

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 909

This is to certify that:

THE SPETZLER FAMILY TRUST
2 BILTMORE EST UNIT 312
PHOENIX, AZ 85016-2855

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)
22-14026	6/19/1961	GROUND WATER	0.04	10.5	3.5	0.011	3.00
Rental Totals			0.04	10.5	3.5	0.011	3.00

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2024. 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: \$241.50

The full fee for the rental of the above-described right(s) is \$241.50 for 2024. The rental fee includes an administrative fee of \$24.15 for 2024.

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)
WILDLIFE STORAGE	0.04	7.0
Combined Total	0.04	7.0

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

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 14 2025

WATER SUPPLY BANK RENTAL AGREEMENT No. 909

DEPT. OF WATER RESOURCES

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:

Nancy Spetzler
The Spetzler Family Trust 4/10/25
Signature of Renter Date

Nancy Spetzler Trustee
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 Brian Patton 4/15/25
BRIAN PATTON, Executive Manager
Idaho Water Resource Board Date

Rental approved by IDWR APM 4/15/25
Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 909

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec. 22, Twp 04N, Rge 45E,	TETON County
GROUND WATER	NWNW	Sec. 22, Twp 04N, Rge 45E,	TETON County

BENEFICIAL USE
WILDLIFE STORAGE

DIVERSION RATE
0.04 CFS

VOLUME
7.0 AF

SEASON OF USE

Water Right No.	From	To
22-14026	1/1	12/31

RENTERS PLACE OF USE: WILDLIFE STORAGE

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	45E	21	X																X
04N	45E	22						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. The water rented under this agreement is appurtenant to irrigation of 3.5 acres.
10. This rental agreement does not authorize the construction of a well.
11. The two ponds established by the storage of water under this rental shall not exceed a total capacity of 7.0 acre-feet or a total surface area of 2.7 acres.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 909

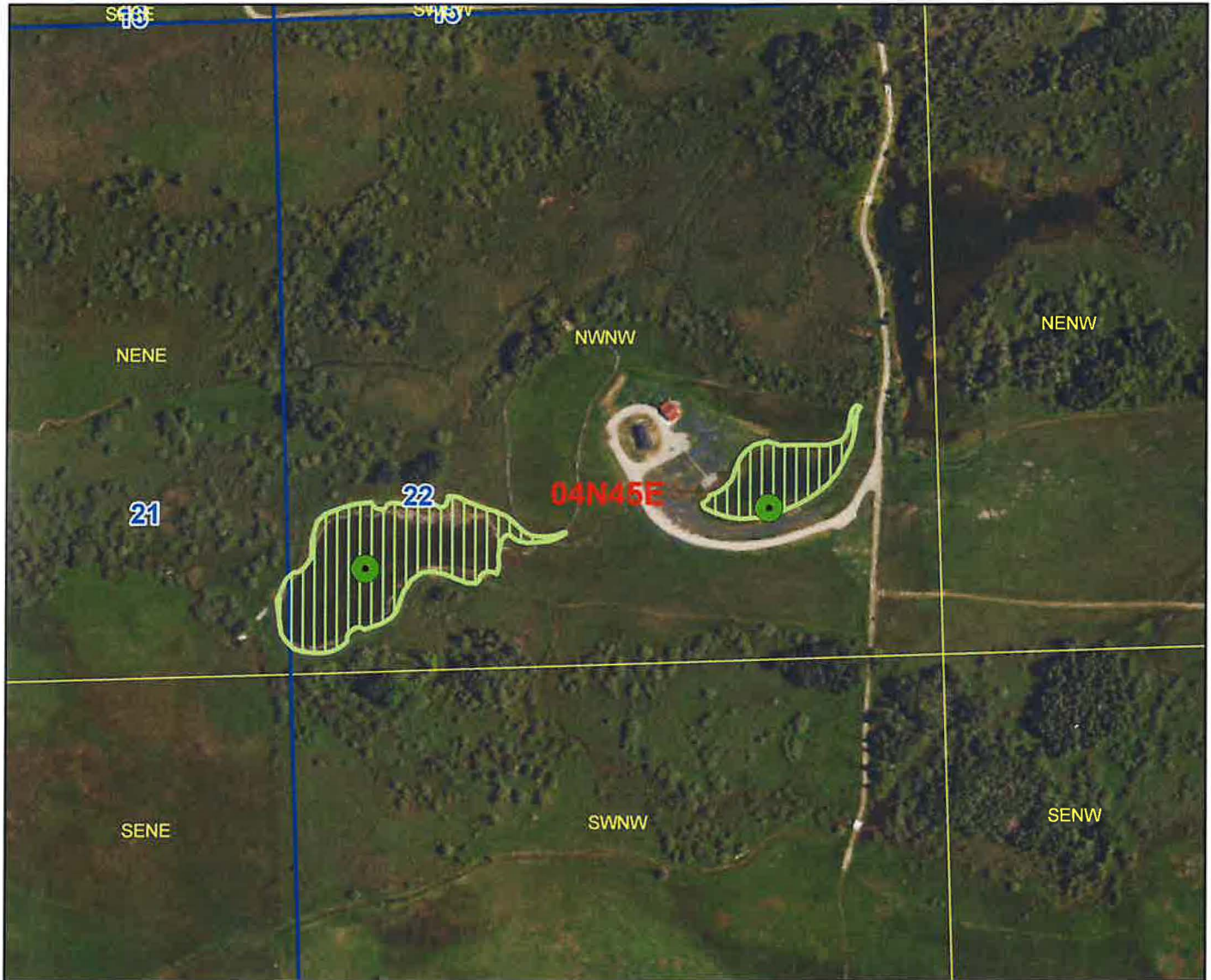
12. This rental authorizes the diversion of an annual total of 7.0 acre-feet to be used for the initial filling of the ponds. Diversion for the replacement of losses caused by seepage and evaporation is not authorized by this rental agreement.
13. This rental and rights 22-4157, 22-14346, and 22-14347 authorize total annual storage volume of 11.3 acre-feet, 7.0 acre-feet to be used for the initial filling or carryover storage of the ponds and 4.3 acre-feet for the replacement of losses caused by evaporation.
14. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 909

