

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1297

This Lease Contract ("**Lease**") is between the Idaho Water Resource Board ("**Board**"), and

LESSOR: NATURE FARM LLC
872 E PEBBLE DR
BURLEY, ID 83318-5099

RECEIVED
JAN 28 2021
DEPARTMENT OF
WATER RESOURCES

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on December 23, 2020.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
43-13797	7/25/1973	GROUND WATER	0.30	101.2	25.3
Lease Totals			0.30	101.2	25.3

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** The term of this lease shall be January 1, 2021 to December 31, 2021. This Lease shall bind the parties and take effect when both parties have signed it.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.

WATER SUPPLY BANK LEASE CONTRACT No. 1297

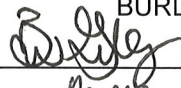
5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.
6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.
7. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1297

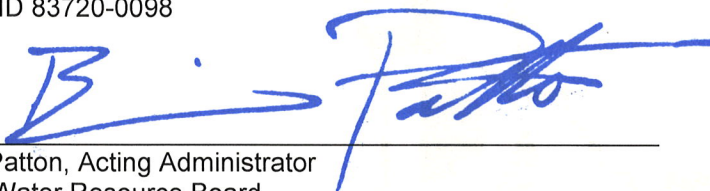
IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

LESSOR: NATURE FARM LLC
872 E PEBBLE DR
BURLEY, ID 83318-5099

By 
Title Manager
Date 1-25-21

IDAHO WATER RESOURCE BOARD

322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By 
Brian Patton, Acting Administrator
Idaho Water Resource Board

Date 02/01/21

Lease approved by IDWR 

Date 02/01/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1297

ATTACHMENT A
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 43-13797

GROUND WATER	SESW	Sec. 28	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	NWNE	Sec. 28	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	SESE	Sec. 28	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec. 28	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	NENE	Sec. 28	Twp 10S	Rge 26E	CASSIA County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
43-13797	IRRIGATION	03/15	to	11/15	0.30 cfs	101.2 AF
Totals:					0.30 cfs	101.2 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: 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	
10S	26E	28										25.3							25.3

Total Acres: 25.3

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. 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.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

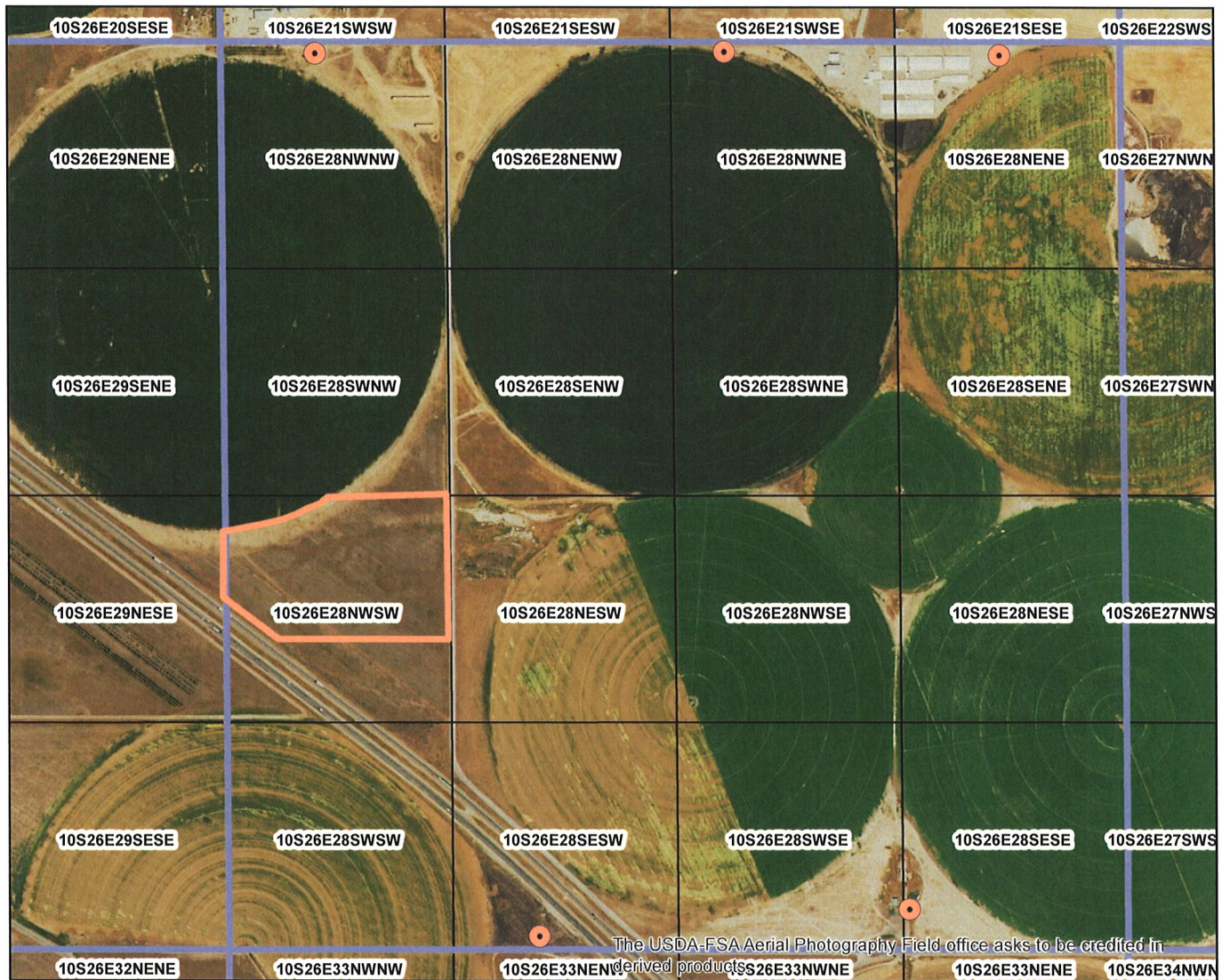
WATER SUPPLY BANK LEASE CONTRACT No. 1297

