

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 880

This is to certify that:

JAMES LYONS
PO BOX 787
NORTH BEND, OR 97459-0304

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)
37-20900	1/6/1975	GROUND WATER	0.01	3.5	1.0	0.01	3.5
Rental Totals			0.01	3.5	1.0	0.01	3.5

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2026. 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 - 2026: \$80.50 annually

The full fee for the rental of the above-described right(s) is \$80.50 per year for years 2024 - 2026. The rental fee includes an administrative fee of \$8.05 per year for years 2024 - 2026.

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

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
MUNICIPAL	0.01	2.5	1.0	0.01	2.5
Combined Total	0.01	2.5	1.0	0.01	2.5

** 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 municipal.*

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 880

RECEIVED

SEP 09 2024

DEPARTMENT 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:



Signature of Renter

9/4/24

Date

James Lyons

Printed Name

Owner

Title

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

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

By 

BRIAN PATTON, Executive Manager
Idaho Water Resource Board

Date 9/11/24

Rental approved by IDWR 

Date 9/11/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 880

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec. 8, Twp 04N, Rge 18E, BLAINE County

BENEFICIAL USE
MUNICIPAL

DIVERSION RATE
0.01 CFS

VOLUME
2.5 AF

SEASON OF USE

From To
4/15 10/31

RENTERS PLACE OF USE: MUNICIPAL

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	18E	6															X		X

Total Acres: 1.0

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. Municipal use if for the irrigation of 1.0 acres within parcel RPS05250010310.
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. 37.
11. This rental agreement does not authorize the construction of a well.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 880

12. This rental shall be subordinate to the Big Wood River minimum streamflow water rights 37-7919 & 37-8307 and diversions are only authorized when flow exceed 189 cfs as measure at the USGS Stream Gage 13139510 in Hailey, ID.

Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 880

Effective until December 31, 2026

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



0 500 1,000 1,500 Feet

Legend

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



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

MAR 12 2024

DEPT. OF WATER RESOURCES

APPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: James Lyons

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)

37-20900

2954

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant James Lyons

Mailing Address PO Box 787, North Bend, OR, 97459

Street City State Zip Code
Email Address jim@SouthPortForest.com Phone Number 541 297 5187

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**:

Additional water is needed for onsite irrigation purposes to re-establish vegetation in areas recently disturbed by construction activities. It is anticipated that three growing seasons will be required to re-establish a native grass blend that will no longer require irrigation after establishment.

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)
0.02 CFS	3.54 AF	0.02 CFS	3.54 AF	1.01 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?	
5/1/2024	8/1/2024	☐ 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):

Existing municipal services from the Sun Valley Water & Sewer District are in place, which consist of an 8" dia. municipal water main with a 2" dia. service line which provides water to the subject lot.

- 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
Municipal Water Main	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 1.01 (number of acres) Duration: Subject to IDWR standard seasons of use
- ☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

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

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

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

Existing municipal services provide domestic water to the rental place of use, but these services limit irrigation and are insufficient for the purposes of re-establishing of vegetation.

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)
37-20900	Irrigation	0.200	66.5	19		0.02	3.54	1.01
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	0.02	3.54	1.01
						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**:

n/a

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

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

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

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

- D. Additional Information

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.


