

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 847

RECEIVED
JUL 08 2024
DEPARTMENT OF
WATER RESOURCES

This is to certify that:

MIKE PRESTON
420 BITTERROOT
BOISE , ID 83709

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)
61-12348	7/10/1972	GROUND WATER	0.26	52.7	13.2	0.020	3.99
61-12349	8/23/1967	GROUND WATER	0.26	64.2	16.0	0.016	4.01
61-12350	1/4/1980	GROUND WATER	0.11	31.8	7.94	0.014	4.01
61-12351	4/30/1974	GROUND WATER	0.04	9.4	2.36	0.017	4.0
61-12352	1/14/1963	GROUND WATER	0.27	54.7	13.7	0.020	3.99
61-12353	1/14/1963	GROUND WATER	0.29	61.5	15.4	0.019	3.99
Combined Limit			0.94	249	62.3	0.015	4.0
61-12354	7/10/1972	GROUND WATER	0.17	33.2	8.31	0.020	4.0
61-12356	1/4/1980	GROUND WATER	0.07	20.0	5.0	0.014	4.0
61-12357	4/30/1974	GROUND WATER	0.03	6.0	1.49	0.020	4.0
61-12358	1/14/1963	GROUND WATER	0.17	34.5	8.63	0.020	4.0
61-12359	1/14/1963	GROUND WATER	0.18	38.8	9.69	0.019	4.0
61-12355	8/23/1967	GROUND WATER	0.17	40.5	10.1	0.017	4.01
Combined Limit			0.59	156	39.0	0.015	4.0
Combined Limit Totals			1.53	405	101.3	0.015	4.0

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2028. 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 - 2028: \$9,315.00 annually

The full fee for the rental of the above-described right(s) is \$9,315.00 per year for years 2024 - 2028. The rental fee includes an administrative fee of \$931.50 per year for years 2024 - 2028.

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.

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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	1.53	405	101.3	0.015	4.00
Combined Total	1.53	405	101.3	0.015	4.00

** The authorized water usage reflects a reduction from the water right elements rented, to account for combined limits.*

Detailed water right conditions are attached.

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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:

Michael Preston 7/2/24
Signature of Renter Date

D. MICHAEL PRESTON PRESIDENT - SHEKINAH IND.
Printed Name Title IWC.

*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 8/2/24
BRIAN PATTON, Acting Administrator Date
Idaho Water Resource Board

Rental approved by IDWR [Signature] 8/2/24
Date

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WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESW	Sec. 14, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NWSW	Sec. 14, Twp 01S, Rge 04E,	ELMORE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
1.53 CFS

VOLUME
405 AF

SEASON OF USE

Water Right No.	From	To	
61-12348	3/15	11/15	0.260 CFS
61-12349	3/1	10/15	0.260 CFS
61-12350	3/15	11/15	0.110 CFS
61-12351	3/15	11/15	0.040 CFS
61-12352	3/15	11/15	0.270 CFS
61-12353	4/1	10/31	0.290 CFS
61-12354	3/15	11/15	0.170 CFS
61-12355	3/1	10/15	0.170 CFS
61-12356	3/15	11/15	0.070 CFS
61-12357	3/15	11/15	0.030 CFS
61-12358	3/15	11/15	0.170 CFS
61-12359	4/1	10/31	0.180 CFS

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	
01S	04E	23													3.8			3.5	7.3
01S	04E	24									12	33	14	35					94

Total Acres: 101.3

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.

