

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 907

RECEIVED

APR 07 2025

DEPT. OF WATER RESOURCES

This is to certify that:

BOARD OF REGENTS OF THE
UNIVERSITY OF IDAHO
875 PERIMETER DR STOP 3168
MOSCOW, ID 83844-3168

RECEIVED

APR 04 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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)
36-17110	2/25/1953	GROUND WATER	0.33	86.4
Combined Rental Totals			0.33	86.4

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 2025, whichever occurs last.

Annual Rental Fee:

2025: \$285.12

The full fee for the rental of the above-described right(s) is \$285.12 for 2025. The rental fee includes an administrative fee of \$285.12 for 2025. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 36-17110.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 907

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

4/2/2025

Date

Kim Salisbury

Printed Name

AVP Finance & Planning

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 4/15/25

Rental approved by IDWR 

Date 4/15/25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 907

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENW Sec. 17, Twp 07S, Rge 24E, MINIDOKA County

BENEFICIAL USE
COMMERCIAL

DIVERSION RATE
0.33 CFS

VOLUME
86.4 AF

SEASON OF USE

Water Right No. **From** **To**
36-17110 1/1 12/31

RENTERS PLACE OF USE: COMMERCIAL

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	24E	17			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. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.130.
11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 907

12. Prior to diversion and use of water under this rental agreement, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
13. Commercial use is for construction and dust abatement.
14. This rental agreement does not authorize the construction of a well.

Effective until December 31, 2025

 Water_Supply_Bank_Rental_POD
 Water_Supply_Bank_Rental_POU
 Township/Range
 Sections
 QQ



0 800 1,600 Feet

**STATE OF IDAHO
WATER RESOURCE BOARD**

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

RECEIVED

OCT 16 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Applicant Name: University of Idaho Board of Regents

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 <i>Application to Rent Water from the Board's Water Supply Bank</i>
	☒	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)

36-17110

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant University of Idaho Board of Regents

Mailing Address 875 Perimeter Dr. Stop 3168 Moscow Idaho 83844-3168
Street City State Zip Code

Email Address gerardb@uidaho.edu Phone Number 208-885-6468

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 Travis L. Thompson Professional Title Attorney

Organization Marten Law LLP Relationship to Applicant Attorney

Mailing Address P.O. Box 63 Twin Falls, Idaho 83303-0063

Email Address ttompson@martenlaw.com Phone Number 208-733-0700

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**:

Water will be used by contractor for purposes of dust control and construction of the University's new Center for Agriculture Food and Environment (CAFE).

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)
0.33 CFS	2 AF	0.33 CFS	2 AF	N/A 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?	
1/1/25	1/15/25	☒	☐	☐	☐	☐	☒ Process application as soon as possible	☐ Return application to applicant
		1	2	3	4	5		

* 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):

Existing well will be used to pump water to contractor's tanks and trucks.

- 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
Well/Pump	Groundwater	N/A

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

None.

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)
36-17110	Commercial	0.33	2	N/A		0.33	2	N/A
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.33	2	N/A
						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**:

N/A

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:

Leased the same water right last year in 2024, construction will continue into 2025. Once complete, the water right will no longer need to be rented.

- 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

Applicant placed the water right in the water bank not knowing whether or not water would be needed for construction activities. Water is now needed for that commercial purpose and leasing a portion of the water right from the bank will assist in construction through 2025.

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

Kim Salisbury
Printed Name of Applicant

10/11/2024
Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

POD & POU Map

State of Idaho
Department of Water Resources

Water Right

36-17110

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles





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

April 23, 2025

BOARD OF REGENTS OF THE
UNIVERSITY OF IDAHO
875 PERIMETER DR STOP 3168
MOSCOW ID 83844-3168

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 36-17110, AGREEMENT 907**

Dear Renter:

Please find enclosed a receipt in the amount of **\$285.12** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental for Commercial 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.

