State of Idaho
DEPARTMENT OF WATER RESOURCES
322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700
Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 18, 2021

WILLIAM TOEVS
2841 W 1800 S
ABERDEEN, ID 83210

RE: WATER SUPPLY BANK LEASE APPLICATION(S) FOR WATER RIGHT NO(S). 35-14453 & 35-14454 AND RENTAL APPLICATION 1748

Dear Applicant:

On July 2, 2020 the Idaho Department of Water Resources (Department) received your application(s) to lease water right no(s). 35-14453 & 35-14454 to the Water Supply Bank (Bank) and a companion rental application 1748.

The Department of Water Resources (Department) mailed **two original Water Supply Bank Lease Contracts and a single Water Supply Bank Agreement for your review and signature** on September 16, 2020. As of the date of this letter, the signed contracts and agreement have not been returned to the Department.

Without the signed Lease Contract(s) the Bank cannot execute the contract(s), and complete the lease process to accept the rights into the Bank. Additionally, the Bank cannot complete the rental process authorizing the diversions outlined in the Rental Agreement. Please discard both the drafted Lease Contract(s) and Rental Agreement as they are no longer valid. This letter is notice that **the attached application(s) to lease and rent water to the Bank are being returned.**

Please note the forfeiture period is not tolled unless a right is accepted into the Bank, or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. If forfeiture is a concern, you may consider filing an Application for Extension of Time to Avoid Forfeiture of a Water Right form.

You can reapply to lease the water right(s) in the future by submitting new application form(s) along with applicable fees. Water right forms are available from the Department's web site at www.idwr.idaho.gov.

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

Justin Ferguson
Water Supply Bank Specialist

Enclosure(s): Lease Application(s)
Rental Application

c: Greg Sullivan – Brockway Engineering PLLC

Form 42-1761-1 10/15

RECEIVED
JUL 02 2020
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK

Designated Applicant William Toevs and Joanne Toevs
(Select one owner – see item 1A on the application)

Water Right No. 35-14453
(One water right per application)

Is this application being submitted with a rental application as a lease/rental package? **Yes** ☑ **No** ☐

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MIMUMUM REQUIREMENT CHECKLIST

All items must be checked as either *Attached* (Yes) or *Not Applicable* (N/A)

Yes	
☑	Completed *Application to Sell or Lease a Water Right to the Water Supply Bank.*
☐	Application filing fee of $250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is $500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
☑	Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment	N/A	Yes	
1A	☐	☐	Signatures and contact information for ***all owners*** of the water right to be leased or sold on this application.
1B	☑	☐	An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.
1C	☑	☐	*Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
1D	☐	☑	Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
2	☐	☑	Description of a water right portion offered to the Water Supply Bank.
3	☐	☑	A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.
4A	☑	☐	Written consent from irrigation district or water delivery company.
4G	☐	☑	Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.

Department Use Only

Fee Amount $ 500.00	Received By: KU	Date Received: 7-2-2020	Receipt # C108996
W-9 received? Yes ☐ No ☑	(Route W-9 to Fiscal)	Name on W-9:	

Returned 3/18/21

1747

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant William Toevs and Joanne Toevs

Mailing Address 2841 W 1800 S ABERDEEN, ID 83210
Street City State Zip Code

Email Address _____ Phone Number 208-604-2599

☑ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☐ No ☑
If no, complete the form and attach to this application (Attachment 1B).

C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☑ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☑ No ☐
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative Greg Sullivan Organization Brockway Engineering

Professional Title Engineer Email Address greg.sullivan@brockwayeng.com

Mailing Address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Phone Number _____

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☑ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☑ The full water right is being offered to the Bank.

OR

☐ A part of the water right is being offered to the Bank.
If a portion of the water right is being offered, **complete Attachment 2.**

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled 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 idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3.**

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☑
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

B. Please provide a description of the current water diversion and delivery system.
Existing well, mainlines and pivot system.

C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. Water rights 35-14453 and 35-14454 share the same POD and POU.

D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☑ No ☐

Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of $500.

E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☑

If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.

F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. This water right was leased into the Water Bank from 2013-2014 and 2018 and 2019. These water right were transferred to this location in 2016.

G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☑

If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan? Yes ☐ No ☑

If yes, describe.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☑?

If lease, specify the years when the use of water will be suspended: 2020 (Year) to 2024 (Year) (maximum lease period 5 calendar years).

