STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 902

RECEIVED
FEB 28 2025
DEPT. OF WATER RESOURCES

This is to certify that:

DANIEL MORI
31587 THATSAMORI PL
BRUNEAU, ID 83604-5165

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)
51-2151B	12/21/1959	GROUND WATER	0.82	**250.0**	50.0	0.016	5.00
Rental Totals			**0.82**	**250.0**	**50.0**	**0.016**	**5.00**

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2029. 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 2025, whichever occurs last.

Annual Rental Fee:

2025 - 2029: **$825.00 annually**

The full fee for the rental of the above-described right(s) is $825.00 per year for years 2025 - 2029. The rental fee includes an administrative fee of $825.00 per year for years 2025 - 2029. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 51-2151 B.

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)
STOCKWATER	0.82	169.3
Combined Total	0.82	**169.3**

**** The authorized water usage reflects a reduction from the water right elements rented, to account for a Change in Nature of Use from Irrigation to Stockwater.***

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 902

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:

Dan Mori — Signature of Renter

2-22-25 — Date

Dan Mori — 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 3/3/25
BRIAN PATTON, Executive Manager
Idaho Water Resource Board

Rental approved by IDWR _____ Date 3/3/25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 902

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW Sec. 23, Twp 07S, Rge 04E, OWYHEE County

BENEFICIAL USE	DIVERSION RATE	VOLUME
STOCKWATER	0.82 CFS	169.3 AF

SEASON OF USE

From	To
01/01	12/31

RENTERS PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	04E	23			X				X	X		X							X

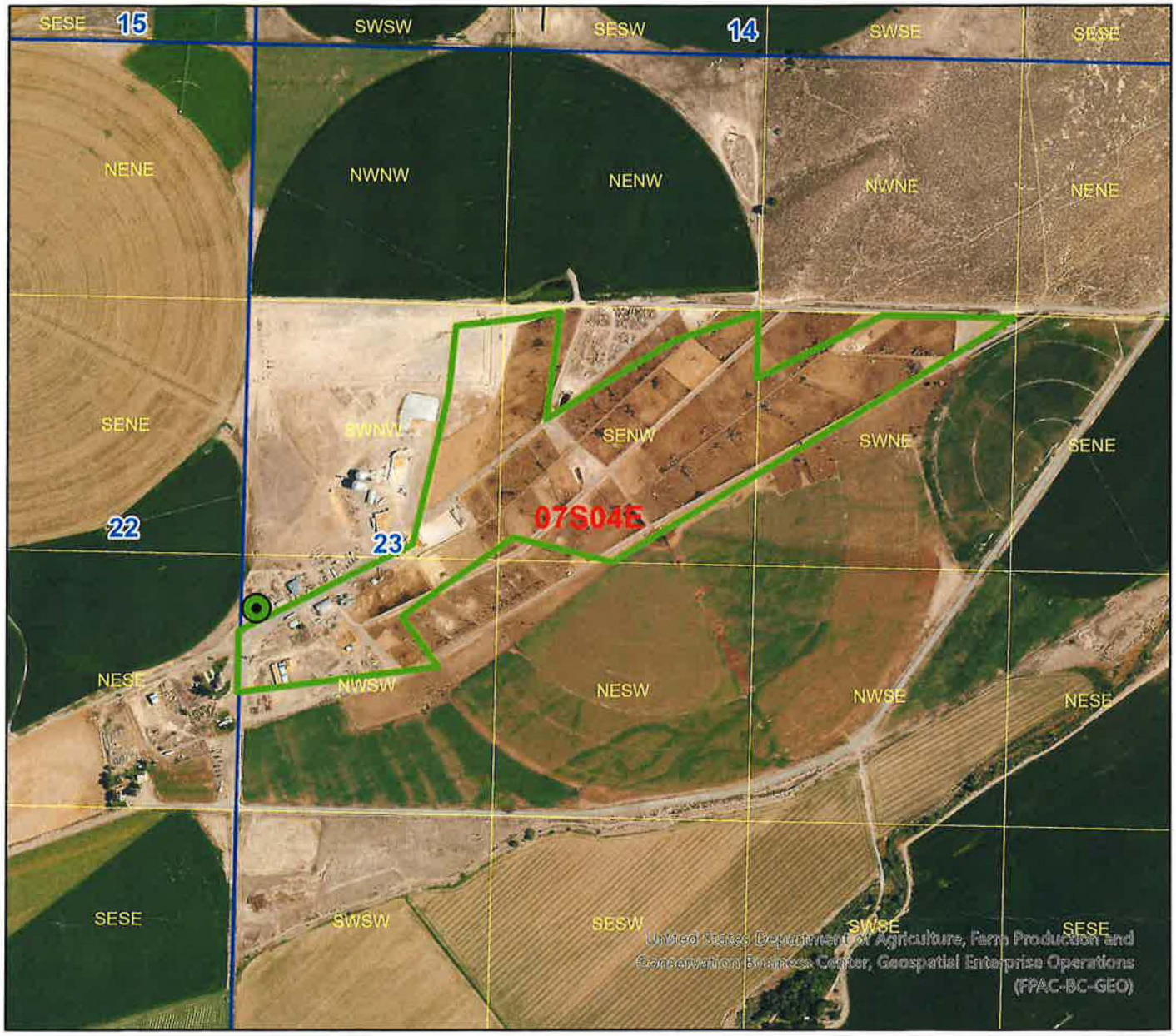
RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

