



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Mathew Weaver

April 23, 2026

COPY

IDAHO TRANSPORTATION DEPT- DISTRICT 5
5151 S 5TH AVE
POCATELLO ID 83204

**RE: RETURNED APPLICATION(S) TO LEASE WATER RIGHT NO(S). 29-00063
TO THE WATER SUPPLY BANK**

Dear Applicant:

The Department of Water Resources (Department) received your application(s) to lease the entirety of water right 29-00063 to the Water Supply Bank (Bank) on December 17, 2025 for 2026-2030 seasons. This right was leased to the Bank in 2023 and will be released on December 31, 2027. I have enclosed a copy of the contract for your benefit.

The Department is returning your application and all attachments.

If you have any questions, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosures

STATE OF IDAHO
RETURNED
WATER RESOURCE BOARD

RECEIVED
Print Form

DEC 17 2025

**APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK**

DEPT. OF WATER RESOURCES

Applicant / Designated Lessor Idaho Transportation Department (ITD) - District 5
(Select one owner – see item 1A on the application)

Water Right No. 29-0063
(One water right per application)

Is this application being submitted with a rental application as a lease/rental package? Yes ☒ No ☐
If yes, include renter and rental fee payment information as attachment 5B.

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MINIMUM REQUIREMENT CHECKLIST
Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Yes

☒

Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*, printed **single sided**, per requirement of the Water Supply Bank.

☐

Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use, but which cover separate acres within the permissible place of use.

N / A

Yes

Attachments

☐☒

1A

Signatures and contact information for **all owners** of the water right to be leased or sold on this application.

☒☐

1B

(Reserved.)

☒☐

1C

Notice of Change in Water Right Ownership form (accessible from www.idwr.idaho.gov).

☐☒

1D

Contact information for an authorized representative and documentary proof they are authorized to represent the Applicant on this application. *If the Applicant is a business, partnership, municipality, organization or association*, the application **must include** documents identifying officers authorized to sign or act on behalf of the entity.

☐☒

2

Description of a water right portion offered to the Water Supply Bank.

☐☒

3

A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.

☒☐

4A

Written consent from irrigation district or water delivery company.

☒☐

4G

Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.

☐☒

5B

Rental rate and owner payment agreement between lessor and renter for lease/rental packages.

Department Use Only

Fee Amount \$

Received By:

Date Received:

Receipt #

3396

STATE OF IDAHO
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APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. The applicant or designated lessor must be listed as a current owner of the water right offered for sale or lease to the Water Supply Bank. If there are multiple current owners, choose one owner as the Designated Lessor. Complete and attach the Designated Lessor - Attachment 1A of this application package with the signatures of all current owners.

Applicant / Designated Lessor Idaho Transportation Department (ITD) - District 5
Mailing Address 5151 S. 5th Ave, Pocatello, Idaho 83204
Street City State Zip Code
Email Address N/A Phone Number (208)239-3300

☒ The Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Lessor is representing additional water right holders who have completed Attachment 1A.

- B. Has the Applicant received payment from the Department for a rented right in the last 12 months? Yes ☐ No ☒
If no, include a valid email address in item 1A - Contact Information.

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Water Right Holder? Yes ☒ No ☐
If yes, representatives (includes employees of Water Right Holder companies) must complete this section and submit documentary proof of their authority to represent the Water Right Holder (Attachment 1D).

Name of Representative Todd Hubbard Organization Idaho Transportation Department - District 5
Professional Title District Engineer Email Address todd.hubbard@itd.idaho.gov
Mailing Address 5151 S. 5th Ave, Pocatello, Idaho 83204 Phone Number (208)239-3300

☒ Send all correspondence for this application to the representative and not to the Designated Lessor / Applicant.

OR

☐ Send original correspondence to the Designated Lessor / Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☒ The full water right is being offered to the Bank and none will still be used.

OR

☐ A portion of the water right is being offered to the Bank and a portion will still be used.
If a portion of the water right is being offered, complete Attachment 2.

