

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 998

RECEIVED

MAY 26 2026

DEPT. OF WATER RESOURCES

This is to certify that:

MARC G FULLER

PO BOX 4049

KETCHUM, ID 83340-4001

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
37-22826	9/1/1885	GREENHORN CREEK	0.06	3.5	1.0	0.060	3.50
37-2644C	11/16/1989	GROUND WATER	0.02	3.5	1.0	0.020	3.50
Combined Limit Totals			0.02	3.5	1.0	0.020	3.50

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 2026, whichever occurs last.

Annual Rental Fee:

2026 - 2027: \$115.50 annually

The full fee for the rental of the above-described right(s) is \$115.50 per year for years 2026 - 2027. The rental fee includes an administrative fee of \$11.55 per year for years 2026 - 2027.

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.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 998

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:



Signature of Renter

5/22/26

Date

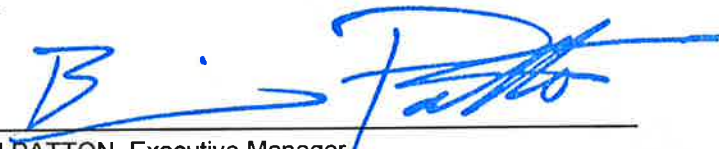
Marc Fuller

Printed Name

Title

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

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

By 

BRIAN PATTON, Executive Manager
Idaho Water Resource Board

Date 5/27/26

Rental approved by IDWR 

Date 5/27/26

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 998

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW Sec. 32, Twp 04N, Rge 18E, BLAINE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.02 CFS

VOLUME
3.5 AF

SEASON OF USE

From To
4/15 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	
04N	18E	32										1.0							1.0

Total Acres: 1.0

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
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.
11. Prior to December 31 of each year, the Board may review this rental agreement to determine whether it is consistent with the management plan that may be approved for the Big Wood River Ground Water

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 998

Management Area (BWRGWMA). The Board may cancel this rental agreement if the Board determines it is not consistent with the BWRGWMA plan. If this rental agreement is canceled, the cancellation shall not take effect until December 31 of the year in which the rental agreement is canceled.

