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MAR 21 2022

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 611

This is to certify that:

ALAN H & NORMA ANDERSEN
488 RIVERSIDE DR
BURLEY, ID 83318

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)
45-7733	8/27/1979	GROUND WATER	0.33	128
Combined Rental Totals			0.33	128

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2026. 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: \$2,560.00 annually
2023 - 2026: \$2,944.00 annually

The full fee for the rental of the above-described right(s) is \$2,560.00 per year for years 2022 - 2022 and \$2,944.00 per year for years 2023 - 2026. The rental fee includes an administrative fee of \$256.00 per year for years 2022 - 2022 and \$294.40 per year for years 2023 - 2026.

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.

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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:

Alan H. Andersen
Signature of Renter

Mar 17, 2022
Date

Alan H. Andersen
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 Brian Patton
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 3/22/22

Rental approved by IDWR Flamm

Date 3/22/22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 611

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENW	Sec. 16, Twp 10S, Rge 25E,	CASSIA County
GROUND WATER	SENW	Sec. 16, Twp 10S, Rge 25E,	CASSIA County
GROUND WATER	SENW	Sec. 16, Twp 10S, Rge 25E,	CASSIA County
GROUND WATER	SENW	Sec. 16, Twp 10S, Rge 25E,	CASSIA County

BENEFICIAL USE

COMMERCIAL
STOCKWATER

DIVERSION RATE

0.33 CFS
0.33 CFS

VOLUME

128 AF
128 AF

SEASON OF USE

Water Right No.	From	To
45-7733	1/1	12/31

RENTERS PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	25E	16			X					X	X					X			

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	
10S	25E	16			X					X	X					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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 611

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. 140.
10. Prior to the diversion and use of water under Rental Agreement 611, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
11. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
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. This rental agreement does not authorize the construction of a well.
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.

Idaho Water Resource Board

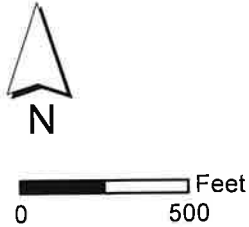
Attachment to Water Supply Bank Rental Agreement No. 611

Effective until December 31, 2026

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



STATE OF IDAHO
WATER RESOURCE BOARD

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SEP 09 2021

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Alan H & Norma Andersen

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)

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Alan H & Norma Andersen

Mailing Address <u>488 Riverside Dr</u>	Burley	ID	83318
Street	City	State	Zip Code
Email Address <u>andersenah@gmail.com</u>	Phone Number <u>208-221-7969</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>Heather Webb</u>	Professional Title <u>CFO</u>
Organization <u>Andersen Dairy, Inc / Anderland, LLC</u>	Relationship to Applicant <u>Daughter</u>
Mailing Address <u>320 N Yale Rd American Falls, ID 83211</u>	
Email Address <u>office@seagullbaydairy.com</u>	Phone Number <u>208-421-3697</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**:

The rental water under this application will provide sufficient water to cover water use for the dairy operation.
See attachment for more detail.

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)
0.33 CFS	128 AF	0.33 CFS	75 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?	
01/01/2022	12/31/2022	☐ 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):

There are submersible pumps in 4 ground water wells. The water is distributed by a various sized piping system to the dairy where it is delivered using various commercial water outlets to the cows and dairy barn.

- 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
10 S E Sec16 SENW	Groundwater	45-13394 and 45-13396
10 S E Sec16 SENW	Groundwater	45-13394 and 45-13396
10 S E Sec16 SENW	Groundwater	45-13394 and 45-13396
10 S E Sec16 SENW	Groundwater	45-13394 and 45-13396

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:

Water rights 45-13394 and 45-13396. These owned water rights are not adequate to cover the needs of the dairy buildout.