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.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 902

Effective until December 31, 2029
This map depicts the **rental place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



Feet
0 1,000 2,000 3,000

Legend

- Water Supply Bank Rental Point of Diversion
- Water Supply Bank Rental Place of Use
- Township/Range
- Sections
- QQ

N

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
SEP 04 2024
DEPT. OF WATER RESOURCES

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

Applicant Name: Daniel R Mori

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)

Attachment	N/A	Yes	
		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)

3034

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Daniel R Mori

Mailing Address 31587 Thatsamori Place (Street) Bruneau (City) Idaho (State) 83604 (Zip Code)

Email Address danielrmori@gmail.com Phone Number 208-599-2615

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**:

use as Stockwater

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)
.82 CFS	250 AF	.6 CFS	200 AF	50 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?	
		☐ 1	☐ 2	☐ 3	☐ 4	☑ 5	☒ Process application as soon as possible	☐ Return application to applicant
1-1-25	1-1-25							

* ***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):

well & Pipeline - Tanks

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
T7S R4E S23	well	51-2151 B

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: 1-1 (mm/dd) to: 12-31 (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:

51-10337, 51-2217 B 51-7025 B

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)
51-2151 B	Irrigation	.98	300	60		.82	250	50
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	.82 CFS	250 AF	50 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**:

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**:

Irrigation To Stockwater
14800 To 18600 Hd

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:
Rental 464 2020-2024

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
Admin Fee only water right owner

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	Date
Ben Mori		9-4-24
Signature of Representative	Printed Name of Representative	Date

Mail to:

