



RECEIVED

APR 14 2017

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

April 14, 2017

Mr. Shelley Keen
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Re: Water Right Applications 01-07142 and 01-10609

Dear Mr. Keen,

Please find attached eight Memorandums of Intent ("MOIs") between the Idaho Water Resource Board ("IWRB") and various canal companies/ irrigation entities. The purpose of the MOIs are to demonstrate, for purposes of permitting the IWRB's water right applications 01-07142 and 01-10609, that the IWRB has permission from the entities to use their canal systems as the places of use and points of diversion for water right applications 01-07142 and 01-10609. The IWRB requests that these Memorandums of Intent be placed in the backfiles for water rights 01-07142 and 01-10609. Originals will be held in the IWRB files and in the files of each entity.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ann Vonde".

ANN VONDE

Deputy Attorney General

AV/mb
Attachments(8)
cc: Travis Thompson
Kent Fletcher
C. Thomas Arkoosh

MEMORANDUM OF INTENT

DOCUMENTING THE TWIN FALLS CANAL COMPANY'S GRANT OF PERMISSION TO THE IDAHO WATER RESOURCE BOARD TO USE THE CANAL SYSTEM AS THE POINT OF DIVERSION AND PLACE OF USE FOR WATER RIGHT PERMIT 01-0609

THIS MEMORANDUM is made and entered into this 3 day of April, 2017, by and between the IDAHO WATER RESOURCE BOARD ("IWRB") and the TWIN FALLS CANAL COMPANY ("NSCC").

RECITALS

- A. IWRB is seeking water right permit 01-10609 for the purpose of managed aquifer recharge to assist with stabilizing the Eastern Snake Plain Aquifer.
- B. TFCC operates and maintains an extensive canal system with a point of diversion on the Snake River near Milner Dam.
- C. The place of use and point of diversion for water right permit 01-10609 include the canal system operated by TFCC.
- D. The IWRB seeks to convey water to be appropriated under water right 01-10609 through the TFCC canal system as part of the IWRB's managed recharge program.

COVENANTS

- 1. TFCC hereby gives the IWRB permission to use the TFCC canal system as a place of use and point of diversion for purposes of the permitting of water right 01-10609.
- 2. Nothing herein is a guaranty of the delivery of any amount of water under the IWRB's water right 01-10609 through the TFCC canal system.
- 3. An executed Water Conveyance Contract between the IWRB and TFCC is a condition for any delivery of water through the TFCC canal system for managed aquifer recharge efforts pursuant to water right 01-10609.
- 4. The initial term of this contract shall be one (1) year from the date of signing and shall be extended automatically each year under the terms and conditions laid out herein. Either party may terminate this Agreement for any reason by providing written notice to the other 30 days before the end of the term.

5. Nothing in this Agreement shall be construed to give IWRB any rights to the TFCC canal system. IWRB expressly acknowledges that the use of any water under water right 01-10609 in the TFCC canal system is pursuant to the revocable permission authorized through this Agreement and an executed Water Conveyance Contract.

DATED this 14th day of February, 2017.

TWIN FALLS CANAL COMPANY

A handwritten signature in cursive script, appearing to read "Dan Shewmaker", written over a horizontal line.

By: Dan Shewmaker

Its: Chairman of the Board

DATED this 3 day of April, 2017.

IDAHO WATER RESOURCE BOARD

A handwritten signature in dark ink, appearing to read "Roger Chase", written over a horizontal line.

By: Roger Chase

Its: Chairman of the Board

MEMORANDUM OF INTENT

DOCUMENTING THE A&B IRRIGATION DISTRICT'S GRANT OF PERMISSION TO THE IDAHO WATER RESOURCE BOARD TO USE THE CANAL SYSTEM AS A POINT OF DIVERSION AND PLACE OF USE FOR WATER RIGHT PERMIT 01-10609

THIS MEMORANDUM is made and entered into this 3 day of April, 2017, by and between the IDAHO WATER RESOURCE BOARD ("IWRB") and the A&B IRRIGATION DISTRICT ("A&B").