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)
45-7733	Commercial/Stock	0.33	128	N/A		0.33	128	
								N/A
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	0.33	128	N/A
						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**:

STATE OF IDAHO
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:

45-7733 from 2017-2021. During this time we have been adjusting to a new barn and making operational changes as we improve efficiencies. In 2020 we consolidated milking barns, moving all production animals to Declo. We continue to monitor water use and are working to find a permanent water right that meets our needs.

- 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

The wells are monitored by Water District 140 and Jaxon Higgs at Water Well Consultants. (WIMIS numbers: 1000391, 100390, 1000389, & 401676) We have also hired a consultant, Corbin Knowles to help with water management.

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.

Alan H. Andersen
Signature of Applicant

Alan H. Andersen
Printed Name of Applicant

9/4/2021
Date

Heather J Webb
Signature of Representative

Heather J Webb
Printed Name of Representative

9/4/2021
Date

Mail to:

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

STATE OF IDAHO
WATER RESOURCE BOARD

Water Modeling Requirement Information Sheet

Information on water modeling requirements for rental requests within special administrative areas

Important information on requesting rental water within special administrative areas: Refer to the information below to determine whether the modeling of potential impacts from your rental request is necessary. Use Section 4 of the rental application to identify selected water rights. **If you submit an application to rent water from within a special administrative area and water modeling is required, your rental request will be returned if water modeling is not provided.**

Water modeling may be required when an application to rent water involves one of two scenarios:

Scenario 1: The rental request proposes to divert water from a regulated water source and/or within a special administrative area AND the distance between the rental point(s) of diversion (POD) and the POD(s) for the leased water right(s) is greater than the administratively established, acceptable distance.

Regulated water sources may areas include:

- A. Ground water resources within the modeled area of the Eastern Snake Plain Aquifer (ESPA) and tributary aquifers;
- B. Ground water within Ground Water Management Areas (GWMAs) or Critical Ground Water Areas (CGWAs);
- C. Water resources within other specified administrative areas, as established by the Idaho Water Resource Board (IWRB) or the Idaho Department of Water Resources.

The distance between any rental POD(s) and the POD(s) for a leased water right to be rented is important. On the ESPA, distance is measured in terms of model cells that cover an area of one square mile. Ground water modeling is not required if lease POD(s) and rental POD(s) are located within the same model cell or within adjacent model cells. If the lease and rental PODs are separated by more than one model cell groundwater modeling must be completed using the IDWR ESPA Transfer Tool and modeling results must be submitted with the rental application. ESPA modeling tools can be accessed and freely downloaded from IDWR's website by visiting: www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.

Ground water modeling may be required within GWMAs, CGWAs or other regulated administrative areas. Applicants who desire to rent water within an established GWMA, CGWA or other regulated administrative area should consult IDWR's website before submitting their application to review the current status of administrative orders related to regulated administrative areas. Consult www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated_areas.htm for information on GWMAs or CGWAs, visit <https://idwr.maps.arcgis.com/home/> to use mapping tools to find other regulated areas.

Applicants interested in renting water within a GWMA, CGWA or other regulated administrative areas should request water rights that have been leased into the Bank from within the same administrative area. Generally, the Bank will not permit a rental of water within a regulated administrative area if the leased water rights are not located within that same administrative area.

Scenario 2: A rental request proposes to divert water from a different but hydraulically connected water source.

Modeling situations may include:

- A. Rental requests that propose to divert surface water rights via ground water POD(s) (wells); and
- B. Rental requests that propose to divert ground water from one aquifer when the right being rented authorizes the diversion of ground water from a hydraulically connected, tributary aquifer.

Rental requests that propose to divert surface water rights from ground water points of diversion may be considered if ground water modeling establishes that the surface and ground water resources are directly and immediately hydraulically connected. An acceptable hydraulic connection occurs when at least 50 percent of the total depletions from a well are detectable from the original water source within a 24 hour period. The existing (leased) POD and proposed (rental) POD must be proximate such that diversion and use of water from the proposed POD would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original POD.