3. MAP

Attach a map. The map must locate the point of diversion from the source of water and the location of the lands to be idled or the place where the water will no longer be used. The map must also show townships, ranges, sections, and government lots. **For irrigation purposes**, mark the number of acres for lease **per** 40-acre tract (1/4-1/4). If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

STATE OF IDAHO
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(Continued)

4. GENERAL INFORMATION

- A. Identify the owner of the water delivery system or well _____
If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e. (Label Attachment 4A)
- B. Please provide a description of the current water diversion and delivery system, including source, pump, pipeline or diversion.
By pump from river on either side of Price Road Bridge.
- C. Describe any other water sources, including municipal, irrigation company shares, or water rights with combined limits to the water right offered to the bank, which are used for the same purpose at the same place of use as the water right being offered to the Bank. None
- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☒
Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands, and usually have combined limits in the conditions of the water rights. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.
- E. Will the present place of use continue to receive water from any other source, including those listed in 4C? Yes ☐ No ☒
If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased. _____
- F. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒
If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Label Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture, including lease into the Bank. Your application may be denied if forfeiture concerns are not addressed.
Note that this right was first provided to the IDWR water bank in 6/2018.
- G. Identify annual volumes and/or rates of water diverted (used) in the last 5 years to accomplish the beneficial use authorized by this water right. Last used 4/15 - 9/15 at a rate of 0.4 CFS for irrigation.
ITD purchased this water right in 2015 and it was transferred in 3/15 (see attached IDWR letter).
- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan? ☐ Yes ☒ No
If yes, describe. _____

STATE OF IDAHO
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(Continued)

5. SALE/LEASE CONTRACT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒ ?

If lease, specify the first year when the use of water will be suspended under (new) contract: 2026

All lease contracts are for a calendar year from January 1st to December 31st (year)

*Mark Desired Lease Duration (Calendar Years)					
☒ 1	☒ 2	☒ 3	☒ 4	☒ 5	<u>Other Term Length (# of years):</u> <i>*Prior IWRB approval required</i>

B. Show the minimum payment acceptable to the seller/lessor. If lease, the minimum payment may be shown as the "current rental rate" as established by the IWRB, or a negotiated rental rate with submittal of an agreement between the lessor and the renter. *The owner payment is 90% of the rental fee. The administrative fee retained by the IWRB is 10% of either the current rental rate or the negotiated rental fee, whichever is higher. Include the method of determining the minimum payment if submitted as a companion lease rental package, and whether the owner payment will be paid directly to the lessor from the renter or if owner payment should be collected by the Department from the renter for payment to the lessor. (Label attachment 5B).*

Current Rental Rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Lessor / Applicant acknowledges the following:

1. Payment to the Designated Lessor / Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Lessor / Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

	Idaho Transportation Department - District 5	
Signature of Designated Lessor or Applicant	Printed Name	Date
Signature of Co-Applicant	Printed Name	Date
	Todd Hubbard, District Engineer	
Signature of Authorized Representative	Printed Name	Date

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

Print Form

STATE OF IDAHO
WATER RESOURCE BOARD

RETURNED

Complete Attachment 1A if more than one water right owner

ATTACHMENT 1A

Multiple Water Right Holders Party to the Lease Application

For the water right offered for sale or lease, list all owners (individuals or business entities) of the right or the property to which it is appurtenant. All water right holders must sign a Water Supply Bank Lease Application. Include an email address for the Designated Lessor. **All correspondence and any financial payment associated with the rental of this water right will be directed to the Designated Lessor.** If additional space is needed to list any other water right holders, attach a second copy of Attachment 1A.

If submitting multiple applications, it is only necessary to complete one Attachment 1A for the group of applications. List each water right below.

Water Right No(s). 29-0063

	Designated Lessor	Applicant #2	Applicant #3
Name	Idaho Transportation Department(ITD) - District 5		
Mailing Address	5151 S. 5th Ave, Pocatello, Idaho 83204		
Phone Number	(208)239-3300		
Email Address	N/A		
Applicant Declaration	As Designated Lessor, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Lessor to submit this application on my behalf.	I authorize the Designated Lessor to submit this application on my behalf.
Signatures			