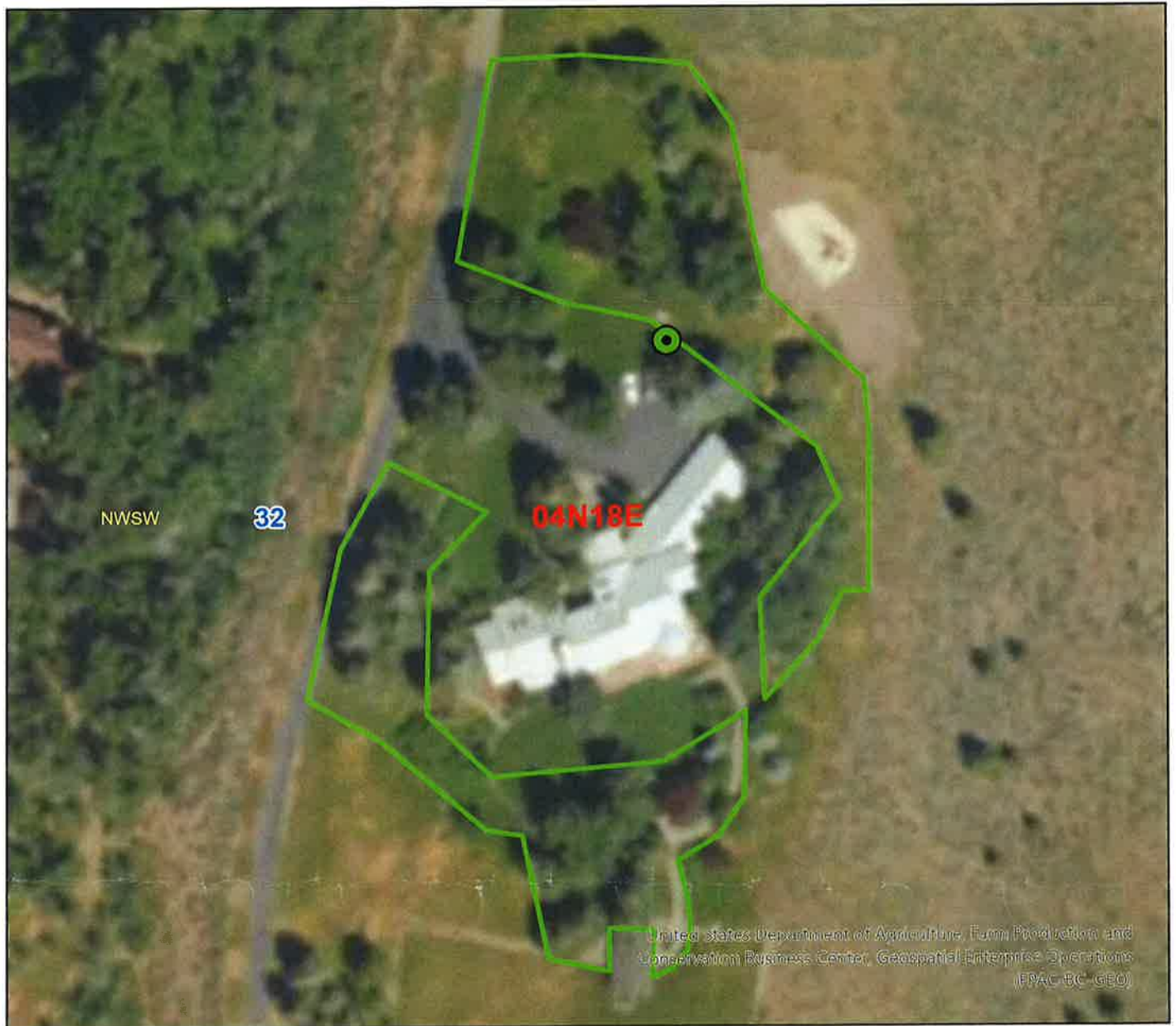
12. Water shall not be diverted under this right when flows in the Big Wood River are below minimum flow amounts as defined by Rights 37-7919 and 37-8307. The right holder shall be responsible for monitoring the daily flow of the Big Wood River using real-time data and shall cease diverting water when flows in the Big Wood River are below established minimum flow amounts. Unless otherwise specified by the Director of the Department of Water Resources, data from the U.S. Geological Survey Big Wood River at Hailey ID gauging station, No. 13139510, may be used for purposes of determining the daily flow amounts.
13. This rental agreement does not authorize the construction of a well.
14. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 998

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.