Requests to rent ground water across tributary aquifer sources may be considered if ground water modeling is provided to demonstrate that two aquifers are hydraulically connected and the anticipated impacts of diverting ground water from one source through the other is modeled accordingly.

For more information about rental application requirements, contact IDWR at (208) 287-4800.



Attachment 3A

Andersen Dairy is located in Cassia County at 10S 25E section 16 SENW. The dairy is authorized under water rights 45-13394 and 45-13396 for commercial and stock water use of up to 106 acre feet of annual use with a rate of flow under the rights of 0.52 cfs. The current water rights are not adequate to cover the needs of the dairy buildout that took place a few years ago. We also consolidated two milking barns in 2020 and moved all production animals to Declo and raise replacement animals at our facility in American Falls. We are not planning to increase nor decrease our cattle numbers but would like to maintain our current herd size.

The water supply bank rental would cover the overages at the dairy and allow us to continue to monitor our water usage as we work out the operational functions and water use needs following the above mentioned changes and improved efficiencies. There are two IDWR approved flow meters in the new facilities being used to monitor water use. We are actively looking for water to purchase to meet a long term solution and are applying for a 5 year rental to provide us time to get something in place.

A1 : X ✓ fx

ENHANCED GROUND-WATER RIGHTS TRANS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

Cells this color are set up for user entries

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

TRANSFER NO: Rental

YEAR: 1979

TRANSFER NAME: Anderson

SEASON: SUMMER

UPDATE DATES RUN MODEL GET OUTPUT

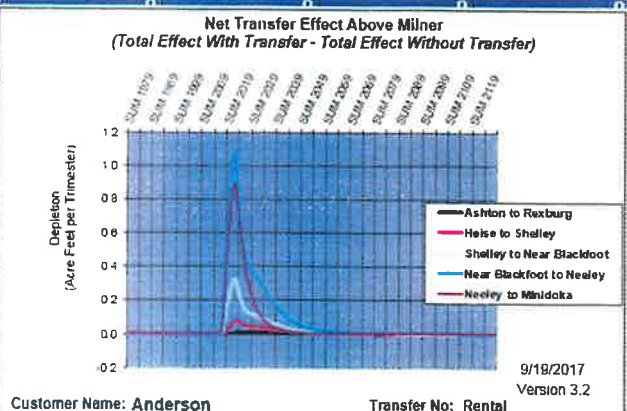
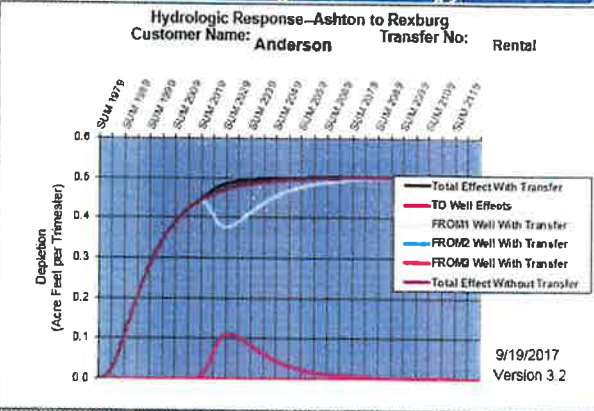
CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	90	89		
COLUMN	62	50		

