

STATE OF IDAHO
WATER RESOURCE BOARD

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

Applicant Name: Fremont-Madison Irrigation District

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	
		<input checked="" type="checkbox"/>	Completed <i>Application to Rent Water from the Board's Water Supply Bank</i>
		<input checked="" type="checkbox"/>	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
Attachment	N/A	Yes	
2		<input checked="" type="checkbox"/>	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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Detailed information on a proposed use of rental water
3F	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Authorization from the owner/operator of the rental point(s) of diversion
3H	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water modeling to account for the impacts of the rental request
3J	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

21-72C

21-13060

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Fremont-Madison Irrigation District

Mailing Address P.O. Box 15, St. Anthony, ID 83445

Street City State Zip Code

Email Address fmid@myidahomail.com Phone Number 208-624-3381

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 Dale L. Swensen Professional Title Executive Director

Organization Fremont-Madison Irrigation District Relationship to Applicant employee

Mailing Address P.O. Box 15, St. Anthony, ID 83445

Email Address fmid@myidahomail.com Phone Number 208-624-3381

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:

Purpose of this rental request is to recharge up to 562 acre feet at the Hughes Pond to provide for mitigation of groundwater wells located within Fremont-Madison Irrigation District and Madison Groundwater District.

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)
CFS	562 AF	CFS	AF	AC

* Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
		<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 5	<input checked="" type="checkbox"/> Process application as soon as possible	<input type="checkbox"/> Return application to applicant
April 1, 2016	June 15, 2016	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* 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
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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):

Water will be diverted from Fall River into the East Branch Fall River Canal, down an earthen channel to the Hughes Pond where the water will be measured for recharge.

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
Headgate	Fall River	21-12953, 21-12956

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

F. Has documented consent from all relevant water delivery entities been obtained? Yes N/A
If yes, include documented consent as Attachment 3F.

G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes No
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

H. Has water modeling been provided with your rental request? Yes N/A
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

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

- Irrigation _____ (number of acres) Duration: Subject to IDWR standard seasons of use
- Commercial from: _____ (mm/dd) to: _____ (mm/dd)
- Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
- Industrial from: _____ (mm/dd) to: _____ (mm/dd)
- Other: Recharge from: 04/01 (mm/dd) to: 11/01 (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)
21-72C	Recharge	3.0						
21-13060	Recharge	.61	562	160.6				
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	3.61	562	160.6
						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:

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:

160.6 acres of land irrigated by leased water rights held by the Ron Green Family Trust are being dried up. The duty of water in that area is 3.5 acre feet per acre which equates to 562 acre feet.

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Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes No
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

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

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? If yes, describe the date and location of the NOV. Yes No

- 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.

Dale L. Swensen
Signature of Applicant

Dale L. Swensen
Printed Name of Applicant

June 3, 2016
Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

APPLICATION TO RENT WATER
ATTACHMENT 3E

Authorization from the owner/operator of the rental point(s) of diversion

This attachment is authorization from Southeast Idaho Canal Company for Fremont-Madison Irrigation District to utilize the canal company's point of diversion and canals to conduct recharge activities at the place of use known as Hughes Pond. The point of diversion, canals, and place of use are all identified on Attachment 1.



Dale L. Swensen

Secretary/Treasurer, Southeast Idaho Canal Company

ATTACHMENT 3K

Authorization from the owner of the property at the proposed rental place of use

I declare that I am the owner of the particular parcel of land known as Hughes Pond and I hereby give permission for Fremont-Madison Irrigation District to use Hughes Pond as a recharge site.

