

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 613

RECEIVED

APR 01 2022

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

GRANT 4D FARMS
707 E 600 N
RUPERT, ID 83350-9466

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
36-2130C	6/7/1951	GROUND WATER	0.09	27.2	6.8	0.013	4.0
36-8106C	8/10/1982	GROUND WATER	0.03	27.2	6.8	0.004	4.0
36-7850C	3/30/1979	GROUND WATER	0.01	27.2	6.8	0.001	4.0
Combined Limit			0.13	27.2	6.8	0.02	4.0
36-2684	3/2/1967	GROUND WATER	0.38	92.1	23.0	0.017	4.0
Combined Rental Totals			0.51	119	29.8	0.02	4.0

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2024. 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: \$724.20 annually
2023 - 2024: \$832.83 annually

The full fee for the rental of the above-described right(s) is \$724.20 per year for years 2022 and \$832.83 per year for years 2023 - 2024. The rental fee includes an administrative fee of \$238.20 per year for years 2022 and \$273.93 per year for years 2023 - 2024. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 36-2684.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.51	119	29.8	0.017	4.0
Combined Total	0.51	119	29.8	0.017	4.0

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 613

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:

GRANT U-D FARMS, LLC By
[Signature] 3/28/2022
Signature of Renter Date

Duane R. Grant President
Printed Name Title

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

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

By [Signature] Date 4/11/22
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR [Signature] Date 4/11/22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 613

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec. 1, Twp 08S, Rge 25E,	MINIDOKA County
GROUND WATER	NWNE	Sec. 6, Twp 08S, Rge 26E,	MINIDOKA County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.51 CFS

VOLUME
119 AF

SEASON OF USE

From	To
3/15	11/15

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	25E	1		13.0 L2	13.0											3.8			29.8

Total Acres: 29.8

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 rights 36-2130C, 36-7850C, and 36-8106C when combined in this rental agreement is limited to 0.13 cfs, 27.2 afa, and the irrigation of 6.8 acres.
10. This rental when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 613

11. 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.
12. Upon specific notification of the Department, the renter shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
13. Prior to the diversion and use of water under this rental agreement, the renter shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
14. Prior to December 31 of each year, the Board may review this rental agreement to determine whether it is consistent with the management plan that may be approved for the Eastern Snake Plain Aquifer Ground Water Management Area ("ESPA GWMA Plan") pursuant to Idaho Code § 42-233b. The Board may cancel this rental agreement if the Board determines it is not consistent with the ESPA GWMA plan. If this rental agreement is canceled, the cancellation shall not take effect until December 31 of the year in which the rental agreement is canceled.
15. This rental agreement does not authorize the construction of a well.
16. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.





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

April 12, 2022

GRANT 4D FARMS
707 E 600 N
RUPERT, ID 83350-9466

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 36-2130C, 36-8106C & 36-7850C AGREEMENT 613**

Dear Renter:

Please find enclosed a copy of the fully executed Water Supply Bank Rental Agreement in connection with the rental of 119 acre-feet of water for irrigation of 29.8 acres 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.

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: Rental Agreement (copy)

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

MEMORANDUM

To: Water Right File No(s). 36-2684, 36-2130C, 36-7850C, 36-8106C
From: Mary Condon
Date: April 7, 2022
Re: Rental Fees from Rental Agreement 433 to Amendment 613 and overpayment

Payment was received prior to amending rental 433 and the volume reduction under water right 36-2684. Other rights, stacked and represented as 36-2130C were not affected by the amendment. A second request for the new rental fee amount was sent with the rental for signature. Below is the adjustment of the funds received, through 2024.

RA 613 amended from 433

		owner	admin	total	
2022	36-2684	92.1	0	184.2	184.2
	36-2130C	27.2	563.04	62.56	625.6
			563.04	246.76	809.8 for 2022
			563.04	432.16	995.2 pd C111638 2022
		0	185.4		185.4 overpayment

		owner	admin	total	
2023	36-2684	92.1	0	211.83	211.83
	36-2130C	27.2	563.04	62.56	625.6
			563.04	274.39	837.43
				185.4	C111638 overpayment
			563.04	88.99	652.03 for 2023
			563.04	161.16	724.2 C112292 payment 2022
		0	72.17		72.17 overpayment

C112292
 applied
 admin 161.16
 owner 563.04
 total 724.2
 2023 partial admin 2024

		owner	admin	total	
2024	36-2684	92.1	0	211.83	211.83
	36-2130C	27.2	563.04	62.56	625.6
			563.04	274.39	837.43
				72.17	C112292 overpayment
			563.04	202.22	765.26 Due 2024

Condon, Mary

From: Condon, Mary
Sent: Thursday, April 7, 2022 4:58 PM
To: IdwrPayable
Cc: Bank
Subject: FW: Amended Rental Grant 4d 1659/433
Attachments: Rental fees.xlsx

Sascha,

Rental fees were requested for an amendment to a rental that was already paid for. The amendment reduced the amount owed, so the original overpayment was already moved to 2023. The rental fees received again complete payment for 2023 with overpayment now rolled to 2024.

