



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 4, 2024

TIMOTHY LOSEE
3680 E NEIGH AND BRAY DR
DOWNEY ID 83234-1549

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S) 29-4112 & 29-7183, AGREEMENT 868**

Dear Renter:

Please find enclosed a receipt in the amount of **\$869.40** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 378 acre-feet of water for irrigation of 108 acres during 2024. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

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

The annual rental fee for 2025 is due by December 31, 2024. If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

for
Water Supply Bank

Enclosures: Receipt No. C118997
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
Water District 29H – Marsh Creek

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 868

This is to certify that:

TIMOTHY L LOSEE
3680 E NEIGH AND BRAY DR
DOWNEY, ID 83234-1549

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)
29-4112	4/1/1953	UNNAMED STREAM	0.54	130	37.2	0.014	3.5
29-7183	6/29/1974	GROUND WATER	0.81	295	84.2	0.010	3.5
Combined Rental Totals			1.35	425	121.0	0.011	3.5
Combined Limit Totals			1.35	378	108.0	0.013	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, 2027. 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 2023, whichever occurs last.

Annual Rental Fee:

2024 - 2027: \$869.40 annually

The full fee for the rental of the above-described right(s) is \$869.40 per year for years 2024 - 2027. The rental fee includes an administrative fee of \$869.40 per year for years 2024 - 2027. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 29-4112, 29-7183. The full fee and administrative fee required for this rental are calculated using more decimals than the rounded amounts recorded on this agreement.

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

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.81	77	22	0.037	3.5
Combined Total	0.81	77	22	0.037	3.5

*** The authorized water usage reflects a reduction from the water right elements rented, to account for a consolidation of acres.**

Detailed water right conditions are attached.

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 02 2024

WATER SUPPLY BANK RENTAL AGREEMENT No. 868

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:

Jim Losee
Signature of Renter

9/23/2024
Date

Timothy L Losee
Printed Name

Renter / operator
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
BRIAN PATTON, Executive Manager
Idaho Water Resource Board

Date 10/3/24

Rental approved by IDWR HP

Date 10/3/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 868

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

UNNAMED STREAM	SWNE	Sec. 6, Twp 11S, Rge 37E,	BANNOCK County
GROUND WATER	SESW	Sec. 6, Twp 11S, Rge 37E,	BANNOCK County

BENEFICIAL USE

IRRIGATION

DIVERSION RATE

0.81 CFS

VOLUME

77 AF

SEASON OF USE

From	To
4/1	10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	37E	6									20	25 L6	30 L7	25					100

Total Acres: 100

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 unleased portion and rented portion of water rights 29-4112 and 29-7183 when combined shall not exceed a total diversion rate of 1.56 cfs, a total annual maximum diversion volume of 350 af at the field headgate, and the irrigation of 100 acres.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 868