B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

Current Rental Rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

Joanne L. Toews William R. Toews	Joanne L. Toews William Toews	06/24/2020 06/24/2020
Signature of Designated Applicant	Printed Name	Date
Signature of Authorized Representative	Printed Name	Date

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

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

ATTACHMENT 1A

Additional Water Right Holders Party to the Lease Application

For the water right on this application, list all owners (individuals or business entities) of the right or the property to which it is appurtenant. All water right holders must sign a Water Supply Bank Lease Application. However, only the Designated Applicant needs to provide a completed IRS Form W-9 (Attachment 1B). **All correspondence and any financial payment associated with the rental of this water right will be directed to the Designated Applicant**. If additional space is needed to list any other water right holders, attach a second copy of Attachment 1A.

If submitting multiple applications, it is only necessary to complete one Attachment 1A for the group of applications. List each water right below.

Water Right No(s). 35-14453 and 35-14454

	Designated Applicant	Applicant #2	Applicant #3
Name	WILLIAM R TOEVS	JOANNE TOEVS	
Mailing Address	2841 W 1800 S ABERDEEN, ID 83210	2841 W 1800 S ABERDEEN, ID 83210	
Phone Number	2086042599	2086042599	
Email Address	wrtoevs@gmail.com		
Applicant Declaration	As Designated Applicant, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature	William R Toevs	Joanne L. Toevs	

	Applicant #4	Applicant #5	Applicant #6
Name			
Mailing Address			
Phone Number			
Email Address			
Applicant Declaration	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

RECEIVED
JUL 02 2020
DEPARTMENT OF
WATER RESOURCES

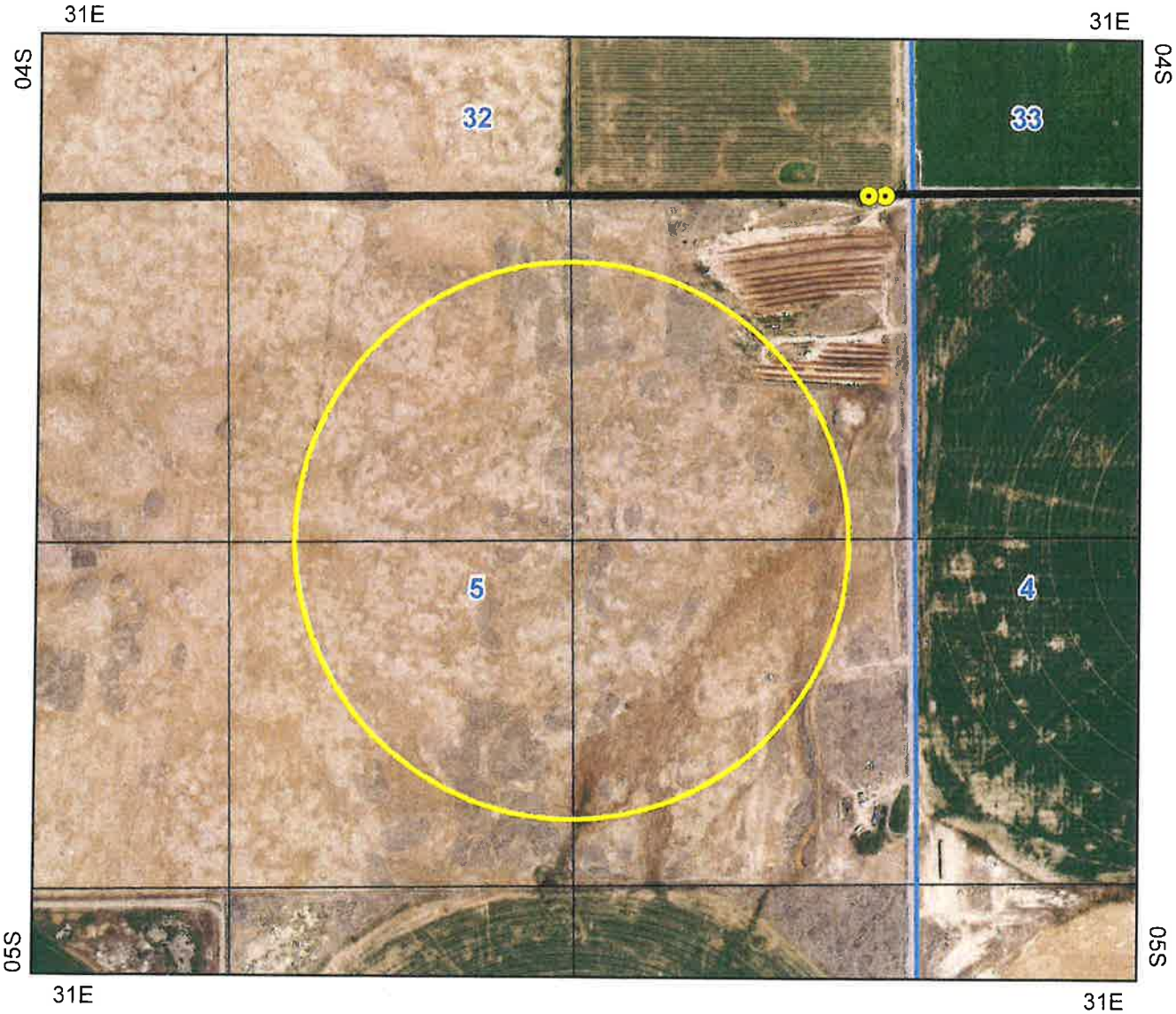
State of Idaho
Department of Water Resources