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7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. This rental agreement is limited to the irrigation of 101.3 acres within the authorized place of use in a single irrigation season.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
11. This rental agreement when combined with rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall not exceed a total diversion rate of 5.38 cfs, a total annual maximum diversion volume of 1425 af at the field headgate, and the irrigation of 356.3 acres.
12. Rights 61-12351 and 61-12352 when combined shall not exceed a total diversion rate of 0.27 cfs, a total annual maximum diversion volume of 64.2 af at the field headgate, and the irrigation of 16.0 acres.
13. Rights 61-12348, 61-12350, 61-12351 and 61-12352 when combined shall not exceed a total diversion rate of 0.41 cfs and the irrigation of 30.9 acres.
14. Rights 61-12349, 61-12350, 61-12351 and 61-12352 when combined shall not exceed a total diversion rate of 0.65 cfs, a total annual maximum diversion volume of 160 af at the field headgate, and the irrigation of 40.0 acres.
15. Rights 61-12348, 61-12349, 61-12350, 61-12351 and 61-12352 when combined shall not exceed a total diversion rate of 0.65 cfs, a total annual maximum diversion volume of 188 af at the field headgate, and the irrigation of 47.0 acres.
16. Rights 61-12348, 61-12349, 61-12350, 61-12351, 61-12351 and 61-12352 when combined shall not exceed a total diversion rate of 0.65 cfs, a total annual maximum diversion volume of 188 af, and the irrigation of 47.0 acres in a single irrigation season.
17. Rights 61-12348, 61-12349, 61-12350, 61-12351, 61-12352 and 61-12353 when combined shall not exceed a total diversion rate of 0.94 cfs, a total annual maximum diversion volume of 249 af, a total annual maximum consumptive use volume of 184 af, and the irrigation of 62.3 acres in a single irrigation season.
18. Rights 61-12357 and 61-12358 when combined shall not exceed a total diversion rate of 0.17 cfs, a total annual maximum diversion volume of 40.1 af at the field headgate, and the irrigation of 10.0 acres.
19. Rights 61-12354, 61-12356, 61-12357 and 61-12358 when combined shall not exceed a total diversion rate of 0.25 cfs and the irrigation of 19.3 acres.
20. Rights 61-12355, 61-12356, 61-12357 and 61-12358 when combined shall not exceed a total diversion rate of 0.40 cfs, a total annual maximum diversion volume of 100 af at the field headgate, and the irrigation of 25.0 acres.
21. Rights 61-12354, 61-12355, 61-12356, 61-12357 and 61-12358 when combined shall not exceed a total diversion rate of 0.40 cfs, a total annual maximum diversion volume of 117 af at the field headgate, and the irrigation of 29.4 acres.
22. Rights 61-12354, 61-12355, 61-12356, 61-12357, 61-12358 and 61-12359 when combined shall not exceed a total diversion rate of 0.59 cfs, a total annual maximum diversion volume of 156 af, a total annual maximum consumptive use volume of 115 af, and the irrigation of 39.0 acres in a single irrigation season.
23. Water rights 61-12348, 61-12349, 61-12350, 61-12351, 61-12352 and 61-12353 shall be subordinated to 63-32499 in the event of priority administration of water rights with points of diversion within administrative Basin 63.

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24. Water rights 61-12354, 61-12355, 61-12356, 61-12357, 61-12358 and 61-12359 shall be subordinated to 63-32499 in the event of priority administration of water rights with points of diversion within administrative Basin 63.
25. Water rights 61-12354, 61-12355, 61-12356, 61-12357, 61-12358 and 61-12359 shall be subordinated to 61-12090 in the event of priority administration of water rights with points of diversion within administrative Basin 61.
26. Water rights 61-12348, 61-12349, 61-12350, 61-12351, 61-12352 and 61-12353 shall be subordinated to 61-12090 in the event of priority administration of water rights with points of diversion within administrative Basin 61.
27. Diversion and use of water in connection with this right is subject to a Monitoring-Reporting Plan. The right holder shall provide the Department with a plan for monitoring-reporting aquifer levels, diversion flow rates, and volumes. The monitoring-reporting should occur in parallel with land development and production and should include identification of non-production wells and timelines for measuring and reporting. The right holder shall not divert water in connection with this right until the plan is approved by the Department. Failure to comply with the plan once it is **accepted shall be cause** for the Department to cancel or revoke the right.
28. The renter holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the **entire flow** of water being diverted in connection **with this right**. If the right holder uses conduit, the **straight length** of conduit shall be at least fifteen times the **diameter** of the conduit and shall be above ground or otherwise easily accessible.
29. Prior to diversion and use of water under this right, the right holder shall install a flow measurement and volume totalizing device of a type approved by the Department on each point of diversion to measure flow and volume of water diverted.
30. This right does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
31. This rental agreement does not authorize the construction of a well.

Idaho Water Resource Board






Attachment to Water Supply Bank Rental Agreement No. 847

Effective until December 31, 2028

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



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

FEB 07 2024

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

DEPT. OF WATER RESOURCES

Applicant Name: Michael Preston

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	
	<input checked="" type="checkbox"/>	Completed <i>Application to Rent Water from the Board's Water Supply Bank</i>
	<input checked="" type="checkbox"/>	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
Attachment	N/A	Yes
2	<input checked="" type="checkbox"/>	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	<input type="checkbox"/>	<input checked="" type="checkbox"/> Detailed information on a proposed use of rental water
3F	<input checked="" type="checkbox"/>	<input type="checkbox"/> Authorization from the owner/operator of the rental point(s) of diversion
3H	<input checked="" type="checkbox"/>	<input type="checkbox"/> Water modeling to account for the impacts of the rental request
3J	<input checked="" type="checkbox"/>	<input type="checkbox"/> Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	<input checked="" type="checkbox"/>	<input type="checkbox"/> Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	<input type="checkbox"/>	<input checked="" type="checkbox"/> Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	<input checked="" type="checkbox"/>	<input type="checkbox"/> Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)
Attachment