RECITALS

- A. IWRB is seeking water right permit 01-10609 for the purpose of managed aquifer recharge to assist with stabilizing the Eastern Snake Plain Aquifer.
- B. A&B operates and maintains an extensive canal system with points of diversion on the Snake River in the Milner Pool above Milner Dam.
- C. In its proposed place of use and point of diversion elements, water right 01-10609 includes the canal system operated by A&B.
- D. The IWRB seeks to convey water to be appropriated under water rights 01-10609 through the A&B canal system as part of the IWRB's managed recharge program.

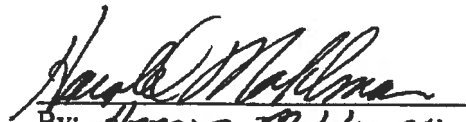
COVENANTS

- 1. A&B hereby gives the IWRB permission to use the A&B canal system as a place of use and point of diversion for purposes of the permitting of water right 01-10609.
- 2. Nothing herein is a guaranty of the delivery of any amount of water under the IWRB's water right 01-10609 through the A&B canal system.
- 3. An executed Water Conveyance Contract between the IWRB and A&B is a condition for any delivery of water through the A&B canal system for managed aquifer recharge efforts pursuant to water right 01-10609.
- 4. The initial term of this contract shall be one (1) year from the date of signing and shall be extended automatically each year under the terms and conditions laid out herein. Either party may terminate this Agreement for any reason by providing written notice to the other 30 days before the end of the term.

5. Nothing in this Agreement shall be construed to give IWRB any rights to the A&B canal system. IWRB expressly acknowledges that the use of any water under water right 01-10609 in the A&B canal system is pursuant to the revocable permission authorized through this Agreement and an executed Water Conveyance Contract.

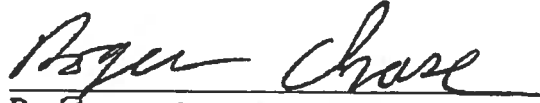
DATED this 10 day of February, 2017.

A&B IRRIGATION DISTRICT


By: Harold Muhlman
Its: Chairman

DATED this 3 day of April, 2017.

IDAHO WATER RESOURCE BOARD



By: Roger Chase

Its: Chairman of the Board

MEMORANDUM OF INTENT

DOCUMENTING AMERICAN FALLS RESERVOIR DISTRICT #2'S GRANT OF PERMISSION TO THE IDAHO WATER RESOURCE BOARD TO USE THE CANAL SYSTEM AS A POINT OF DIVERSION AND PLACE OF USE FOR WATER RIGHT PERMIT 01-10609

THIS MEMORANDUM is made and entered into this 19 day of January, 201~~6~~⁷, by and between the IDAHO WATER RESOURCE BOARD ("IWRB") and AMERICAN FALLS RESERVOIR DISTRICT #2 ("AFRD#2").

RECITALS

- A. IWRB is seeking water right permit 01-10609 for the purpose of managed aquifer recharge to assist with stabilizing the Eastern Snake Plain Aquifer.
- B. AFRD#2 operates and maintains an extensive canal system with a point of diversion on the Snake River near Milner Dam.
- C. The places of use and points of diversion for water right permit 01-10609 include the canal system operated by AFRD#2.
- D. The IWRB seeks to convey water to be appropriated under water rights 01-10609 through the AFRD#2 canal system as part of the IWRB's managed recharge program.