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.



Legend

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



0 462.5 925 Feet

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

Oct 08, 2024

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: The Spetzler Family Trust

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)

22-14026

3072

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant The Spetzler Family Trust

Mailing Address 2 Biltmore Est. Unit 312 Phoenix AZ 85016
Street City State Zip Code

Email Address nspetzler@gmail.com Phone Number 602-549-4780

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 Kristin Moore Professional Title Senior Water Rights Analyst

Organization Rocky Mountain Environmental Associates Relationship to Applicant Consultant

Mailing Address 482 Constitution Way Ste 303, Idaho Falls, Idaho, 83402

Email Address kristin.rmea@gmail.com Phone Number 208-524-2353

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**:

Mitigation for first time fill of ponds authorized under Application for Permit number 22-14346. This application
proposes to rent water for the 2024 season.

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)
0.04 CFS	10.5 AF	0.04 CFS	7 AF	3.5 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?	
01/01/24	12/31/24	☒ 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):

It is anticipated that the two ponds will fill naturally from ground water due to the locally high water table. The PODs described are the centers of each pond. No well is used.

- 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
Natural Seepage	Groundwater	Permit #22-14346
NWNW 04N 45E Sec 22		
NWNW 04N 45E Sec 22		

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☒
If yes, include documented consent as **Attachment 3F**.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☐ No ☒
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- H. Has water modeling been provided with your rental request? Yes ☐ N/A ☒
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

- I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

- ☐ Irrigation _____ (number of acres) Duration: Subject to IDWR standard seasons of use
- ☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Other: **Storage for Wildlife** from: **01/01** (mm/dd) to: **12/31** (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:

Mitigation for first time fill of ponds authorized under Application for Permit number 22-14346.

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)
22-14026	Irrigation	0.86	198.3	66.1		0.04	10.5	3.5
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	0.04	10.5	3.5
						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**:

NA

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**:

7 af of mitigation by non-use is required. ET Idaho (2017 (Allen and Robinson, 2017; see attached) suggests

"alfalfa-less frequent cuttings" uses 2.02 ft/year, thus 7 af / 2.02 ft/yr = 3.5 acres to rent.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

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

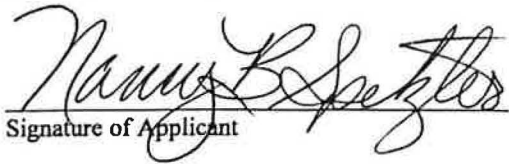
- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☒
If yes, describe:

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒
If yes, describe the date and location of the NOV.

