

WSB Mailing Checklist for Rentals

(For use on all new rental applications)

Key: Who Completes What?

CLERICAL STAFF: CDM

REVIEWING AGENT:

Application # 3008

Agreement #

Water Right	Lease Contract ID
# 63-4037	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	

Applicant Authorized?	☒ Y / ☐ N
Map of POU and POD	☒ Y / ☐ N
POD consent?	☒ Y / ☐ N
ESPA Modeling?	☒ Y / ☐ N / ☐ NA
Application Complete?	☒ Y / ☐ N
Minimum Checklist in database?	☐
Request for additional information letter sent:	☐ Y / ☐ NA
WSB Action Request for deficiencies	☐

Received Date: 7/29/2024
 Latest Start Date: 11/15/2024
 Renter: CITY OF BOISE
 Lease/Rental Package ☒ Y / ☐ N
 Rental Purpose: HEATING
 Nature of Use change? Y / N

Comments: USED WITH EXISTING RIGHTS 63-9139 AND 63-34326, AS GEOTHERMAL HEATING.

Volume Rented

Total Rental Fee

Admin Fee

Owner Fee

Date Review Complete:

Mailings (per application)

Original CC Email or Address

Renter:

☐
☐

Attorney:

☐
☐

Consultants

Name:

☐
☐

Conveyance Entity:

Ex. Irrigation Dist. of Canal Co.

(final only)

☐

Water

District:

(final only)

☐

WD Snake 01, Boise, Payette, and Bear River

Ground Water

Dist:

(final only)

☐

Other:

(final only)

☐

Region:

(final only)

☐

Watermaster:

(final only)

☐

Compliance:

(final only)

☐

Resolving NOV? Y / N

#

WSBSS

Application status

☐

Rental Fees Received?

☐

Is lease active?

Y N

Date Approved:

Rental Expiration Date

Call up Date:

DO NOT SCAN



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 24, 2024

CITY OF BOISE
ATTN ROBIN LEE-BEUSAN
150 N CAPITOL BLVD
BOISE ID 83702

**RE: RETURNED APPLICATION TO LEASE WATER RIGHT NO(S). 63-4037 & 63-9758 TO
THE WATER SUPPLY BANK; AND
RETURNED APPLICATIONS TO RENT WATER FROM THE WATER SUPPLY BANK**

Dear Applicant:

The Department of Water Resources (Department) received your written request on September 6, 2024, for the withdrawal of your applications to lease water rights to the Water Supply Bank (Bank), and for the withdrawal of your two applications to rent the each of the two water rights from the Bank, all with requested start dates in 2024.

This letter is notice that the attached application(s) to lease water to the Bank are returned per your request. Department resources were expended in order to provide a full review of your lease applications. Therefore, the lease application filing fees will not be refunded.

Please note the forfeiture period is not tolled unless a right is accepted into the Bank, or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. If forfeiture is a concern, you may consider filing an Application for Extension of Time to Avoid Forfeiture of a Water Right form. This and other water right forms are available from the Department's web site at www.idwr.idaho.gov.

If you have any questions, please contact me at (208) 287-4936.

Sincerely,

Mary Condon
Water Supply Bank Coordinator

Enclosures: Lease Application 2912;
Rental Application 2913;
Rental Application 3008.



PUBLIC WORKS DEPARTMENT

MAYOR: Lauren McLean | DIRECTOR: Stephan Burgos

RECEIVED

SEP 06 2024

Department of Water Resources

September 6, 2024

Phill Hummer
Water Rights Section Manager
Idaho Department of Water Resources
322 E Front Street
Boise, ID 83702

Re: Lease Application No. 2912—Withdrawal of Application

Dear Phill:

The City of Boise is submitting this letter to formally withdraw Lease Application No. 2912 from the Water Supply Bank leasing process. At this time, the City has decided to discontinue the process of submitting water rights 63-4037 and 63-9758 to the Water Supply Bank.

Please remove these lease applications and the associated rental applications from IDWR's internal review process. If you have any questions, please contact me at 208-608-7474 or at rlleebeusan@cityofboise.org.

