

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 648

RECEIVED

AUG 01 2022

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

NELSEN FARMS
120 E 600 N
JEROME, ID 83338-5021

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)
36-17110	2/25/1953	GROUND WATER	0.06	15.0	0.0
Combined Rental Totals			0.06	15.0	0.0

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2022. 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 2022, whichever occurs last.

Annual Rental Fee:

2022: \$300.00

The full fee for the rental of the above-described right(s) is \$300.00 for 2022. The rental fee includes an administrative fee of \$30.00 for 2022.

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.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 648

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:

Cade Nelson
Signature of Renter

7-28-22
Date

Cade Nelson
Printed Name

Managing member
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
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 8/2/22

Rental approved by IDWR FP

Date 8/2/22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 648

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L3(NESW) Sec. 7, Twp 07S, Rge 17E,	JEROME County
GROUND WATER	L3(NESW) Sec. 7, Twp 07S, Rge 17E,	JEROME County

BENEFICIAL USE
STOCKWATER

DIVERSION RATE
0.06 CFS

VOLUME
15.0 AF

SEASON OF USE

From	To
1/1	12/31

RENTERS PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	17E	7									X L3								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. 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. 130.
10. 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 648

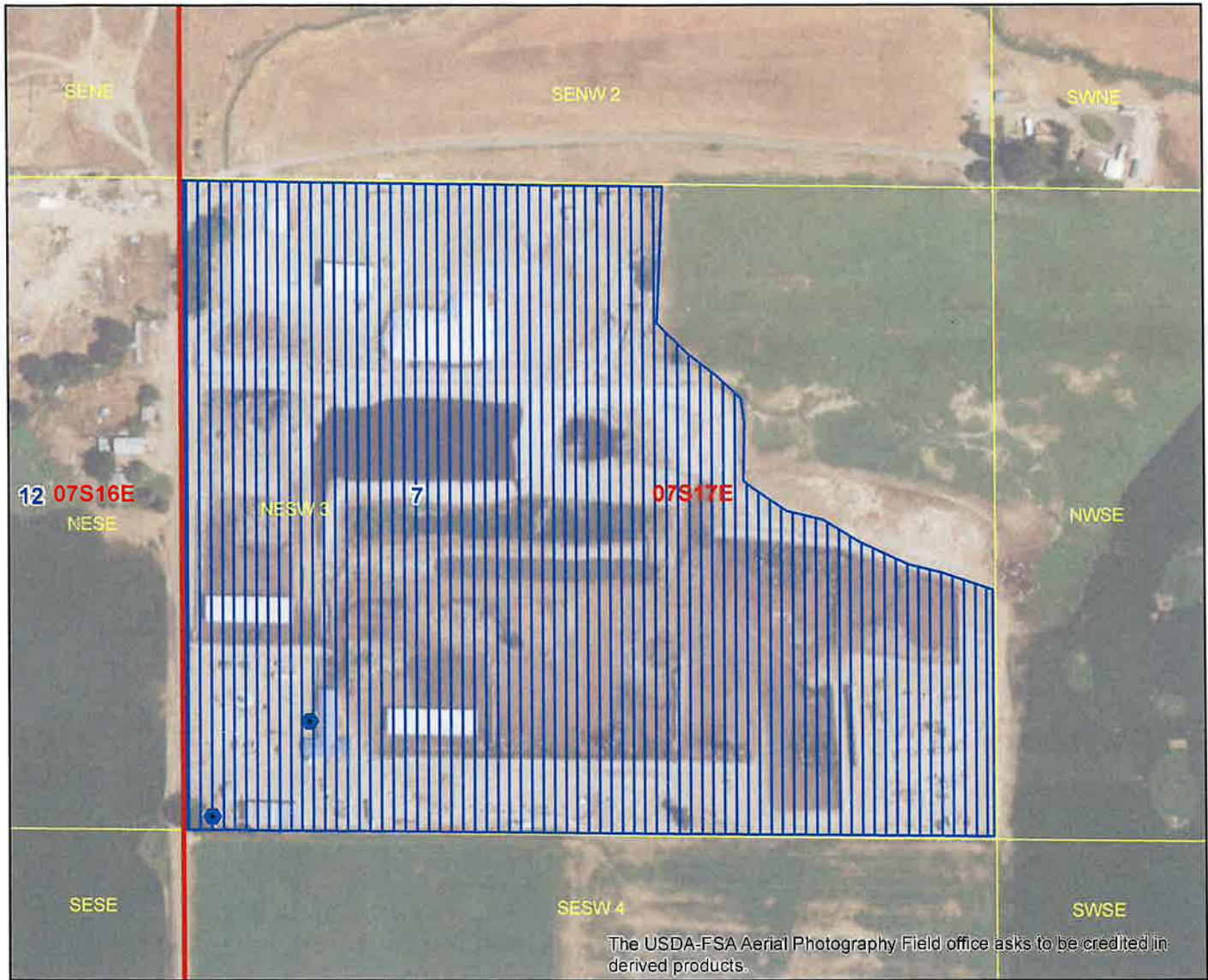
11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
13. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
14. This rental agreement does not authorize the construction of a well.

Idaho Water Resource Board

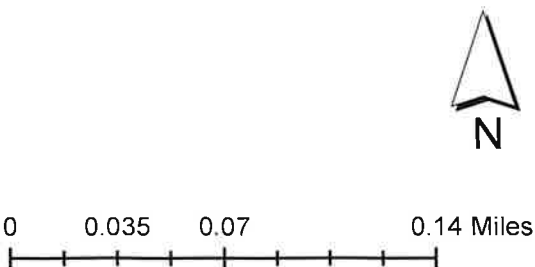
Attachment to Water Supply Bank Rental Agreement No. 648

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.



