

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 1051

This is to certify that:

IDAHO MATERIALS &
CONSTRUCTION
10200 N BATISTE RD
POCATELLO, ID 83202-5356

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)
29-2255C	5/22/1939	GROUND WATER	0.31	31.0
Rental Totals			0.31	31.0

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2026. 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: \$1,023.00

The full fee for the rental of the above-described right(s) is \$1,023.00 for 2026. The rental fee includes an administrative fee of \$102.30 for 2026.

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)
INDUSTRIAL	0.29	29.0
Combined Total	0.29	29.0

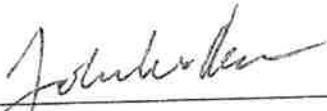
*** The authorized water usage reflects a reduction from the water right elements rented, to account for 2.0 af of mitigation.**

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 1051

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:

 8/10/26
Signature of Renter Date
John Wilkes General Manager
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  8/11/26
Date
BRIAN PATTON, Executive Manager
Idaho Water Resource Board

Rental approved by IDWR  8/11/26
Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 1051

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER 4NWNW Sec. 8, Twp 06S, Rge 34E, BANNOCK County

BENEFICIAL USE
INDUSTRIAL

DIVERSION RATE
0.22 CFS

VOLUME
29.0 AF

SEASON OF USE

Water Right No. **From** **To**
29-2255C 1/1 12/31

RENTERS PLACE OF USE: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	34E	8					X L3	X L4	X L5	X L6									X

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 rental agreement does not authorize the construction of a well.
10. This rental does not grant any right-of-way or easement across the land of another.
11. Use of water under this agreement 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. 120.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 1051

12. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
13. Prior to diversion and use of water under this rental, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
14. The use of water under this rental agreement may be dependent on participation in an approved mitigation plan. In the event of a delivery call by senior surface water users, the rented rights may be curtailed and use under the rental agreement will not be allowed if mitigation is not provided.

Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 1051

Effective until December 31, 2026

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



0 500 1,000 Feet

STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK

RECEIVED

FEB 26 2026

DEPT. OF WATER RESOURCES

Applicant Name: Idaho Materials & Construction

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)

29-14013

3466

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Idaho Materials & Construction

Mailing Address c/o John Wilkes, 10200 N. Batiste, Pocatello, ID 83205

Street City State Zip Code

Email Address John.wilkes@idahomaterials.com Phone Number (208) 232-5796

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 T.J. Budge Professional Title Attorney

Organization Racine Olson, PLLP Relationship to Applicant Attorney

Mailing Address PO Box 1391, Pocatello, Idaho 83204-1391

Email Address tj@racineolson.com Phone Number 208-232-6101

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**:

Non-consumptive industrial use for washing gravel. The washing process will be shielded to prevent evaporation

Groundwater diverted to wash gravel will be returned to the aquifer through infiltration.

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)
0.22 CFS	29 AF	0.22 CFS	29 AF	N/A 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?	
04/01/2024	07/01/2024	☒ 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):

Applicant will pump water from a groundwater well, utilize water in a mobile washing facility, and return water to an on-site infiltration pond.

- 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
pump	groundwater	NA

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: 01/01 (mm/dd) to: 12/31 (mm/dd)
- ☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☒ Yes ☐ No ☐
If yes, justify the rate of flow and attach any supporting documents as Attachment 3J. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☒ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it Attachment 3K.

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

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

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

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

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
29-14013	Municipal	2.25	651.20	NA		0.22	29	NA
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	0.22	29	NA
						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**:

NA

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:

Water was rented in 2024 under Rental Agreement #893

- 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

Application is for non-consumptive industrial use of water for a temporary water use. The point of diversion of the proposed rental rights is in the adjacent ESPAM model cell; therefore, modeling is not provided

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.

