validity.

INJURY TO OTHER WATER RIGHTS: The rental request is for ground water within the ESPA GWMA and water modeling is required as part of the rental application to evaluate impacts for ground water moves. An in-house review of the Etran Modeling analysis finds no significant impact and mitigation is not necessary for the rental.

ENLARGEMENT OF USE: Leased right 22-7687 is diversion rate limited with water rights 22-7680A and 22-7680B due to combined limits with unleased water rights from the POD. Each of the leased rights can be rented separately so long as the additive rates of all three through rentals do not exceed 1.31 cfs. At the time of this review, there are three active rentals and this one application against the three different water rights. See Table 1.

LEASE			Rate	Vol	Acres	cfs/acre	af/acre
Jeppeson Bros	Contract 1339	Total combined	1.31	621.6	212.1	0.006	2.9
	2021 - 2025	22-7680A	1.31	272	92.9	0.014	2.9
		22-7680B	0.91	133	45.3	0.02	2.9
		22-7687	1.48	217	73.9	0.02	2.9
RENTALS							
Jeppeson Bros	22-7680A - 83.9 acres	Remaining after RA 500	0.13	375.6	128.2		
Sunbrook Estates	22-7680B - 15.5 acres	Remaining after RA 841	0.11	330.1	112.7		
LDS Church	22-7680B - 2.3 acres	Remaining after RA 860	0.06	323.4	110.4		
Thomas, Clay&Karen	22-7687 - 0.55 acres	Remaining after RA 832	0.049	321.8	109.9		

Table 1, Rentals against Lease Contract 1339

The rental well is an exempt single family domestic well. Rental location is within the boundaries of Burgess Canal & Irrigating Co as well as Rudy Irrigation Canal Co LTD, but surface water shares are not used within the subdivision. No other water source or provider overlaps the rental place of use.

The requested water right to fulfill the rental was licensed at a lower volume per acre than the area standard at the rental location, of 2.9 af/ac compared to 4.0 af/ac, and is also within a lower area standard for consumptive use of 2.5 af/ac compared to 3 af/ac. The maximum annual volume expected at the rental location for 0.4 acres is equal to 1.6 acre-feet annually and therefore requires a rental of 0.55 acres ($1.6 \text{ afa} / 2.9 \text{ afa} = 0.55 \text{ acres}$) with the proportionate rate and volume to avoid enlargement.

LOCAL PUBLIC INTEREST: This rental application was filed separately from enforcement case E2020-1618 for a different parcel but within the subdivision. 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 for a beneficial use in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is within Eastern Region, is within the ESPA GWMA, and is subject to Water District # 120. Rental location is not within a ground water district. An email soliciting comments or concerns from the regional manager and watermaster sent on August 12, 2024.

ESPA CALCULATIONS:

To Well: 67, 172 – Area Standard C/U = $3 \text{ af/ac} * 0.40 \text{ acres} = 1.2 \text{ afa} \text{ \& } 0.4 \text{ af/trimester}$

From Well: 66, 186 – Area Standard C/U = $2.5 \text{ af/ac} * 0.55 \text{ acres} = 1.4 \text{ afa} \text{ \& } 0.46 \text{ af/trimester}$

Mitigation Analysis Period
Trimester

One-Way Analysis of Independent Transfers

New Water Right (GModelo):

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node	Impact by Reach (AF/Trimester)									
								Ashton to Rexburg	Hese to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad to Bancroft
Transfer 1: Proposed Steady State Impacts following Transfer																	
???	???			1/1/1960				0.24	0.19	0.01	0.02	0.00	0.00	0.00	0.00	0.00	0.00
???	???			1/1/1960				0.24	0.19	0.01	0.02	0.00	0.00	0.00	0.00	0.00	0.00
Transfer 1: Worst Case Transient State Impacts following Transfer																	
???	???	0	0	1/1/1960	0	0	0.0	0.24	0.19	0.01	0.02	0.00	0.00	0.00	0.00	0.00	0.00
???	???	0	0	1/1/1960	0	0	0.0	0.24	0.27	0.04	0.04	0.00	0.00	0.00	0.00	0.00	0.00