- Water Supply Bank Rental POD
- Water Supply Bank Rental POU
- Township/Range
- Sections
- QQ



STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKRECEIVED
MAR 03 2022
DEPARTMENT OF
WATER RESOURCESApplicant Name: Nelsen Farms LLC

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)

36-17110

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Nelsen Farms LLC

Mailing Address <u>120 E. 600 N.</u>	<u>Jerome</u>	ID.	<u>83338</u>
Street	City	State	Zip Code
Email Address <u>cadenelsen@gmail.com</u>	Phone Number <u>(208) 316-1924</u>		

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 <u>Hal N. Anderson</u>	Professional Title <u>Managing Partner</u>
Organization <u>Idaho Water Engineering</u>	Relationship to Applicant <u>Consultant</u>
Mailing Address <u>2918 N. El Rancho Pl., Boise ID. 83704</u>	
Email Address <u>hal@idahowaterengineering.com</u>	Phone Number <u>(208)830-5525</u>

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**:

Exceeding authorized Volume limitation by 15 a/f annually

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	15 AF	CFS	15 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?	
1/1/2022	3/1/2022	☒ 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):

Wells

- 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
NWSW Lt.3 S7 T07SR17E	Groundwater	36-8745
NWSW Lt.3S7T07SR17E	Groundwater	36-8745

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: 01/01 (mm/dd) to: 12/31 (mm/dd)
- ☒ Stockwater from: 01/01 (mm/dd) to: 12/31 (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:

36-8745

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)
36-17100	Stock&Comm.	.33	8604				15	
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		15	
						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**:

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:

Rental Agreement No. 589, 2021

- 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

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.

Cade Nelson
 Signature of Applicant

Cade Nelson
 Printed Name of Applicant

2/28/22
 Date

Hal N. Anderson
 Signature of Representative

Hal N. Anderson
 Printed Name of Representative

2/11/2022
 Date

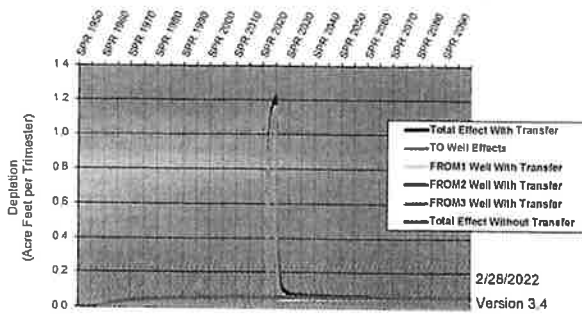
Mail to:

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

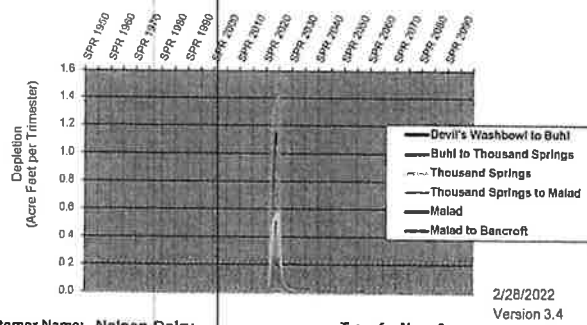
Hydrologic Response--Devil's Washbowl to Buhl

Customer Name: Nelsen Dairy

Transfer No: 0



Net Transfer Effect Below Milner (Total Effect With Transfer - Total Effect Without Transfer)



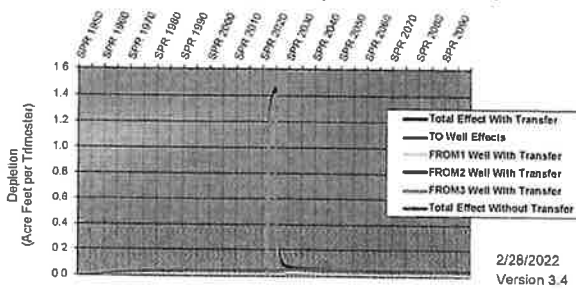
Customer Name: Nelsen Dairy

Transfer No: 0

Hydrologic Response--Buhl to Thousand Springs

Customer Name: Nelsen Dairy

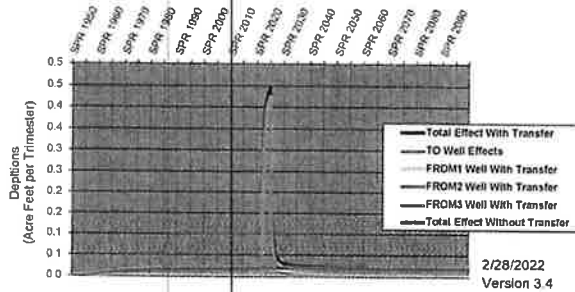
Transfer No: 0



Hydrologic Response--Thousand Springs to Malad

Customer Name: Nelsen

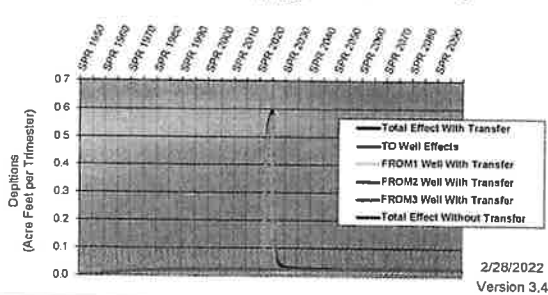
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Hydrologic Response--Thousand Springs

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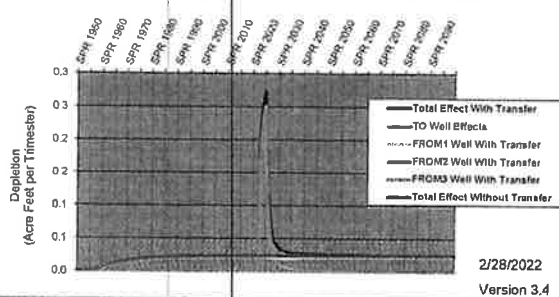
Transfer No: 0