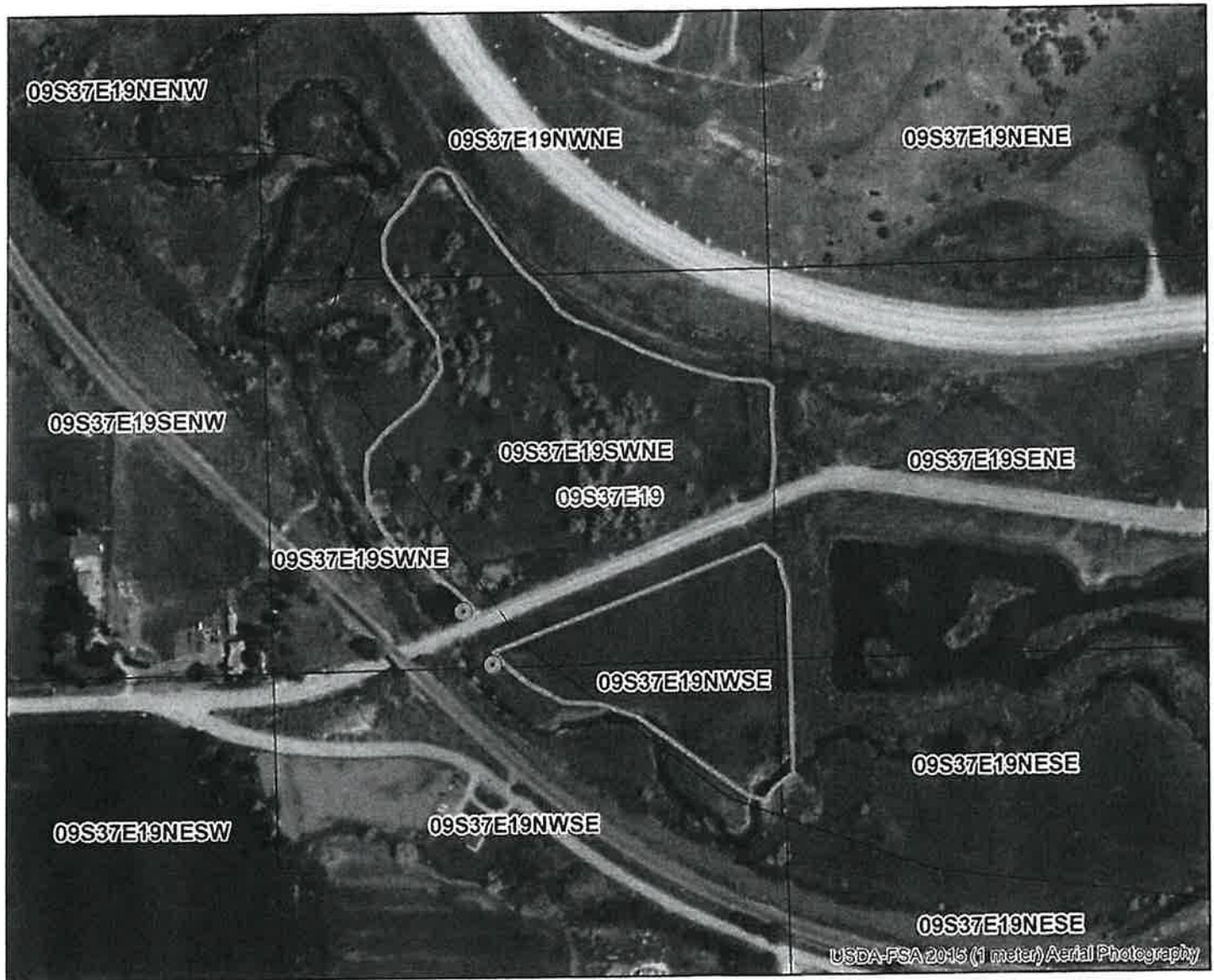
	Applicant #4	Applicant #5	Applicant #6
Name			
Mailing Address			
Phone Number			
Email Address			
Applicant Declaration	I authorize the Designated Lessor to submit this application on my behalf.	I authorize the Designated Lessor to submit this application on my behalf.	I authorize the Designated Lessor to submit this application on my behalf.
Signatures			

Water Supply Bank Lease Contract No. 808

29-63

Effective until December 31, 2022

This map depicts the **place of use to be idled** pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



● Approved Lease Point of Diversion

□ Approved Lease Place of Use

□ Townships

□ PLS Sections

□ Quarter Quarters



0 250 500 Feet