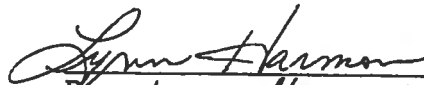
COVENANTS

- 1. AFRD#2 hereby gives the IWRB permission to use the AFRD#2 canal system as a place of use and point of diversion for purposes of the permitting of water right 01-10609.
- 2. Nothing herein is a guaranty of the delivery of any amount of water under the IWRB's water right 01-10609 through the AFRD#2 canal system.
- 3. An executed Water Conveyance Contract between the IWRB and AFRD#2 is a condition for any delivery of water through the AFRD#2 canal system for managed aquifer recharge efforts pursuant to water right 01-10609.
- 4. The initial term of this contract shall be one (1) year from the date of signing and shall be extended automatically each year under the terms and conditions laid out herein. Either party may terminate this Agreement for any reason by providing written notice to the other 30 days before the end of the term.

5. Nothing in this Agreement shall be construed to give IWRB any rights to the AFRD#2 canal system. IWRB expressly acknowledges that the use of any water under water right 01-10609 in the AFRD#2 canal system is pursuant to the revocable permission authorized through this Agreement and an executed Water Conveyance Contract.

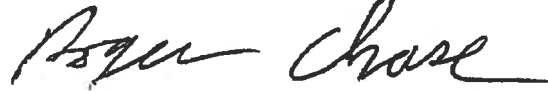
DATED this 19 day of January, 2017.

AMERICAN FALLS RESERVOIR DISTRICT #2


By: Lynn Harmon
Its: General Manager

DATED this 3 day of April, 2016.

IDAHO WATER RESOURCE BOARD



By: Roger Chase

Its: Chairman of the Board

MEMORANDUM OF INTENT

DOCUMENTING THE BURLEY IRRIGATION DISTRICT'S GRANT OF PERMISSION TO THE IDAHO WATER RESOURCE BOARD TO USE THE CANAL SYSTEM AS A POINT OF DIVERSION AND PLACE OF USE FOR WATER RIGHT PERMIT 01-10609

THIS MEMORANDUM is made and entered into this 14th day of February, 2016, by and between the IDAHO WATER RESOURCE BOARD ("IWRB") and the BURLEY IRRIGATION DISTRICT ("BID").

RECITALS

- A. IWRB is seeking water right permit 01-10609 for the purpose of managed aquifer recharge to assist with stabilizing the Eastern Snake Plain Aquifer.
- B. BID operates and maintains an extensive canal system with a point of diversion on the Snake River near Minidoka Dam.
- C. In its proposed place of use and point of diversion elements, water right 01-10609 includes the canal system operated by MID.
- D. The IWRB seeks to convey water to be appropriated under water rights 01-10609 through the BID canal system as part of the IWRB's managed recharge program.

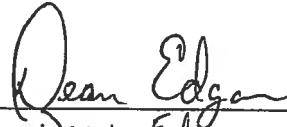
COVENANTS

- 1. BID hereby gives the IWRB permission to use the BID canal system as a place of use and point of diversion for purposes of the permitting of water right 01-10609.
- 2. Nothing herein is a guaranty of the delivery of any amount of water under the IWRB's water right 01-10609 through the BID canal system.
- 3. An executed Water Conveyance Contract between the IWRB and BID is a condition for any delivery of water through the BID canal system for managed aquifer recharge efforts pursuant to water right 01-10609.
- 4. The initial term of this contract shall be one (1) year from the date of signing and shall be extended automatically each year under the terms and conditions laid out herein. Either party may terminate this Agreement for any reason by providing written notice to the other 30 days before the end of the term.

5. Nothing in this Agreement shall be construed to give IWRB any rights to the BID canal system. IWRB expressly acknowledges that the use of any water under water right 01-10609 in the BID canal system is pursuant to the revocable permission authorized through this Agreement and an executed Water Conveyance Contract.

DATED this 14th day of February, 2017.

BURLEY IRRIGATION DISTRICT


By: Dean Edgar
Its: President

DATED this 3 day of April, 2017.

IDAHO WATER RESOURCE BOARD

A handwritten signature in black ink, appearing to read "Roger Chase", written over a horizontal line.

