What is "the Bank?"

- Exchange market operated by the IWRB to facilitate marketing of water rights
- Provides mechanism to temporarily change water rights
- Can be a substitute for transfers

Source: IDAPA 37.02.03.01 and Idaho Code 42-1764
What are the purposes of the Bank?

• Encourage the highest beneficial use of water
• Provide a source of water supplies to benefit new and supplemental uses
• Provide funding source for improving water user facilities and efficiencies

Source: Idaho Code Section 42-1761 and IDAPA 37.02.03

What isn’t “the Bank?”

• Not a rental pool
Bank v. Rental Pools

Board’s Bank
- Managed by IDWR for the IWRB
- Throughout Idaho
- Ground and surface water – live/natural flow

Rental pool
- Managed by local committee
- Specific watersheds
- Largely storage water

Vocabulary
- Lease – into the Bank
- Rent – from the Bank
Leasing

- Generally 1-5 years
- Some grandfathered indefinite
- Current filing fee: $0
- Proposed fee: $250 per water right
- Protection from forfeiture
- Potential rental fees

Leasing

- Owner must not use right
  - Even if not rented
  - Land is idled for duration
- Leases conditioned in accordance with other rights
- Lessor receives 90% of rental fees
  - 10% to IDWR
  - Proposed: 75% and 25%
Leasing – review considerations

• Recorded
• Ownership
• Forfeiture or abandonment
• Availability of source to fill right
• Consistent with State Water Plan
• In the local public interest
• If rented, no enlargement

Source: IDAPA 37.02.03.025

Renting

• Generally 1-5 years
• Rentals conditioned in accordance with other rights
• Fee: $14 per AF
Renting – review considerations

- Must be hydraulic connection between leased right and rental location
- Rental cannot be for use requiring permanent water right
- Does not authorize new well construction
- Payment must be received

Renting – review considerations

- Injury to other water rights
- Enlargement of the water right
- Water put to beneficial use
- Sufficiency of water supply
- In the local public interest

Source: IDAPA 37.02.03.030
The Numbers

Rentals and leases by year


- # rentals

- leases

The Numbers

Total volume rented or leased by year

350000
300000
250000
200000
150000
100000
50000
0


Total vol rentals (AF)
Total vol leases (AF)

*The increases in 2004 and 2005 result from a flow augmentation program pursued by the Bureau of Reclamation.
The Numbers

Leases and rentals by basin

Number of lease applications in Basin 63 by source

Ground water
Surface water
The Numbers

Number of rental apps in Basin 63 by source

- Groundwater
- Surface water

The Numbers

Diversion rate by source (PID excluded)

- Rentals (gw)
- Rentals (sw)
- Leases (gw)
- Leases (sw)
Questions