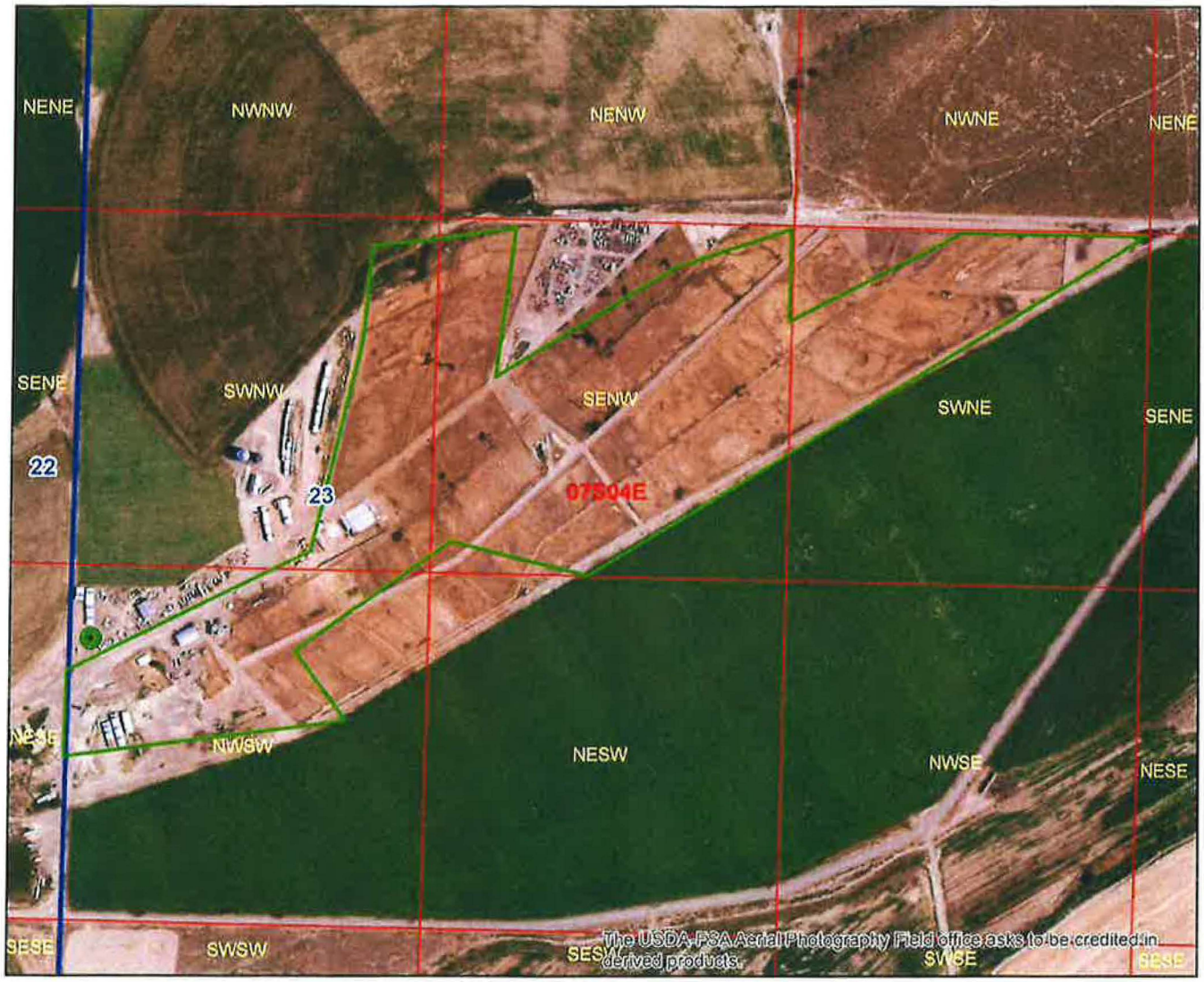
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement ~~No. 464~~

~~Effective until December 31, 2024~~

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



Authorized Rental Point of Diversion

Authorized Rental Place of Use

Township/Range

Sections

QQ

N

0 1,000 2,000 Feet

Attachment 2

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**

March 06, 2025

DANIEL MORI
31587 THATSAMORI PL
BRUNEAU ID 83604-5165

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 51-2151B, AGREEMENT 902

Dear Renter:

Please find enclosed a receipt in the amount of **$825.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 250.0 acre-feet of water for irrigation of 50.0 acres during 2025. 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.

The rental fee will be retained by the Department to offset administrative costs since you are the owner of the rights.

The annual rental fee for 2026 is due by December 31, 2025. If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

Debra Mansfield

for
Water Supply Bank

Enclosures: Receipt No. C120254
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Western Regional Office

Mansfield, Debra

From: Mansfield, Debra
Sent: Wednesday, March 5, 2025 4:46 PM
To: Miller, Nick; IdwrPayable
Cc: Bank
Subject: Executed WSB Rental Agreement 902 and Executed WSB Lease Contract 1937 - Daniel Mori
Attachments: Executed WSB Rental Agreement 902, Daniel Mori.pdf; Executed WSB Lease Contract 1937, Daniel Mori.pdf

Hello,

Please see the attached copy of executed WSB Rental Agreement 902 and WSB Lease Contract 1937, both in the name of Daniel Mori, 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

Director Mathew Weaver

February 13, 2025

DAN MORI
31587 THATSAMORI PL
BRUNEAU, ID 83604

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 51-2151B, AGREEMENT 902

*****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 **$825.00 per year** was calculated based on the current rental rate of $33.00 per acre-foot times a diversion volume of 250 acre-feet. Since you are both the lessor and the renter of the right, **you are only obligated to pay the 10% administrative fee or $825.00.** The annual rental fee for 2026 is due by December 31, 2025. 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 $825.00 for **2025** 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, $825.00 will be retained by the Department to offset administrative costs for **2025.**

If you have any questions, please contact this office at (208)- 287-4800.

