

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 1013

This is to certify that:

RANDALL D BURR
1216 S LAKE POINTE WAY
EAGLE, ID 83616

RECEIVED

JUN 01 2026

**DEPARTMENT OF
WATER RESOURCES**

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)
37-4301	4/15/1939	SPRING	0.17	30.4	8.7	0.020	3.49
Rental Totals			0.17	30.4	8.7	0.020	3.49

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2030. 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 - 2030: \$1,003.20 annually

The full fee for the rental of the above-described right(s) is \$1,003.20 per year for years 2026 - 2030. The rental fee includes an administrative fee of \$100.32 per year for years 2026 - 2030.

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.

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.13	23.1	6.6	0.020	3.50
Combined Total	0.13	23.1	6.6	0.020	3.50

*** The authorized water usage reflects a reduction from the water right elements rented, to account for historic consumptive use.**

Detailed water right conditions are attached.

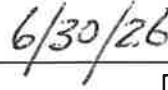
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 1013

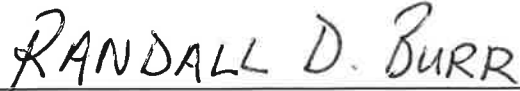
The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:



Signature of Renter



Date



Printed Name

Title

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

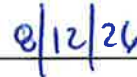
Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water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

By



BRIAN PATTON, Executive Manager
Idaho Water Resource Board

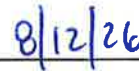
Date



Rental approved by IDWR



Date



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 1013

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

SPRING SINKS NWNW Sec. 14, Twp 02S, Rge 09E, ELMORE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.13 CFS

VOLUME
23.1 AF

SEASON OF USE

From To
4/1 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	
02S	06E	14		6.6															6.6

Total Acres: 6.6

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 at the field headgate for irrigation of the place of use.
10. Diversion of water under this rental agreement is limited to those times water is available for diversion under water right 37-4301 at the original points of diversion, located in the SWNWSE, of Section 12, Township 02S, Range 10E, SENWSE, of Section 12, Township 02S, Range 10E, and NWNENE, of Section 13, Township 02S, Range 10E in Elmore County.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 1013

11. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
12. 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. 37B.

Idaho Water Resource Board
Water Supply Bank Rental Agreement No. 1013

Effective until December 31, 2030

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



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

RECEIVED

AUG 18 2025

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

JAN 25 2023

DEPARTMENT OF
WATER RESOURCES

DEPT. OF WATER RESOURCES

Applicant Name:

RANDALL D. BURR

Is this application being submitted with a lease application as a lease/rental package?
If yes, specify companion water rights in Section 4Yes ☐ No ☒

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)

3272

ZBF

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant RANDY BURR
Mailing Address 1216 South LAKE POINTE WAY, EAGLE, ID 83616
Street City State Zip Code
Email Address randy.burr.md@gmail.com Phone Number 208-841-6006

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**:

Irrigation of Landscape

- 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)
<u>0.13</u> CFS	<u>23.1</u> AF	<u>0.13</u> CFS	<u>23.1</u> AF	<u>6.6</u> 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?	
<u>April 15th 2026</u>	<u>May 1st 2026</u>	☐ 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):

Spring water collected via perforated pipe placed in gravel inside trench.
Delivered to place of use by pump, pipes, hoses.

- 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
<u>See Above</u>	<u>Developed Shallow Spring</u>	<u>None</u>

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 6.6 (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: _____ (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:

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)
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL			
						CFS	AF	AC

**Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.*

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

Will Adjust Crop + irrigated area as necessary

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 rental Agreement #608

Trying diligently to purchase water rights.

- 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:

Will search for Surface water right to purchase
+ transfer

- 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

RD RANDALL D. BURR
Printed Name of Applicant

1/25/2023
Date

Signature of Representative

Printed Name of Representative

Date

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. 608

Effective until December 31, 2022

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

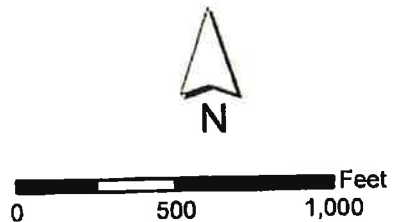
2017 (1 meter)

RGB

■ Red: Red

■ Green: Green

■ Blue: Blue





0006142860

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0006142860

Date Filed: 3/5/2025 8:57:26 AM

Entity Name and Mailing Address:

Entity Name:

BENNETT MOUNTAIN RANCH & FARM, LLC

The file number of this entity on the records of the Idaho

0000502191

Secretary of State is:

Address

1216 S LAKE POINTE WAY
EAGLE, ID 83616-7125

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of
the Idaho Secretary of State was:

W165568

The registered agent on record is:

Registered Agent

RANDALL D. BURR
Registered Agent

Physical Address

1216 S LAKE POINTE WAY
EAGLE, ID 83616

Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
MONA J. BURR	Member	1216 S LAKE POINTE WAY EAGLE, ID 83616
RANDALL D BURR	Manager	1216 S LAKE POINTE WAY EAGLE, ID 83616

The annual report must be signed by an authorized signer of the entity.