Hydrologic Response--Malad

Customer Name: Nelsen

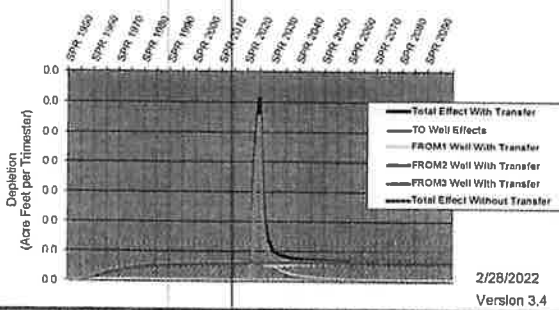
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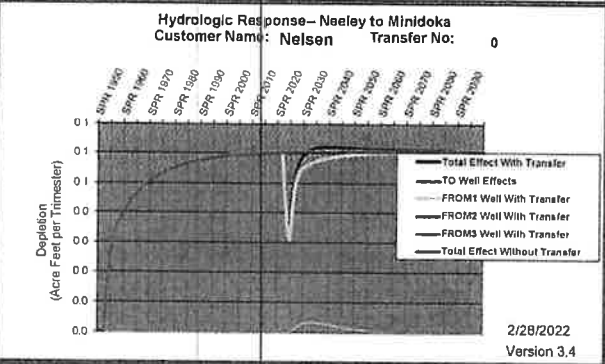
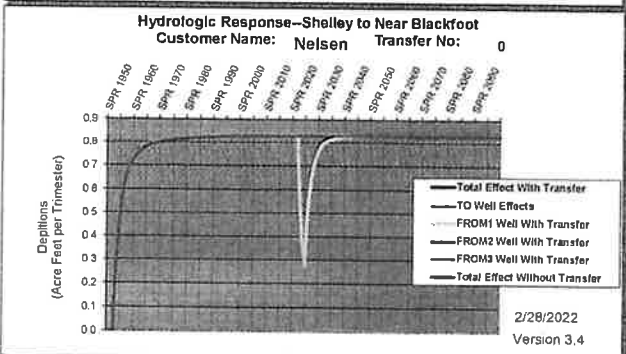
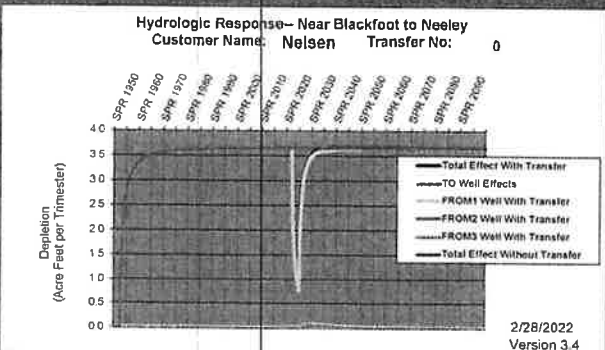
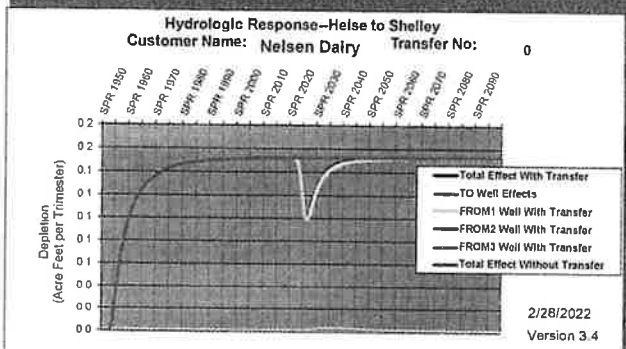
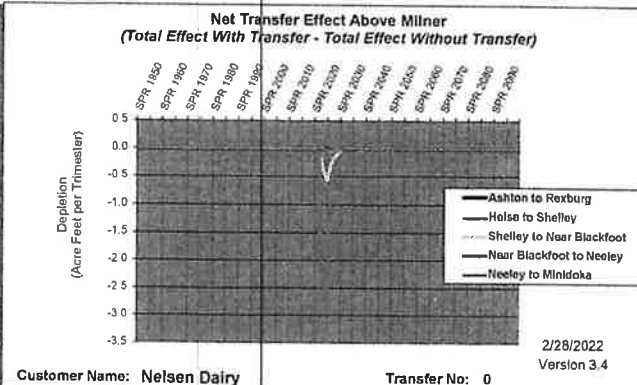
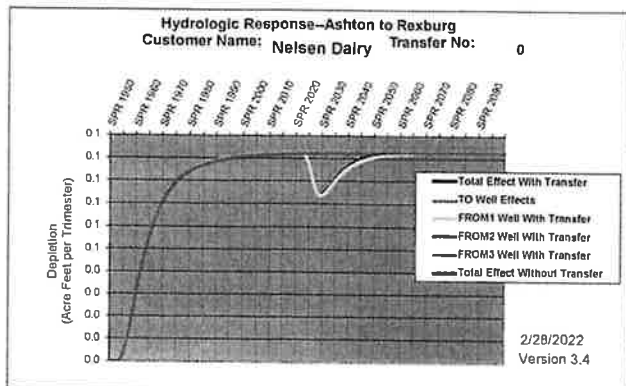