John Wilkes

Signature of Applicant

John Wilkes

Printed Name of Applicant

2/19/26

Date

Signature of Representative

Printed Name of Representative

Date

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:

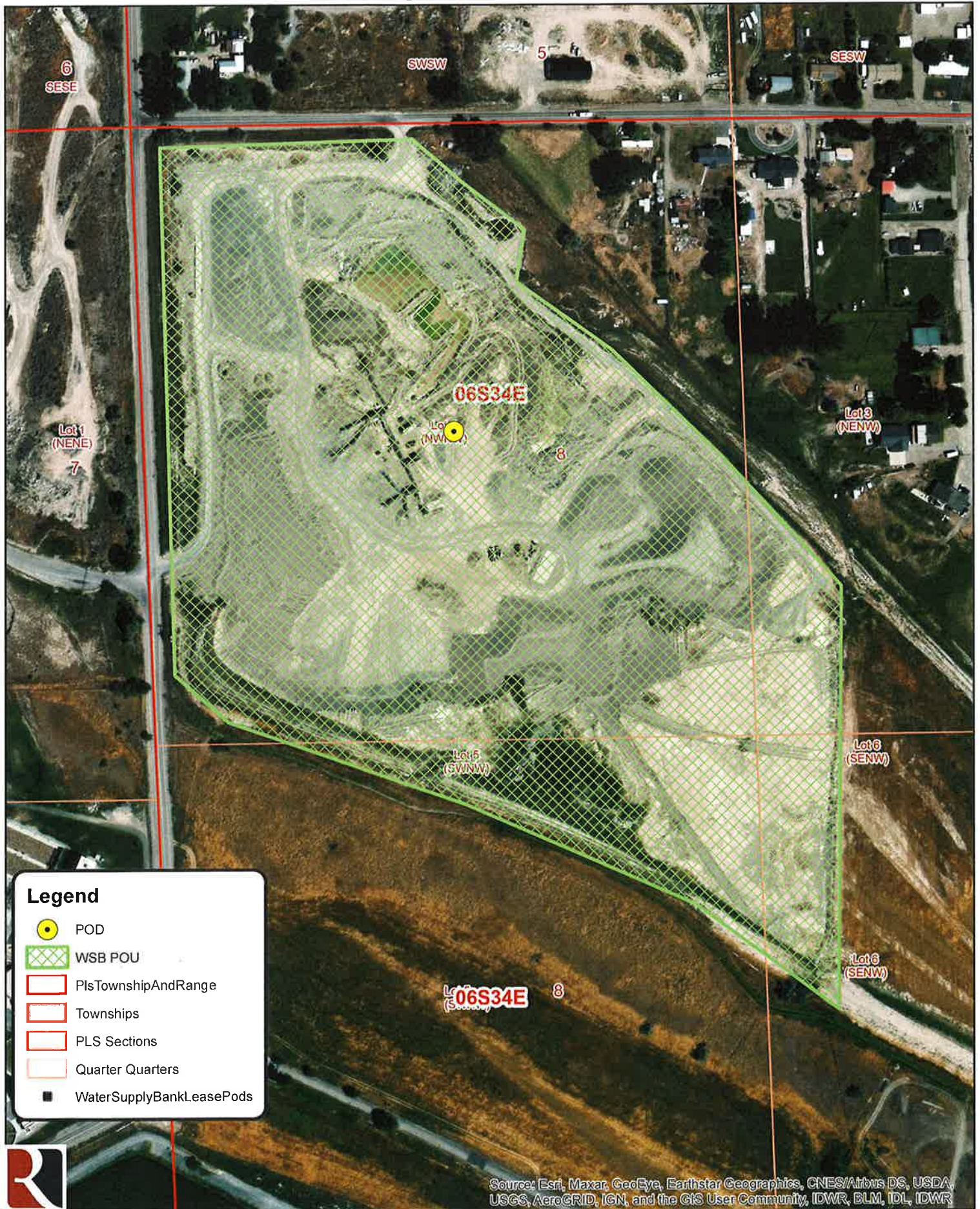
- A. Rental requests that propose to divert surface water rights via ground water POD(s) (wells); and
- B. Rental requests that propose to divert ground water from one aquifer when the right being rented authorizes the diversion of ground water from a hydraulically connected, tributary aquifer.