8. Acceptance of a right into 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.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
 - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. 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.
13. Rights 43-13466, 43-13468, 43-7015, 43-13384, 43-13386, 43-13388, 43-13390, 43-13392, 43-13394, 43-13396, 43-13398, 43-13400, 43-13402, 43-13404, and 43-13406 and the unleased portion of 43-13797 are limited to the irrigation of a specific 682.9 acres within the 3469.7 acre place of use authorized by this right in a single irrigation season. The specific 682.9 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 682.9 acres to be irrigated within the 3469.7 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.
14. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
15. The unleased portion of this right is limited to the irrigation of 201.3 acres within the authorized place of use in a single irrigation season.
16. 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. 143.

Idaho Water Resource Board
Water Supply Bank Lease Contract No. 1297

43-13797
Effective until December 31, 2021

This map depicts the **place of use to be idled** pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



● Approved Lease Point of Diversion

Approved Lease Place of Use

Township/Range

Sections

QQ



0 0.25 0.5 Miles

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
DEC 23 2020
DEPARTMENT OF
WATER RESOURCES

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

Designated Applicant Nature Farm LLC

(Select one owner – see item 1A on the application)

Water Right No. 43-13797

(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.**

MINIMUM 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 \$ <u>250</u>	Received By: <u>Ku</u>	Date Received: <u>12-23-2020</u>	Receipt # <u>C109716</u>
W-9 received? Yes ☒ No ☐	(Route W-9 to Fiscal)	Name on W-9: <u>Nature Farm LLC</u>	

1865

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 Nature Farm LLC

Mailing Address 872 E Pebble Dr, Burley, ID 83318

Street City State Zip Code
Email Address ben@gibbygroup.com Phone Number (208) 654-2733

☒ 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 _____ Organization _____

Professional Title _____ Email Address _____

Mailing Address _____ 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 wells, mainlines and delivery 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. 43-13797, 43-13466, 43-13468, 43-7015, 43-13384, 43-13386, 43-13388, 43-13390, 43-13392, 43-13394, 43-13396, 43-13398, 43-13400, 43-13402, 43-13404, and 43-13406.

- 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. Water right 43-13797 was involved in Transfer 82002 approved in 2018 and was historically enrolled in a Federal set aside program until 2015. Water right 43-13797 was leased to the Water Supply Bank in 2018, 2019, and 2020.

- 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. See attached CRP contracts and documents regarding the set aside program.

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

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: 2021 to 2021 (maximum lease period 5 calendar years).
(Year) (Year)

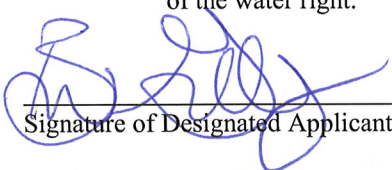
B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

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.