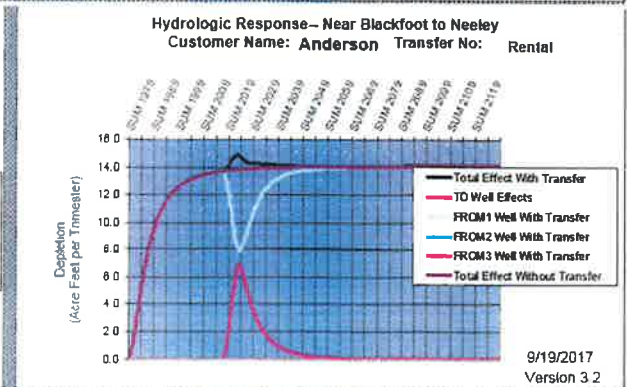
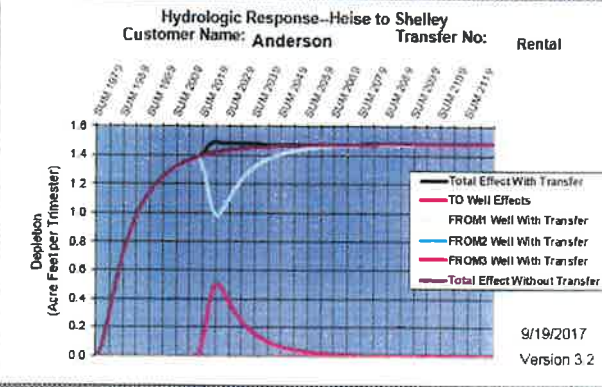
TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
21 SUM 1979	0	43	43	0	0	0	0
22 WIN 1979	0	43	43	0	0	0	0
23 SPR 1980	0	43	43	0	0	0	0
24 SUM 1980	0	43	43	0	0	0	0
25 WIN 1980	0	43	43	0	0	0	0
26 SPR 1981	0	43	43	0	0	0	0
27 SUM 1981	0	43	43	0	0	0	0
28 WIN 1981	0	43	43	0	0	0	0
29 SPR 1982	0	43	43	0	0	0	0
30 SUM 1982	0	43	43	0	0	0	0
31 WIN 1982	0	43	43	0	0	0	0
32 SPR 1983	0	43	43	0	0	0	0
33 SUM 1983	0	43	43	0	0	0	0
34 WIN 1983	0	43	43	0	0	0	0
35 SPR 1984	0	43	43	0	0	0	0
36 SUM 1984	0	43	43	0	0	0	0
37 WIN 1984	0	43	43	0	0	0	0
38 SPR 1985	0	43	43	0	0	0	0