Steady State Analysis

Mitigation Check 1 - >10% of Historical:

Mitigation Check 2 - > 2 AF/T:

Mitigation Check 3 - >10% of Total:

Mitigation Required?:

Mitigation Vol. Req'd (ac-ft):

0.0%0.0%0.0%0.0%0.0%0.1%0.1%0.1%0.1%0.1%

0.00.00.00.00.00.00.00.00.0

52.1%41.8%1.8%4.0%0.1%0.1%0.0%0.0%0.0%

NON

Read Me

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

TRANSFER NO: 2925

YEAR: 1990

SEASON: SPRING

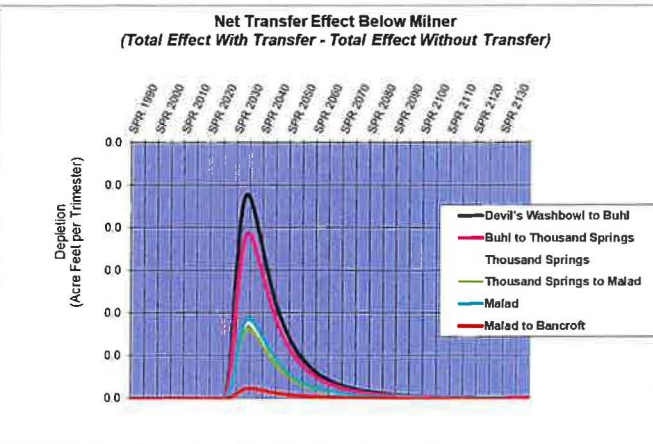
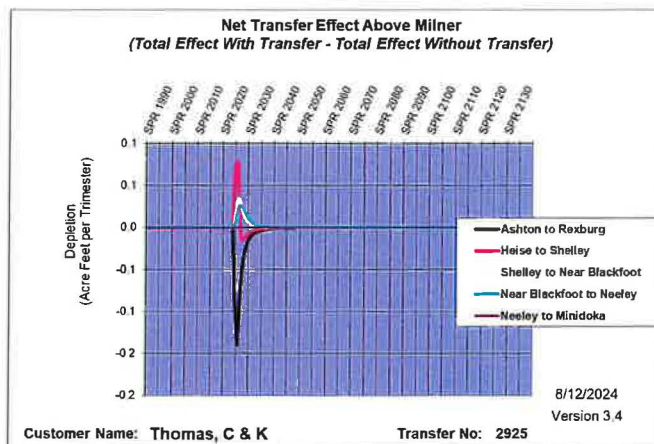
TRANSFER NAME: Thomas, C & K

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	67	66	0	0
COLUMN	172	186	0	0

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		W/ AF
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	
SPR 1990	0.00	0.46	0.46	0.00	0.00	
SUM 1990	0.00	0.46	0.46	0.00	0.00	
WIN 1990	0.00	0.46	0.46	0.00	0.00	
SPR 1991	0.00	0.46	0.46	0.00	0.00	
SUM 1991	0.00	0.46	0.46	0.00	0.00	
WIN 1991	0.00	0.46	0.46	0.00	0.00	
SPR 1992	0.00	0.46	0.46	0.00	0.00	
SUM 2022	0.00	0.46	0.46	0.00	0.00	
WIN 2022	0.00	0.46	0.46	0.00	0.00	
SPR 2023	0.00	0.46	0.46	0.00	0.00	
SUM 2023	0.00	0.46	0.46	0.00	0.00	
WIN 2023	0.00	0.46	0.46	0.00	0.00	
SPR 2024	0.40	0.00	0.46	0.00	0.00	
SUM 2024	0.40	0.00	0.46	0.00	0.00	
WIN 2024	0.40	0.00	0.46	0.00	0.00	
SPR 2025	0.40	0.00	0.46	0.00	0.00	
SUM 2025	0.40	0.00	0.46	0.00	0.00	
WIN 2025	0.40	0.00	0.46	0.00	0.00	
SPR 2026	0.00	0.46	0.46	0.00	0.00	
SUM 2026	0.00	0.46	0.46	0.00	0.00	
WIN 2026	0.00	0.46	0.46	0.00	0.00	
SPR 2027	0.00	0.46	0.46	0.00	0.00	
SUM 2027	0.00	0.46	0.46	0.00	0.00	