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 2 WSB POU & POD





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 12, 2026

IDAHO MATERIALS & CONSTRUCTION
10200 N BATISTE RD
POCATELLO, ID 83202-5356

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 29-2255C, AGREEMENT 1051**

Dear Renter:

Please find enclosed a receipt in the amount of **\$1,023.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 31.0 acre-feet of water 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 \$920.70 of the rental fee will be paid to the lessor(s) and 10% or \$102.30 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. E051849
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Regional Office (via email)
T. J. Budge, Racine Olson, PLLP
Water District – 120



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

August 5, 2026

IDAHO MATERIALS & CONSTRUCTION
10200 N BATISTE RD
POCATELLO, ID 83202-5356

**RE: REQUEST FOR RETURN OF SIGNED RENTAL AGREEMENT 1051 AND PAYMENT
FOR WATER RIGHT(S) 29-2255C**

*****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 July 20, 2026. 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 \$1,023.00 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 287-4800.

Sincerely,

Aaron Olson

for
Water Supply Bank

CC: T.J. Budge, Racine Olson, PLLP

Idaho Materials and Construction Water Supply Bank Rental Agreement No. 1051

From Olson, Aaron <Aaron.Olson@idwr.idaho.gov>

Date Wed 8/5/2026 11:42 AM

To TJ Budge <tj@racineolson.com>

 3 attachments (2 MB)

Rental Agreement 1051.pdf; Rental Agreement 1051 Map.pdf; Proposed Rental Agreement Cover Letter 3394.pdf;

Good Morning T.J.

I sent out a proposed rental agreement no. 1051 for Idaho Materials and Construction on July 20th and am following up with another request to have the agreement signed and returned along with the associated fee. After looking it seems like you might not have received my first message about this. Please feel free to let me know if you have anything you wish to discuss about the proposed agreement. I will be sending a physical letter out to the applicants as well that should go out in the mail tomorrow.

Thanks,

Aaron

Aaron Olson - Water Resource Agent, Principal
Idaho Dept. of Water Resources
322 E Front St Ste 648
Boise, ID 83702-7371
(208) 287-4907
Aaron.Olson@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

July 20, 2026

IDAHO MATERIALS & CONSTRUCTION
10200 N BATISTE RD
POCATELLO, ID 83202-5356

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 29-2255C, AGREEMENT 1051**

*****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 \$1,023.00 per year was calculated based on the current rental rate of \$33.00 per acre-foot times a diversion volume of 31.0 acre-feet.

Please send a check in the amount of \$1023.00 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 \$920.70 of the rental fee will be paid to the lessor(s) and 10% or \$102.30 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,

Aaron Olson

for
Water Supply Bank

Enclosure: Rental Agreement

CC: IDWR Front Desk, T.J. Budge, Racine Olson, PLLP

MEMORANDUM FOR APPLICATION # 3466

To: Water Right 29-2255C

From: Aaron Olson

Date: 7/14/2026

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

PURPOSE/NARRATIVE:

The Water Supply Bank (WSB) received rental application 3466 on February 26, 2026, on behalf of Idaho Materials and Construction. The application requests a one-year rental beginning in 2026 for industrial use via ground water within the ESPA. The application proposes a repeat rental of agreement no. 893 which used water right 29-14013 to satisfy the rental. Water right 29-14013 is not available to satisfy this rental due to it being curtailed in 2026 so water right 29-2255C leased under contract no. 1829 was identified to do so.

The proposed point of diversion and place of use are within the Snake River Basin Moratorium Area, Eastern Snake Plain Aquifer Ground Water Management Area, the Non-Trust Area, Water District 120, and Aberdeen-American Falls Ground Water District.