Please update the description and allocation of the funds shown below for Receipt C112292 to:

For year 2023 and partial 2024

PCA 29512 – Owner share as \$563.04
PCA 55113 – Dept share as \$161.16

I've attached my workbook to show the math.

Thank you!

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: Condon, Mary
Sent: Thursday, March 10, 2022 2:50 PM
To: Veibell, Amanda <Amanda.Veibell@idwr.idaho.gov>
Cc: Hummer, Phill <Phill.Hummer@idwr.idaho.gov>; Bank <Bank@idwr.idaho.gov>
Subject: FW: Amended Rental Grant 4d 1659/433

Amanda,

Please do not request 2022 payment for this amendment. They paid under rental 433, and with the reduction have an overpayment of \$185.40, which will be applied to 2023 admin fees.

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: Hummer, Phill <Phill.Hummer@idwr.idaho.gov>
Sent: Thursday, March 10, 2022 2:00 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: RE: Amended Rental Grant 4d 1659/433

I will take the amendment to Amanda. If we can do it either way we might as well get it done as soon as possible since its ready.

-Phill

From: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Sent: Thursday, March 10, 2022 1:43 PM
To: Hummer, Phill <Phill.Hummer@idwr.idaho.gov>
Subject: RE: Amended Rental Grant 4d 1659/433

Phill,

I haven't changed the lease yet. I'll cancel the existing rental back to 12/31/2021 and move the receipt for payment to the new rental. This will free up the water rights so I can put them to the new rental and update the database. Then I'll start the amendment to the lease reduction as well. The rental can go out prior to the lease, or we can send at the same time. Up to you.

Thank you
Mary

From: Hummer, Phill <Phill.Hummer@idwr.idaho.gov>
Sent: Thursday, March 10, 2022 1:33 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: Amended Rental Grant 4d 1659/433

I looked over the amended rental and it is ready to be mailed for signature. Has anything been done to the lease yet? I didn't see anything in the database. We should be fine to move forward with reducing the rental regardless of the lease right? Just double checking to make sure we are coordinated on this and im not causing database problems.

-Phill



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

March 11, 2022

GRANT 4D FARMS
707 E 600 N
RUPERT, ID 83350-9466

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 36-2130C, 36-8106C, 36-7850C, 36-2684 AGREEMENT 613**

*****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 \$724.20 per year was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 119 acre-feet.

Please send a check for \$724.20 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, \$486.00 of the rental fee will be paid to the lessor(s) and \$238.20 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

MEMORANDUM FOR AGREEMENT # 613

To: Water Rights 36-2684 with (36-2130 C, 36-7850 C & 36-8106 C)
From: Mary Condon
Date: February 16, 2022 – March 8, 2022
Re: Review & Analysis of Amendment of Rental Agreement from the State Water Supply Bank

PURPOSE/NARRATIVE: Request to reduce lease acres for contract 1186 for water right 36-2684, along with a request to reduce rental agreement 433 of this right from 46.2 acres down to 23 acres, received on December 6, 2021. Follow up request with the lessor and renter on December 16, 2021, for an updated rental map of the reduction in acres for the rental. New map showing reduction in acres received on January 3, 2022.

Upon approval of this amendment, rental agreement 433 will be superseded by this amended rental for the remaining two years, until 2024. The amendment to the rental only reduces the amount rented under right 36-2684, which is subject to admin fee only by private agreement.

AUTHORITY TO FILE: Request to amend the rental application was signed by Duane Grant, President of Grant 4-D Farms and renter. A POU permission letter was received in 2020 for Grant 4D Farms to operate on land owned by RLDR Farms through 2025. The letter was signed by the same parties as the earlier referenced permission letter.

No concerns with authority to file.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is subject to Water District # 130.

An email to the watermaster, Eastern region and Magic Valley GWD upon execution of the amended agreement will be sent notifying them of the reduction of acres.