Hydrologic Response--Malad to Bancroft

Customer Name: Nelsen

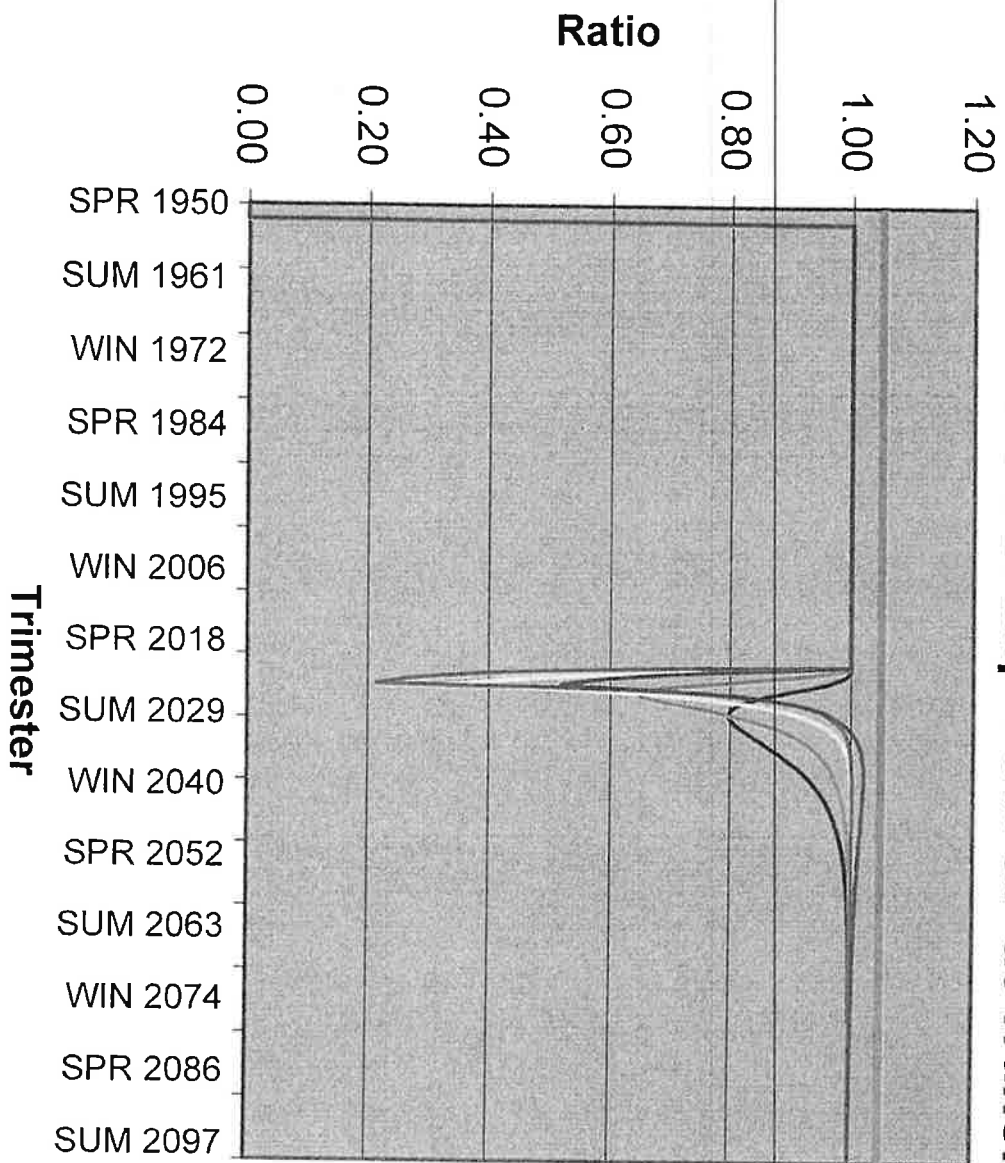
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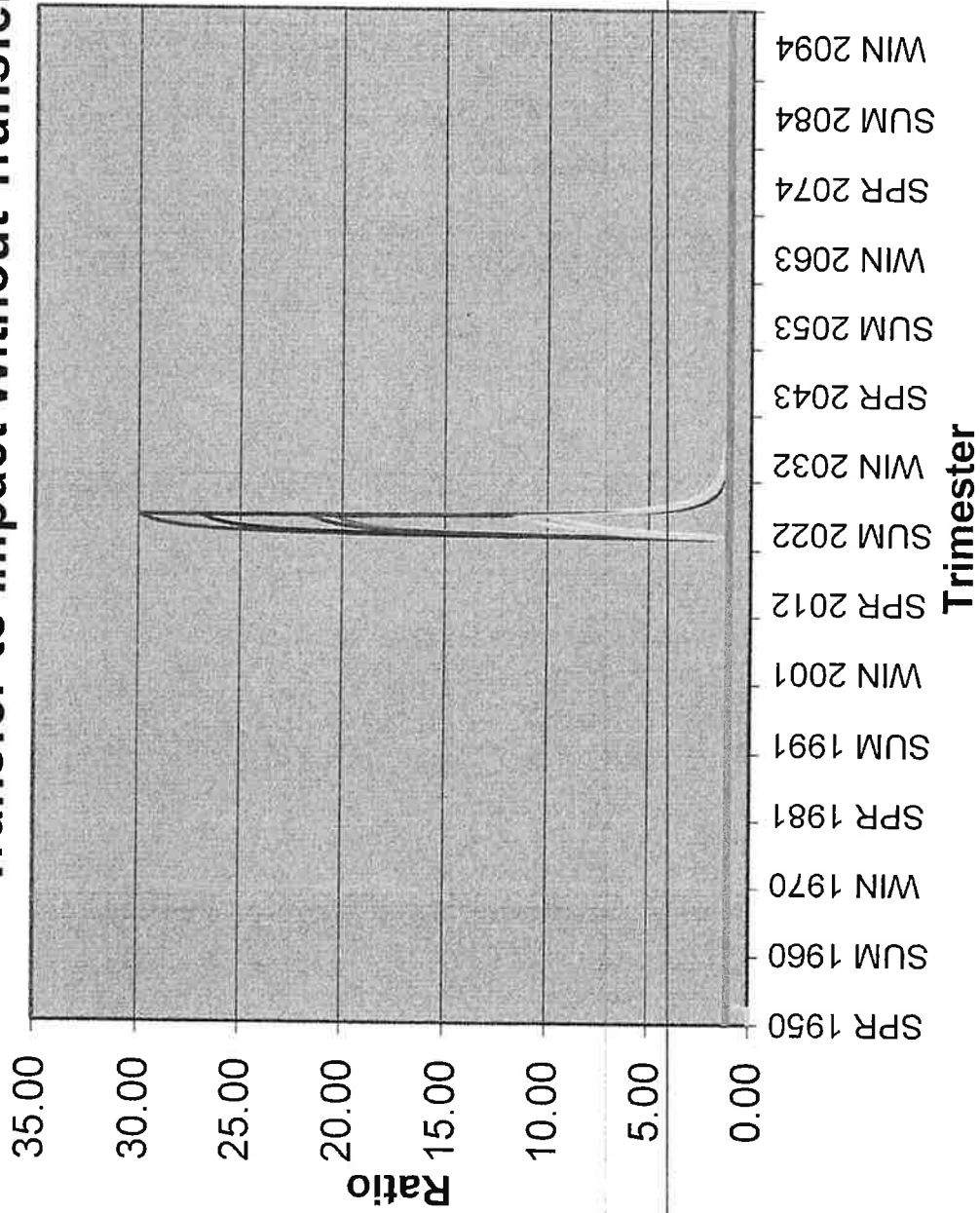
FRG