AUTHORITY TO FILE:

The application was signed by John Wilkes. John is listed as a manager of Idaho Materials and Construction according to the Idaho AGC website. Bannock County parcel data shows that the land at the proposed place of use and point of diversion is owned by Bannock Paving Co. Both Idaho Materials & Construction and Bannock Paving Co. are Staker Parson companies and under the same ownership. The applicant has authority to file the application.

INJURY TO OTHER WATER RIGHTS:

Both the leased right and proposed rental location are within the Eastern Snake Plain Aquifer modeling boundary. Since they are within the boundary, analysis of hydrologic effects within the aquifer and to the Snake River is required for processing. Modeling using the ESPA transfer tool ETRAN V3.4 was not provided as an attachment to the application since the original requested right was within an adjacent grid cell. Modeling was performed by review staff after a new water right to satisfy the rental was identified. Review of the ETRAN V3.4 modeling indicated that mitigation would be required to offset the impacts of the proposed water use at the rental location. An additional 2.0 af of volume from water right 29-2255C will need to be rented to mitigate for depletions to the Blackfoot to Neeley reach of the Snake River that would occur as a result of the rental. The additional 2.0 af will bring the total volume rented to 31.0 af, but the agreement will be limited to the requested 29.0 af. Use of the water under this agreement will be administered by the Watermaster of Water District 120. There are no concerns of injury to other water rights.

ENLARGEMENT OF USE:

The application proposes industrial use while water right 29-2255C has the same beneficial use. Review of previous memos and the backfile for right 29-2255C shows that the right is considered fully consumptive, and therefore an equal volume from the lease can be applied to the rental. It is also stated on the application that the water will be used for non-consumptive gravel washing use that will be covered to prevent evaporation. Since both the rental and leased right are for the same use, there is no need to reduce the amount authorized for rental due to a change in nature of use. The proposed season of use will not change since the leased right also is from 1/1 to 12/31. There is partial overlap at the proposed POU with existing water rights 29-

2501, 29-2502, 29-7763, and 29-2375 which are owned by JR Simplot Co and also have an industrial beneficial use. Review of these water rights and previous memos indicates that these rights are not used by the applicant, but are used by their owner at separate facilities for ore processing, as well as chemical and fertilizer manufacturing. The portions of the water right that will be rented will be a volume of 31.0 af for the reasons discussed above and the rate will be 0.31 cfs. 0.31 cfs is proportionate to the leased amount of 0.50 cfs and 50.0 af. Since the total volume authorized under the agreement will be 29 af, a rate of 0.29 cfs will be included as well. There are no concerns of enlargement.

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.

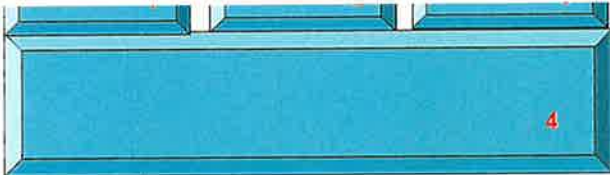
DEPARTMENT STAFF OR WATERMASTER COMMENTS:

The location of the water right POD is with IDWR's Eastern Region and within Water District 120. A request for comment regarding the proposed lease was sent on 7/14/2026. No concerns were received.

ESPA ANALYSIS RESULTS: SOU - 1/1 - 12/31

ENTER STARTING DATE FOR
SIMULATION. THEN PUSH
"UPDATE DATES" BUTTON
YEAR 1939
SEASON WINTER

TRANSFER NO: 0
TRANSFER NAME: test



ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	95	95	0	0
COLUMN	120	117	0	0