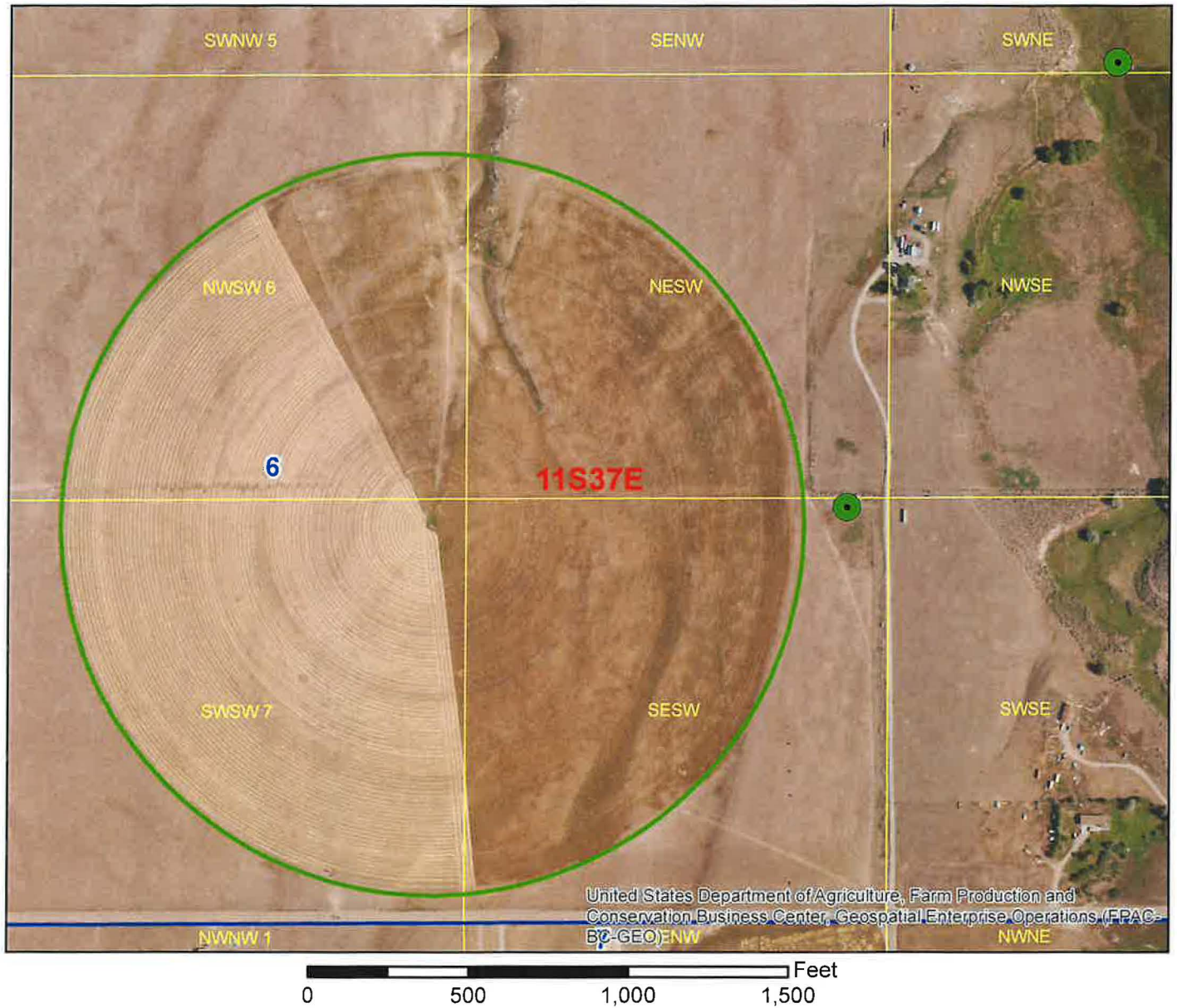
10. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
11. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 129.



Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 868

Effective until December 31, 2027

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



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

MAY 06 2024

DEPT. OF WATER RESOURCES

APPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Tim Lase

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)

2984

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Tim Lasee

Mailing Address 3680 E Neigh and Bay Dr Donkey ID 83234
Street City State Zip Code

Email Address timlasee@gmail Phone Number 208 390 6397

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**:

for rental project to irrigate crops

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
<u>0.31</u> CFS	<u>97.3</u> AF	<u>0.31</u> CFS	<u>97.3</u> AF	<u>24.7</u> AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
<u>4/15/23</u>	<u>6/1/2023</u>	☐ 1	☐ 2	☐ 3	☐ 4	☒ 5	☒ Process application as soon as possible	☐ Return application to applicant

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

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

RECEIVED

MAY 06 2024

DEPT. OF WATER RESOURCES

Tim Lo see is leasing my farm
for agriculture use. He has my permission
to lease water to use on the land.

Marilyn M. Klafson
April 30, 2024

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):

main line (PUC) irrigation center pivot

- 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
29-7183	ground water	29-7183
11S 37E sec 6		
South E South W		

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 24-7 (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:

29-7183
29-4112

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)
29-4112	irrigation	0.77	187.2	53.5		0.12	29.8	8.5
29-7183	irrigation	1.17	423.4	121		0.19	62.6	19.3
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	0.31 CFS	92.3 AF	24.7 AC

*Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

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

Yes ☐ No ☒

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

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.