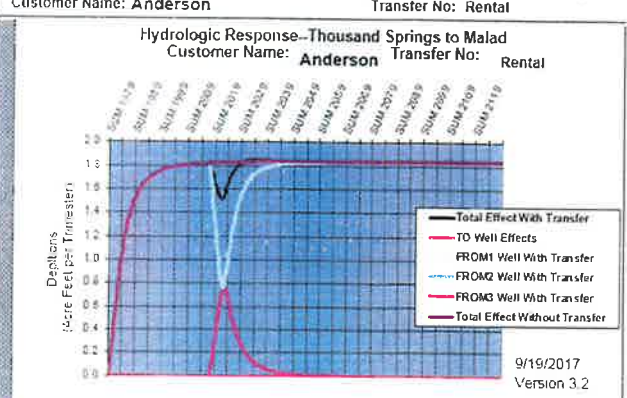
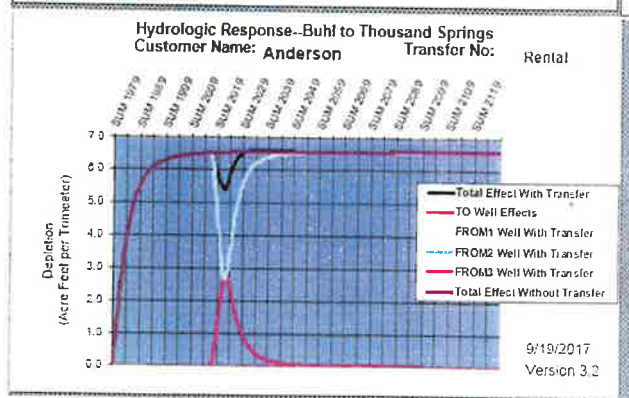
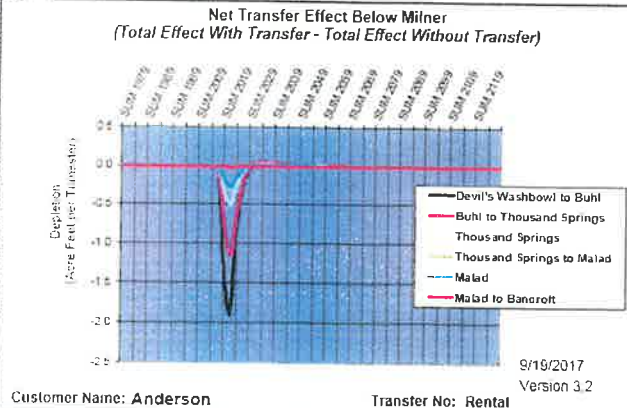
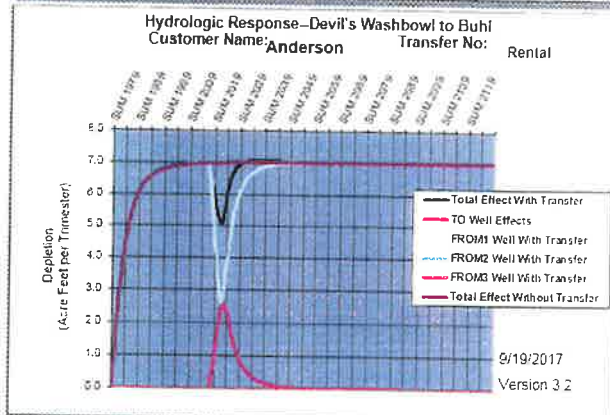
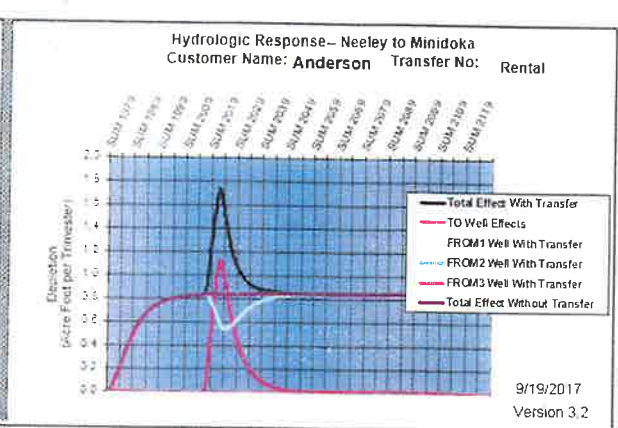
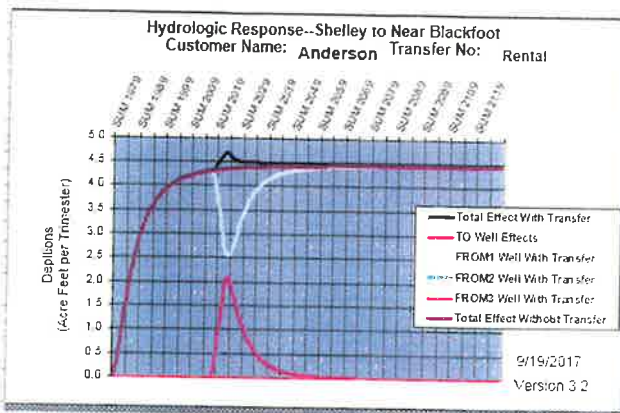
128	SPR 2015	0	43	43	0	0	0	0
129	SUM 2015	0	43	43	0	0	0	0
130	WIN 2015	0	43	43	0	0	0	0
131	SPR 2016	0	43	43	0	0	0	0
132	SUM 2016	0	43	43	0	0	0	0
133	WIN 2016	0	43	43	0	0	0	0
134	SPR 2017	43	0	43	0	0	0	0
135	SUM 2017	43	0	43	0	0	0	0
136	WIN 2017	43	0	43	0	0	0	0
137	SPR 2018	43	0	43	0	0	0	0
138	SUM 2018	43	0	43	0	0	0	0
139	WIN 2018	43	0	43	0	0	0	0
140	SPR 2019	43	0	43	0	0	0	0
141	SUM 2019	43	0	43	0	0	0	0
142	WIN 2019	43	0	43	0	0	0	0
143	SPR 2020	43	0	43	0	0	0	0
144	SUM 2020	43	0	43	0	0	0	0
145	WIN 2020	43	0	43	0	0	0	0
146	SPR 2021	43	0	43	0	0	0	0
147	SUM 2021	43	0	43	0	0	0	0
148	WIN 2021	43	0	43	0	0	0	0
149	SPR 2022	0	43	43	0	0	0	0
150	SUM 2022	0	43	43	0	0	0	0
151	WIN 2022	0	43	43	0	0	0	0
152	SPR 2023	0	43	43	0	0	0	0
153	SUM 2023	0	43	43	0	0	0	0
154	WIN 2023	0	43	43	0	0	0	0
155	SPR 2024	0	43	43	0	0	0	0
156	SUM 2024	0	43	43	0	0	0	0
157	WIN 2024	0	43	43	0	0	0	0