Job Title: Member

Mona Burr

Sign Here

03/05/2025

Date

B0994-3943 03/05/2025 8:57 AM Received by Office of the Idaho Secretary of State



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 13, 2026

RANDALL D BURR
1216 S LAKE POINTE WAY
EAGLE, ID 83616

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 37-4301, AGREEMENT 1013**

Dear Renter:

Please find enclosed a receipt in the amount of **\$5,032.50** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the annual rental of 30.4 acre-feet of water for irrigation of 8.7 acres for the years 2026-2030. 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.

A rental fee of **\$5,016** for the entire rental period was calculated based on the current rental rate of \$33.00 per acre-foot times a diversion volume of 30.4 acre-feet and times 5 years. Pursuant to the Water Supply Bank Rules, 90% or \$4,514.40 of the rental fee will be paid to the lessor(s), and 10% or \$501.60 will be retained by the department to offset administrative costs.

The amount received by the department of \$5,032.50 represents an overpayment of \$16.50. As a result, a **refund of \$16.50** has been requested and will be mailed to you under separate cover from the Idaho State Controller's Office.

If you have questions regarding this matter, please contact me at 208 287-4963 or this office at bank@idwr.idaho.gov or 208 287-4800.

Sincerely,

Darin Vrem
Water Supply Bank

Enclosures: Receipt No. C126327
Rental Agreement (copy)

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



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 26, 2026

RANDALL D BURR
1216 S LAKE POINTE WAY
EAGLE, ID 83616

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-4301 AGREEMENT 1013**

*****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 **\$1,003.20 per year** was calculated based on the current rental rate of \$33.00 per acre-foot times a diversion volume of 30.4 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 \$1,003.20 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 \$902.88 of the rental fee will be paid to the lessor(s) and 10% or \$100.32 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 1013

Cheever, Skyler

From: Cheever, Skyler
Sent: Wednesday, May 13, 2026 12:58 PM
To: Skinner, Corey; Rusty Krame
Subject: Water Supply Bank Rental Agreement 1013
Attachments: Rental Review Memo 1013.pdf; Rental Agreement 1013.pdf; Rental Approval Map 1013.pdf

Hello Corey and Rusty,

I have completed my review of Water Supply Bank Rental Application 3272 with the proposed point of diversion within Administrative Basin 37 and Water District 37B. The applicant is Randy Burr. They propose to rent an 8.7-acre portion (limited to 6.6 acres) of lease contract 2181 from the Water Supply Bank from 2026-2030. 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



Idaho Dept. of Water Resources

322 E. Front St. P.O. Box 83720 Boise, ID 83720

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

MEMORANDUM FOR RENTAL AGREEMENT # 1013

To: Water Right No(s). 37-4301

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

Date: 5/12/2026

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

PURPOSE/NARRATIVE:

Application 3272 was sent in by Randal Burr and received by the Idaho Dept. of Water Resources on August 18th, 2026. The applicant proposes to rent 6.6 acres of irrigation from Lease Contract 2181 for Water Right No. (WR) 37-4301 from 2026-2030. The proposed point of diversion (POD) is located within the Snake River Basin and Big Wood River Moratorium Area, Big Wood River Groundwater Management Area, and Trust Water Area. This application is intended as a renewal of Rental Agreement 721 which expired on December 31st, 2026.

AUTHORITY TO FILE:

Randal Burr signed the application. Mr. Burr has the authority to sign the application because he is a Manager with the current property owner, according to Idaho Tax Parcel Data, Bennett Mountain Ranch and Farm according to the Idaho Secretary of States Office Database. Therefore, there are no legal access concerns to the proposed POD or place of use (POU).

INJURY TO OTHER WATER RIGHTS:

The proposed rental POD is 7 miles from the lease POD's. Since the proposed lease and rental POD's divert from springs a rental agreement would only be possible, without causing impacts to other water users, if a determination of hydraulic connectivity is made. The local topography and a previous review conducted by IDWR hydrology staff indicated return flow for the rental enters the same drainage as the lease POD's. In addition, the rental POD is upstream within a losing reach. Therefore, this rental proposal would likely not pose an impact to water users in between the lease and rental POD. However, to address possible injury concerns when water is unavailable at the lease POD's a condition will be placed on the agreement requiring the applicant to only utilize water when available at the lease POD's.