0 100 200 300 Feet

Legend

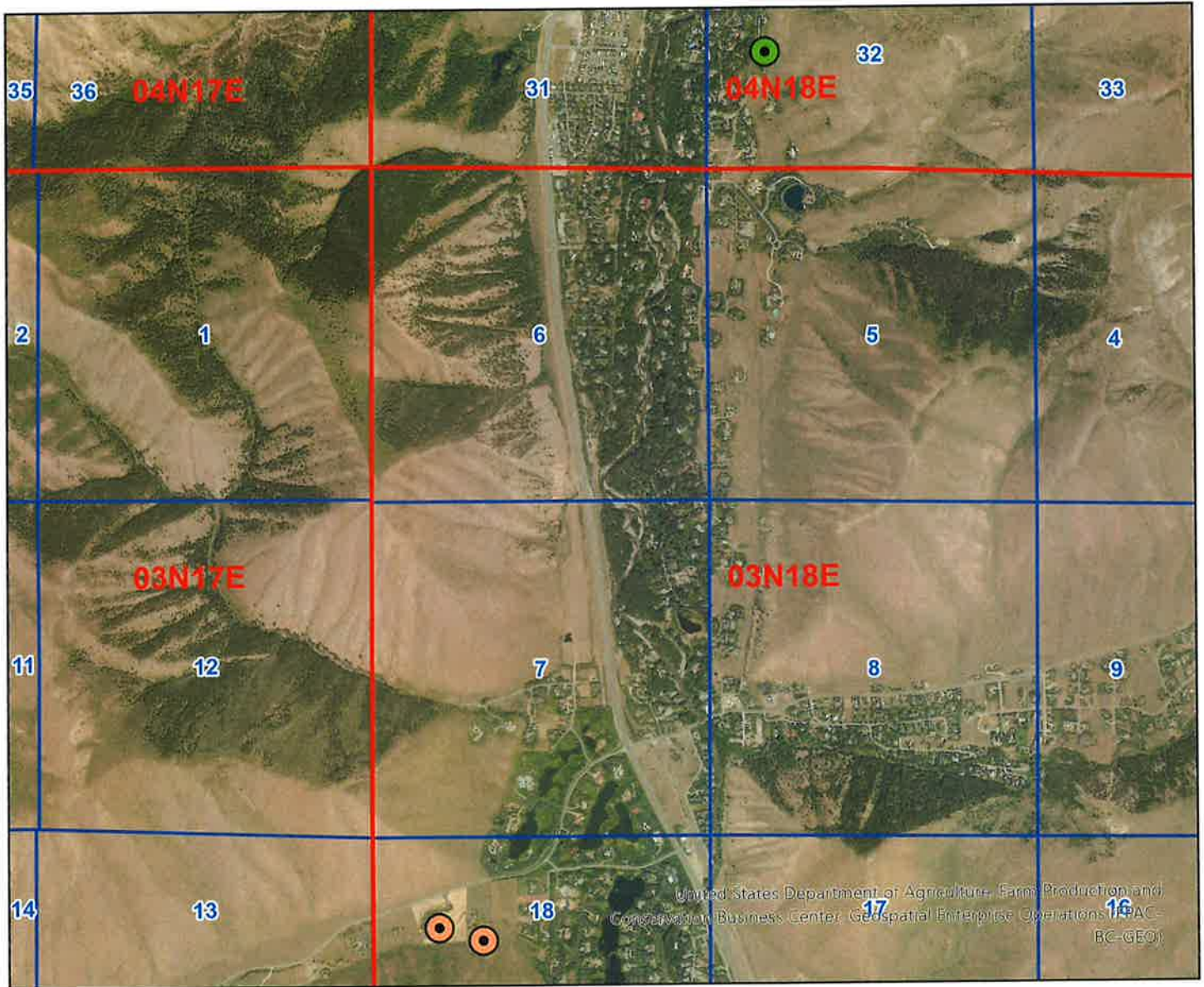
-  Water Supply Bank Rental Point of Diversion
-  Water Supply Bank Rental Place of Use
-  Township/Range
-  Sections
- QQ



Idaho Water Resource Board

WSB Move Map

37-2644C, 37-22826
2026-2027



0 0.5 1 1.5 Miles

Legend

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



AUG 18 2025

DEPT. OF WATER RESOURCES

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

Applicant Name: Marc Fuller

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)

3270

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Marc Fuller

Mailing Address <u>PO BOx 4049,</u>	Ketchum	ID	83340
Street	City	State	Zip Code
Email Address <u>marcgfuller@gmail.com</u>	Phone Number <u>16507731826</u>		

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**:

Residential landscape irrigation

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)
0.04 CFS	7.0 AF	0.04 CFS	7.0 AF	2.0 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?	
12/31/2025	5/15/2025	☐ 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):

Well, Pump, Underground sprinkler irrigation system

- 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	ground water	domestic exemption

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 2.0 (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: 4/15 (mm/dd) to: 10/31 (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:

None

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via [IDWR's website](#).

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.** For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
37-22019	irrigation	8.78	1593.5	455.3		0.04	7.0	2.0
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	0.04	7.0	2.0
						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**:

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:

Previous agreement was from 2021 through 2025. We have not found a suitable water right to purchase

- 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.

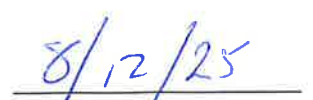
- D. Additional Information

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


Printed Name of Applicant


Date

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

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 580

Effective until December 31, 2025

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



Authorized Rental Point of Diversion

Authorized Rental Place of Use

Township/Range

Sections

QQ



0 100 200 Feet



MARC FULLER
APPLICATION TO RENT WATER RIGHT
ATTACHMENT 2



MEMORANDUM FOR AGREEMENT # 580

To: Water Supply Bank Rental Application 2113
From: Remington Buyer
Date: August 26, 2021
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: On July 9th, 2021, an application was received from Marc Fuller, through Jim Speck of Speck & Aanestad, requesting a five year rental of a portion of water right 37-22019, equivalent to 0.04 cfs and 7.0 af for the irrigation of 2.0 acres, to authorize the irrigation of 2.0 acres of the renter's 7.2 acre residential property located in Blaine County. A domestic well located on the property authorizes a diversion of ground water and the irrigation of up to 0.5 acres.