Sincerely,

Debra Mansfield

for
Water Supply Bank

Enclosures: Receipt No. S040605
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Southern Regional Office
Representative
Water District No. 130
Magic Valley Ground Water District

Mansfield, Debra

From: Mansfield, Debra
Sent: Wednesday, April 23, 2025 10:32 AM
To: IdwrPayable; Ragan, Brian; mvgwd@hotmail.com; Skinner, Corey; 'tthompson@martenlaw.com'
Cc: Bank
Subject: Executed WSB Lease Contract 1940 & Executed WSB Rental Agreement
Attachments: Executed WSB Rental Agreement 907 & Executed WSB Lease Contract 1940, University of Idaho Board of Regents, 2025.pdf

Hello,

Please see the attached copies of executed WSB Lease Contract 1940 & Rental Agreement 907, both for the Board of Regents of the University of Idaho, 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

Condon, Mary

From: George, Suzanne
Sent: Wednesday, April 9, 2025 4:50 PM
To: Condon, Mary
Subject: Emailing: Water Supply Bank Payment Board of Regents U of I
Attachments: Water Supply Bank Payment Board of Regents U of I.pdf

Hi Mary,

Marten Law just came in to pay for the Water Bank Board of Regents U of I.

See attached receipt.

Thanks,

Suzanne

Your message is ready to be sent with the following file or link attachments:

Water Supply Bank Payment Board of Regents U of I

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Condon, Mary

From: Condon, Mary
Sent: Monday, April 7, 2025 5:10 PM
To: George, Suzanne
Cc: Bank
Subject: RE: Emailing: Water Supply Bank Rental Agreement No.907, Water Supply Bank Lease Contract No. 1940, Marten Law Cover LTR
Attachments: Marten Law Cover LTR.pdf; Water Supply Bank Rental Agreement No.907.pdf

Hi Suzanne,

I should have asked when you sent this, but I didn't see a receipt for the rental fee. The cover letter states that they were going to pay by credit card in the office. Did they pay for the rental fee on Friday?

Thanks,
Mary

Mary Condon
Water Supply Bank Program Coordinator

-----Original Message-----

From: George, Suzanne <Suzanne.George@idwr.idaho.gov>
Sent: Friday, April 4, 2025 2:19 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: Emailing: Water Supply Bank Rental Agreement No.907, Water Supply Bank Lease Contract No. 1940, Marten Law Cover LTR

Hi Mary,

Marten Law dropped off their Water Supply Lease Contract & Water Supply Rental Agreement. (see attached).
Sending the originals in the mail.

Have a great weekend.

Suzanne

Your message is ready to be sent with the following file or link attachments:

Water Supply Bank Rental Agreement No.907 Water Supply Bank Lease Contract No. 1940 Marten Law Cover LTR

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



RECEIVED

APR 07 2025

April 4, 2025

Privileged and Confidential DEPT. OF WATER RESOURCES

Attorney Work Product/Attorney-Client Communication

Via Hand Delivery to the Southern Regional Office

Marten Law LLP
163 Second Ave. W.
Twin Falls, ID 83301

RECEIVED

APR 04 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
650 Addison Ave. W. STE 500
Twin Falls, Idaho 83301-5858

RE: University of Idaho's Signed Water Supply Bank Lease Contract & Agreement

Dear Idaho Department of Water Resources:

This firm represents the Board of Regents of the University of Idaho in various matters. At its request, we are submitting the signed Water Supply Bank Lease Contract (No. 1940) and Water Supply Bank Rental Agreement No. 907.

Please find the contract and agreement attached. The rental fee will be paid in person at IDWR's Southern Region office via credit card in the amount of \$285.12.

Sincerely,

Abby R. Bitzenburg
Staff Attorney
Direct: (208) 613-2933
Email: abitzenburg@martenlaw.com

Beck, Catalina

From: Beck, Catalina
Sent: Wednesday, March 26, 2025 12:35 PM
To: Travis L. Thompson
Subject: Water Supply Bank Lease Contract and Rental Agreement
Attachments: Rental Agreement.docx; Rental.pdf; R2.1.2 Proposed Rental Agreement Cover Letter-10% only fee.docx; Lease Contract 1940.docx; L1.1A Lease Cover Letter-Proposed Contract-14 Days.doc; Lease.pdf

Goof Afternoon,

Here is a copy of the proposed lease contract 1940 and the proposed rental agreement 907 being out in the mail for signatures



Catalina Beck
Water Resource Agent
208-287-4920
Catalina.beck@idwr.idaho.gov

Idaho Department of Water Resources State Office
322 E Front Street Boise, ID 83702



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 26, 2025

BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO
875 PERIMETER DR STOP 3168
MOSCOW, ID 83844-3168

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S36-17110, AGREEMENT 907**

*****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 **\$285.12 per year** was calculated based on the current rental rate of \$33.00 per acre-foot times a diversion volume of 86.4 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 \$285.12.** 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 \$285.12 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, **\$285.12** will be retained by the Department to offset administrative costs 2025.