Signature of Applicant

James Lyons
Printed Name of Applicant

3/8/2024
Date

Signature of Representative

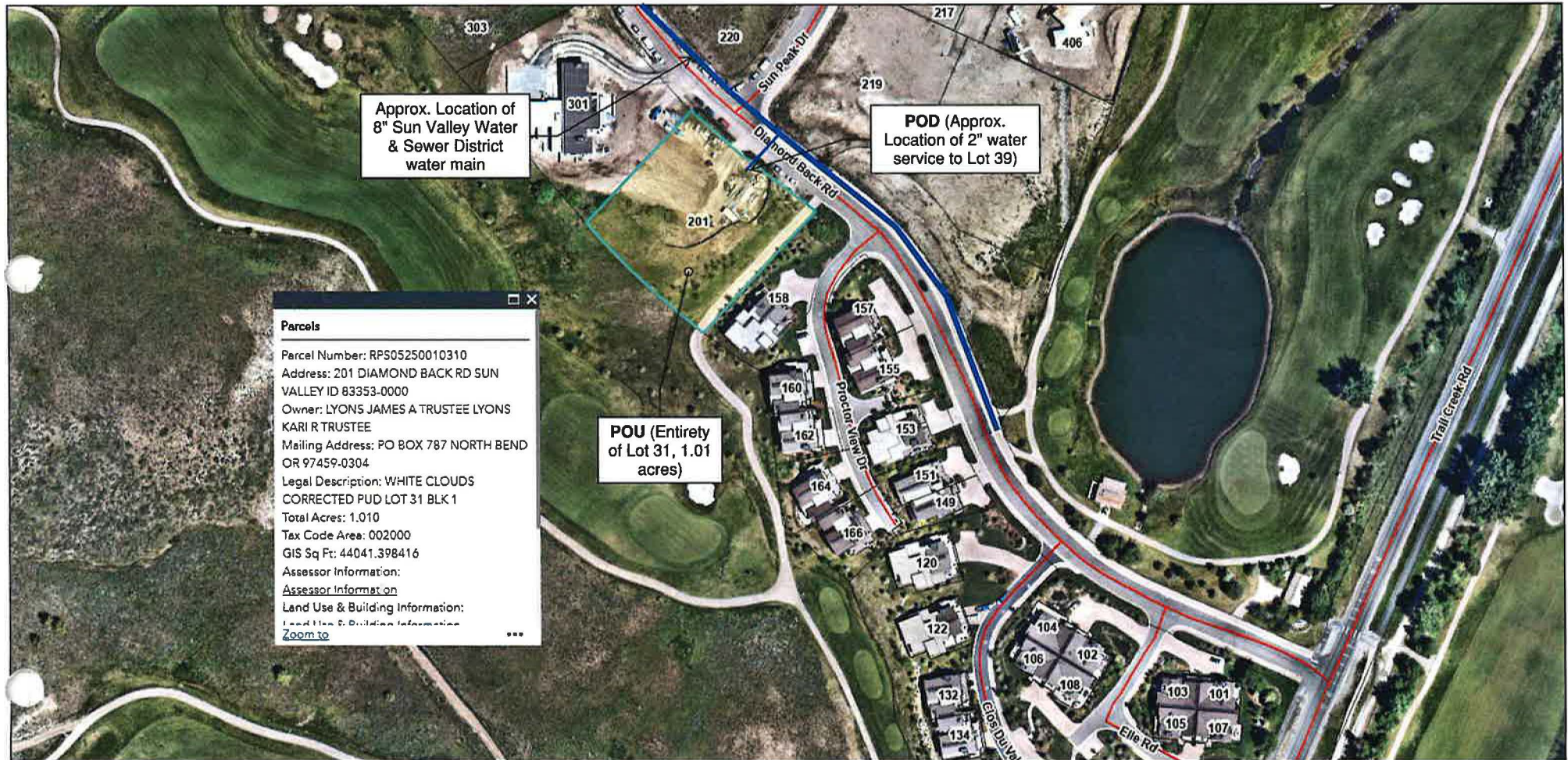
Printed Name of Representative

Date

Mail to:

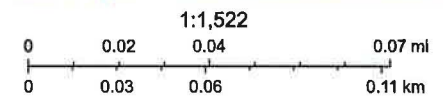
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Blaine County GIS



1/30/2024, 2:09:21 PM

— Roads
□ Parcels



Blaine County GIS



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

September 11, 2024

JAMES LYONS
PO BOX 787
NORTH BEND OR 97459-0304

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-20900, AGREEMENT 880**

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 3.5 acre-feet of water for municipal of 1.0 acre 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.

The annual rental fees for 2025 and 2026 have been included in your received fee of \$241.50. 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. C118839
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Southern Regional Office
Representative – Chris Bromley (via email)
Water District 37 – Big and Little Wood River Drainages including Ground Water

Mansfield, Debra

From: Mansfield, Debra
Sent: Wednesday, September 11, 2024 9:20 AM
To: Chris Bromley; watermanager; Skinner, Corey; IdwrPayable
Cc: Bank
Subject: Executed Rental Agreement 880, James Lyons 2024-2026
Attachments: Executed Rental Agreement 880, James Lyons 2024-2026.pdf

Hello,

Please see the attached Executed WSB Rental Agreement 880, in the name of James Lyons, 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

August 27, 2024

JAMES LYONS
PO BOX 787
NORTH BEND, OR 97459-0304

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-20900 AGREEMENT 880**

*****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 \$80.50 **per year** was calculated based on the current rental rate of \$23.00 per acre-foot times a diversion volume of 3.5 acre-feet. The annual rental fee for 2025 is due by December 31, 2024. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check in the amount of \$80.50 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.

Pursuant to the Water Supply Bank Rules, 90% or \$72.45 of the rental fee will be paid to the lessor(s) and 10% or \$8.05 will be retained by the Department to offset administrative costs for **2024**.