Signature of Designated Applicant

Benjamin Gibby
Printed Name

12/17/20
Date

Signature of Authorized Representative

Printed Name

Date

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

Print Form

**STATE OF IDAHO
WATER RESOURCE BOARD**

Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

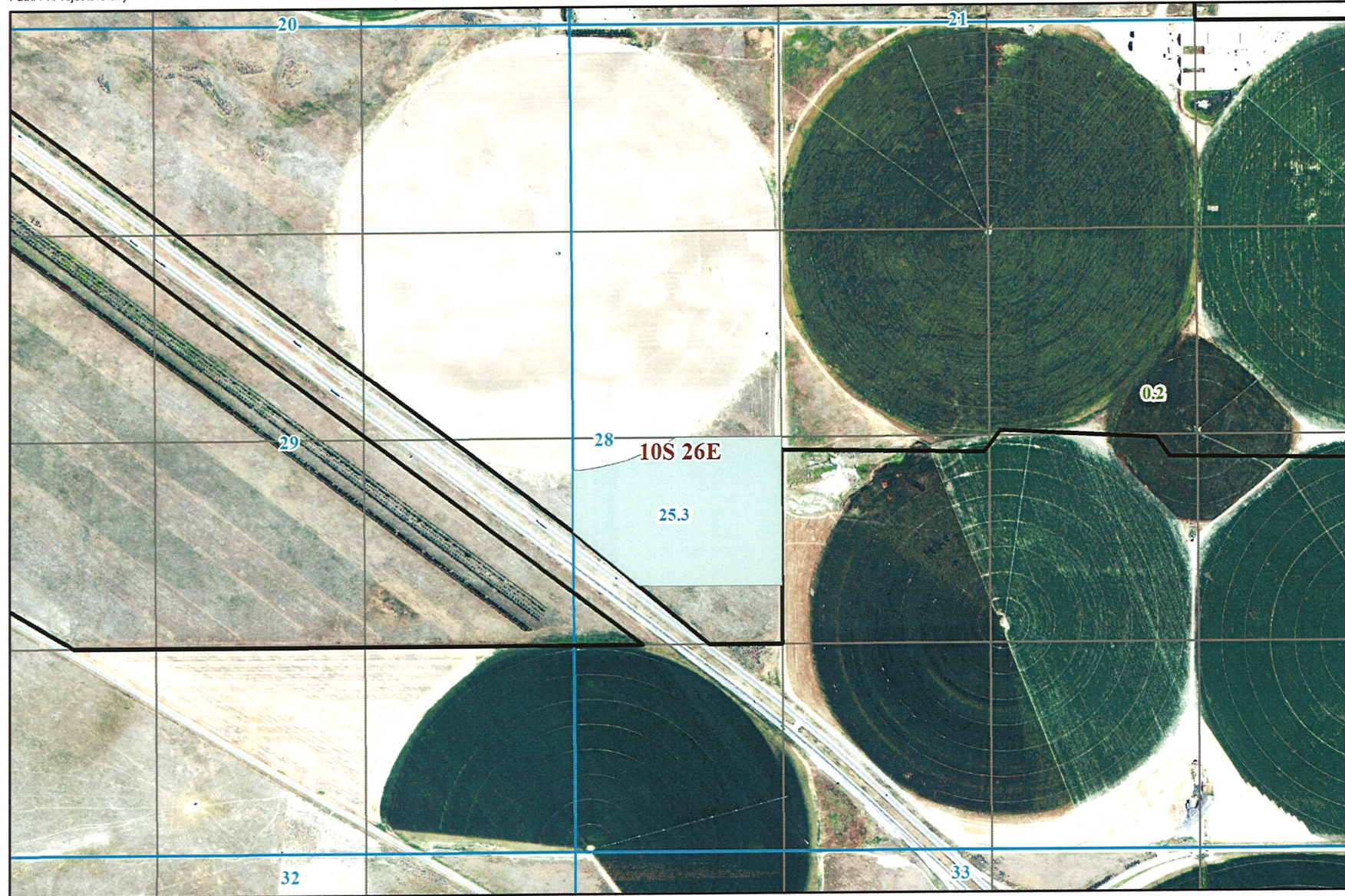
1. <u>Water Right Number</u>	<u>Nature of Use</u>	<u>Leased Rate</u> (cfs)	<u>Leased Volume</u> (af)	<u>Leased Acres</u> (ac)
43-13797	Irrigation	0.30	101.2	25.3
	Total Amounts:	0.30	101.2	25.3

2. Source of water Ground Water tributary to

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
10S	26E	28		NE	NE		Cassia
10S	26E	28		NW	NE		Cassia
10S	26E	28		NW	NW		Cassia
10S	26E	28		SE	SW		Cassia
10S	26E	28		SE	SE		Cassia