Water Right

35-14453 & 35-14454

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Point of Diversion
Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

0 0.075 0.15 0.3 Miles

N

IDAHO Department of Water Resources

Home / Water Rights / Research / Search Water Rights

WATER RIGHT REPORT

6/25/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-14453

Owner Type	Name and Address
Current Owner	JOANNE TOEVS
Current Owner	WILLIAM R TOEVS 2841 W 1800 S ABERDEEN, ID 83210-1832 2086042599
Original Owner	FOUR DOT RANCHES , ID
Original Owner	HAROLD TOEWS 328 MIDLAND APT NO 1 NAMPA, ID 83651 2084631927

Priority Date: 09/05/1972

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.64 CFS	252.8 AFA
Total Diversion			0.64 CFS	252.8 AFA

Location of Point(s) of Diversion:

GROUND WATER	NENE	Sec. 05	Township 05S	Range 31E	BINGHAM County
GROUND WATER	NENE	Sec. 05	Township 05S	Range 31E	BINGHAM County

IRRIGATION Use:

Acre Limit: 63.2

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04S	31E	32		NESW	40		SESW	40						
				NWSE	40		SWSE	40						
05S		5		NENE	30.7		NWNE	40		SWNE	40		SENE	30.7
				NENW	40		NWNW	40		SWNW	40		SENW	40

Total Acres: 461.4

Conditions of Approval:

1. X27 This right is limited to the irrigation of 63.2 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-14453 and 35-14454 when combined shall not exceed the irrigation of 82.0 acres.
3. 206 Rights 35-14453 and 35-14454 are limited to the irrigation of a specific 82.0 acres within the 461.4 acre place of use authorized by this right in a single irrigation season. The specific 82.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 82.0 acres to be irrigated within the 461.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. R05 Use of water under this right will 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. 120.
5. R02 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.
6. 214 Prior to the diversion and use of water under Transfer approval 80764, the right holder 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.
7. 213 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.

8.	R64	This right 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 lands above.
9.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10.	004	This right does not grant any right-of-way or easement across the land of another.
11.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13.	T19	Pursuant to Section 42-1412(6), Idaho Code, 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.

Dates:

Licensed Date:

Decreed Date: 06/02/2003

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plantiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

State of Ida
DEPARTMENT OF WATER RESOURCES
322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700
Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

September 25, 2020

WILLIAM R TOEVS
2841 W 1800 S
ABERDEEN, ID 83210

RE: APPLICATION TO LEASE WATER RIGHT 35-14453 & 35-14454 TO THE WATER SUPPLY BANK

CONTRACT 1225

******TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature**. **Please sign and return ALL Lease Contracts within 14 days**. Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The right will automatically be released from the Bank on **December 31, 2024,** unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at http://www.idwr.idaho.gov. Please note your right may not be available for immediate release if it has been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

> "While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

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

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosures: Proposed Lease Contracts
Receipt # C108996

c.Greg Sullivan – Brockway Engineering

Memorandum

To: Water Rights 35-14453 & 34-14454
From: Justin Ferguson
Date: July 8, 2020
Re: Water Supply Bank Lease Application 1747

Purpose/Narrative: An application was received on behalf of Mr. William Toevs, offering the full portion of water rights 35-14453 & 34-14454 on July 2, 2020. The application was received as part of a lease/rental package from Mr. Toevs, proposing to idle acreage covered by these water rights to break out new ground as an alfalfa field. The water rights have been leased to the Bank previously, beginning in 2017 after they were created though a split of parent water rights 35-13609 and 35-7246M in 2016, though the end of the year in 2019. While they had been used to facilitate rentals within the basin, this will be the first time Mr. Toevs has requested the use of the water rights for himself.