2922

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Michael Preston

Mailing Address 420 Bitterroot Dr. Boise ID 83709
Street City State Zip Code
 Email Address dmp3669@cloud.com Phone Number (208) 859-3669

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 Hal N. Anderson Professional Title Managing Partner
 Organization Idaho Water Engineering Relationship to Applicant Consultant
 Mailing Address 2918 N. El Rancho Pl. , Boise, ID. 83704
 Email Address hal@idahowaterengineering.com Phone Number (208) 830-5525

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**:

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)
2.02 CFS	405.55 AF	2.02 CFS	405.55 AF	101.39 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?	
3/15/2024	3/30/2024	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 5	<input checked="" type="checkbox"/> Process application as soon as possible	<input type="checkbox"/> 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):

Wells, mainlines and center pivots

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
01SR04ES14SWNW	ground water	Attachment B
01SR04ES14SWNE	ground water	Attachment B

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

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

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

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

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

- Irrigation 101.39 (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: 3/15 (mm/dd) to: 11/15 (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:

Center Pivot moved from Amyx property to Preston property Attachment B. Amyx and Preston are business partners

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

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)
Attachment	A							
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL			
						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**:

C. Does your rental request propose to change the nature of use for any water right(s) being rented? Yes No

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.

Rental needed to accommodate moving center pivot from Amyx to Preston property

- 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.

D. Michael Preston D. MICHAEL PRESTON 2/2/24
Signature of Applicant Printed Name of Applicant Date

Hal N. Anderson Hal N. Anderson 2/16/24
Signature of Representative Printed Name of Representative Date

Print Form

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

STATE OF IDAHO
WATER RESOURCE BOARD

Water Modeling Requirement Information Sheet

Information on water modeling requirements for rental requests within special administrative areas

Important information on requesting rental water within special administrative areas: Refer to the information below to determine whether the modeling of potential impacts from your rental request is necessary. Use Section 4 of the rental application to identify selected water rights. **If you submit an application to rent water from within a special administrative area and water modeling is required, your rental request will be returned if water modeling is not provided.**

Water modeling may be required when an application to rent water involves one of two scenarios:

Scenario 1: The rental request proposes to divert water from a regulated water source and/or within a special administrative area AND the distance between the rental point(s) of diversion (POD) and the POD(s) for the leased water right(s) is greater than the administratively established, acceptable distance.

Regulated water sources may areas include:

- A. Ground water resources within the modeled area of the Eastern Snake Plain Aquifer (ESPA) and tributary aquifers;
- B. Ground water within Ground Water Management Areas (GWMAs) or Critical Ground Water Areas (CGWAs);
- C. Water resources within other specified administrative areas, as established by the Idaho Water Resource Board (IWRB) or the Idaho Department of Water Resources.

The distance between any rental POD(s) and the POD(s) for a leased water right to be rented is important. On the ESPA, distance is measured in terms of model cells that cover an area of one square mile. Ground water modeling is not required if lease POD(s) and rental POD(s) are located within the same model cell or within adjacent model cells. If the lease and rental PODs are separated by more than one model cell groundwater modeling must be completed using the IDWR ESPA Transfer Tool and modeling results must be submitted with the rental application. ESPA modeling tools can be accessed and freely downloaded from IDWR's website by visiting: www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.

Ground water modeling may be required within GWMAs, CGWAs or other regulated administrative areas. Applicants who desire to rent water within an established GWMA, CGWA or other regulated administrative area should consult IDWR's website before submitting their application to review the current status of administrative orders related to regulated administrative areas. Consult www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated_areas.htm for information on GWMAs or CGWAs, visit <https://idwr.maps.arcgis.com/home/> to use mapping tools to find other regulated areas.

Applicants interested in renting water within a GWMA, CGWA or other regulated administrative areas should request water rights that have been leased into the Bank from within the same administrative area. Generally, the Bank will not permit a rental of water within a regulated administrative area if the leased water rights are not located within that same administrative area.

Scenario 2: A rental request proposes to divert water from a different but hydraulically connected water source.

Modeling situations may include:

- A. Rental requests that propose to divert surface water rights via ground water POD(s) (wells); and
- B. Rental requests that propose to divert ground water from one aquifer when the right being rented authorizes the diversion of ground water from a hydraulically connected, tributary aquifer.