Path: F:\Projects\Gibby - Hollister\Acrview\Cotterel Transfer 2018 Lease Map.mxd



0 250 500 1,000 Feet

GIBBY - COTTEREL

2018 LEASE APPLICATION MAP
NAIP 2017 AERIAL

Legend

-  Lease Acres 2018
-  PPU

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 2/14/2018



Cassia, Idaho

FSA - 578 (09-13-16)

Farm Number: 1006

Operator Name and Address

CONDIE BROS
4626 W 4100 S
SALT LAKE CITY, UT 84120-4945REPORT OF COMMODITIES
FARM AND TRACT DETAIL LISTING

PROGRAM YEAR: 2014

DATE: 9-20-2017

PAGE: 1

Original: _____

Revision: _____

Cropland: 1559.01

Farmland: 1661.89

Tract Number	CLW Field	Crop/Commodity	Variety/Type	Int Pro	Int Use	Actual Use	Land Use	C/C Status	Reporting Unit	Reported Quantity	Determined Quantity	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
1719	1	CRP	04D	N				I	A	8.39		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	2	CRP	04D	N				I	A	17.52		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	3	CRP	04D	N				I	A	44.81		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	4	CRP	04D	N				I	A	14.22		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	5	CRP	04D	N				I	A	20.79		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	6	CRP	04D	N				I	A	49.47		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	7	CRP	04D	N				I	A	134.10		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	8	CRP	04D	N				I	A	155.66		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	9	CRP	04D	N				I	A	39.04		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	10	CRP	04D	N				I	A	45.48		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	12	CRP	04D	N				I	A	4.43		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	13	GRASS	WICR	N	GZ			I	A	5.47		Yes			4-1-2008	01	2020
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	14	CRP	04D	N				I	A	4.11		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	15	CRP	04D	N				I	A	3.77		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	16	CRP	04D	N				I	A	13.79		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	17	CRP	04D	N				I	A	125.58		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	18	CRP	04D	N				I	A	4.44		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	19	CRP	04D	N				I	A	141.13		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	

Cassia, Idaho

FSA - 578 (02-01-91)

Farm Number: 1006

REPORT OF COMMODITIES FARM AND TRACT DETAIL LISTING

PROGRAM YEAR: 2014

DATE: 9-20-2017
PAGE: 2

Tract Number	CLU/Field	Crop/Commodity	Varfaly/Type	Irr Prc	Int Use	Actual Use	Land Use	C/C Status	Reporting Unit	Reported Quantity	Determined Quantity	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
1719	20	CRP	04D	N				I	A	5.98		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	21	CRP	04D	N				I	A	70.13		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	22	CRP	04D	N				I	A	138.58		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	23	CRP	04D	N				I	A	22.57		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	24	CRP	04D	N				I	A	40.80		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	25	CRP	04D	N				I	A	160.30		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	26	CRP	04D	N				I	A	2.68		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	27	CRP	04D	N				I	A	15.48		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	28	CRP	04D	N				I	A	14.53		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	29	CRP	04D	N				I	A	11.65		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	30	CRP	04D	N				I	A	82.60		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	

Cr/Co	Var/Type	Irr Prc	Int Use	Non-Irr	Irr	Cr/Co	Var/Type	Irr Prc	Int Use	Non-Irr	Irr	Cr/Co	Var/Type	Irr Prc	Int Use	Non-Irr	Irr
GRASS	WCR	N	GZ	5.47		CRP	04D	N		1354.08							
Photo Number/Legal Description: H46,8 J46 84,5,8 T10 R28																	
Cropland: 1369.55										Difference: 0.00		Reported on Non-Cropland: 0.00					
1765	1	CRP	04D	N				I	A	10.48		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	2	CRP	04D	N				I	A	10.38		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	3	CRP	04D	N				I	A	45.48		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	4	CRP	04D	N				I	A	12.82		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	5	CRP	04D	N				I	A	118.40		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit 539	
	6	CRP	04D	N				I	A	9.38		Yes				01	2021

Cassia, Idaho

FSA - 578 (02-01-91)