It appears approximately 2.5 acres of the property are under active irrigation. Minus the domestic exemption, the remaining irrigation can be authorized by this rental. Due to the change in timing, magnitude and location of impacts to the Idaho Water Resource Board's (IWRB's) 189 cfs minimum streamflow on the Big Wood River, established under water rights 37-7919 & 37-8307, this rental will be approved subordinate to the MSF water rights.

AUTHORITY TO FILE: The property where rental water will be used for irrigation purposes is owned by mitigate for diversions under the temporary water use authorization is owned by "Marc G. Fuller, Trustee". No concerns about authority to file.

WATER RIGHT VALIDITY: Water rights 37-22109 is valid and available for rental from the Bank.

INJURY TO OTHER WATER RIGHTS: Water right 37-22019 authorizes diversions of Wood River Valley Aquifer ground water at a location south of Hailey. The rental location is approximately seven miles north of Hailey. The pumping of ground water under this rental will result in an increased depletion of surface water from the Big Wood River, which will impact the Idaho Water Resource Board's (IWRB's) 189 cfs minimum streamflow on the Big Wood River.

The IWRB has established that ground water rentals in the Wood River Valley that result in an increased depletion of Big Wood River water should be considered as an unacceptable impact to its minimum streamflow water rights. To avoid injury to the IWRB's minimum streamflow water rights, a condition will be added to this rental, to limit ground water diversions to only those times when more than 189 cfs is flowing in the Big Wood River, as measured at the Hailey Gage.

ENLARGEMENT OF USE: Water right 37-22019 is an irrigation water right that features a duty of water of 0.019 cfs/ac and 3.5 afa/ac. To avoid enlargement, this will be the duty of water authorized under the rental.

LOCAL PUBLIC INTEREST: This rental appears to be consistent with local public interests.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: Review comments were requested from IDWR's Southern Region and Water District 37 on August 26, 2021.

WATER SUPPLY BANK RECOMMENDATION: Staff recommend this rental be approved.



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

May 28, 2026

MARC G FULLER
PO BOX 4049
KETCHUM, ID 83340-4001

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOs. 37-22826 and 37-2644C, AGREEMENT 998**

Dear Renter:

Please find enclosed a receipt in the amount of **\$115.50** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 3.5 acre-feet of water for irrigation of 1.0 acres during 2026. 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 \$103.95 of the rental fee will be paid to the lessor(s) and 10% or \$11.55 will be retained by the department to offset administrative costs for 2026.

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

Sincerely,



Darin Vrem
Water Supply Bank

Enclosures: Receipt No. C126402
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Regional Office (via email)
Water District – 37



IDAHO DEPARTMENT OF
WATER RESOURCES

RECEIVED

MAY 26 2026

DEPT. 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

May 14, 2026

MARC FULLER
PO BOX 4049
KETCHUM, ID 83340

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-22826 AND 37-2644C AGREEMENT 998**

*****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 \$115.50 **per year** was calculated based on the current rental rate of \$33.00 per acre-foot times a diversion volume of 3.5 acre-feet. The annual rental fee for 2027 is due by December 31, 2026. 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 \$115.50 for 2026 made payable to the Idaho Department of Water Resources, together with the signed rental agreement, within 14 days so I can complete processing.

Pursuant to the Water Supply Bank Rules, 90% or \$103.95 of the rental fee will be paid to the lessor(s) and 10% or \$11.55 will be retained by the Department to offset administrative costs for **2026**.