Sincerely,

Skyler Cheever
Water Resource Agent, Sr – State Office
Idaho Dept. of Water Resources

Enclosure: Proposed Rental Agreement

c: IDWR Front Desk (via email)

Cheever, Skyler

From: Hummer, Phill
Sent: Thursday, January 23, 2025 2:46 PM
To: Cheever, Skyler
Subject: Mori Rental 902

Your memo doesn't look familiar and the agreement you created does have a change in nature of use so I think that I was not looking at the 2025 version when I wrote my response in the AR. After review of the correct 2025 documents, here are some new comments:

For nature of use change we need to a "good" estimate of historic use and for that we should not use the standard headgate. Instead we should use climate data such as ETidaho. Without crop data it is ok to use alfalfa as the estimate of consumptive use. It is ok to use the headgate numbers when comparing irrigation to irrigation because it is a good assumption that within the same area the same crop will require the same amount of water. While it is possible the water right holder might change crop types over the course of a few years it is equally likely a renter would do the same but as long as the use is irrigation the headgate is ok enough estimate of consumptive volume. That isnt true if the beneficial use is different. If we use the standard consumptive volume there is a pretty good chance we overestimate the historic volume and the timing of use is different in a way that it might not even out by the end of the year or the end of the rental in the same way the irrigation use at another location might.

I think in my AR comments I recommend we rent the entire right. That idea is based on the assumption they needed 250 af for stockwater. If they rent the full 300 acres leased with the reduction they would only get 180af. I would check with the renter and see if they want 50 acres worth considering the reduction or if they want to rent the full right. My guess is they want the 180 af and will want the full right but they may not.

Injury Section
You need to address the proposed change to the season of use from the irrigation season to full year. This might be ok without an enlargement if they adhere to the rate and volume limits. But the diversion of water under the rental during a time of year when water wasn't diverted under the right might be impactful. Often times for ground water there are not as many uses of water so the use outside the irrigation season of use doesn't effect existing right holders. If the proposed use is massive (huge rate or volume) or fully consumptive and the seniority of the right being rented jumps a lot of out of season users the rental might be impactful. In this case I would guess the basin gets enough winter recharge that 0.82 cfs diversion for a partially or fully non-conumptive use likely isnt injuring existing rights. Add a few sentences to the injury section about the season of use change.

Minor Things
-are there 2 POD? If so remove condition 9 and enter the second POD in the POD section (don't forget to add a shape and update the map). If that condition is a carry over from the water right and not related to the rental then just remove the condition.

-update the enlargement section of the memo to reflect the reduction calculation using data instead of the standard value.

-I understand why you included the table to compare last rental with this one but I don't think the tables are necessary and recommend they be removed. Instead I would elaborate a bit more on why we think the volume should be reduce when we did not do it before. I commented a little on it in the AR. Basically commercial operations such as what appears in the place of use have to dispose of waste water differently then free range stock water or smaller operations such that it is less likely the use is non-consumptive. The previous rental review did not provide convincing evidence (this is a really great term) that the proposed use would be non-consumptive,

the review assumed it would be. We still don't have great information about the proposed use but we are choosing to assume the use will be consumptive because that assumption protects existing rights. Said another way, reducing the volume is error on the side of caution instead of granting the benefit to the renter and maximizing the rental.
Side note: the previous rental was done by Justin Ferguson. Historically wsb program staff make recommendations that favor maximum use and the renter. It is my understanding the director's opinion that when we don't have convincing evidence we should favor caution and the existing right holder. These two difference of opinions are often at odds so it isnt uncommon to see rental and lease recommendations from program staff (both current and past) that are different from they way I direct the water rights section staff to conduct reviews.