Farm Number: 1006

REPORT OF COMMODITIES FARM AND TRACT DETAIL LISTING

PROGRAM YEAR: 2014

DATE: 9-20-2017
PAGE: 3

Tract Number	CLU/ Field	Crop/ Commodity	Variety/ Type	Irr Prc	Int Use	Actual Use	Land Use	C/C Status	Reporting Unit	Reported Quantity	Determined Quantity	Crop Land	Field ID	Official/ Measured	Planting Date	Planting Period	End Date
1785	7	CRP	04D	N				Share 100.00	A	22.54		RMA Unit				NAP Unit 539	
		CRP	04D	N				Share 100.00				Yes				01	2021
		CRP	04D	N								RMA Unit				NAP Unit 539	
Photo Number/Legal Description: HH8 S8 T10 R28																	
Cropland: 229.46						Reported on Cropland: 229.46					Difference: 0.00			Reported on Non-Cropland: 0.00			

Cassia, Idaho

FSA - 578 (09-13-16)

Farm Number: 1006

Operator Name and Address

CONDIE BROS
4625 W 4100 S
SALT LAKE CITY, UT 84120-4945

REPORT OF COMMODITIES FARM SUMMARY

PROGRAM YEAR: 2014

DATE: 9-20-2017
PAGE: 4

Original: _____

Revision: _____

Cropland: 1,599.01

Pastureland: 1,661.89

NOTE: The authority for collecting the following information is Pub.L. 107-76. This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

Producer Name				Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share
CONDIE BROS				CRP	04D	100.00	GRASS	WCR	100.00						
Crop/ Commodity	Variety/ Type	Irrigation Practice	Intended Use	Reported Quantity	Determined Quantity	Crop/ Commodity	Variety/ Type	Irrigation Practice	Intended Use	Reported Quantity	Determined Quantity				
GRASS	WCR	N	GZ	5.47		CRP	04D	N		1593.54					

CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops/commodities and land uses listed herein are true and correct and that all required crops/commodities and land uses have been reported for the farm as applicable. Absent any different or contrary prior subsequent certification filed by any producer for any crop for which NAP coverage has been purchased, I certify that the applicable crop, type, practice, and intended use is not planted if it is not included on the Report of Commodities for this crop year. The signing of this form gives FSA representatives authorization to enter and inspect crops/commodities and land uses on the above identified land. A signature date (the date the producer signs the FSA-578) will also be captured.

Operator's Signature (By)

Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

This form is available electronically.

CRP-1 (07-23-10) U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation CONSERVATION RESERVE PROGRAM CONTRACT NOTE: The authority for collecting the following information is Pub. L. 107-171. The authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The time required to complete this information collection is estimated to average 4 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.	1. ST. & CO. CODE & ADMIN. LOCATION 16031	2. SIGN-UP NUMBER 41
	3. CONTRACT NUMBER 10006	4. ACRES FOR ENROLLMENT 572.1
	5. FARM NUMBER 0001006	6. TRACT NUMBER(S) 0001719
	7. COUNTY OFFICE ADDRESS (Include Zip Code): CASSIA COUNTY FARM SERVICE AGENCY 1361 E 16TH ST BURLEY, ID 83318-2003	
TELEPHONE NUMBER (Include Area Code):	8. OFFER (Select one) ☒ GENERAL ☐ ENVIRONMENTAL PRIORITY	
	FROM: (MM-DD-YYYY) 10/01/2011	TO: (MM-DD-YYYY) 09/30/2021

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (who may be referred to as "the Participant"). The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") or other use set by CCC for the stipulated contract period from the date the contract is executed by the CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with terms and conditions contained in this Contract, including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges that a copy of the Appendix for the applicable sign-up period has been provided to such person. Such person also agrees to pay such liquidated damages in an amount specified in the Appendix if the Participant withdraws prior to CCC acceptance or rejection. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PRODUCERS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1, CRP-1 Appendix and any addendum thereto, CRP-2 or CRP-2C, if applicable; and, if applicable, CRP-15.

10A. Rental Rate Per Acre \$60.00	11. Identification of CRP Land (See Page 2 for additional space)				
B. Annual Contract Payment \$34326	A. Tract No. 0001719	B. Field No. 0019	C. Practice CP4D	D. Acres 134.1	E. Total Estimated Cost-Share \$7376.00
C. First Year Payment	0001719	0019	CP4D	141.1	\$7761.00
(Item 10C applicable only to continuous sign-up when the first year payment is prorated.)	0001719	0023	CP4D	136.6	\$7513.00