- D. Additional Information
None

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

Nancy Spetzler, Trustee
Printed Name of Applicant

10/07/2024
Date

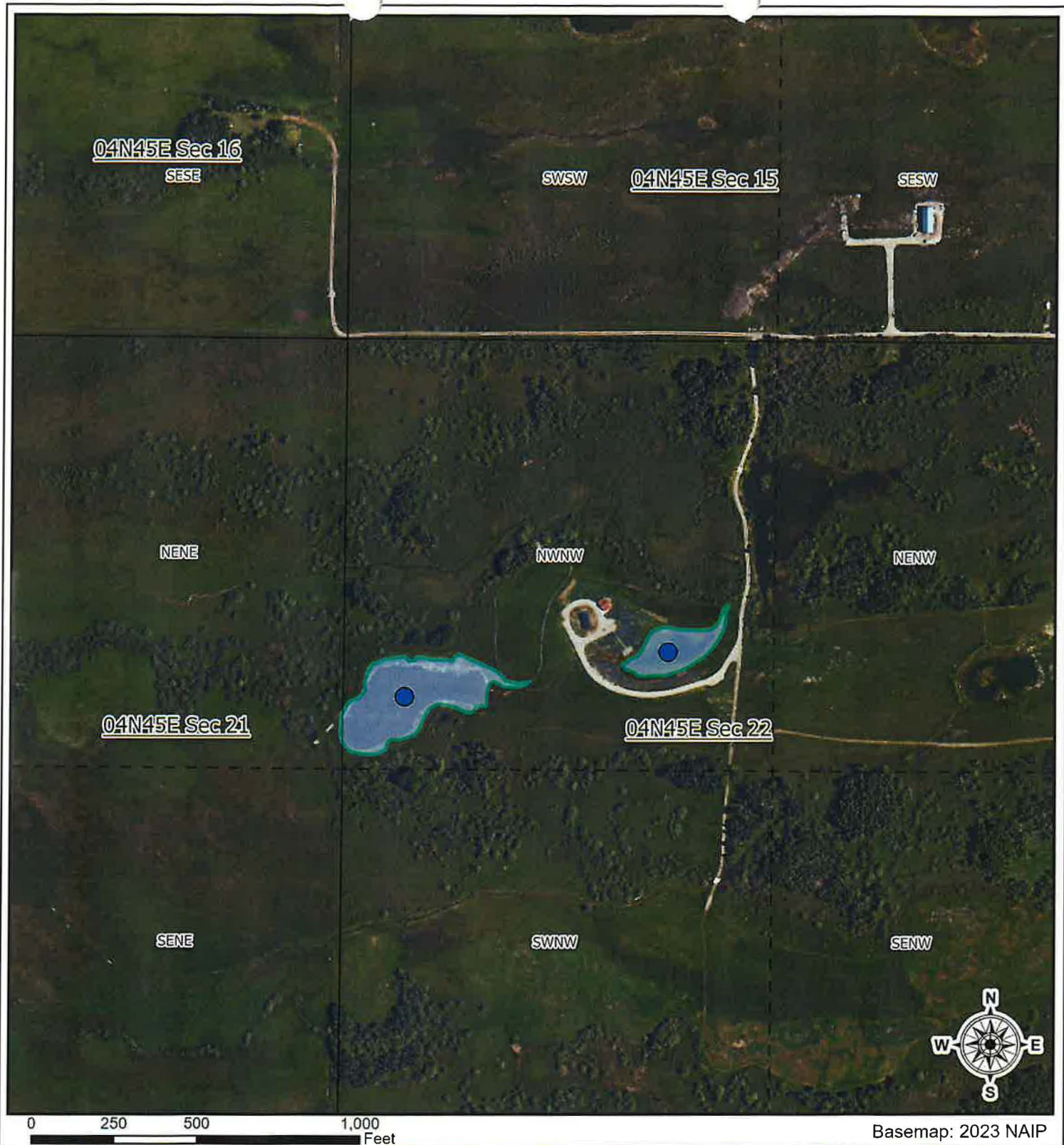
Signature of Representative

Printed Name of Representative

Date

Mail to:

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



Attachment 2: Map of Proposed Points of Diversion

Legend

- Ponds
- Proposed PODs
- QQ
- Township, Ranch and Sec

Spetzer Family Trust
6107 N Palo Cristi Rd,
Paradise Valley, AZ 85253
WR

Date: 10/3/2024

RMEA #: 17-0146

Drafted by: TK



2017 – Evapotranspiration and Consumptive
Irrigation Water Requirements for Idaho

Driggs (NWS-USC00102676)

Alfalfa - less frequent cuttings															
Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	-0.34	-0.04	0.05	0.09	1.88	5.74	4.51	5.06	2.37	0.28	-0.38	-0.58	617	-45	571
15-Day Moving Average ^d	-0.37	-0.08	0.10	-0.02	1.90	5.72	4.25	5.16	2.13	0.41	-0.38	-0.55			
7-Day Moving Average ^e	-0.35	-0.06	0.08	0.02	1.86	5.70	4.37	5.12	2.22	0.35	-0.40	-0.54			
3-Day Moving Average ^f	-0.34	-0.04	0.05	0.07	1.87	5.72	4.47	5.07	2.31	0.27	-0.38	-0.56			



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 24, 2025

THE SPETZLER FAMILY TRUST
2 BILTMORE EST UNIT 312
PHOENIX AZ 85016-2855

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 22-14026, AGREEMENT 909**

Dear Renter:

Please find enclosed a receipt in the amount of **\$241.50** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of water for Wildlife Storage 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 \$217.35 of the rental fee will be paid to the lessor(s) and 10% or \$24.15 will be retained by the Department to offset administrative costs.