Change Above Milner as Ratio of Impact With Transfer to Impact Without Transfer



- Asht to Rexburg
- Heise to Shelley
- Shelley to Nr. Bickft.
- Nr. Bickft to Neeley
- Neeley to Mindoka
- 5% Limit

Change Below Milner as Ratio of Impact With Transfer to Impact Without Transfer



— DWB to Buhl
 — Buhl to Kspr
 — Kspr
 — Kspr to Malad
 — Malad
 — Malad to Bancr.
 — 5% Limit

Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 589

Effective until December 31, 2021

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



0 500 1,000 Feet

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are
set up for user entries

UPDATE
DATES

RUN
MODEL

GET
OUTPUT

ENTER STARTING DATE FOR
SIMULATION. THEN PUSH
"UPDATE DATES" BUTTON

TRANSFER NO:

YEAR 1950
SEASON

TRANSFER NAME:
Nelsen Dairy

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	TO CELL	FROM1' CELL	FROM2' CELL	FROM3' CELL
ROW	48	72		
COLUMN	29	65		

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1950	0	0	0	0	0	0	0
SUM 1950	0	0	0	0	0	0	0
WIN 1950	0	0	0	0	0	0	0
SPR 1951	0	0	0	0	0	0	0
SUM 1951	0	0	0	0	0	0	0
WIN 1951	0	0	0	0	0	0	0
SPR 1952	0	0	0	0	0	0	0
SUM 1952	0	0	0	0	0	0	0
WIN 1952	0	5	5	0	0	0	0
SPR 1953	0	5	5	0	0	0	0
SUM 1953	0	5	5	0	0	0	0
WIN 1953	0	5	5	0	0	0	0
SPR 1954	0	5	5	0	0	0	0
SUM 1954	0	5	5	0	0	0	0
WIN 1954	0	5	5	0	0	0	0
SPR 1955	0	5	5	0	0	0	0
SUM 1955	0	5	5	0	0	0	0
WIN 1955	0	5	5	0	0	0	0
SPR 1956	0	5	5	0	0	0	0

[illegible]

Enter First Time Step of Transfer: SPR 2021

	Match 214	Match 456											
	ArR	HtS	SNb	NbR	NtM	OWNb	BtS	TS	TSM	M	NbR	Total	
Preexisting Effects @ SS (Last Time Step)	0.07	0.21	0.64	2.02	0.11	0.56	0.64	0.28	0.18	0.16	0.01	4.89	Total Effects without Transfer - Last Timeslep
Steady State - Value of Dep @ Last Time Step	0.07	0.21	0.64	2.02	0.11	0.56	0.64	0.28	0.18	0.16	0.01	4.89	Total Effects with Transfer - Last Time Step
isting Effects @ Transient State (Max Value Timeslep)	0.07	0.21	0.64	2.02	0.11	0.56	0.64	0.28	0.18	0.16	0.01	4.89	Total Effects without Transfer - Correlates to Max Value fr
Transient State - Max Value of Dep After Transfer	0.07	0.21	0.64	2.02	0.11	1.17	1.58	0.69	0.43	0.35	0.02	7.34	Total Effects with Transfer - Max Value from Start of Tran
Steady State Change	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change	0.00	0.00	0.00	0.00	0.00	0.61	0.94	0.41	0.26	0.22	0.01		

Migration Analysis Period

One-Way Analysis of Independent Transfers

New Water Right (GModelo):

YR	Nr	Div	Rate	Cost	Vol	Inc	effrt	Priority	POD	Alloc	Dedicated	Vol	Model
			(CPS)										Node
Transfer 1: Proposed Steady State Transients following Transfer													
???	???	???	275.6	58.0	1/11/1980			BS256-3		275.6	91.0		SP040275
???	???	???	275.6	58.9	1/11/1980			BS256-3		275.6	91.9		SP040606
Transfer 1: Worst Case Transient State Impacts following Transfer													
???	???	???	275.6	58.0	1/11/1980			BS256-3		275.6	91.0		SP040275
???	???	???	275.6	58.9	1/11/1980			BS256-3		275.6	91.9		SP040606

Impact by Health (A.F. Tremper)

Admission To	Hesite To	Shelley To	Nr Back To	Needy To	Dev Vol To	Built To	Kspr	Kspr To	Maid	Maid To
Reentry	Nr Back	Nr Back	Needy	Muske	Bunt	Kspr		Maid	Bancroft	
0.07	0.21	0.64	2.02	0.11	0.56	0.64	0.28	0.18	0.16	0.01
0.07	0.21	0.64	2.02	0.11	0.56	0.64	0.28	0.18	0.16	0.01
0.07	0.21	0.64	2.02	0.11	0.56	0.64	0.28	0.18	0.16	0.01
0.07	0.21	0.64	2.02	0.11	1.17	1.58	0.69	0.43	0.39	0.02

[illegible]



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 Gary Spackman

August 3, 2022

NELSEN FARMS
120 E 600 N
JEROME, ID 83338-5021

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 36-17110, AGREEMENT 648**

Dear Renter:

Please find enclosed a receipt in the amount of **\$300.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 15.0 acre-feet of water for stockwater use during 2022. 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 \$270.00 of the rental fee will be paid to the lessor(s) and 10% or \$30.00 will be retained by the Department to offset administrative costs for 2022.