Rental requests that propose to divert surface water rights from ground water points of diversion may be considered if ground water modeling establishes that the surface and ground water resources are directly and immediately hydraulically connected. An acceptable hydraulic connection occurs when at least 50 percent of the total depletions from a well are detectable from the original water source within a 24 hour period. The existing (leased) POD and proposed (rental) POD must be proximate such that diversion and use of water from the proposed POD would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original POD.

Requests to rent ground water across tributary aquifer sources may be considered if ground water modeling is provided to demonstrate that two aquifers are hydraulically connected and the anticipated impacts of diverting ground water from one source through the other is modeled accordingly.

For more information about rental application requirements, contact IDWR at (208) 287-4800.

Attachment A

Water Right

Rental Needed

Shekinah	Div. Rate	Volume AF	Acre Limit	Div. Rate	Volume AF	Acre Limit
61-12280	1.08	215	53.9	0.39	78.00	19.50
61-12281	1.08	262	65.6	0.47	94.66	23.66
61-12282	0.45	130	32.5	0.23	46.96	11.74
61-12283	0.17		9.67	0.07	13.96	3.49
61-12284	1.12	224	55.9	0.40	80.98	20.24
61-12285	1.19	251	62.9	0.45	90.99	22.75
Total			280.47		405.55	101.39
Tot. Combined Allowed	3.85	1020	255			

Hudson	Div. Rate	Volume AF	Acre Limit	Lease	Needed for Shekinah Rental	Acre Limit
61-12354	0.17	33.2	8.31	0.17	33.2	7.98
61-12355	0.17	40.5	10.1	0.17	40.5	9.70
61-12356	0.07	20	5.01	0.07	20	4.81
61-12357	0.03		1.49	0.03	0.00	1.43
61-12358	0.17	34.5	8.63	0.17	34.5	8.28
61-12359	0.18	38.8	9.69	0.18	38.8	9.30
Total			43.23		155.87	38.96
Tot. Combined Allowed		155.87	38.96			

J&M Solid Rock	Div. Rate	Volume AF	Acre Limit	Lease	Needed for Shekinah Rental	Acre Limit
61-12348	0.26	52.7	13.2	0.26	52.7	11.52
61-12349	0.26	64.2	16	0.26	64.2	13.97
61-12350	0.11	31.8	7.94	0.11	31.8	6.93
61-12351	0.04		2.36	0.04	0.00	2.06
61-12352	0.27	54.7	13.7	0.27	54.7	11.96
61-12353	1.5	61.5	15.4	1.5	61.5	13.44
Total		264.9	68.6		249	62.3
Tot. Combined Allowed		249	62.3			

Water Right

Shekinah*
61-12280
61-12281
61-12282
61-12283
61-12284
61-12285
Total
Hudson**
61-12354
61-12355
61-12356
61-12357
61-12358
61-12359
Total
J&M Solid Rock
61-12348
61-12349
61-12350
61-12351
61-12352
61-12353
Total
Cheryl Amyx
61-12342
61-12343
61-12344
61-12345
61-12346
61-12347
Total



S. T. Mendenhall

101-2875



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 5, 2024

MIKE PRESTON
420 BITTERROOT
BOISE , ID 83709

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 61-12352,61-12353,61-12349,61-12348,61-12351,61-12350,61-
12358,61-12359,61-12355,61-12354,61-12357,61-12356 AGREEMENT 847**

Dear Renter:

Please find enclosed a receipt in the amount of **\$9315.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 405 acre-feet of water for irrigation of 101.3 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.

Pursuant to the Water Supply Bank Rules, 90% or \$8383.50 of the rental fee will be paid to the lessor(s) and 10% or \$931.50 will be retained by the Department to offset administrative costs.

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,

Catalina Beck

for
Water Supply Bank

Enclosures: Receipt No. C118601
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Western Regional Office
Water District 161
IDWR Compliance Officer



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

June 4, 2024

RECEIVED

MIKE PRESTON
420 BITEROOT
BOISE, ID 83709

JUL 08 2024

DEPARTMENT OF
WATER RESOURCES

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 61-12352, 61-12353, 61-12349, 61-12348, 61-12351, 61-12350,
61-12358, 61-12359, 61-12355, 61-12354, 61-12357 & 61-12356 AGREEMENT 847**

*****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 \$9,315.00 per year was calculated based on the current rental rate of \$23.00 per acre-foot times a diversion volume of 405 acre-feet.

Please send a check for \$9,315.00 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. An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. 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.