Thank you,

Robin Lee-Beusan
Water Resources Program Coordinator
City of Boise



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 29, 2024

CITY OF BOISE
150 N CAPITOL BLVD
BOISE ID 83702

RE: APPLICATION(S) 3008 TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Applicant:

The Idaho Department of Water Resources (Department) acknowledges receipt of your application(s) to rent water from the Idaho Water Resource Board's Water Supply Bank (Bank) for Geothermal Heating. Filing a Bank rental application does not automatically result in approval.

Before a rental application can be approved, the rental request must be reviewed, a rental agreement must be prepared, the agreement must be approved by the applicant and the Department, and the rental fee must be paid. To maximize the number of rental applications processed while managing competing priorities, the Department begins processing rental applications on November 2 for use in the next calendar year, and it processes as many applications as it can before the start of the irrigation season in March or April. Once the irrigation season begins, Department staff members are reassigned to address field work and other duties. Consequently, few rental applications are processed after May 1.

Because your application was received after May 1st, the Department may not be able to process your application in time for approval in 2024. If your application requests a rental for more than one year, the rental application may be retained by the Department and evaluated for 2025.

In future years, we encourage you to file your rental applications as close to November 1 as possible to improve the chances that they will be processed prior to the requested start date. Water Supply Bank Processing for application status may be found on the Department's website at <https://idwr.idaho.gov/iwrb/programs/water-supply-bank/reports/>

If you have questions regarding this matter, please contact our office at 287-4800.

Sincerely,

A handwritten signature in black ink, appearing to read "Clayton D. Murdock", is written over a light blue horizontal line.

Clayton D. Murdock
Water Supply Bank Specialist

STATE OF IDAHO
WATER RESOURCE BOARDRECEIVED
JUL 29 2024
DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: City of Boise

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)

63-4037

3008

COPY

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant City of Boise

Mailing Address 150 N Capitol Blvd Boise ID 83702
Street City State Zip Code
 Email Address jgunnerson@cityofboise.org Phone Number 208-608-7173

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 Jon Gunnerson & Robin Lee-Beusan Professional Title Geothermal/Water Resources Coord.
 Organization City of Boise Relationship to Applicant Employees
 Mailing Address 150 N Capitol Blvd., Boise, ID 83702
 Email Address rleebeusan@cityofboise.org Phone Number 208-608-7474

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**:

See 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)
0.75 CFS	231.75 AF	0.75 CFS	231.75 AF	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?	
06/01/2024	11/15/2029	☐ 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):

The geothermal heating system pumps water from a production well located in the lower foothills and distributes water via a main line and smaller connector pipes with a supply line that connects to each building for heating.

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
Well & Pump	LTG	63-34326 and 63-9139

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

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☒

If yes, include documented consent as **Attachment 3F**.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☐ No ☒

Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- H. Has water modeling been provided with your rental request? Yes ☐ N/A ☒

If yes, label modeling Attachment 3 H.

Rental applications that require modeling will be returned if modeling is not provided.

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

- ☐ Irrigation _____ (number of acres) Duration: Subject to IDWR standard seasons of use
- ☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
- ☒ Other: **Heating** from: 3/1 (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.

N/A

- 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:

63-9139 (ground water / LTG) and 63-34326 (ground water / LTG). Additional supply is required to meet growing demand for geothermal heating within the City's geothermal utility service area.

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)
63-4037	Irrigation	1.0	231.75	51.50		0.75	231.75	
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	0.75	231.75	
						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**:

This rental request proposes a change of use from irrigation under the current use to heating under the proposed rental application. See attachment 4C for additional information.