Customer Name: Anderson

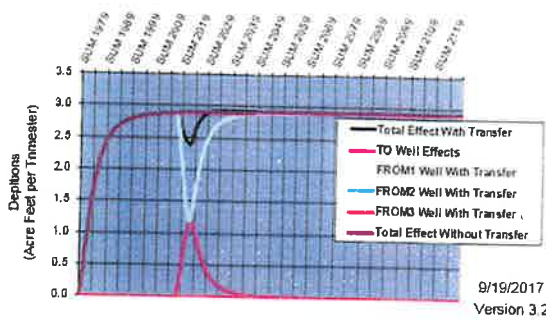
Transfer No: Rental





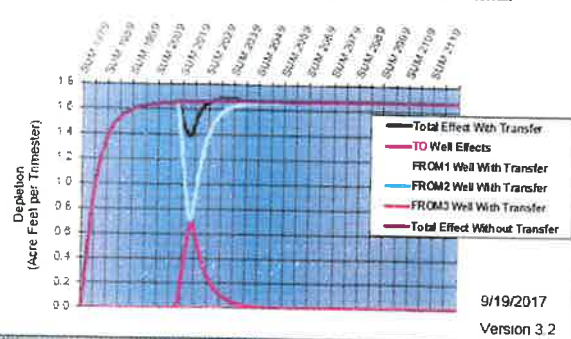
Hydrologic Response--Thousand Springs

Customer Name: Anderson Transfer No: Rental



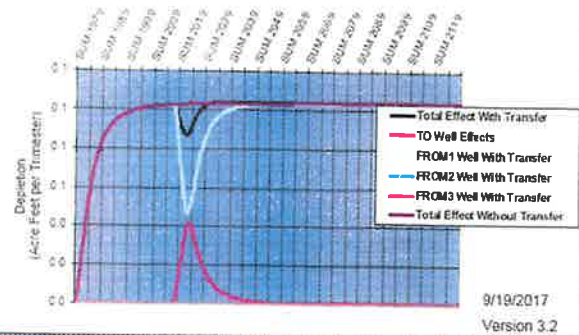
Hydrologic Response--Malad

Customer Name: Anderson Transfer No: Rental

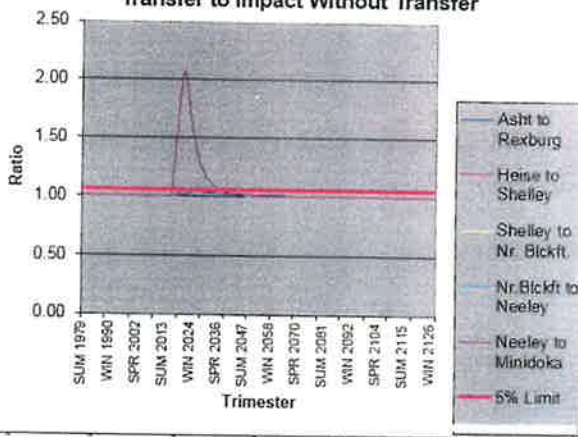


Hydrologic Response--Malad to Bancroft

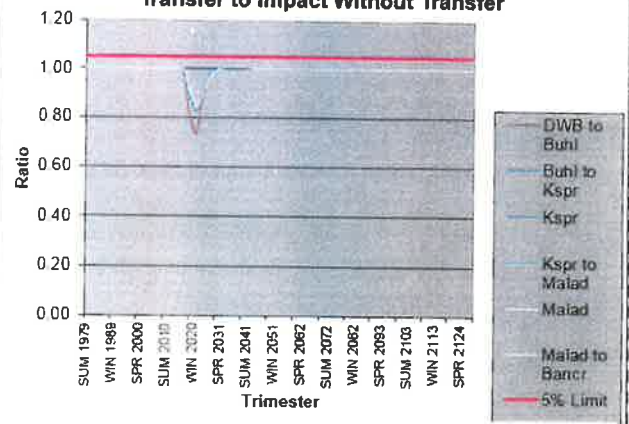
Customer Name: Anderson Transfer No: Rental



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



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



Montrose Analysis Period
Trimester

One-Way Analysis of Independent Transfers

New Water Right (GModelo):

WR No	Div	Rate	Con. Vol	Set. Eff	Priority	POG Location	Depleted Vol	Model Node
199	WR	275.8	88.8	100%	1	ASHTON	275.8	WR000005
200	WR	275.8	88.8	100%	2	HEISE	275.8	WR000006

Transfer 1: Proposed Steady State Impacts following Transfer

WR	WR	275.8	88.8	100%	1	ASHTON	275.8	WR000005
WR	WR	275.8	88.8	100%	2	HEISE	275.8	WR000006

Transfer 1: Worst Case Transient State Impacts following Transfer

WR	WR	275.8	88.8	100%	1	ASHTON	275.8	WR000005
WR	WR	275.8	88.8	100%	2	HEISE	275.8	WR000006

Impacts by Reach (All Transfers)

Transfer	Heise to Shelley	Shelley to Nr. Bickft.	Nr. Bickft to Neeley	Neeley to Minidoka	Minidoka to Kspr	Kspr to Malad	Malad to Bancr
199	0.51	0.43	0.41	0.41	0.41	0.41	0.41
200	0.51	0.43	0.41	0.41	0.41	0.41	0.41

Steady State Analysis

Montrose Check 1 - +10% of historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Montrose Check 2 - +10% of total	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Montrose Check 3 - +10% of total	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Transient State Analysis

Montrose Check 1 - +10% of historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Montrose Check 2 - +10% of total	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Montrose Check 3 - +10% of total	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Not Used



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 23, 2022

ALAN H & NORMA ANDERSEN
488 RIVERSIDE DR
BURLEY, ID 83318

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 45-7733 AGREEMENT 611**

Dear Renter:

Please find enclosed a receipt in the amount of **\$2,560.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 128 acre-feet of water for commercial and stockwater 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 \$2,304.00 of the rental fee will be paid to the lessor(s) and 10% or \$256.00 will be retained by the Department to offset administrative costs.

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. C112186
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Southern Regional Office



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

ALAN H & NORMA ANDERSEN
488 RIVERSIDE DR
BURLEY, ID 83318

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 45-7733 AGREEMENT 611**

*****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 \$2,560.00 per year was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 128 acre-feet.