Please note, the above rental agreement concludes at the end of **2022**. Once the rental agreement concludes, any diversion or use of water under this rental will no longer be authorized. If you wish to rent water in the future, and you have not already done so, you can download and complete an [Application to Rent Water Rights from the Water Supply Bank](http://idwr.idaho.gov) by visiting the Department's website at <http://idwr.idaho.gov>.

If you have any questions, please contact this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosures: Receipt No. C113575
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Southern Regional Office
Hal Anderson
Water District 130



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 Gary Spackman

July 22, 2022

NELSEN FARMS
120 E 600 N
JEROME, ID 83338-5021

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 36-17110 AGREEMENT 648**

*****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 \$300.00 per year was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 15 acre-feet.

Please send a check for \$300.00 for 2022 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. 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.

Pursuant to the Water Supply Bank Rules, 90% or \$270.00 of the rental fee will be paid to the lessor(s) and 10% or \$30.00 will be retained by the Department to offset administrative costs for **2022**.

If you have any questions, please contact this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure

c: IDWR Front Desk
Hal Anderson

Memorandum

TO: Water Right 36-17110

FROM: Cody Parker

RE: Evaluation of WSB rental application 2329

DATE: July 21, 2022

Purpose

This application is a renewal of rental agreement 589. The applicant proposes to rent 15 acre-feet of water to cover the diversions exceeding the amounts authorized by water right 36-8745.

The application proposes to rent water from water right 36-17110, which authorizes stockwater and commercial uses of water associated with a dairy. According to Transfer Processing Memo 24, water used in connection with a confined animal feeding operation, such as a feedlot or dairy, will be considered fully consumptive.

Authority to File

The applicant is listed as Nelsen Farms LLC. Cade Nelsen signed the application, and is a manager of Nelsen Farms LLC.

The land underlying the dairy is owned by Nelsen Dairy and Jack Nelsen. Jack Nelsen is listed as an owner of Nelsen Farms. Jonathan Nelsen is listed as a member of Nelsen Farms and an owner of Nelsen Dairy. No concerns

Water Right Validity

Validity of water right 36-17110 was assessed separately during the evaluation of WSB lease contract 1472. No concerns.

Injury to Other Water Rights

Administrative Area Lease Rental

Administrative Area	Lease	Rental
North Snake GWD		x
Magic Valley GWD	x	
ESPA GWMA	x	x
ESPA Moratorium	x	x
Trust Water Area	x	x
Water District 130	x	x

The rental PODs are within the ESPA Groundwater Management Area and Moratorium, and the Trust Water Area. Water right 36-17110 authorized diversions from these same areas. Usage of 36-17110 ceases under lease 1472, making that water available for this rental. Diversions do not increase in any area of concern.

ETRAN modeling was submitted with the application. The water use associated with 36-17110 is considered fully consumptive. Therefore, there is no reduction when entering consumptive use values into ETRAN. Modeling results indicate that the proposed change does not require any mitigation and will not cause injury to the Snake River.

ENTER CELL LOCATIONS:				
	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	48	71	0	0
COLUMN	29	65	0	0

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	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 1953	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SPR 1954	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SUM 1954	0.00	5.00	5.00	0.00	0.00	0.00	0.00
WIN 1954	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SPR 1955	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SUM 1955	0.00	5.00	5.00	0.00	0.00	0.00	0.00
WIN 1955	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SPR 1956	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SUM 1956	0.00	5.00	5.00	0.00	0.00	0.00	0.00
WIN 1956	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SPR 1957	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SUM 1957	0.00	5.00	5.00	0.00	0.00	0.00	0.00
WIN 1957	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SPR 1958	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SUM 1958	0.00	5.00	5.00	0.00	0.00	0.00	0.00
WIN 1958	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SPR 1959	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SUM 1959	0.00	5.00	5.00	0.00	0.00	0.00	0.00

WIN 2020	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SPR 2021	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SUM 2021	0.00	5.00	5.00	0.00	0.00	0.00	0.00
WIN 2021	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SPR 2022	5.00	0.00	5.00	0.00	0.00	0.00	0.00
SUM 2022	5.00	0.00	5.00	0.00	0.00	0.00	0.00
WIN 2022	5.00	0.00	5.00	0.00	0.00	0.00	0.00
SPR 2023	0.00	5.00	5.00	0.00	0.00	0.00	0.00
SUM 2023	0.00	5.00	5.00	0.00	0.00	0.00	0.00

Transient State Analysis	Mitigation Check 1 - >10% of Historical	-0.1%	0.0%	0.0%	0.0%	0.0%	100.0%	161.7%	146.0%	113.7%	53.3%	39.6%
	Mitigation Check 2 - > 2.01 AFT.	0.0	0.0	0.0	0.0	0.0	0.7	0.8	0.3	0.2	0.1	0.0
	Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Red'd (ac-ft.)	0.0	0.0	0.0	0.0	0.0	0.7	0.8	0.3	0.2	0.1	0.0

No concerns.

Enlargement of Use

The use of water authorized by 36-17110 is considered fully consumptive. The proposed use of water is also fully consumptive. No concerns.

Local Public Interest

I am not aware of any information that indicates this rental conflicts with the local public interest.

Beneficial Use/Conservation of Water Resources

The application proposes to water livestock, which is a recognized beneficial use of water. The rental appears consistent with the conservation of water resources in Idaho.

Department Staff or Watermaster Comments

Comments were requested from the IDWR southern region and water district 130. Correspondence is included in the file.