Authority to File: The application was signed by Mr. Toevs and submitted by his representative at Brockway Engineering. Review of IDWR records indicate Mr. Toevs as the current water right holder. No concerns at this time.

Water Right Validity/Forfeiture Evaluation: Historically, these rights were developed through a split of parent water rights 35-13609 and 35-7246M in 2016. Prior to the split, the parent rights had been enrolled in a crop set-aside program protecting them from forfeiture through the end 2008. After Mr. Toevs took ownership in 2012, they were leased again to the Bank in 2013 through 2015. After the split, 35-14453 & 34-14454 have remained in the Bank through the end of 2019. No concerns at this time.

Injury Evaluation: No injury is apparent though the lease of these water rights. Proper rental review should protect against injury.

Enlargement of Use: No enlargement is evident through this lease as the acreage will not receive water from any other source. During the previous reviews it was found that no irrigation had taken place and that remains consistent at the time of this review. No concerns at this time.

Local Public Interest: Staff are unaware of any local public interests that are averse to the lease.

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

Department/Watermaster Comments: Watermaster and IDWR Eastern Region comments were requested on September 16, 2020. Comments from both parties were received the same day, there are no concers.

Water Supply Bank Evaluation: Based on the information presented by the applicant, staff recommend the application be approved through 2024.

Hummer, Phill

From: Cefalo, James
Sent: Wednesday, September 16, 2020 11:50 AM
To: Ferguson, Justin
Subject: RE: WSB Lease/Rental - William Toevs

Justin,

I don't have any concerns with the proposed WSB activity.

James

From: Ferguson, Justin
Sent: Wednesday, September 16, 2020 10:37 AM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>; Jordan, Blake <Blake.Jordan@idwr.idaho.gov>
Subject: WSB Lease/Rental - William Toevs

James, Blake,

Attached are the maps, memos, and approval documents for William Toevs. Please let me know if you have any questions or comments within the next several days

Thanks!

Justin

Hummer, Phill

From: Jordan, Blake
Sent: Wednesday, September 16, 2020 2:14 PM
To: Ferguson, Justin; Cefalo, James
Subject: RE: WSB Lease/Rental - William Toevs

Hi Justin,
I have no issues with lease/rentals

Blake

From: Ferguson, Justin
Sent: Wednesday, September 16, 2020 10:37 AM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>; Jordan, Blake <Blake.Jordan@idwr.idaho.gov>
Subject: WSB Lease/Rental - William Toevs

James, Blake,

Attached are the maps, memos, and approval documents for William Toevs. Please let me know if you have any questions or comments within the next several days

Thanks!

Justin

RECEIVED
JUL 02 2020
DEPARTMENT OF
WATER RESOURCES

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

1747

June 29, 2020

Remington Buyer
Idaho Water Supply Bank
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: William and Joanne Toevs 35-14453 and 35-14454

Dear Mr. Buyer:

William and Joanne Toevs own water rights 35-14453 and 35-14454. They would like to lease these two water rights into the Idaho Water Supply Bank from 2020 through 2024. These two water rights have been leased into the Water Supply Bank for many years prior to 2020.

William and Joanne Toevs desires to rent the entire 82.0 acres of irrigation water under 35-14453 and 35-14454 to property in which they own. The plan is to plant alfalfa seed on the 82.0 acres after the rental is approved in 2020. No alfalfa crop is expected to be harvested during 2020. The intent is prepare the soil and establish a good alfalfa stand. This will allow this 82.0 acre rental to be approved in July, August or September of 2020.

ESPA Transfer Analysis Model Tool analysis indicates that no mitigation is required for this rental.

It is expected that only the 10% rental processing fee will be paid to the Idaho Water Supply Bank for the duration of the lease and rental contract period.

Please copy our office on all correspondence regarding these applications.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Ritchie Toevs
Enc: Two Lease Applications, Rental Application, Aerial Map, Exhibit A, ESPA Model Analysis, Toevs Farm LLC Check #15185 for %500.00