Sorry for any confusing, let me know if you have any questions about the rental or this email. After you make all the necessary changes route it back to me through AR for a second review.

-Phill

Cheever, Skyler

From: Cheever, Skyler
Sent: Friday, January 17, 2025 10:48 AM
To: Miller, Nick
Subject: Water Supply Bank Lease/Rental Package 1937/902 Dan Mori
Attachments: Lease Approval Map 1937.pdf; Lease Contract 1937.pdf; Lease Review Memo 3033.pdf; Rental Agreement 902.pdf; Rental Approval Map 902.pdf; Rental Review Memo 902.pdf

Hello Nick,

I have completed my review of a Water Supply Bank Lease/Rental Application Package 3033/3034 with the point of diversion within Administrative Basin 51. The lease and rental applicant is Dan Mori. The applicant proposes to lease the entirety or portion of 51-2151B into the water supply bank from 2025-2029. The applicant then proposes to rent 50 acres from the lease contract and change the nature of use from irriagtion to stockwater from 2025-2029. Attached is a copy of a draft rental agreement, review memos, and maps of the place of use. If you have any comments on the applicant's proposals or my review, please let me know within 7 days. If you have any questions or concerns, please let me know.

Best,

Skyler

Skyler Cheever
Water Resource Agent, Sr - State Office
(208)-287-4913
Skyler.cheever@idwr.idaho.gov

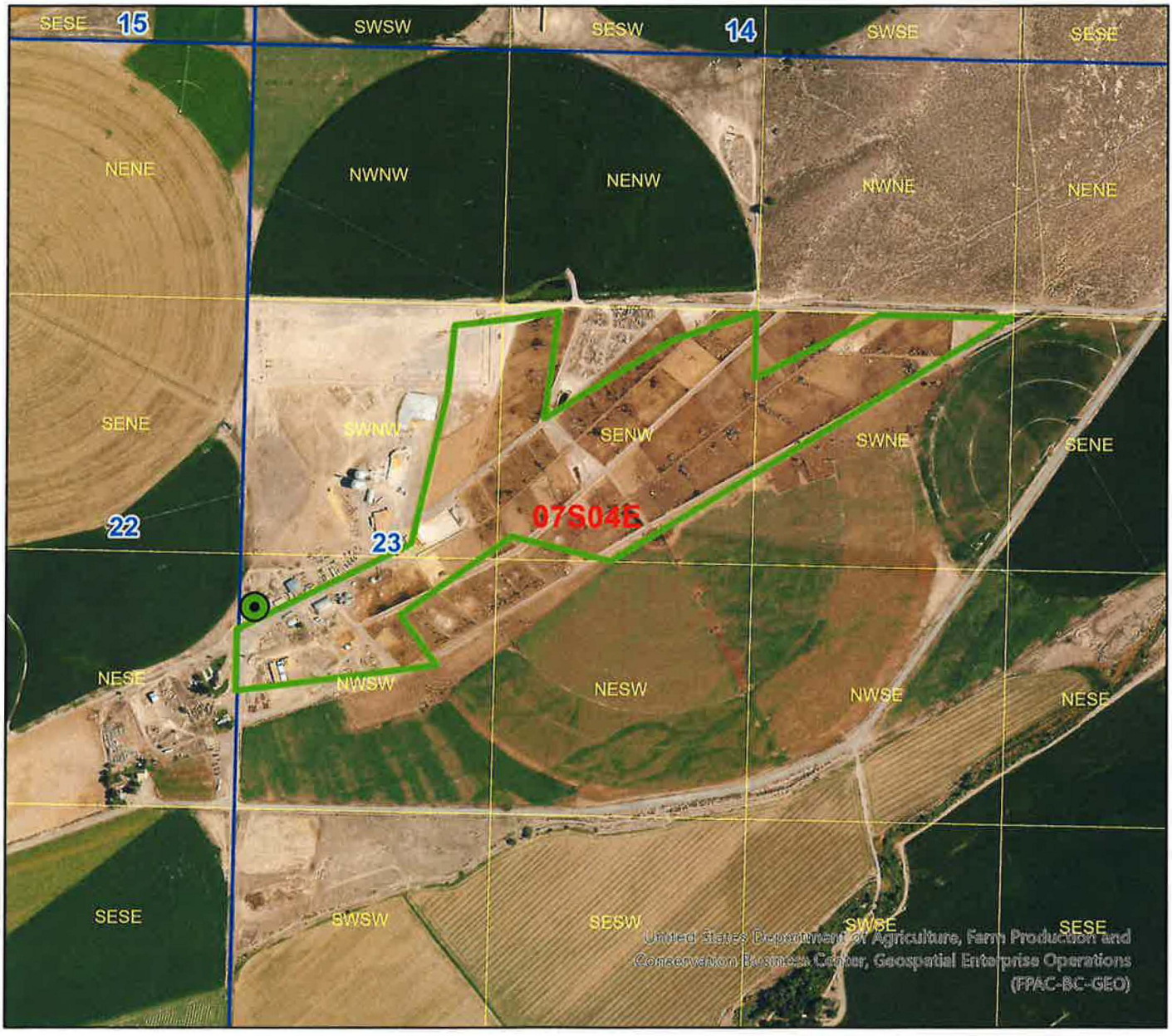
Idaho Dept. of Water Resources
322 E. Front St. PO Box 83720 Boise, ID 83720