By: Roger Chase

Its: Chairman of the Board

MEMORANDUM OF INTENT

DOCUMENTING THE MILNER IRRIGATION DISTRICT'S GRANT OF PERMISSION TO THE IDAHO WATER RESOURCE BOARD TO USE THE CANAL SYSTEM AS A POINT OF DIVERSION AND PLACE OF USE FOR WATER RIGHT PERMIT 01-10609

THIS MEMORANDUM is made and entered into this 8th day of March, 2017, by and between the IDAHO WATER RESOURCE BOARD ("IWRB") and the MILNER IRRIGATION DISTRICT ("Milner").

RECITALS

- . IWRB is seeking water right permit 01-10609 for the purpose of managed aquifer recharge to assist with stabilizing the Eastern Snake Plain Aquifer.
- . Milner operates and maintains an extensive canal system with a point of diversion on the Snake River near Milner Dam.
- . In its proposed place of use and point of diversion elements, water right 01-10609 includes the canal system operated by Milner.
- . The IWRB seeks to convey water to be appropriated under water rights 01-10609 through the Milner canal system as part of the IWRB's managed recharge program.

COVENANTS

1. Milner hereby gives the IWRB permission to use the Milner canal system as a place of use and point of diversion for purposes of the permitting of water right 01-10609.
2. Nothing herein is a guaranty of the delivery of any amount of water under the IWRB's water right 01-10609 through the Milner canal system.
3. An executed Water Conveyance Contract between the IWRB and Milner is a condition for any delivery of water through the Milner canal system for managed aquifer recharge efforts pursuant to water right 01-10609.
4. The initial term of this contract shall be one (1) year from the date of signing and shall be extended automatically each year under the terms and conditions laid out herein. Either party may terminate this Agreement for any reason by providing written notice to the other 30 days before the end of the term.
5. Nothing in this Agreement shall be construed to give IWRB any rights to the Milner canal system. IWRB expressly acknowledges that the use of any water under water right 01-10609 in the Milner canal system is pursuant to the revocable permission authorized through this Agreement and an executed Water Conveyance Contract.

DATED this 8th day of MARCH, 2017.

MILNER IRRIGATION DISTRICT

Scott Breeding

By: SCOTT BREEDING

Its: CHAIRMAN OF THE BOARD

DATED this 8th day of MARCH, 2017.

IDAHO WATER RESOURCE BOARD

Roger Chase

By: Roger Chase

Its: Chairman of the Board

MEMORANDUM OF INTENT (Milner / 01-10609)

MEMORANDUM OF INTENT

DOCUMENTING THE MINIDOKA IRRIGATION DISTRICT'S GRANT OF PERMISSION TO THE IDAHO WATER RESOURCE BOARD TO USE THE CANAL SYSTEM AS A POINT OF DIVERSION AND PLACE OF USE FOR WATER RIGHT PERMIT 01-10609

THIS MEMORANDUM is made and entered into this 14 day of February, 2017, by and between the IDAHO WATER RESOURCE BOARD ("IWRB") and the MINIDOKA IRRIGATION DISTRICT ("MID").

RECITALS

- A. IWRB is seeking water right permit 01-10609 for the purpose of managed aquifer recharge to assist with stabilizing the Eastern Snake Plain Aquifer.
- B. MID operates and maintains an extensive canal system with a point of diversion on the Snake River near Minidoka Dam.
- C. In its proposed place of use and point of diversion elements, water right 01-10609 includes the canal system operated by MID.
- D. The IWRB seeks to convey water to be appropriated under water rights 01-10609 through the MID canal system as part of the IWRB's managed recharge program.