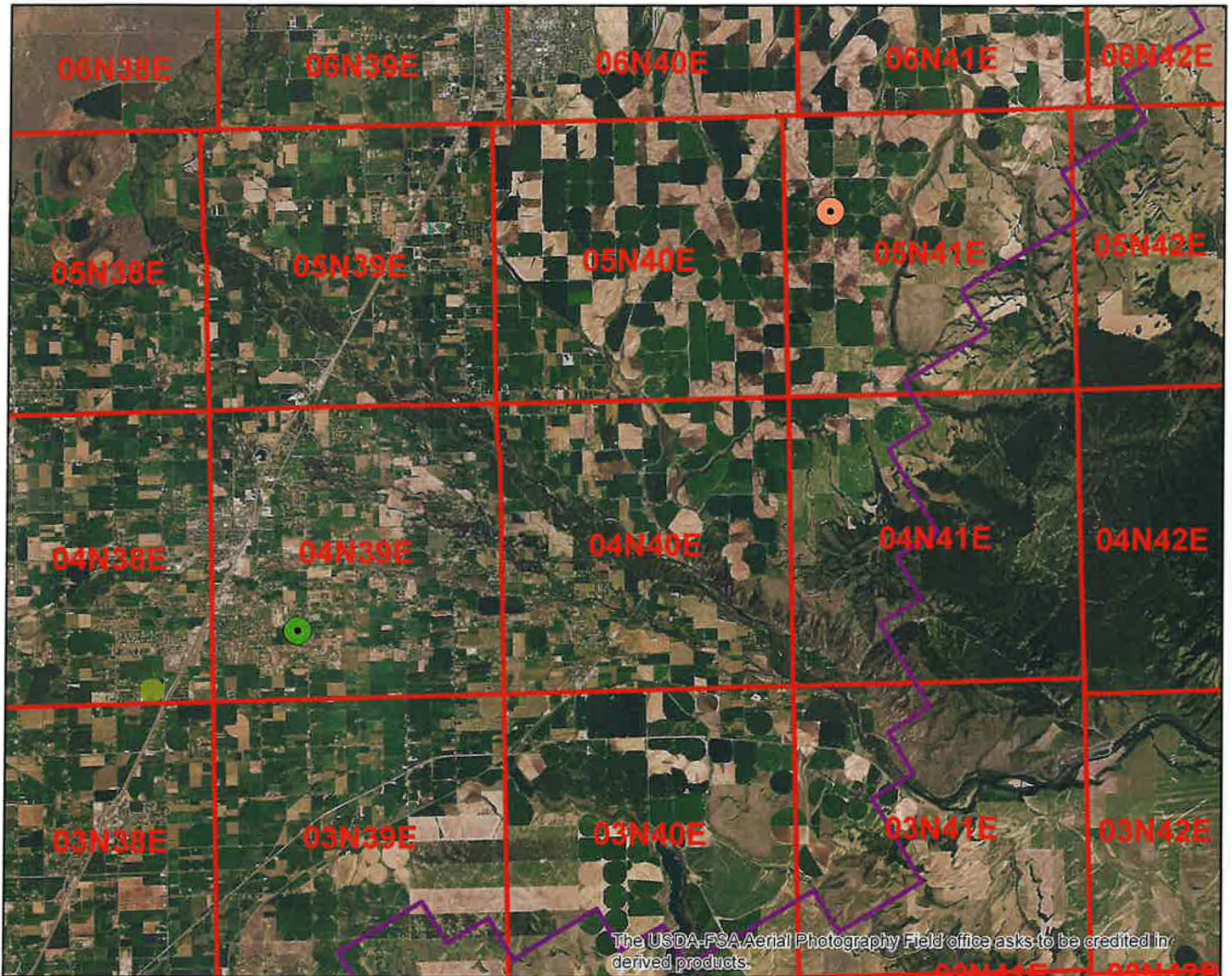


Idaho Water Resource Board

WSB Move Map - Rental Application 2925

22-7687

YEAR(S) 2024-2025



- Active Lease POD
- Proposed Rental POD
- ESPA GWMA
- Township/Range



0 5 10 Miles

Date March 11, 2024

APPLICANT NAME Clay & Karen Thomas
ADDRESS
139 N 4080 E Rigby ID 83442

RESPONSE DEADLINE
March 25, 2024

RE: Water Supply Bank Rental Application – Additional Information Required

Dear Applicant,

The Idaho Department of Water Resources received your application to rent water rights from the Idaho Water Resource Board's Water Supply Bank however, as submitted, your application is incomplete.

As submitted, your application cannot be processed. The required information is missing or insufficient:

- ☐ A completed *Application to Rent Water from the Water Supply Bank*
- X If the application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ The place of use described in item #4 of the application does not match your map
- ☐ The signature is missing or we need power of attorney documentation for the signor
- ☐ How will the proposed point of diversion convey water to the place of use
- ☐ Authorization from the individual/entity that owns the land at the place of use
- ☐ Authorization from the individual/entity that owns the land at the proposed point of diversion
- ☐ A map that clearly outlines the location of irrigated acres.
- ☐ Other: _____

I will place your application on hold while you submit your **ESPA MODELING**. There is some availability in neighboring zones such as 22-2175A. You can do the ESPA Modeling on WR 22-2175A. Please provide the required information within ten (10) days. While you are making corrections to your application, you will not lose your place in the processing queue.

If sufficient information per this letter is not received within 10 days, your application will not be processed or returned to you.

Please contact me if you have questions regarding this matter at (208) 287-4920. I have also sent an email to Claykt65@hotmail with information on the EPSA Modeling.