Sincerely,

Debra Mansfield

for
Water Supply Bank

Enclosures: Receipt No. C120811
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
Representative

Mansfield, Debra

From: Mansfield, Debra
Sent: Wednesday, April 23, 2025 5:05 PM
To: IdwrPayable; Kristin Moore; Cefalo, James
Cc: Bank
Subject: Executed WSB Rental Agreement 909
Attachments: Executed WSB Rental Agreement 909 Spetzler Family Trust 2024.pdf

Hello,

Please see the attached copy of executed WSB Rental Agreement 909, for the Spetzler Family Trust, 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

April 3, 2025

THE SPETZLER FAMILY TRUST
2 BILTMORE EST UNIT 312
PHOENIX, AZ 85016-2855

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 22-14026, AGREEMENT 909**

*****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 \$241.50 per year was calculated based on the current rental rate of \$23.00 per acre-foot times a diversion volume of 10.5 acre-feet.

Please send a check for \$241.50 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. The agreement will be void if payment is not received prior to the due date in a given year.

Pursuant to the Water Supply Bank Rules, 90% or \$217.35 of the rental fee will be paid to the lessor(s) and 10% or \$24.15 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,

Aaron Olson

for
Water Supply Bank

Enclosure: Rental Agreement

c: IDWR Front Desk

MEMORANDUM FOR AGREEMENT # 909

To: Water Right(s) 22-14026

From: Aaron Olson

Date: 2/5/2025

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

PURPOSE/NARRATIVE:

The Water Supply Bank (WSB) received rental application 3072 on October 8, 2024, on behalf of The Spetzler Family Trust. The application proposes to rent a portion of irrigation water right 22-14026 which was leased to the WSB in 2024 under contract no. 1933. The application requests to rent a volume of 10.5 acre-feet to mitigate the first time filling of ponds authorized under water right permit no. 22-14346. The permit has a condition stating that the initial 7 acre-foot fill of the ponds shall be accomplished through the proposed rental of a 3.5 acre portion of 22-14026.

The construction of the ponds occurred in 2024 through excavation and natural fill through the high water table of the area. This rental seeks to cover the filling that occurred in 2024.

AUTHORITY TO FILE:

The application was signed by Nancy Spetzler who is a trustee of The Spetzler Family Trust. Teton County parcel data shows that the proposed points of diversion and place of use are owned by the applicant.

WATER RIGHT VALIDITY:

Water right 22-14026 was decreed November 24, 2008, and has been leased to the water supply bank continuously since 2013 with the most recent contract being no. 1933. Review of aerial photography shows evidence that the lessor has complied with their lease contracts while the right has been leased to the bank. There are no concerns of validity.

INJURY TO OTHER WATER RIGHTS:

The proposed points of diversion are approximately 8.3 miles in distance from the lease point and there is no change in water source. The proposed points of diversion are the centers of the ponds since the ponds fill naturally with ground water from the high water table.

ENLARGEMENT OF USE:

The nature of use of right 22-14026 will be changed from irrigation to wildlife storage. ET Idaho data at the Driggs station (NWS -- USC00102676) shows the historical consumptive use of the irrigation to be 2.02 feet per year when using the values for alfalfa - less frequent cuttings. To cover the 7-acre-foot initial fill of the ponds 3.5 acres will need to be rented ($7 \text{ af} / 2.02 \text{ ft/yr} = 3.5 \text{ acres}$). Right 22-14026 has a volume per acre of 3 acre-feet so the total volume for the rental will be 10.5 acre-feet ($3.5 \text{ ac} \times 3 \text{ af} = 10.5 \text{ af}$). Water rights 22-4157, 22-14346, and 22-14347 are Wildlife Storage rights that overlap the ponds that make up the proposed rental place of use. These rights are owned by the applicant and are for the carryover storage and replacement of losses caused by evaporation. The rights are subject to the fluctuations of the water table and any subsequent fillings must occur through additional rental of water. There are no concerns of enlargement.

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 location of the proposed rental is not subject to a water district. A request for comment was sent to the Eastern Regional Office Manager on February 5, 2025.