COVENANTS

- 1. MID hereby gives the IWRB permission to use the MID canal system as a place of use and point of diversion for purposes of the permitting of water right 01-10609.
- 2. Nothing herein is a guaranty of the delivery of any amount of water under the IWRB's water right 01-10609 through the MID canal system.
- 3. An executed Water Conveyance Contract between the IWRB and MID is a condition for any delivery of water through the MID canal system for managed aquifer recharge efforts pursuant to water right 01-10609.
- 4. The initial term of this contract shall be one (1) year from the date of signing and shall be extended automatically each year under the terms and conditions laid out herein. Either party may terminate this Agreement for any reason by providing written notice to the other 30 days before the end of the term.

5. Nothing in this Agreement shall be construed to give IWRB any rights to the MID canal system. IWRB expressly acknowledges that the use of any water under water right 01-10609 in the MID canal system is pursuant to the revocable permission authorized through this Agreement and an executed Water Conveyance Contract.

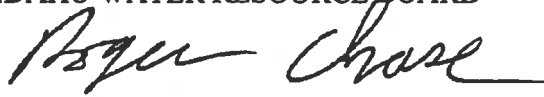
DATED this 14 day of Feb 2017, ~~2017~~

MINIDOKA IRRIGATION DISTRICT

By: Ronald King
Its: Chairman

DATED this 3 day of April, 2018.

IDAHO WATER RESOURCE BOARD



By: Roger Chase

Its: Chairman of the Board



IDAHO SOIL & WATER CONSERVATION COMMISSION

COMMISSION

Item 5a

H. Norman Wright
Chairman

Jerry Trebesch
Vice Chairman

Leon Slichter
Secretary

Dave Radford
Commissioner

Glen Gier
Commissioner

Teri A. Murrison
Administrator

**TO: CHAIRMAN WRIGHT, COMMISSIONERS GIER, RADFORD, SLICHTER, AND
TREBESCH**
FROM: TERRY HOEBELHEINRICH, LOAN OFFICER
DATE: March 31, 2017
**RE: RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT PROGRAM
UPDATE**

Since the last report date of January 3, the following activities have been conducted by staff:

Marketing	Activities <ul style="list-style-type: none">• Attended Irrigation & Equipment Show (Burley)• Contacted 11 NRCS District Conservationists/Offices• Attended Soil Health Symposium (Ontario)• Attended Idaho Family Forest Owners Association (Moscow)• Did not attend (due to inclement weather) North Central Idaho Grazing Conference in Lewiston• Attended NRCS Technical Advisory Committee Meeting• Evaluated Statute & Rules with legal counsel for expanded or new lending options to be presented at your May meeting for consideration
Loan Applications	<ul style="list-style-type: none">• Responded to 16 loan inquiries, performed complex assessment/evaluation of 3 inquiries• Processed 2 applications• Approved 2 loans (\$50,000, \$49,000)• Disbursed on 4 loans (totaling \$251,475)
Loan Portfolio	<ul style="list-style-type: none">• 70 loans, \$2,874,630• \$160,919 approved, but not disbursed• No Delinquencies

ACTION: For Information Only

[Return to Agenda](#)

MEMORANDUM OF INTENT

DOCUMENTING SOUTHWEST IRRIGATION DISTRICT'S GRANT OF PERMISSION TO THE IDAHO WATER RESOURCE BOARD TO USE THE CANAL SYSTEM AS A POINT OF DIVERSION AND PLACE OF USE FOR WATER RIGHT PERMIT 01-10609

THIS MEMORANDUM is made and entered into this 23 day of September, 2016, by and between the IDAHO WATER RESOURCE BOARD ("IWRB") and SOUTHWEST IRRIGATION DISTRICT ("SWID").

RECITALS

- A. IWRB is seeking water right permit 01-10609 for the purpose of managed aquifer recharge to assist with stabilizing the Eastern Snake Plain Aquifer.
- B. SWID operates and maintains an extensive water delivery system with a point of diversion on the Snake River in the Milner Pool above Milner Dam.
- C. The places of use and points of diversion for water right permit 01-10609 include the water delivery system operated by SWID.
- D. The IWRB seeks to convey water to be appropriated under water rights 01-10609 through the SWID water delivery system as part of the IWRB's managed recharge program.