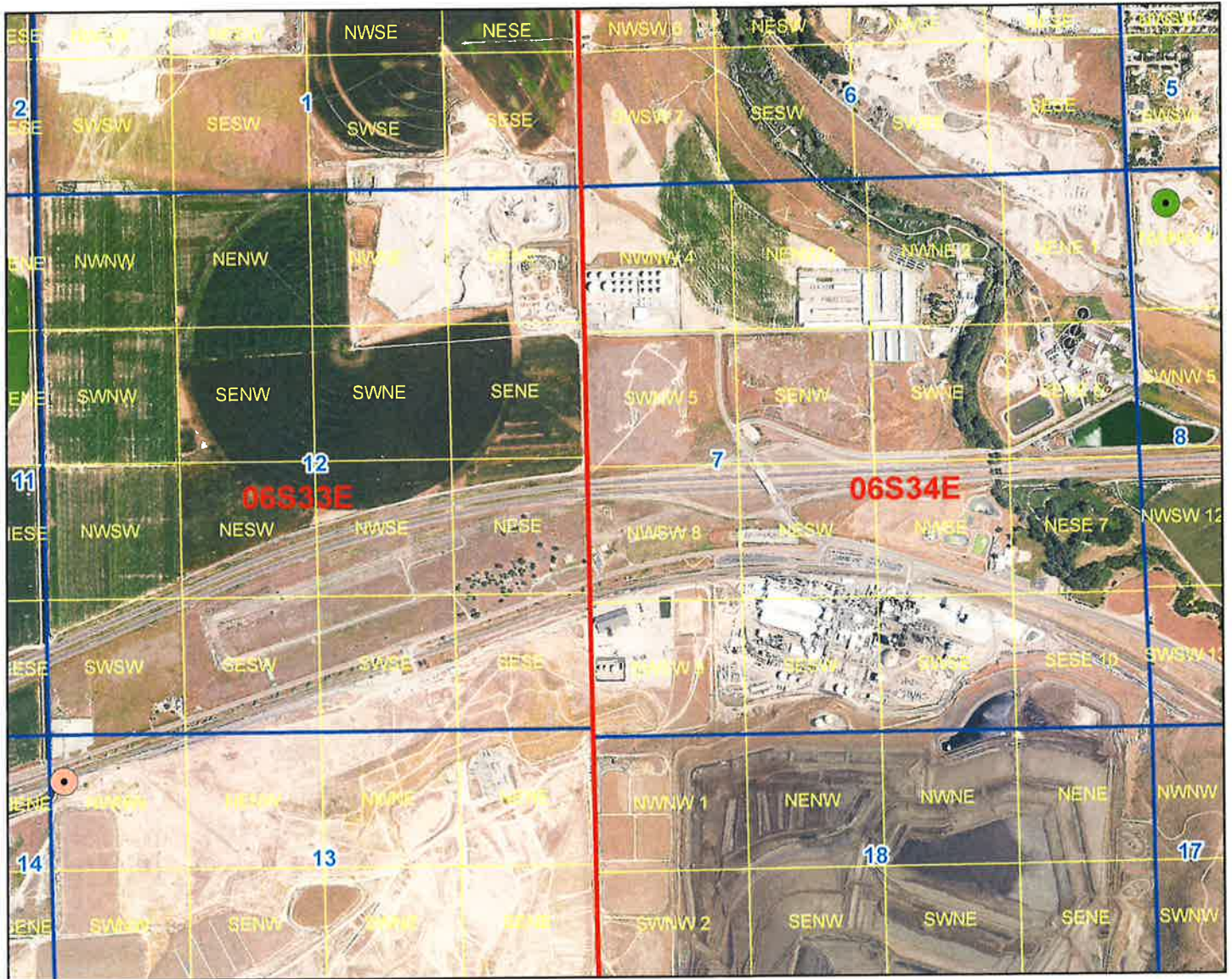
TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
WIN 1939	0.00	31.00	31.00	0.00	0.00	0.00	0.00
SPR 1940	0.00	31.00	31.00	0.00	0.00	0.00	0.00
SUM 1940	0.00	31.00	31.00	0.00	0.00	0.00	0.00
WIN 1940	0.00	31.00	31.00	0.00	0.00	0.00	0.00
SPR 2022	0.00	31.00	31.00	0.00	0.00	0.00	0.00
SUM 2022	0.00	31.00	31.00	0.00	0.00	0.00	0.00
WIN 2022	0.00	31.00	31.00	0.00	0.00	0.00	0.00
SPR 2023	0.00	0.00	31.00	0.00	0.00	0.00	0.00
SUM 2023	0.00	0.00	31.00	0.00	0.00	0.00	0.00
WIN 2023	0.00	0.00	31.00	0.00	0.00	0.00	0.00
SPR 2024	0.00	0.00	31.00	0.00	0.00	0.00	0.00
SUM 2024	0.00	0.00	31.00	0.00	0.00	0.00	0.00
WIN 2024	0.00	0.00	31.00	0.00	0.00	0.00	0.00
SPR 2025	0.00	0.00	31.00	0.00	0.00	0.00	0.00
SUM 2025	0.00	0.00	31.00	0.00	0.00	0.00	0.00
WIN 2025	0.00	0.00	31.00	0.00	0.00	0.00	0.00
SPR 2026	29.00	0.00	31.00	0.00	0.00	0.00	0.00
SUM 2026	29.00	0.00	31.00	0.00	0.00	0.00	0.00
WIN 2026	29.00	0.00	31.00	0.00	0.00	0.00	0.00
SPR 2027	0.00	31.00	31.00	0.00	0.00	0.00	0.00
SUM 2027	0.00	31.00	31.00	0.00	0.00	0.00	0.00
WIN 2027	0.00	31.00	31.00	0.00	0.00	0.00	0.00