ENLARGEMENT OF USE:

There are no other WR's overlapping the proposed POD or POU. During a review of the same proposal back in 2022 determined there was likely a higher amount of sub-irrigation occurring at the lease POU than at the lease POD. Therefore, the amount of Consumptive Use Irrigation (CUI) was determined and factored into the amount the applicant would need to rent in order to prevent an enlargement of 37-4301 (See review memo for Agreement 608 for additional details regarding calculations). Those calculations determined the applicant would rent 8.7 acres of irrigation, with an equivalent rate and volume, from 37-4301. The authorized rental rate, volume and acres were then reduced to the applicants proposal. I recommend the same rented and authorized values be utilized for this rental proposal to prevent an enlargement. There are no other enlargement concerns.

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.

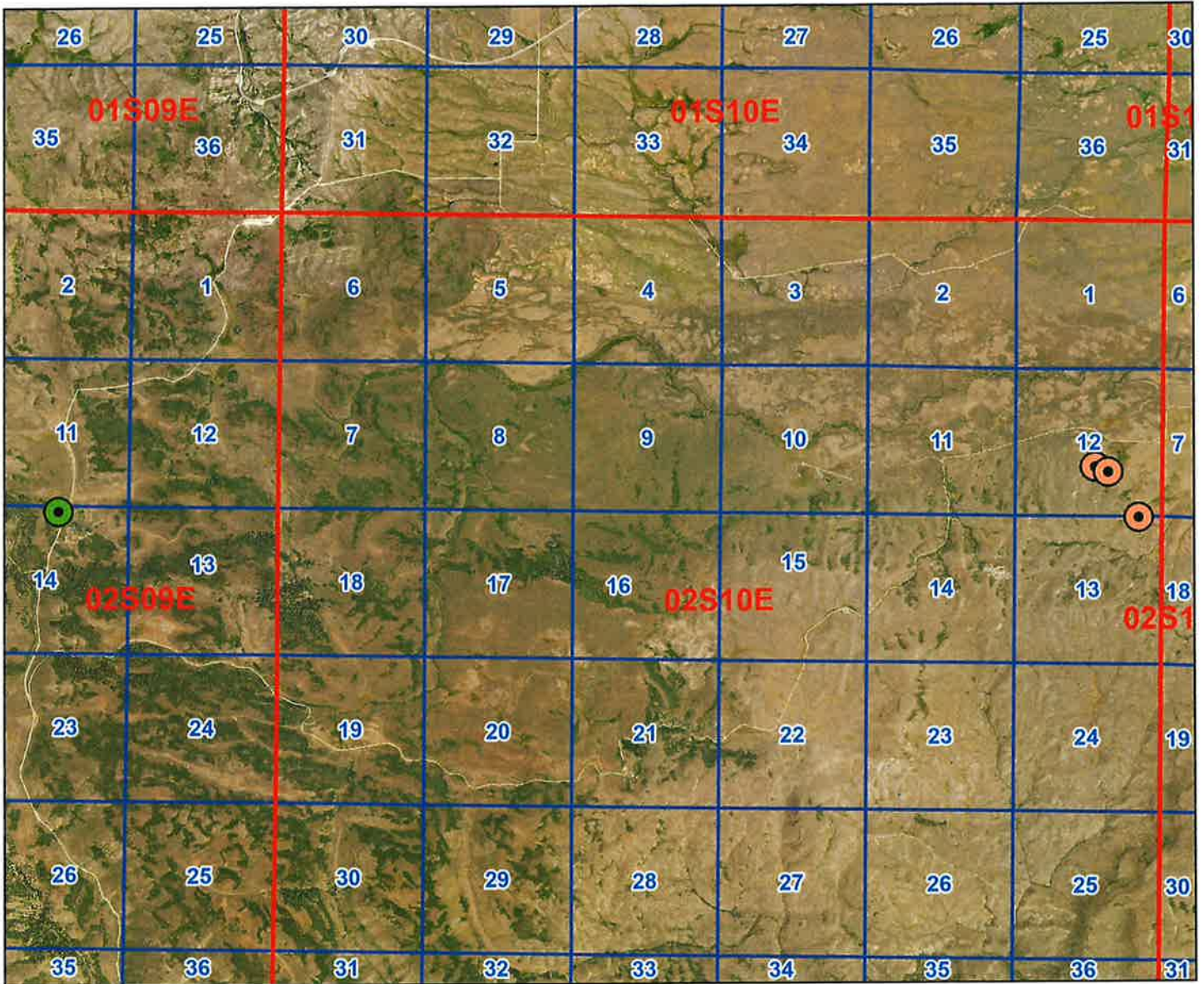
DEPARTMENT STAFF OR WATERMASTER COMMENTS:

The proposed POD is within Administrative Basin 37 and Water District 37B. A request for comment was sent to the Watermaster and IDWR Southern Regional Manager on May 13th, 2026. No concerns were received.

Idaho Water Resource Board

WSB Move Map

37-4301
2026-2030



Legend

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



0 0.5 1 1.5 Miles