RA 433					
36-2130 C	0.09	27.2	6.8	0.013	4
36-8106C	0.03	27.2	6.8	0.004	4
36-7850C	0.01	27.2	6.8	0.001	4
combined	0.13	27	6.8	0.019	4
	0.77	185	46.2	0.017	4
36-2684	0.9	212	53	0.017	4
authorized	0.9	212	53	0.017	4

2020-2021

Amended RA 613					
36-2130 C	0.09	27.2	6.8	0.013	4
36-8106C	0.03	27.2	6.8	0.004	4
36-7850C	0.01	27.2	6.8	0.001	4
combined	0.13	27.00	6.8	0.02	4
	0.38	92.1	23	0.017	4 admin only
36-2684	0.51	119.00	29.80	0.017	4
authorized	0.51	119	29.8	0.017	4

2022-2024

2022		2023-2024	
Admin	owner	Admin	owner
\$ 54.00	\$ 486.00	\$ 62.10	\$ 558.90
\$ 184.20	\$ -	\$ 211.83	\$ -
	\$ 540.00		\$ 621.00
	\$ 184.20		\$ 211.83
\$ 238.20	\$ 486.00	\$ 273.93	\$ 558.90
	\$ 724.20		\$ 832.83



GRANT 4-D FARMS
707 E 600 N
RUPERT, ID

12-06-2021

To: Mary Condon, Water Supply bank Specialist
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

RECEIVED

JAN 03 2022

DEPARTMENT OF
WATER RESOURCES

RE: Water Right 36-2684, Water Bank Lease Contract #1186, Water bank Lease #433

Good morning Mary,
I was CC'ed on an email from you to Doug Grant Jr. on 12-16-2021, a copy of which is attached for reference. Thank you.

My understanding from your email is that Grant 4-D Farms should request a reduction in lease acres, and provide a map showing where the water will be withdrawn from.

Separately, the owners of Water Right 36-2684, Douglas and Laurel Grant, have some additional responses that are needed before the request can be processed.

At the same time, payment is due for all acres rented under Water Supply Rental Agreement No. 433 by 12-31-2021.

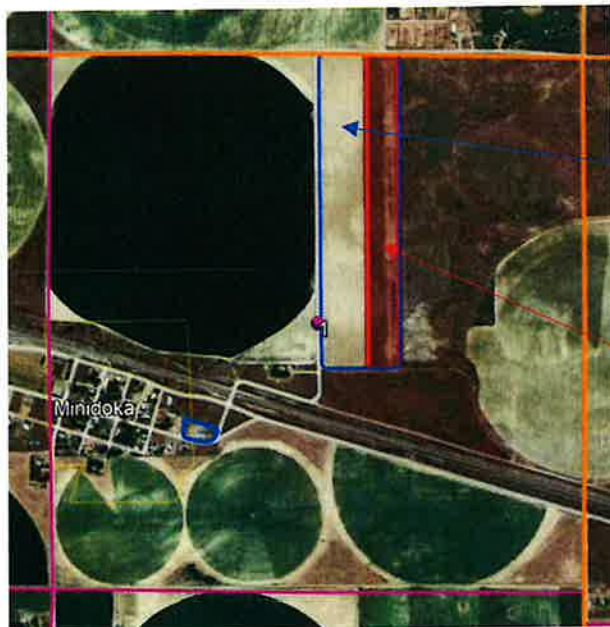
Since there is still some work to be performed prior to modifying Water Bank Lease #1186, and since the possibility exists that the changes may not be completed in time to repatriate the 23.2 acres of water Right 36-2684 to its original POU prior to the start of the 2022 irrigation season, I am enclosing full payment for all currently leased acres.

In the event the 23.2 acres are repatriated to the pre-lease POU, we are fine to waive refund of any overpayment of any owner or admin fees that may result. The key issue is that we need the water right to be usable in 2022 either as a leased right, or as a repatriated right to its original POU. I hope that makes sense and is achievable.

Grant 4-D Farms hereby requests a reduction of 23.2 acres of water right currently leased by the company under Water Supply Rental Agreement No. 433. The acres are being leased from water right 36-2684, among others. We specifically request that the reduction in leased acres be from water right 36-2684, so-as to enable the repatriation of the 23.2 acres to their original place of use for the 2022 and beyond irrigation seasons.

A map showing the location of the current POU for the acres leased under Water Supply Rental Agreement No. 433 is below. The Map also shows where we will stop using water if the request is granted.