Idaho Water Resource Board

WSB Move Map - Rental Application 3466

29-2255C

2026



-  Active Lease POD
-  Proposed Rental POD
-  Township/Range
-  Sections
-  QQ



0 0.1 0.2 0.4 0.6 0.8 Miles



Outlook

WSB Rental Application 3466

From Olson, Aaron <Aaron.Olson@idwr.idaho.gov>

Date Tue 7/14/2026 3:03 PM

To Jordan, Blake <Blake.Jordan@idwr.idaho.gov>

 4 attachments (4 MB)

WSB Rental Application # 3466 - Idaho Materials & Construction.pdf; Rental App Review Memo 3466.docx; Move Map - App 3466.pdf; Rental Agreement 1051 Map.pdf;

Good Afternoon Blake,

The Water Supply Bank received an application to rent water right 29-2255C . Attached is a copy of the review memo, and maps for your review. Please provide any comments or concerns you have with the proposed rental within the next 7 days. If no comments are received in the next 7 days, I will assume there are no issues with this rental and proceed with processing.

Sincerely,

Aaron

Aaron Olson - Water Resource Agent, Principal
Idaho Dept. of Water Resources
322 E Front St Ste 648
Boise, ID 83702-7371
(208) 287-4907
Aaron.Olson@idwr.idaho.gov



Outlook

WSB Rental Application 3466

From Olson, Aaron <Aaron.Olson@idwr.idaho.gov>

Date Tue 7/14/2026 3:03 PM

To Cefalo, James <James.Cefalo@idwr.idaho.gov>

 4 attachments (4 MB)

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Sincerely,

Aaron

Aaron Olson - Water Resource Agent, Principal
Idaho Dept. of Water Resources
322 E Front St Ste 648
Boise, ID 83702-7371
(208) 287-4907
Aaron.Olson@idwr.idaho.gov



RACINE OLSON
ATTORNEYS | PROBLEM SOLVED

RECEIVED

FEB 26 2026

DEPT. OF WATER RESOURCES

February 24, 2026

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

Re: Application to Rent Water from the Water Supply Bank

To whom it may concern:

Enclosed please find the original and one copy of an Application to Rent Water from the Water Supply Bank filed on behalf of Idaho Material and Construction (IMC). This application seeks to rent water under water right no. 29-14013 owned by the City of Chubbuck, which was recently leased into the Bank. IMC rented this water in 2024 under Water Supply Bank Rental Agreement No. 893.

Please file and process the original and conform stamp and return the copy to me in the enclosed stamped and addressed return envelope.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely,

T. J. BUDGE

3466 + 3467