Parker, Cody

From: Parker, Cody
Sent: Thursday, July 21, 2022 4:17 PM
To: Ragan, Brian; Skinner, Corey
Subject: WSB Rental Application 2329
Attachments: RA2329_Agreement.docx; RA2329_Map.pdf; RA2329_Memo.pdf; RA2329_MoveMap.pdf

Good afternoon,

Attached are the relevant documents for WSB Rental Application 2329. The applicant proposes to rent 15 acre-feet of stockwater use to add to his existing stockwater and commercial water rights. Please let me know if you have any comments or concerns.

Thank you

Cody Parker



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 Gary Spackman

May 9, 2022

**NELSEN FARMS LLC
120 E 600 N
JEROME ID 83338**

RE: APPLICATION 2329 TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Applicant:

The Idaho Department of Water Resources (Department) acknowledges receipt of your application(s) to rent 15 acre-feet of water from the Idaho Water Resource Board's Water Supply Bank (Bank) for commercial and stockwater use. Filing a Bank rental application does not automatically result in approval.

Before a rental application can be approved, 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 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 it can before the start of the irrigation season in March or April. Once the irrigation season begins, Department staff members are reassigned to address field work and other duties. Consequently, few rental applications are processed after May 1.

Because your application was received near the beginning of the irrigation season, which is now underway, the Department will not be able to process your application prior to the latest possible start date on your application. Your application will remain in the order it was received for review, unless you request it be returned, or request it be amended to begin next season in 2023.

In future years, we encourage you to file your rental applications as soon as possible after November 1 to improve the chances that they will be processed.

Water Supply Bank Processing for application status may be found on the Department's website at <https://idwr.idaho.gov/iwrb/programs/water-supply-bank/reports/>

If you have questions regarding this matter, please contact me at 287-4936.

Sincerely,

**Mary Condon
Water Supply Bank Coordinator**

c: Hal Anderson – Idaho Water Engineering

RECEIVED

MAR 03 2022

DEPARTMENT OF
WATER RESOURCES

Margheim, Kris

From: Condon, Mary
Sent: Thursday, March 3, 2022 2:51 PM
To: Margheim, Kris
Subject: FW: WSB Rental
Attachments: Nelsen Dairy 2022 Rental Application03032022.pdf

Kris,

Please see the attached rental application. The consultant only wants the rental for 2022, vs 5 years, and is requesting water right 36-17110, not 36-17100.

Thank you!
Mary

Mary Condon
Water Supply Bank Coordinator



IDAHO DEPARTMENT OF
WATER RESOURCES

Planning & Projects

mary.condon@idwr.idaho.gov

Direct: (208) 287-4936

Fax: (208) 287-6700, Attn. Mary C.

From: Hal Anderson <hal@idahowaterengineering.com>
Sent: Thursday, March 3, 2022 12:09 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Cc: Cade Nelsen <cadenelsen@gmail.com>
Subject: Re: WSB Rental

Mary,
That is my bad on the check. I was not clear with Katie when she needed to send the rental fee. That said attached is the 2022 Rental Application. I checked the 5 year box but only want to rent for one year. Also, I did download E-Tran 3.4 and did get the data input adjusted for 2022 thru 2024. I was not sure what values to use in the Transfer Summary so I used the same values you sent for last years model run. I also attached the outputs from my model run. It may or maynot be correct, but I gave it a try. Let me know if you need anything else. Thanks --Hal

Hal N. Anderson

Managing Partner
Idaho Water Engineering
2918 N. El Rancho Place
Boise, ID. 83704
Office: 208.378.1513

Cell: 208.830.5525

hal@idahowaterengineering.com

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On Thu, Mar 3, 2022 at 10:14 AM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Hal,

We received a check from Katie, but there is not an application fee at this time for rentals. Once the check clears, we will request a refund back to her.

The guidance for the ETRAN modeling is on our website [resources](#) page for the water supply bank. I cannot run modeling for rental requests prior to submission of rental agreements with the required modeling. There are just too many rentals which require modeling, and this is the busiest time of year for the bank.

Best,

Mary

Mary Condon

Water Supply Bank Coordinator



IDAHO DEPARTMENT OF
WATER RESOURCES

Planning & Projects

mary.condon@idwr.idaho.gov

Direct: (208) 287-4936

Fax: (208) 287-6700, Attn. Mary C.

From: Hal Anderson <hal@idahowaterengineering.com>
Sent: Monday, February 28, 2022 12:55 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: Re: WSB Rental

Mary,

I rechecked the Etransfer spreadsheet and it looks like you were correct as only 2021 and 2022 were run. That said I have not worked with the Transfer tools so can't run an updated analysis. I do have the rental application completed and I understand Katie Nelsen is sending a check for the Application fee. Would it be possible for you to run the Transfer tool analysis to determine the impact ? BTW, I am working with Northside Canal Co. on a permanent solution but not sure if that will work or not. Thanks --Hal

Hal N. Anderson

Managing Partner

Idaho Water Engineering

2918 N. El Rancho Place

Boise, ID. 83704

Office: 208.378.1513

Cell: 208.830.5525

hal@idahowaterengineering.com

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On Fri, Feb 11, 2022 at 12:43 PM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Hal,

You can use the data in the zip to create the required modeling attachments and submit with the rental application, since he modeled 2021 thru the winter of 2022. You'll want to make sure the trimester amounts are still correct as well. His memo references the modeling but it does not indicate he modeled more than the rental need for 2021.

Mary

Mary Condon

Water Supply Bank Coordinator



Planning & Projects

mary.condon@idwr.idaho.gov

Direct: (208) 287-4936

Fax: (208) 287-6700, Attn. Mary C.

From: Hal Anderson <hal@idahowaterengineering.com>

Sent: Friday, February 11, 2022 12:33 PM

To: Condon, Mary <Mary.Condon@idwr.idaho.gov>

Subject: Re: WSB Rental

Mary,

Given Remington already did the modeling as documented in his Memo For Agreement #589, we don't need to do new modeling do we? --Hal

Hal N. Anderson

Managing Partner

Idaho Water Engineering

2918 N. El Rancho Place

Boise, ID. 83704

Office: 208.378.1513

Cell: 208.830.5525

hal@idahowaterengineering.com

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On Fri, Feb 11, 2022 at 11:43 AM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Hal,

It appears the modeling was not included. Here's the zip file.