Faun Hughes June 1st 2016
Faun Hughes, Owner

JEFF RAYBOULD, CHAIRMAN

GEORGE CRAPO, SECRETARY-TREASURER

DALE L. SWENSEN, EXECUTIVE DIRECTOR

BOARD MEMBERS
MARK RICKS
GEORGE CRAPO
CLEVE BAGLEY

FREMONT-MADISON IRRIGATION DISTRICT

P.O. BOX 15
ST. ANTHONY, IDAHO 83445
PHONE: 208-624-3381 FAX: 208-624-3990
EMAIL: fmid@fretel.com

BOARD MEMBERS
DENNIS FRANSEN
DOUGLAS HILLAM
SCOTT NEVILLE
JEFF RAYBOULD

June 3, 2016

Remington Buyer
Idaho Dept of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED

JUN 06 2016

DEPARTMENT OF
WATER RESOURCES

Dear Remington:

Please find enclosed an Application to Rent Water From the Board's Water Supply Bank in the name of Fremont-Madison Irrigation District. The application is a companion to an approved lease in the name of The Green Family Trust.

I will email the shape files for attachment 2, a map showing the proposed point of diversion, place of use, and water diversion and distribution systems proposed to be used with the rental request.

As you know a similar rental application was submitted to the Bank but was not approved because of a water right accounting issue with Water District 1. You asked that a new application be filed rather than an amended application. I respectfully request that this new application be put at the first of the applications you are processing since I had in good faith submitted the first application well before the irrigation season began and both you and I expected that the application would be approved for use during this irrigation season.

Please let me know if you have any questions or concerns.

Sincerely,



Dale L. Swensen
Executive Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 13, 2016

FREMONT-MADISON IRRIGATION DISTRICT
C/O DALE SWENSON
PO BOX 15
ST. ANTHONY ID 83445

RE: APPLICATION TO RENT WATER RIGHTS 21-72C and 21-13060 FROM THE WATER SUPPLY BANK

Dear Dale:

The Idaho Department of Water Resources ("Department") acknowledges receipt of your application to rent water rights 21-72C and 21-13060 from the Idaho Water Resource Board's Water Supply Bank ("Bank") in 2016 for the purpose of ground water recharge.

Filing a Bank rental application does not automatically result in approval. Before a rental application can be authorized, the rental request must be reviewed, a rental agreement must be prepared, the agreement must be approved by the applicant and the Department and the rental fee must be paid. To maximize the number of rental applications processed annually while managing competing priorities, the Department begins accepting rental applications on November 1 for use in the next calendar year, and it processes as many applications as possible before the start of the irrigation season in March or April. Once the irrigation season begins, Department staff are reassigned from the Bank to undertake field work and other Departmental duties. Consequently, few rental applications are processed after May 1.

The application cover letter included with your rental request correctly noted that the two above-referenced water rights were not authorized by the Department to be included as part of a previous ground water recharge rental request, recently submitted by Fremont-Madison Irrigation District ("FMID"). The Department has approved and concluded its review of that rental request. Because this rental application is seeking to rent and divert water rights 21-72C and 21-13060 via a new point of diversion, at a new place of use, the Department considers this to be a new rental request. Accordingly, this rental request is being placed into the 2016 rental application cue to be processed as time permits. If the Department is unable to process your application for 2016, it will be retained to be evaluated for 2017. The Department will follow up with you regarding this rental request once application processing commences.

If you have questions regarding this matter, please contact me at 287-4918.

Sincerely,

Remington Buyer
Water Supply Bank Coordinator



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 18, 2016

FREMONT-MADISON IRRIGATION DISTRICT
C/O DALE SWENSON
PO BOX 15
ST ANTHONY ID 83445

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Applicant:

On June 6, 2016 the Idaho Department of Water Resources (Department) received your application to rent water from the Water Supply Bank (Bank) for irrigation during 2016-2020. A letter was sent on June 13, 2016 informing you it was unlikely the application would be processed.

Since the Department was not able to process your application prior to the latest possible start date of the proposed rental period, your application will be retained by the Department to process for the 2017 season.

If you have any questions regarding this matter, please contact me at (208) 287-4910.

Sincerely,

A handwritten signature in cursive script that reads "Christine Field".

 Clay Webster
Water Resource Agent
WSB Process Point of Contact