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

Sincerely,

Debra Mansfield

for
Water Supply Bank

Enclosure(s)

c: IDWR Front Desk
Representative (via email)

MEMORANDUM FOR WSB RENTAL AGREEMENT # 880

To: Water Right No(s). 37-20900

From: Skyler Cheever-Water Resource Agent

Date: 08/06/24

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

PURPOSE/NARRATIVE:

Application 2956 was sent in by James Lyons and received by the Department on March 12th, 2024. The rental application was submitted with a lease/rental package with lease contract 1857 and rental applications 2938, 2941, 2942, and 2943. The applicant proposes to rent water for the irrigation of 1.0 acres from 2024-2026. The applicant submitted an initial application on March 4th, 2024, but did not include a map. The Department received a map on March 12th, 2024. The proposed point of diversion is from the Sun Valley Water and Sewer District Municipal system. The proposed point of diversion is within the Snake River Basin and Big Wood River Moratorium, Big Wood River Groundwater Management Area, Galena Groundwater District and Trust Water Area. Galena Groundwater District was notified of this rental proposal on August 6th, 2024.

AUTHORITY TO FILE:

James Lyons signed the application. Mr. Lyons has the authority to file this agreement because he is the owner of the parcel containing the place of use or point of diversion according to Tax Parcel Data.

INJURY TO OTHER WATER RIGHTS:

The proposed point of diversion diverts from a municipal system under water rights owned by the Sun Valley Water and Sewer District. The closest point of diversion within the municipal system is roughly 2 miles from the lease point of diversion. In 2015 an interim groundwater management zone policy was established based on initial ground water model data. Research conducted determined groundwater and the Big Wood River are interconnected and within the zone boundaries there would minimal impacts to the BWR. Moving a POD from one zone to another could cause injury to surface users. The management zones are still useful for injury analysis. The point of diversion for the proposed rental is the municipal system POD within the Ketchum zone. The lease water right point of diversion is outside the zone boundary but north of the Hiawatha Canal diversion that serves as the boundary between the Ketchum Zone and the Hailey Zone.

Moving a diversion of water from a well outside the zone to a well within the 200 ft buffer of a tributary river might normally be considered to cause impacts to downstream surface water users. However, the water right POD's downstream from the proposed rental POD and upstream from the confluence with the Big Wood River are City of Ketchum and Sun Valley Water & Sewer ground water points of diversion. Impacts to downstream users of Big Wood River will be minimum due to administration by the watermaster of water district 37 in relation to senior right holder Hiawatha Canal Water Users Association and minimum stream flow water rights 37-7919 and 37-8307.

ENLARGEMENT OF USE:

The applicant proposes to rent water for the irrigation of 1.0 acres. However, the point of diversion is from the Sun Valley Water and Sewer District municipal water system. If the rental

was approved for irrigation the Department could not be certain the municipal provider is diverting water when irrigation of the rented acres is occurring, leading to possible enlargement.

Therefore, to prevent any enlargement concerns the nature of use should be changed to municipal, and the authorized rental volume should be reduced to the historic consumptive volume of water right 37-20900. The volume/acre authorized under 37-20900 is 3.5 af/acre. This is the same as the standard headgate volume in the area. Therefore, it's likely the historic consumptive volume is the same or similar to the standard consumptive volume in the area, 2.5 af/acre. The authorized use should be reduced to 2.5 af. The standard change in nature of use condition should be added to the rental agreement indicating municipal use is for the irrigation of 1.0 acres within the parcels containing the place of use. 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:

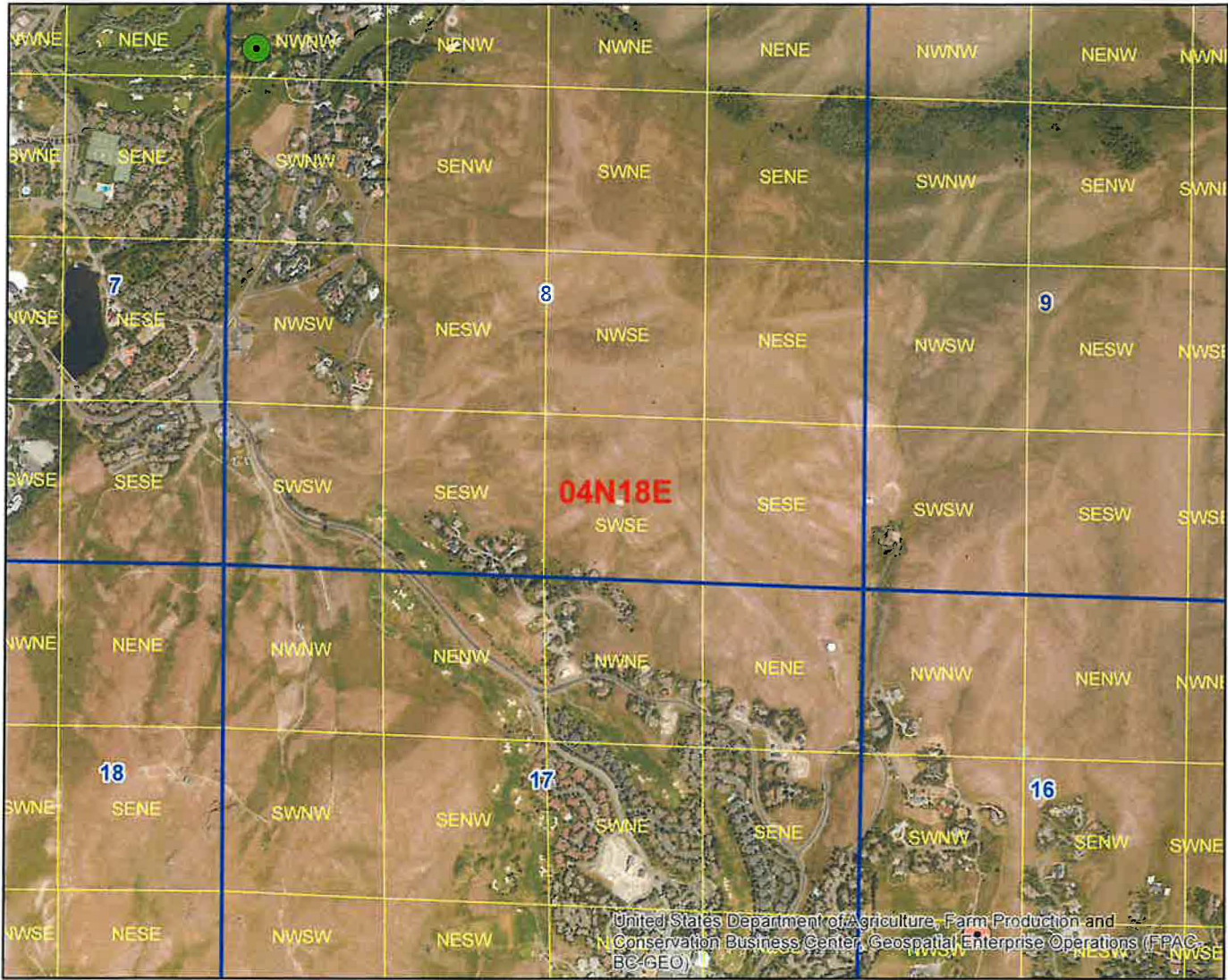
The point of diversion is within Administrative Basin 37 and Water District 37. The Water Master and Southern Regional Manager were contacted for comment on August 6th, 2024. No concerns with the applicant's proposal were received.

Idaho Water Resource Board

WSB Move Map

37-20900

2024-2026



0 0.5 1 Miles

Legend

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



Cheever, Skyler

From: Cheever, Skyler
Sent: Tuesday, August 6, 2024 8:00 AM
To: Skinner, Corey; watermanager; woodriverorganics@gmail.com
Subject: Water Supply Bank Rental Agreement 880
Attachments: Rental 880 Map.pdf; Rental Agreement 880.pdf; Rental Review Memo 880.pdf

Hello Corey, Sunny, and Mr. McMahan,

I have completed my review of a Water Supply Bank Rental Application 2956 with the point of diversion within Administrative Basin 37 and Water District 37. The applicant is James Lyons. They propose to rent a 1.0 acre portion of lease contract 1857 for water right 37-20900 from the water supply bank from 2024-2026. Attached is a copy of the rental agreement, review memo, and map of the place of use. If you have any comments on the applicant's proposal or my review, please let me know within 7 days. If you have any questions or concerns, please let me know.