Mary Condon

Water Supply Bank Coordinator



IDAHO DEPARTMENT OF
WATER RESOURCES

Planning & Projects

mary.condon@idwr.idaho.gov

Direct: (208) 287-4936

Fax: (208) 287-6700, Attn. Mary C.

From: Hal Anderson <hal@idahowaterengineering.com>

Sent: Friday, February 11, 2022 11:38 AM

To: Condon, Mary <Mary.Condon@idwr.idaho.gov>

Subject: Re: WSB Rental

Mary,

Do you have a copy of what Remington did last year including the modeling? --Hal

Hal N. Anderson

Managing Partner

Idaho Water Engineering

2918 N. El Rancho Place

Boise, ID. 83704

Office: 208.378.1513

Cell: 208.830.5525

hal@idahowaterengineering.com

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On Fri, Feb 11, 2022 at 11:36 AM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Hal,

We need a new application with the modeling. Remington assisted them at the 11th hour last year since they were over and pending an NOV.

Mary

Mary Condon

Water Supply Bank Coordinator



IDAHO DEPARTMENT OF
WATER RESOURCES

Planning & Projects

mary.condon@idwr.idaho.gov

Direct: (208) 287-4936

Fax: (208) 287-6700, Attn. Mary C.

From: Hal Anderson <hal@idahowaterengineering.com>

Sent: Friday, February 11, 2022 11:34 AM

To: Condon, Mary <Mary.Condon@idwr.idaho.gov>

Subject: Re: WSB Rental

Mary,

Thanks for the info, I did not realize they rented last year. Can you reissue the Rental or do you need a new application? If you do, can you send a copy of what was submitted last year?

--Thanks Hal

Hal N. Anderson

Managing Partner

Idaho Water Engineering

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Boise, ID. 83704

Office: 208.378.1513

Cell: 208.830.5525

hal@idahowaterengineering.com

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On Fri, Feb 11, 2022 at 11:01 AM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Hal,

The right they rented last year is available again for 2022 – 36-17110. Changing the SOU on groundwater is possible, but since we know 36-17110 was a suitable match, I would recommend again. It has 1/1-12/31 SOU for commercial and stockwater as well.

Thanks,

Mary

Mary Condon

Water Supply Bank Coordinator



IDAHO DEPARTMENT OF
WATER RESOURCES

Planning & Projects

mary.condon@idwr.idaho.gov

Direct: (208) 287-4936

Fax: (208) 287-6700, Attn. Mary C.

From: Hal Anderson <hal@idahowaterengineering.com>

Sent: Friday, February 11, 2022 10:55 AM

To: Condon, Mary <Mary.Condon@idwr.idaho.gov>

Subject: Re: WSB Rental

Mary,

I looked at WR 36-16178 that you mentioned. My client is indeed in WD-130 and operates a Dairy. He needs the water for commercial and stockwater use. He has a water right 36-8745, but is using about 20 a/f more than he is authorized to use. This rental is to cover the overuse volume. That said WR 36-16178 is for irrigation from 4/1 to 10/31. Would we have a problem if we rented this right since the commercial and stockwater use is year round? --Hal

Hal N. Anderson

Managing Partner

Idaho Water Engineering

2918 N. El Rancho Place

Boise, ID. 83704

Office: 208.378.1513

Cell: 208.830.5525

hal@idahowaterengineering.com

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On Thu, Feb 10, 2022 at 3:09 PM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Hal,

Water right 36-16178 was just placed back into the bank for another 5 years. It was rented previously several times for irrigation. There are 52 acre-feet available, and it is within WD 130.

Mary

Mary Condon

Water Supply Bank Coordinator



IDAHO DEPARTMENT OF
WATER RESOURCES

Planning & Projects

mary.condon@idwr.idaho.gov

Direct: (208) 287-4936

Fax: (208) 287-6700, Attn. Mary C.

From: Hal Anderson <hal@idahowaterengineering.com>

Sent: Thursday, February 10, 2022 10:51 AM

To: Condon, Mary <Mary.Condon@idwr.idaho.gov>

Subject: Re: WSB Rental

Mary,

Thanks, do you know of any ground water in basin 36 that might be available, we need about 20 a/f ? --
Hal

Hal N. Anderson

Managing Partner

Idaho Water Engineering

2918 N. El Rancho Place

Boise, ID. 83704

Office: 208.378.1513

Cell: 208.830.5525

hal@idahowaterengineering.com

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On Thu, Feb 10, 2022 at 10:36 AM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Hi Hal,

The water rights, 36-17172 & 36-17173, under contract through the end of 2022 are dedicated to their own rental package, a repeat of 2021 for True West Beef.

Mary

Mary Condon

Water Supply Bank Coordinator



IDAHO DEPARTMENT OF
WATER RESOURCES

Planning & Projects

mary.condon@idwr.idaho.gov

Direct: (208) 287-4936

Fax: (208) 287-6700, Attn. Mary C.

From: Hal Anderson <hal@idahowaterengineering.com>

Sent: Thursday, February 10, 2022 9:26 AM

To: Condon, Mary <Mary.Condon@idwr.idaho.gov>

Cc: Cade Nelsen <cadenelsen@gmail.com>; Dave Tuthill <dave@idahowaterengineering.com>

Subject: WSB Rental

Mary,

We have a client that needs to rent around 20 AFA of ground water to use for Commercial Dairy and stockwater purposes. I found a Lease on your website that looks like it would be a good fit. The WR number is 36-17173 in the name of True West Beef. It appears that the rental of that right ended in December 2021. Is that Lease now available for rental? Thanks --Hal

Hal N. Anderson

Managing Partner

Idaho Water Engineering

2918 N. El Rancho Place

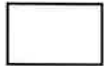
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