Tim Lasee
Signature of Applicant

Tim Lasee
Printed Name of Applicant

4/25/2024
Date

Signature of Representative

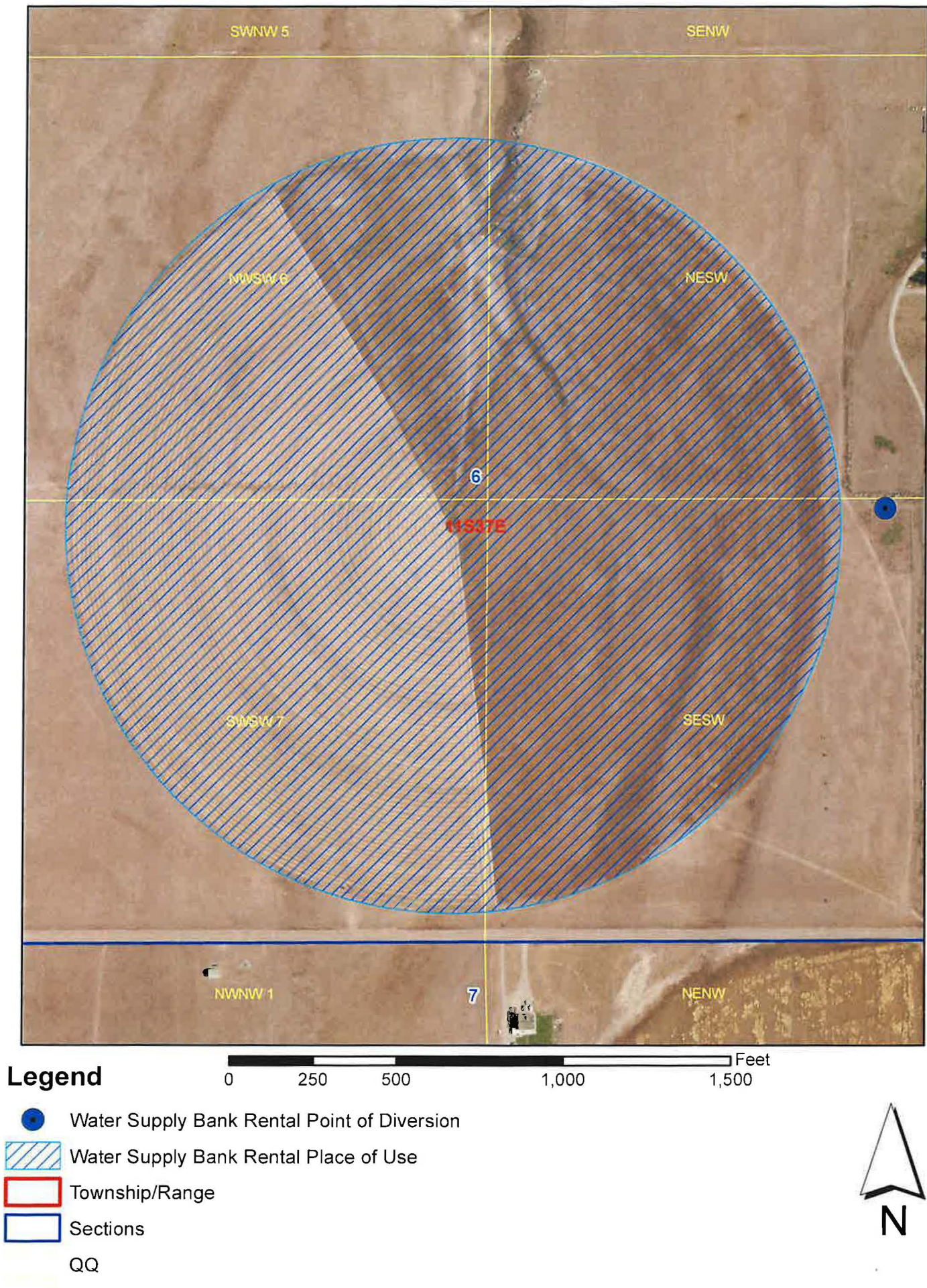
Printed Name of Representative

Date

Mail to:

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

Water Supply Bank Rental Proposal



Mansfield, Debra

From: Mansfield, Debra
Sent: Thursday, October 3, 2024 4:57 PM
To: Cefalo, James; watermaster29h@gmail.com
Cc: Bank
Subject: Executed WSB Rental Agreement 868
Attachments: Executed WSB Rental Agreement 868, Timothy Losee 2024-2027.pdf

Hello,

Please see the attached copy of Executed WSB Rental Agreement 868, in the name of Timothy L Losee, 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

COPY

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 10, 2024

RECEIVED

TIMOTHY L. LOSEE
3680 E. NEIGH AND BRAY DR.
DOWNEY, ID 83234-1549

OCT 02 2024

DEPT. OF WATER RESOURCES

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 29-4112 and 29-7183, AGREEMENT 868**

*****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 **\$869.40 per year** was calculated based on the current rental rate of \$23.00 per acre-foot times a diversion volume of **378 acre-feet**. Since you are both the lessor and the renter of the right(s) **you are only obligated to pay the 10% administrative fee or \$869.40.** The annual rental fee for 2024 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 \$869.40 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, \$869.40 will be retained by the Department to offset administrative costs for **2024.**

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

Sincerely,

Skyler Cheever
Water Resource Agent, Sr – State Office

Enclosure(s): Water Supply Bank Rental Agreement 868

c: IDWR Front Desk



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 10, 2024

TIMOTHY L. LOSEE
3680 E. NEIGH AND BRAY DR.
DOWNEY, ID 83234-1549

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 29-4112 and 29-7183, AGREEMENT 868**

*****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 **\$869.40 per year** was calculated based on the current rental rate of \$23.00 per acre-foot times a diversion volume of **378 acre-feet**. Since you are both the lessor and the renter of the right(s) **you are only obligated to pay the 10% administrative fee or \$869.40.** The annual rental fee for 2024 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 \$869.40 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, \$869.40 will be retained by the Department to offset administrative costs for **2024**.