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:

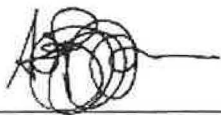
- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☒
If yes, describe:

- 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

Steve Burgos, Public Works Director

Printed Name of Applicant

6/04/2024

Date

Signature of Representative

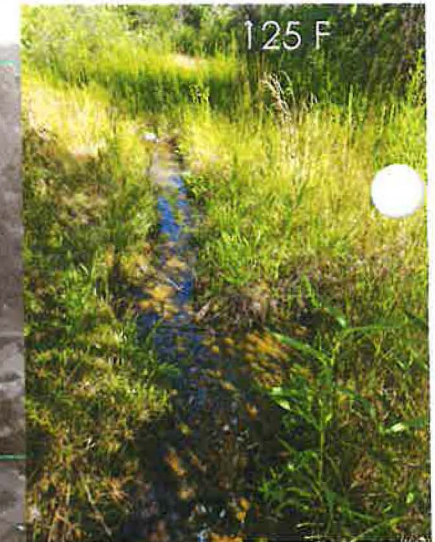
Printed Name of Representative

Date

Mail to:

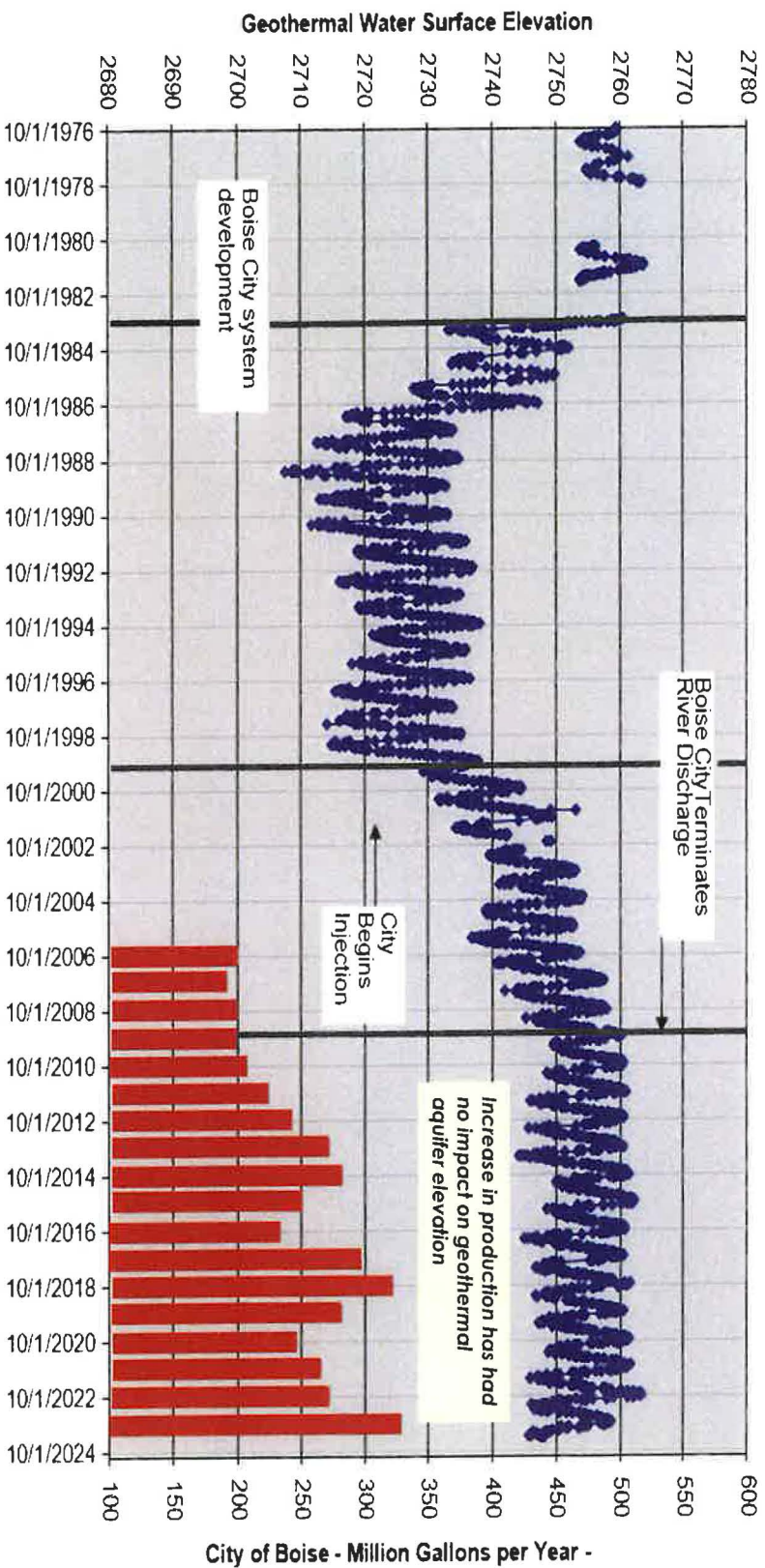
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

- A "Hot Spring" has reemerged near the Boise Warm Springs Water District pump house.
- This provides additional evidence of the health of the Boise Front geothermal aquifer.