12. PARTICIPANTS

A(1). PARTICIPANT'S NAME AND ADDRESS (Zip Code): CONDIE BROS 4625 W 4100 S SALT LAKE CITY, UT 84120-4945	(2) SHARE 100.00%	(3) SOCIAL SECURITY NUMBER:	(4) SIGNATURE (If more than three individuals are signing, continue on attachment.) <i>Condie Bros</i>	(MM-DD-YYYY) 9/12/2011
B(1). PARTICIPANT'S NAME AND ADDRESS (Zip Code): N/A	(2) SHARE %	(3) SOCIAL SECURITY NUMBER:	(4) SIGNATURE (If more than three individuals are signing, continue on attachment.)	(MM-DD-YYYY)
C(1). PARTICIPANT'S NAME AND ADDRESS (Zip Code): N/A	(2) SHARE %	(3) SOCIAL SECURITY NUMBER:	(4) SIGNATURE (If more than three individuals are signing, continue on attachment.)	(MM-DD-YYYY)

13. CCC USE ONLY - Payments according to the shares are approved

A. SIGNATURE OF CCC REPRESENTATIVE <i>Caifut</i>	(MM-DD-YYYY) 9/12/2011
--	----------------------------------

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is the Food Security Act of 1985, (Pub. L. 99-198), as amended and the Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171) and regulations promulgated at 7 CFR Part 1410 and the Internal Revenue code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program contract, to assist in determining eligibility and to determine the correct parties to the contract. Furnishing the requested information is voluntary. Failure to furnish the requested information will result in determination of ineligibility for certain program benefits and other financial assistance administered by USDA agency. This information may be provided to other agencies, IRS, Department of Justice, or other State and Federal Law Enforcement agencies, and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 288, 287, 371, 641, 651, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to the information provided.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital and family status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audio tapes etc.) should contact USDA's TARGET Center at (202) 720-2500 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 320-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-6564 (voice or TDD). USDA is an equal opportunity provider and employer.

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☐ Owner's Copy

☐ Operator's Copy

Continuation of Item 11 - Identification of CRP Land

A. TRACT NO.	B. FIELD NO.	C. PRACTICE NO.	D. ACRES	E. TOTAL ESTIMATED C/S		
					F. FROM	G. TO
0001719	0025	CP4D	160.3	\$8817.00		

☐ Original - County Office Copy☐ Owner's Copy☐ Operator's Copy



USDA United States Department of Agriculture
Farm Service Agency

Jan. 6, 2011



Farm # 1006
Tract # 1719

Digital Orthophotography
Not to Scale

Disclaimer: Wetland Identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact N-122.

This form is available electronically.

CRP-1 (07-23-10) U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation CONSERVATION RESERVE PROGRAM CONTRACT NOTE: The authority for collecting the following information is Pub. L. 107-171. This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The time required to complete this information collection is estimated to average 4 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.	1. ST. & CO. CODE & ADMIN. LOCATION 16031	2. SIGN-UP NUMBER 41
	3. CONTRACT NUMBER 10007	4. ACRES FOR ENROLLMENT 228.5
	5. FARM NUMBER 0001006	6. TRACT NUMBER(S) 0001785
	7. COUNTY OFFICE ADDRESS (Include Zip Code): CASSIA COUNTY FARM SERVICE AGENCY 1361 E 16TH ST BURLEY, ID 83318-2008	8. OFFER (Select one) ☒ GENERAL ☐ ENVIRONMENTAL PRIORITY FROM: (MM-DD-YYYY) 10/01/2011 TO: (MM-DD-YYYY) 08/30/2021

TELEPHONE NUMBER (Include Area Code):

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (who may be referred to as "the Participant"). The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") or other use set by CCC for the stipulated contract period from the date the contract is executed by the CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with terms and conditions contained in this Contract, including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges that a copy of the Appendix for the applicable sign-up period has been provided to such person. Such person also agrees to pay such liquidated damages in an amount specified in the Appendix if the Participant withdraws prior to CCC acceptance of the sign-up. The terms and conditions of this contract are contained in this Form CRP-1 and in the Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PRODUCERS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1, CRP-2, Appendix and any addendum thereto, CRP-2 or CRP-2C, if applicable; and, if applicable, CRP-15.