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

Sincerely,

Skyler Cheever
Water Resource Agent, Sr – State Office
Idaho Dept. of Water Resources

Enclosure: Proposed Rental Agreement 998.

cc: IDWR Front Desk
WSB

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 998

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

0 100 200 300 Feet



Cheever, Skyler

From: Cheever, Skyler
Sent: Wednesday, March 25, 2026 10:55 AM
To: Skinner, Corey; watermanager
Subject: Water Supply Bank Rental Agreement 998 Mark Fuller
Attachments: Rental Review Memo 998.pdf; Rental Agreement 998.pdf; Rental Approval Map 998.pdf

Hello Corey and Sunny,

I have completed my review of Water Supply Bank Rental Application 3249 with the proposed point of diversion within Administrative Basin 37 and Water District 37. The applicant is Mark Fuller. They propose to rent a 1-acre portion of lease contract 1767 from the Water Supply Bank from 2026-2027. Attached is a copy of the rental agreement, review memo, and map of the place of use. If you have any comments regarding 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, Sr - 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

MEMORANDUM FOR RENTAL AGREEMENT # 998

To: Water Right No(s). 37-2644C, 37-22826

From: Skyler Cheever – Water Resource Agent, Sr – State Office

Date: 3/25/2026

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

PURPOSE/NARRATIVE:

Application 3270 was sent in by Mark Fuller and received by the Idaho Dept. of Water Resources on August 18th, 2025. The applicant proposes to rent 2.0 acres of irrigation from the Water Supply Bank from 2026-2030. The applicant did not provide specific water rights to rent. The proposed point of diversion (POD) is within the Snake River Basin and Big Wood River Moratorium Area, Big Wood River Groundwater Management Area, Galena Groundwater District, and Trust Water Area. This application is intended as a renewal of rental agreement 580 which expired on December 31st, 2025.

Due to a shortage of leased water rights available in the area only a two-year (2026-2027) 1 acre rental is possible. The applicant was contacted phone call on March 10th, 2026. They indicated on they would like to proceed with a two-year 1-acre rental, and the applicant indicated where the new proposed place of use (POU) would be located. Lease contract 1767 for water rights 37-2644C and 37-22826 fits the reduced rental proposal.

AUTHORITY TO FILE:

Mark Fuller signed the application. Mr. Fuller has the authority to sign the application because he is listed as the current owner of the property containing the proposed POU and access to the POD according to Idaho Tax Parcel Data. Since property containing the proposed POD and place of use (POU) is owned by the applicant there are no legal access concerns.

INJURY TO OTHER WATER RIGHTS:

The proposed rental POD and lease POD are 8 miles apart. In 2015 an interim groundwater management zone policy was established based on initial ground water model data. Research conducted determined groundwater and the Big Wood River (BWR) are interconnected and within the zone boundaries there would minimally impact to the BWR. Moving a POD from one zone to another could cause injury to surface users. The management zones are still useful for injury analysis. The proposed lease and rental POD's are both within the Ketchum zone and fairly close in proximity. Therefore, it's unlikely this rental proposal would cause injury to BWR or groundwater users. Due to the non-use of the BWR Zones Policy by the IWRB a condition will be added to the rental agreement requesting the applicant self-curtail if the Minimum Streamflow (MSF) WR's on the Big Wood River (37-7919 and 37-8307) are not being met to prevent possible injury. There are no other injury concerns.

ENLARGEMENT OF USE:

There are no other water rights directly overlapping the proposed POD or POU. The proposed point of diversion is also used as an exempt domestic well as defined under Idaho Code §42-227, which allows the applicant to irrigate 0.5 an acre without a WR. However, the applicant already took this into account on their application. Therefore, the proposed acres under this agreement does not need to be reduced further.

The applicant only proposes to rent groundwater. The proposed lease contract contains both surface water (WR 37-22826) and groundwater (37-2644C). However, use of groundwater is not

conditioned on the use of surface water. Therefore, although the applicant will be required to rent both WR's, because they are stacked, they can utilize groundwater for irrigation without causing an enlargement of 37-2644C.

LOCAL PUBLIC INTEREST:

The proposed rental of water is in the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:

The proposed rental is consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:

The proposed POD is within Administrative Basin 37 and Water District 37. A request for comment was sent to the Watermaster and IDWR Southern Regional Manager on March 25, 2026. No concerns were received.