COVENANTS

- 1. SWID hereby gives the IWRB permission to use the SWID water delivery system as a place of use and point of diversion for purposes of the permitting of water right 01-10609.
- 2. Nothing herein is a guaranty of the delivery of any amount of water under the IWRB's water right 01-10609 through the SWID water delivery system.
- 3. An executed Water Conveyance Contract between the IWRB and SWID is a condition for any delivery of water through the SWID water delivery system for managed aquifer recharge efforts pursuant to water right 01-10609.
- 4. The initial term of this contract shall be one (1) year from the date of signing and shall be extended automatically each year under the terms and conditions laid out herein. Either party may terminate this Agreement for any reason by providing written notice to the other 30 days before the end of the term.

5. Nothing in this Agreement shall be construed to give IWRB any rights to the SWID water delivery system. IWRB expressly acknowledges that the use of any water under water right 01-10609 in the SWID water delivery system is pursuant to the revocable permission authorized through this Agreement and an executed Water Conveyance Contract.

DATED this 23 day of September, 2016.

SOUTHWEST IRRIGATION DISTRICT

Randy Brown
By: Chairman
Its: _____

DATED this 3 day of April, 2016.

IDAHO WATER RESOURCE BOARD



By: Roger Chase

Its: Chairman of the Board

MEMORANDUM OF INTENT

DOCUMENTING THE NORTH SIDE CANAL COMPANY'S GRANT OF PERMISSION TO THE IDAHO WATER RESOURCE BOARD TO USE THE CANAL SYSTEM AS THE POINT OF DIVERSION AND PLACE OF USE FOR WATER RIGHT PERMIT 01-07142

THIS MEMORANDUM is made and entered into this 3 day of April, 2016, by and between the IDAHO WATER RESOURCE BOARD ("IWRB") and the NORTH SIDE CANAL COMPANY ("NSCC").

RECITALS

- A. IWRB is seeking water right permit 01-07142 for the purpose of managed aquifer recharge to assist with stabilizing the Eastern Snake Plain Aquifer.
- B. NSCC operates and maintains an extensive canal system with points of diversion on the Snake River near Milner Dam.
- C. The place of use and points of diversion for water right permit 01-07142 are within the canal system operated by NSCC.
- D. The IWRB seeks to convey water to be appropriated under water right 01-07142 through the NSCC canal system as part of the IWRB's managed recharge program.

COVENANTS

- 1. NSCC hereby gives the IWRB permission to use the NSCC canal system as the place of use and point of diversion for purposes of the permitting of water right 01-07142.
- 2. Nothing herein is a guaranty of the delivery of any amount of water under the IWRB's water right 01-07142 through the NSCC canal system.
- 3. An executed Water Conveyance Contract between the IWRB and NSCC is a condition for any delivery of water through the NSCC canal system for managed aquifer recharge efforts pursuant to water right 01-7142.
- 4. The initial term of this contract shall be one (1) year from the date of signing and shall be extended automatically each year under the terms and conditions laid out herein. Either party may terminate this Agreement for any reason by providing written notice to the other 30 days before the end of the term.

5. Nothing in this Agreement shall be construed to give IWRB any rights to the NSCC canal system. IWRB expressly acknowledges that the use of any water under water right 01-07142 in the NSCC canal system is pursuant to the revocable permission authorized through this Agreement and an executed Water Conveyance Contract.

DATED this 14 day of October, 2016.

NORTH SIDE CANAL COMPANY

John Beukers
By: John Beukers
Its: Chairman

DATED this 3 day of April, 2016.

IDAHO WATER RESOURCE BOARD

A handwritten signature in black ink, appearing to read "Roger Chase", written over a horizontal line.

By: Roger Chase

Its: Chairman of the Board