Thermography map

ATTACHMENT 1: GEOTHERMAL AQUIFER WATER SURFACE ELEVATION CITY of BOISE



BLUE = Geothermal aquifer water surface elevation
 RED = City of Boise geothermal production



PUBLIC WORKS DEPARTMENT

MAYOR: Lauren McLean | DIRECTOR: Stephan Burgos

RECEIVED

JUL 29 2024

DEPT. OF WATER RESOURCES

July 24, 2024

Mary Condon, Water Supply Bank Coordinator
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83702

Re: Rental Application for 63-4037, in combination with Lease and Rental for 63-9758 and 63-4037

Dear Ms. Condon,

Please see the attached rental application, submitted for review by the Idaho Department of Water Resources ("IDWR"), to rent 63-4037 from the Water Supply Bank. The lease application for 63-4037 was submitted on January 19th, 2024 and is currently pending approval. We understand there have been questions raised by IDWR staff around the lease application of 63-4037 and 63-9758, and the intent to continue delivering surface water to the Quail Hollow Golf Course. To alleviate some of the outstanding concerns with the existing lease applications of 63-4037 and 63-9758, we are submitting the attached rental application for 63-4037 to provide additional context to near-term conditions and the proposed end use.

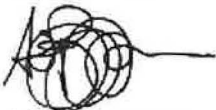
The City of Boise ("city") has demonstrated enduring stewardship of our geothermal resources by implementing a closed loop system to ensure the use of the geothermal water is non-consumptive and aquifer health is maintained or improved. Our nationally recognized system is experiencing substantial interest from potential customers and our community desires increasing opportunities for geothermal heating in Boise. While the capacity of our existing water right and permit has not been fully built out, commitments for planned development projects, once completed, will utilize remaining capacity of that right. To demonstrate the level of the demand, we have allocated all available water right/permit capacity through either contract or pre-development commitment. In addition, the city has received requests to connect new buildings at Boise State University, St. Luke's Health System and other development projects that require firm commitments in the near-term to move forward.

As additional capacity with the City's current low temperature geothermal water right and permit is limited, the intention of this rental application is to utilize the banked low temperature geothermal supply from 63-4037 in a non-consumptive manner in the downtown geothermal utility system. Relocating the point of diversion to the downtown area, as well as no longer using 63-4037 for irrigation, provides mutual benefit to geothermal aquifer users and aligns with highest and best use of the resource. This approach is specifically intended to protect and provide potential benefits to other geothermal water right holders.

As discussed at the March 7, 2024 Annual IDWR Geothermal Meeting, our monitoring of the Boise Front Aquifer indicates very healthy conditions because of the city's closed loop system and reinjection practices. Variable pumping limits over the past decade have not impacted the water levels or temperature of the aquifer (Attachment 1). In recent months, Boise Warm Springs Water District staff has observed the reemergence of hot springs near their pumphouse at Eagle Rock Park (Attachment 2). We are confident that the city, IDWR and other geothermal stakeholders can work together to provide a near-term solution that supports both the growth of the geothermal utility and meets the objectives of IDWR while protecting other users.

Please include the attached application with the existing lease application for 63-9758 and 63-4037, as well as the rental application for 63-9758, for immediate processing.

Sincerely,



Steve Burgos
Public Work Director

cc:

Angie Hansen, Shelley Keen – Idaho Department of Water Resources
Garrick Baxter, Deputy Attorney General
Robin Lee-Beusan, Tina Riley, Jon Gunnerson – City of Boise, Public Works Department
Mary Grant, Darrell Early – City of Boise, Legal Department