10A. Rental Rate Per Acre	\$54.51	1. Identification of CRP Land (See Page 2 for additional space)				
B. Annual Contract Payment	\$12510	A. Tract No.	C. Field No.	D. Acres	E. Total Estimated Cost-Share	
C. First Year Payment		0001785	0001	CP4D	10.5	\$578.00
(Item 10C applicable only to continuous sign-up when the first year payment is prorated.)		0001785	0002	CP4D	10.4	\$572.00
		0001785	0003	CP4D	45.5	\$2503.00

12. PARTICIPANTS

A(1). PARTICIPANTS NAME AND ADDRESS (Zip Code): CONDIE BROS 4625 W 4100 S SALT LAKE CITY, UT 84120-4945	(2) SHARE 100.00%	(3) SOCIAL SECURITY NUMBER: (4) SIGNATURE: <i>Condie Bros</i> (MM-DD-YYYY) (If more than three individuals are signing, continue on attachment.)
B(1). PARTICIPANTS NAME AND ADDRESS (Zip Code): N/A	(2) SHARE %	(3) SOCIAL SECURITY NUMBER: (4) SIGNATURE: <i>Condie Bros</i> (MM-DD-YYYY) (If more than three individuals are signing, continue on attachment.)
C(1). PARTICIPANTS NAME AND ADDRESS (Zip Code): N/A	(2) SHARE %	(3) SOCIAL SECURITY NUMBER: (4) SIGNATURE: (MM-DD-YYYY) (If more than three individuals are signing, continue on attachment.)

13. CCC USE ONLY - Payments according to the shares are approved

A. SIGNATURE OF CCC REPRESENTATIVE <i>Carly</i>	(MM-DD-YYYY) 9/12/2011
---	----------------------------------

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is the Food Security Act of 1985, (Pub. L. 99-198), as amended and the Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171) and regulations promulgated at 7 CFR Part 1410 and the Internal Revenue code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program contract, to assist in determining eligibility and to determine the correct parties to the contract. Furnishing the requested information is voluntary. Failure to furnish the requested information will result in determination of ineligibility for certain program benefits and other financial assistance administered by USDA agency. This information may be provided to other agencies, IRS, Department of Justice, or other State and Federal Law Enforcement agencies, and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 641, 651, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to the information provided.

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☐ Owner's Copy

☐ Operator's Copy



USDA United States Department of Agriculture
Farm Service Agency

Jan. 6, 2011



Farm # 1006

Tract # 1765

Digital Orthophotograph
Not to Scale

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

This form is available electronically.

CRP-1 (03-26-04)		U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation		1. ST. & CO. CODE & ADMIN. LOCATION 16 031 8	2. SIGN-UP NUMBER 43
CONSERVATION RESERVE PROGRAM CONTRACT					
NOTE: The authority for collecting the following information is Pub. L. 107-171. This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The time required to complete this information collection is estimated to average 4 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.					
7. COUNTY OFFICE ADDRESS (Include Zip Code): CASSIA COUNTY FSA 1351 E 16TH ST BURLEY, ID 83318				5. FARM NUMBER 1006	6. TRACT NUMBER(S) 1719
TELEPHONE NUMBER (Include Area Code): (208) 678-1157				8. OFFER (Select one) GENERAL ☒ ENVIRONMENTAL PRIORITY ☐	9. CONTRACT PERIOD FROM: (MM-DD-YYYY) 10-01-2012 TO: (MM-DD-YYYY) 09-30-2022

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (who may be referred to as "the Participant"). The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") or other use set by CCC for the stipulated contract period from the date the Contract is executed by the CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with the terms and conditions contained in this Contract, including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges that a copy of the Appendix for the applicable sign-up period has been provided to such person. Such person also agrees to pay such scheduled damages in an amount specified in the Appendix if the Participant withdraws prior to CCC acceptance or rejection. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PRODUCERS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1; CRP-1 Appendix and any addendum thereto; CRP-2 or CRP-2C, if applicable; and, if applicable, CRP-15.

10A. Rental Rate Per Acre	\$	66.00	Identification of CRP Land (See Page 2 for additional space)				
B. Annual Contract Payment	\$	52,279	A. Tract No.	B. Field No.	C. Practice No.	D. Acres	E. Total Estimated Cost-Share
C. First Year Payment	\$	SEE ATTACHED SHEET					
(Item 10C applicable only to continuous sign-up when the first year payment is prorated.)							

12. PARTICIPANTS		
A(1). PARTICIPANT'S NAME AND ADDRESS (Zip Code): CONDIE BROS 4625 W 4100 S SALT LAKE CITY, UT 84120	(2) SHARE 100 %	(3) SOCIAL SECURITY NUMBER: XXX6216
		(4) SIGNATURE: <i>Condie Bros</i> DATE (MM-DD-YYYY) 2-27-2013
(If more than three individuals are signing, continue on attachment.)		
B(1). PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE	(3) SOCIAL SECURITY NUMBER:
	%	(4) SIGNATURE DATE (MM-DD-YYYY)
(If more than three individuals are signing, continue on attachment.)		
C(1). PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE	(3) SOCIAL SECURITY NUMBER:
	%	(4) SIGNATURE DATE (MM-DD-YYYY)
(If more than three individuals are signing, continue on attachment.)		