Pursuant to the Water Supply Bank Rules, 90% or \$8,383.50 of the rental fee will be paid to the lessor(s) and 10% or \$931.50 will be retained by the Department to offset administrative costs for ~~2023~~ **2024**

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

Sincerely,

Bob Howe

for
Water Supply Bank

Enclosure

c: IDWR Front Desk
Hal Anderson-Representative



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

June 20, 2024

MIKE PRESTON
420 BITEROOT DR
BOISE, ID 83709

RE: REQUEST FOR RETURN OF SIGNED RENTAL AGREEMENT 847 AND PAYMENT FOR WATER RIGHT(S) 61-12352, 61-12353, 61-12349, 61-12348, 61-12351, 61-12350, 61-12358, 61-12359, 61-12355, 61-12354, 61-12357 & 61-12356.

*****TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

The Department of Water Resources ("Department") mailed a **Water Supply Bank Rental Agreement ("Agreement") for your review and signature** on June 4, 2024. The signed agreement and annual rental fee has not been returned to the Department.

Please sign the rental agreement and return it with the rental payment in the amount of \$9,315.00 within ten (10) days of this letter to complete processing. Diversion and use of the water right(s) is not authorized under the proposed agreement until it has been signed by both the renter and the Department. Any use associated with your proposed rental request before it has been executed is considered unauthorized and, if occurring, will be subject to any necessary enforcement action.

If the signed rental agreement and fee is not received by the department within the 10-day period, the rental application will be returned, and the proposed rental right(s) made available for other rental applicants. You can reapply to rent water from the Bank again in the future by submitting a new rental application form that will be processed in turn with other pending applications.

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

Sincerely,

Bob Howe

for
Water Supply Bank

Howe, Bob

From: Howe, Bob
Sent: Tuesday, June 4, 2024 9:17 AM
To: 'Hal Anderson'
Cc: Bank
Subject: Water Supply Bank-Lease Contracts Rental Agreement 847 Mailed for Signature-Please find attached mailing
Attachments: Agreement 847-mailed for signature 6.4.24.pdf

Dear Hal Anderson:

Rental Agreement 847, for Michael Preston was mailed out for signature today. Contracts 1840 & 1841 are for each the term from 2024-2028 and were submitted with companion proposed rental agreement 847 for Michael Preston. A copy of mailing sent including the proposed rental agreement, cover letter, and map are attached for your reference. Please note that the agreement is not active until signed and returned to the Department with the 2024 fee payment for processing.

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

Best Regards,

Bob Howe



IDAHO DEPARTMENT OF
WATER RESOURCES

Bob Howe | Water Resource Agent

322 E Front St, PO Box 83720, Boise, ID 83720

(208) 287-4800 | www.idwr.idaho.gov

From: Howe, Bob
Sent: Friday, May 17, 2024 10:52 AM
To: Hal Anderson <hal@idahowaterengineering.com>
Cc: Bank <Bank@idwr.idaho.gov>
Subject: Water Supply Bank-Lease Contracts 1840 and 1841 Mailed for Signature-Please find attached mailing

Dear Hal Anderson:

Two Lease Contracts 1840, for J & M Solid Rock & two Lease Contracts 1841, for Paul Hudson were mailed out for signature today. The contracts are for each the term from 2024-2028 and were submitted with companion proposed rental agreement 847 for Michael Preston. A copy of mailings sent including the proposed lease contracts, cover letters, and maps are attached for your reference. Please note that the contracts are not active until all contracts mailed have been signed and returned to the Department for processing (4 signed contracts total).

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

Best Regards,

Bob Howe



IDAHO DEPARTMENT OF
WATER RESOURCES

Bob Howe | Water Resource Agent

322 E Front St, PO Box 83720, Boise, ID 83720

(208) 287-4800 | www.idwr.idaho.gov

Howe, Bob

From: Howe, Bob
Sent: Friday, May 17, 2024 10:52 AM
To: Hal Anderson
Cc: Bank
Subject: Water Supply Bank-Lease Contracts 1840 and 1841 Mailed for Signature-Please find attached mailing
Attachments: Lease Contract 1840-cover letter, contract, and map mailed 5.17.2024.pdf; Lease Contract 1841-cover letter, contract, and map mailed 5.17.24.pdf

Dear Hal Anderson:

Two Lease Contracts 1840, for J & M Solid Rock & two Lease Contracts 1841, for Paul Hudson were mailed out for signature today. The contracts are for each the term from 2024-2028 and were submitted with companion proposed rental agreement 847 for Michael Preston. A copy of mailings sent including the proposed lease contracts, cover letters, and maps are attached for your reference. Please note that the contracts are not active until all contracts mailed have been signed and returned to the Department for processing (4 signed contracts total).

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

Best Regards,

Bob Howe



IDAHO DEPARTMENT OF
WATER RESOURCES

Bob Howe | Water Resource Agent

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