2279



Pulled Back View: Section 1 Township 8S
Range 25EBM, Minidoka County, Idaho

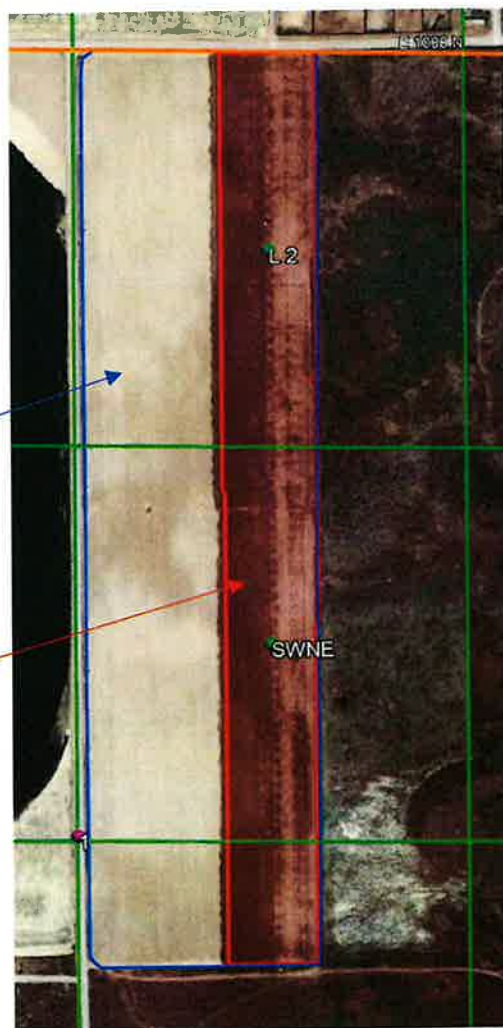
53 acre POU for water leased under Agreement No. 433 is outlined in blue.

23.2 acres that will be non-irrigated as proposed is outlined and shaded red.

Close-up view: Parts of Lot 2, SWNE, & NWSE of
Section 1 T8S R25EBM, Minidoka County, ID

53 acre POU for water leased under Agreement No. 433 is outlined in blue.

23.2 acres that will be non-irrigated as proposed is outlined and shaded red.





GRANT 4-D FARMS
707 E 600 N
RUPERT, ID

Please let me know if you have any questions in regards to the information presented, and if I can be of assistance in any way.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Duane Grant'.

Duane Grant
President, Grant 4-D Farms

Duane Grant

From: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Sent: Thursday, December 16, 2021 9:14 AM
To: dougrant20@gmail.com; Bank
Cc: 'Laurel Grant'; Duane Grant
Subject: RE: Request to remove 36-2684 Water Right from Water Bank

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning, Doug and Laurel,

Lease contract 1186 is for a total of 47.3 acres, from 2020-2024. Your request is a partial release of lease contract for 23.2 acres. The letter from Grant 4D Farms indicates they would like to continue to rent the balance of the leased right, which would be 23 acres instead of the 46.2 acres they are currently renting of this water right. Grant 4D Farms needs to submit the new rental map with the request in reduction of acres prior to any changes to their Rental Agreement 433, and before any changes can be made to the existing lease contract.

A change to the idled acres on a lease contract requires a new lease application, a map of the idled acres and the filing fee to supersede the previous contract. Please submit to the Department an Application to Lease or Sell a Water Right to the Board's Bank, along with the \$250 filing fee. Please know, we are in the busy season for application reviews, and the order in which applications are received are the order in which they are reviewed. Since these requests are together, please submit all of the required documents for both changes and the filing fees together, by mail to our state office.

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Best,
Mary

Mary Condon
Water Supply Bank Specialist



IDAHO DEPARTMENT OF
WATER RESOURCES

Planning & Projects

mary.condon@idwr.idaho.gov

Direct: (208) 287-4936

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

From: dougrant20@gmail.com <dougrant20@gmail.com>
Sent: Wednesday, December 15, 2021 1:48 PM
To: Bank <Bank@idwr.idaho.gov>

Cc: 'Laurel Grant' <laurelgrant@gmail.com>; Duane Grant <duane@grant4dfarms.com>

Subject: Request to remove 36-2684 Water Right from Water Bank

Mary Condon,

I have enclosed Form 43-1761-3, Request to Release a Water Right From The Bank. I am making the request for release of 23.2 acres from the Water Bank from Water Right 36-2684. The acres are included in a rental agreement with Grant 4D Farms with a term of 2020 thru 2024. I am requesting these acres be released from the last two years of the agreement, and that they would be available for use on my property located at T7S R25E S28 E1/2 for the following 2022 and 2023 growing season.

In the section of the form "Reason for Early Release" I have listed Attachment A: Request to Remove Water Right From the Bank, and it is attached to this e-mail. I have also listed Attachment B: Grant 4D Farms Consent to Release Rented Water Right. It is also attached.

Also attached is a copy of the Water Bank Invoice showing the acres in question.

Please review and advise whether or not the Water Board would be willing to grant early release of this portion of the water bank lease.

Best regards,

Douglas E. Grant Jr. and Laurel A. Grant
4647 Mountain Park Rd,
Chubbuck, ID 83202
208-339-0677