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

Sincerely,

Catalina Beck

for

Water Supply Bank

Enclosure(s)

c: IDWR Front Desk
Marten Law

MEMORANDUM FOR AGREEMENT # 907

To: Water Right(s) 36-17110

From: Catalina Beck Water Resource Agent

Date: January 31, 2025

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

PURPOSE/NARRATIVE: The University of Idaho Board of Regents submitted a rental lease package on October 16, 2024. The rental application proposes to rent the full amount of water right 36-17110 for commercial dust abatement and construction purposes. Water right 36-17110 is located in the Eastern Snake Plain Aquifer (ESPA), the Ground Water Management Area (GWMA), and the Magic Valley Ground Water District (GWD).

AUTHORITY TO FILE: The rental application for the University of Idaho Board of Regents was signed by Kim Salisbury the vice president of U of I Board of Regents. The water right is owned by the Board of Regents of the University of Idaho. No concerns with authority to file.

INJURY TO OTHER WATER RIGHTS: The point of diversion (POD) for water right 63-17110 and the place of use (POU) will remain unchanged with the rental agreement. Therefore, it is unlikely that other water rights will be adversely affected. The POD is located within the ESPA, since the POD for the rental is the same well, modeling is not required. There will be no injury to other water rights.

ENLARGEMENT OF USE: Water right 36-16800 overlaps the water right and rental POU; however, right 36-16800 authorizes irrigation use, while the rental is for commercial. The University of Idaho Board of Regents owns both water rights 36-16800 and 36-17110. Since the two water rights serve different beneficial uses there are no enlargement concerns. The rental will be limited to the same rate and volume as the historic use under the right and the stockwater portion will not be rented separately. There are no other enlargement concerns.

LOCAL PUBLIC INTEREST: Continued rental of the right is in the local public interest.

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental point of diversion (POD) is within Water District #130. A request for comments was sent to the WD 130 watermaster and Southern Regional office on February 03, 2025. No concerns were received.

Beck, Catalina

From: Beck, Catalina
Sent: Monday, February 3, 2025 8:53 AM
To: Skinner, Corey
Cc: Ragan, Brian; mvgwd@hotmail.com
Subject: WSB Lease and rental application University of Idaho Board of Regents
Attachments: Application to Lease UI Board of Regents 36-17110 (4).pdf; Application to Rent UI Board of Regents (2).pdf; L1.1 Lease Review Memo.docx; Lease - Template 2022.pdf; R2.8 Rental Review Memo.docx; Rental.pdf

Good Morning Corey

We are seeking comments, regarding the Water Supply Bank (WSB) Rental Lease Package, Lease Application 3076 for Commerical/ Stockwater Use for University of Idaho Board of Regents and Water Supply Bank (WSB) Rental Application 3077 for University of Idaho Board of Regents. I have attached a copy of the lease application, the lease review, a map for your reference, rental application, rental review for your reference.

Please submit your comments within 7 days, no later than February 10 2025 . 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 about the lease.

Comments are preferred to be received by e-mail to catalina.beck@idwr.idaho.gov. However, comments by regular mail and/or FAX to 208-287-7420 are acceptable.

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

Catalina Beck



Catalina Beck
Water Resource Agent
208-287-4920
Catalina.beck@idwr.idaho.gov

Idaho Department of Water Resources State Office
322 E Front Street Boise, ID 83702



October 16, 2024

Privileged and Confidential
Attorney Work Product/Attorney-Client Communication

Via Hand Delivery to the Southern Regional Office

Marten Law LLP
163 Second Ave. W.
Twin Falls, ID 83301

RECEIVED

OCT 16 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
650 Addison Ave. W. STE 500
Twin Falls, Idaho 83301-5858

RE: University of Idaho's Water Bank Applications to Lease/Rent

Dear Idaho Department of Water Resources:

This firm represents the Board of Regents of the University of Idaho in various matters. At its request, we are submitting applications to lease and rent water from the Idaho Water Resource Board's water bank.

Please find the application forms attached. The filing fee will be paid in person at IDWR's Southern Region office via credit card in the amount of \$250.00.

Sincerely,

Abby Bitzenburg
Staff Attorney
Direct: (208) 613-2933
Email: abitzenburg@martenlaw.com

2076 # 3077