Best,

Skyler



Idaho Dept. of Water Resources

322 E. Front St. PO Box 83720 Boise, ID 83720
www.idwr.idaho.gov

Novak, Shilynn

From: Parker, Cody
Sent: Thursday, May 9, 2024 4:36 PM
To: Cheever, Skyler; Novak, Shilynn
Subject: Sun Valley Sewer and Water lease and rentals

Follow Up Flag: Follow up
Flag Status: Flagged

Hey guys,

I spoke with Phil about these rentals. It's my understanding that all but one of the rentals propose to divert the water from the Sun Valley municipal system. We should process the rental that proposes to use a private well first once the lease is complete. That rental will be a simple irrigation to irrigation scenario and we don't have any enlargement concerns. The nature of use won't be changing so we don't have to do any reductions due to change in nature of use.

For the rentals proposing to divert from the municipal system, we have concerns with calling the use "irrigation" because, as I said before, we can never be certain that the municipality is only diverting the rented water when irrigation of the rental acres is occurring. So, we'll have to do a nature of use change to call the rental use "municipal" and reduce the rental to the consumptive volume of the historical irrigation for the acres being rented. Each of these rentals should also have a condition stating:

"Municipal use if for the irrigation of <x> acres within parcel <PIN no>"

The season of use for the municipal rentals will stay the irrigation season.

Let me know if you have any more questions as we work through these.

Thanks



Cody Parker

Water Rights Supervisor
208-287-4910

Idaho Dept. of Water Resources

322 E Front St, PO Box 83720, Boise ID 83720
idwr.idaho.gov

Novak, Shilynn

From: Chris Bromley <cbromley@mchughbromley.com>
Sent: Thursday, April 25, 2024 11:10 AM
To: Condon, Mary
Cc: Novak, Shilynn
Subject: RE: Rental applications for James Lyons

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Thanks, Mary.

Chris

From: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Sent: Thursday, April 25, 2024 10:27 AM
To: Chris Bromley <cbromley@mchughbromley.com>
Cc: Novak, Shilynn <Shilynn.Novak@idwr.idaho.gov>
Subject: RE: Rental applications for James Lyons

Chris,

Your contact information is in the WSB software for rental application 2940 as the representative. I have cc'd the agent assigned to review this rental, Shilynn, to ensure our internal rental review checklist for this application has your information as a representative and that you will be included in the approval correspondence.

Best,
Mary

Mary Condon
Water Supply Bank Program Coordinator



From: Chris Bromley <cbromley@mchughbromley.com>
Sent: Thursday, April 25, 2024 10:17 AM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: RE: Rental applications for James Lyons

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Mary,

If you'd please send approval correspondence to me, in addition to the owner, I'd appreciate it.

Thanks,

Chris

From: Chris Bromley

Sent: Thursday, April 11, 2024 8:14 AM

To: Condon, Mary <Mary.Condon@idwr.idaho.gov>; McMahon, Pat <Pat.McMahon@idwr.idaho.gov>

Subject: RE: Rental applications for James Lyons

Mary,

Thanks for the clarification!

Chris

From: Condon, Mary <Mary.Condon@idwr.idaho.gov>

Sent: Wednesday, April 10, 2024 4:51 PM

To: Chris Bromley <cbromley@mchughbromley.com>; McMahon, Pat <Pat.McMahon@idwr.idaho.gov>

Subject: Rental applications for James Lyons

Good afternoon, Chris,

The two applications (2940, 2956) are nearly identical and were received on March 4th and the 12th, respectively. The application received on the 12th did not have a map included with it. A letter was mailed to the applicant in March requesting the required map and the application was marked 'Deficient' in our software. It was not apparent during intake of the second application that we had received two of the same applications a week apart since it is common for renters to submit multiple applications for different uses. The second application (2956) has been removed from our queue, and rental application 2940 is still 'Ready for Review.'

Thank you for calling and inquiring about these!

Mary

Mary Condon

Water Supply Bank Program Coordinator



Planning & Projects

mary.condon@idwr.idaho.gov

Direct: (208) 287-4936

Date April 4, 2024

APPLICANT NAME James Lyons
ADDRESS
PO BOX 787, North Bend OR 97459

RESPONSE DEADLINE
April 18 , 2024

RE: Water Supply Bank Rental Application – Additional Information Required

Dear Applicant,

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

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

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

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

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

Please contact me if you have questions regarding this matter at (208) 287-4920.

Sincerely,

Catalina Beck

Technical Records Specialist

Date March 21, 2024

APPLICANT NAME James Lyons
ADDRESS
PO BOX 787, North Bend OR 97459

RESPONSE DEADLINE

April 4 , 2024

RE: Water Supply Bank Rental Application – Additional Information Required

Dear Applicant,

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

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

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

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

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

Please contact me if you have questions regarding this matter at (208) 287-4920.

Sincerely,

Catalina Beck

Technical Records Specialist