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

Sincerely,

Skyler Cheever
Water Resource Agent, Sr – State Office

Enclosure(s): Water Supply Bank Rental Agreement 868

c: IDWR Front Desk

Cheever, Skyler

From: Cheever, Skyler
Sent: Tuesday, June 4, 2024 11:18 AM
To: Cefalo, James
Subject: Water Supply Bank Rental Application 2984 Tim Losee
Attachments: Rental Agreement 868.pdf; Rental Review Memo 868.pdf; Rental 868 Map.pdf

Hello James,

I have completed my review of a Water Supply Bank Rental Application 2984 with the point of diversion within Administrative Basin 29 . The applicant is Tim Losee. The applicant proposes to lease 27.8 acres of irrigation from lease contract 1846 from the water supply bank from 2023-2027. 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

 **SKYLER CHEEVER**
Water Resource Agent - State Office
(208)-287-4913
Skyler.Cheever@idwr.idaho.gov

Idaho Dept. of Water Resources

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

MEMORANDUM FOR WSB RENTAL AGREEMENT # 868

To: Water Right No(s). 29-4112 and 29-7183

From: Skyler Cheever-Water Resource Agent

Date: 6/3/2024

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

PURPOSE/NARRATIVE:

Application 2984, sent in by Tim Losee, was received by the Department on May 6th, 2024. This application was submitted regarding a 2023 lease contract, 1846. During the review of the application the applicant clarified they will continue to irrigate a 100-acre pivot within the place of use of water rights 29-4112 and 29-7183. However, the applicant indicated 700 gallons per minute (1.56 cfs/ac) is required to operate the pivot, which is about 0.016 cfs/ac. Rights 29-4112 and 29-7183 only authorize 0.013 cfs/acre combined so a rental is need to authorize the consolidation while still protecting the acres that are not irrigated. Therefore, the applicant was advised to submit applicant a WSB rental application proposing additional water from lease contract 1846 to inverse the diversion rate/acre to 0.016 cfs/acre. However, the Department determined the rental could not be backdated to 2023. Therefore, this rental proposal will be from 2024-2027.

The applicant requested 0.31 cfs, 97.3 af, and 24.7 acres. However the portions approved will allow 1.56 cfs of ground water for the entire 100-acre pivot from 2023-2027. The proposed point of diversion is the same as under lease contract 1846 and water right 29-7183. The point of diversion is within the Snake River Basin Moratorium Area and Non-Trust Water Area. This is the first time this applicant has rented water from the WSB.

AUTHORITY TO FILE:

Tim Losee signed the application. He has the authority to file this agreement because he provided documentation from the owner of the property indicating they are in a lease agreement allowing Mr. Losee to farm the property. Maryln Mikkelsen signed the farm agreement. She is the current owner of the place of use and water rights 29-4112 and 29-7183 according to Tax Parcel Data and Department Records. Therefore, the applicant is only required to pay the administrative rental fee.

INJURY TO OTHER WATER RIGHTS:

The applicant is proposing to divert groundwater from the same well authorized under contract 1846 and water right 29-7183. The agreement will continue the practice of the consolidation that the right owner has done so there likely is no change to diversion from the well. Therefore, it is unlikely there would be any impacts to other water users. There are no other injury concerns.

ENLARGEMENT OF USE:

The leased portions of water rights 29-4112 and 29-7183 are limited when combined and were determined to be stacked during the review of the lease application. If the water rights were leased and rented separately there would likely be more water used than was historically leading to possible enlargement. Therefore, although the applicant intends to use only groundwater, they would need to rent a proportional amount of both groundwater and surface water to prevent enlargement of 29-4112 and 29-7183. The unleased portion of right 29-7183 is equal to 0.75 cfs and 78 acres. The rental needs to be for 0.81 cfs for the total 1.56 cfs requirement for the 100 acres pivot. Right 29-4112 and 29-7183 are limited to 255 acres, an

equivalent portion of right 29-4112 should be rented ($88 \text{ ac}/199 \text{ ac} * 84.2 \text{ ac} = 37.2 \text{ ac}$) 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 29. The Eastern Regional Manager were contacted for comment on June 4th, 2024. No comment was received, it is assumed there are no concerns with the applicant's proposal.