Please send a check for \$2,560.00 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 \$2,304.00 of the rental fee will be paid to the lessor(s) and 10% or \$256.00 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

MEMORANDUM FOR AGREEMENT # 611

To: Water Right 45-7733
From: Tyler Smith
Date: 2/16/2022
Re: Water Supply Bank Rental Application 2142

Purpose/Narrative: The Department received an application on September 9, 2021 from Heather Webb, CFO of Andersen Dairy, Inc / Anderland, LLC (Representative) on behalf of Alan H & Norma Andersen (Applicants) requesting a rental from the Water Supply Bank (Bank) of an Eastern Snake Plain Aquifer (ESPA) groundwater right for commercial and stockwater purposes for a dairy. The dairy has existing groundwater rights 45-13394 and 45-13396 for commercial and stockwater use of 0.52 cfs and 106 af when combined. This rental seeks to cover the water overages for 5 years at the dairy as the dairy is being renovated and upgraded, increasing its water usage, while permanent water rights are being pursued.

The rental is requested for 5 years, 2022-2026, and is a renewal of rental agreement #192 which was active from 2017-2021. Water right 45-7733 was requested in this application, and was the same water right rented under agreement #192.

The Applicant provided the required ESPA groundwater modeling with the rental application.

Authority To File: The application was filed in the name of Alan H & Norma Andersen and was signed by Alan H. Andersen. The application was also signed by Heather J. Webb, who is listed as the representative for the application and the CFO of Anderseen Dairy, INC / Anderland, LLC.

The proposed rental place of use (POU) and points of diversion (PODs) are owned by Anderland LLC according to county tax lot data. Idaho Secretary of State records indicate that Alan Andersen is the registered agent for Anderland LLC. No concerns with authority to file.

Water Right Validity/Forfeiture Evaluation: Water right 45-7733 is currently leased into the Bank for 2022-2026 under lease contract #1511. The lease review found the water right to be valid. No concerns with validity.

Injury To Other Water Rights: ESPA modeling provided with the rental were for the years of previous rental agreement #192 for 2017-2021. The model was run in house using the dates for this rental, 2022-2026, and the model indicated that the full 128 af may be diverted at the new location for the duration of the rental without the need for additional mitigation.

When 45-7733 was leased into the Bank, Jaxon Higgs of WD 140 stated that the water right is a participant of Southwest Irrigation District, and that he would bring the lease to the attention of their board to ensure they have no issues with the lease. No comments have been received from Southwest Irrigation District, and the right was leased into the Bank. There are no known injury concerns at this time.

Enlargement Of Use: Water right 45-7733 being rented authorizes stockwater and commercial use, which is the same nature of use that will be used under the rental, and the entire right is being rented. No enlargement anticipated.

Local Public Interest: Review staff has no information to suggest this application is inconsistent with the local public interest.

Beneficial Use/Conservation of Water Resources: The rental appears consistent with the conservation of water resources in Idaho.

Department Staff or Watermaster Comments: The location for the rental POD is subject to Water District #140. Comments were requested from Water District #140 Watermaster Adam McCoy and IDWR Southern Regional Manager Corey Skinner. If comments were not received within 7 days, it is assumed there are no concerns with the rental.

Hummer, Phill

From: Smith, Tyler
Sent: Thursday, March 10, 2022 2:26 PM
To: Skinner, Corey; adam@waterwellconsultants.com
Cc: Bank; jaxonhiggs@icloud.com
Subject: WSB Rental of WR 45-7733
Attachments: Rental Review Memo 611.pdf; rental map 611.pdf; Rental Agreement Draft 611.pdf

Adam and Corey,

We received an application to rent water right 45-7733 from the water supply bank that is within Water District 140. It is a renewal of a rental for Andersen Dairy. Attached is a copy of the draft rental agreement with map and review memo for your consideration. Please provide any comments or concerns you have with the proposed rental within the next 7 days. If no comments are received in the next 7 days, I will assume there are no issues with this rental and proceed with processing.

Best,

Tyler Smith

Senior Water Resource Agent
State Office, IDWR
(208)287-4913
tyler.smith@idwr.idaho.gov