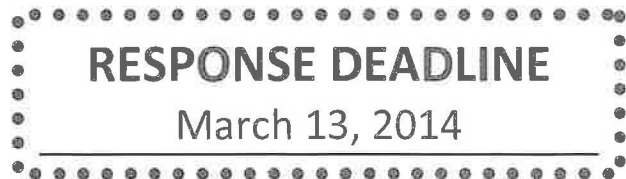
Sincerely,

Catalina Beck

Technical Records Specialist I

Date February 21,2024

APPLICANT NAME CLAY AND KAREN THOMAS
ADDRESS
139 N 4080 E
Rigby ID 83442



RE: Water Supply Bank Rental Application – Additional Information Required

Dear Applicant,

The Idaho Department of Water Resources received your application to rent water rights from the Idaho Water Resource Board's Water Supply Bank however, as submitted, your application is incomplete.

As submitted, your application cannot be processed. The required information is missing or insufficient:

- ☐ A completed *Application to Rent Water from the Water Supply Bank*
- X If the application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ The place of use described in item #4 of the application does not match your map
- ☐ The signature is missing or we need power of attorney documentation for the signor
- ☐ How will the proposed point of diversion convey water to the place of use
- ☐ Authorization from the individual/entity that owns the land at the place of use
- ☐ Authorization from the individual/entity that owns the land at the proposed point of diversion
- X A map that clearly outlines the location of irrigated acres.
- ☐ Other: _____

I will place your application on hold while you submit your map and an ESPA Modeling. Please provide the required information within ten (10) days. While you are making corrections to your application, you will not lose your place in the processing queue.

If sufficient information per this letter is not received within 10 days, your application will not be processed and will be returned to you.

We received Water Supply Bank Rental Application #2925 or Clay and Karen Thomas on February 21,2024. There is some availability in the neighboring zones, such as 22-2175A.

Please contact me if you have questions regarding this matter at (208) 287-4944.

Sincerely,

Catalina Beck

Technical Records Specialist I