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 902

Effective until December 31, 2029

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



Feet

0 1,000 2,000 3,000

Legend

- Water Supply Bank Rental Point of Diversion
- Water Supply Bank Rental Place of Use
- Township/Range
- Sections
- QQ

N

MEMORANDUM FOR WSB RENTAL AGREEMENT # 902

To: Water Right No(s). 51-2151B

From: Skyler Cheever-Water Resource Agent, Sr – State Office

Date: 1/17/2025

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

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PURPOSE/NARRATIVE:
Application 3034 was sent in by Dan Mori and received by the Department on September 4th, 2024. This application is part of a lease/rental package with lease contract 1937. The applicant is also the lessor of water right (WR) 51-2151B. Therefore, they would only be obliged to pay the administrative rental fee. The applicant proposes to rent 50 acres of irrigation from lease contract 1937 and change the nature of use (CNU) to stockwater for 14800 to 18600 head of range cattle from 2025-2029. The proposed point of diversion (POD) is within the Snake River Basin Moratorium Area, Bruneau-Grandview Groundwater Management Area, and Trust Water Area. This application is intended as a renewal of renal agreement 464 which expired on December 31st, 2024.

AUTHORITY TO FILE:
Dan Mori signed the application. Mr. Mori has the authority to file this agreement because he is the owner of the property containing the place of use (POU) and proposed POD according to Idaho Tax Parcel Data.

INJURY TO OTHER WATER RIGHTS:
The proposed POD is not moving and is the same as 51-2151B. The applicant proposes to CNU of use from irrigation to stockwater. If the season of use is changed from March 1st – November 15th to January 1st -December 31st there could be impacts to other groundwater users outside of the irrigation season. However, the authorized rental volume will be reduced to the historic consumptive volume and the proposed use of water is relevantly small. Therefore, it's likely the basin containing the proposed POD would accumulate enough recharge outside the irrigation season to prevent injury to other groundwater users. There are no other injury concerns.

ENLARGEMENT OF USE:
The applicant proposes to lease 50 acres of irrigation and CNU of use to stockwater. According to 2023 NAIP Aeiral Imagery the POU is likely a commercial stockwater operation. Commercial stockwater operations dispose of wastewater differently than smaller operations such that beneficial use is less likely to be non-consumptive. The previous rental review did not provide convincing evidence that the proposed use would be non-consumptive. Therefore, airing on the side of caution the authorized rental volume should be reduced by the historic consumptive volume. The applicant was contacted on January 25th, 2025, and informed me the reduction in volume is still enough to satisfy their beneficial use. Using Evapotranspiration data for Alfalfa with frequent cuttings at the appropriate collection station the historic consumptive volume would be 3.39 af/acre. This is slightly higher than the standard consumptive volume in the area of 3.0 af/acre. There are no other enlargement concerns.

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

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS:
The proposed POD is within Administrative Basin 51. The Western Regional Manager was contacted for comment on January 17, 2025. If no response is received it is assumed there are no concerns with the applicant's proposal.