13. CCC USE ONLY - Payments according to the shares are approved.	A. SIGNATURE OF CCC REPRESENTATIVE <i>Cay Calk</i>	B. DATE (MM-DD-YYYY) 2/28/2013
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NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is the Food Security Act of 1985 (Pub. L. 99-198), as amended and the Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171) and regulations promulgated at 7 CFR Part 1410 and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. Furnishing the requested information is voluntary. Failure to furnish the requested information will result in determination of ineligibility for certain program benefits and other financial assistance administered by USDA agency. This information may be provided to other agencies, IRS, Department of Justice, or other State and Federal Law enforcement agencies, and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 288, 287, 371, 641, 651, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 328-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-8410 or call (202) 720-5834 (voice or TDD). USDA is an equal opportunity provider and employer.

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☐ Owner's Copy

☐ Operator's Copy



USDA United States Department of Agriculture
 Farm Service Agency
 Cassia County, ID

Farm 1006
 Tract 1719

Disclaimer: Wetland Identifiers do not represent the size, shape or specific determination of the area.
 Refer to your original determination (CPA-028 and attached maps) for exact wetland
 boundaries and determinations, or contact NRCS

October 22, 2010



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/14/2018

WATER RIGHT NO. 43-13797

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATURE RIDGE HOLDINGS LLC 872 E PEBBLE DR BURLEY, ID 83318 2086542733
Original Owner	CONDIE BROTHERS 4625 W 4100 S WEST VALLEY CITY, UT 84120 8019684943

Priority Date: 07/25/1973

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.68 CFS	906.4 AFA
Total Diversion			2.68 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENE	Sec. 28	Township 10S	Range 26E	CASSIA County
GROUND WATER	NWNE	Sec. 28	Township 10S	Range 26E	CASSIA County
GROUND WATER	NWNW	Sec. 28	Township 10S	Range 26E	CASSIA County
GROUND WATER	SESW	Sec. 28	Township 10S	Range 26E	CASSIA County
GROUND WATER	SESE	Sec. 28	Township 10S	Range 26E	CASSIA County

IRRIGATION Use:
Acre Limit: 226.6

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	26E	19		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40	1	NWNW	33	2	SWNW	35		SENW	33
				NESW	40	3	NWSW	38	4	SWSW	34		SESW	40
		20		NESE	38		NWSE	32		SWSE	40		SESE	34
				NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	35		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		21		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	13
		22		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	13		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		27		NWNW	40		SWNW	40						
				NWSW	5.8									
		28		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	4.5		NWSW	35						
				NESE	5.6		NWSE	0.7						
		29		NENE	40		NWNE	40		SWNE	32		SENE	38
				NENW	32		NWNW	37		SWNW	40		SENW	40
				NESW	36		NWSW	14						
				NESE	34		NWSE	40						
		30		NENE	40		NWNE	39		SWNE	7		SENE	30
				NENW	21									
				NESE	0.1									

Total Acres: 3469.7

Conditions of Approval:

1. X27 This right is limited to the irrigation of 226.6 acres within the authorized place of use in a single irrigation season. Rights 43-13797, 43-13466, 43-13468, 43-7015, 43-13384, 43-13386, 43-13388, 43-13390, 43-13392, 43-13394, 43-13396, 43-13398, 43-13400, 43-13402, 43-13404, and 43-13406 are limited to the irrigation of a specific 708.2 acres within the 3469.7 acre place of use authorized by this right in a single irrigation season. The specific 708.2 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 708.2 acres to be irrigated within the 3469.7 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.
2. 206
3. 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. 143.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).



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

February 4, 2021

NATURE FARM LLC
872 E PEBBLE DR
BURLEY ID 83318

**RE: WATER SUPPLY BANK LEASE CONTRACTS 1297
FOR WATER RIGHT 43-13797**

Dear Lessor:

Water right **43-13797** was leased into the Water Supply Bank (Bank) as of January 1, 2021, in accordance with the enclosed executed lease contract. **Your water rights, as described on the lease contract, are considered leased into the Bank and should remain unused until they are formally released from the Bank.** More information and further restrictions placed on your water rights while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The rights will automatically be released from the Bank on **December 31, 2021**, unless the rights are released earlier by the Water Resource Board (Board). On behalf of the Board, the Department of Water Resources (Department) can evaluate an early release of the lease contract upon your request. To release the water rights from the Bank prior to the release date, submit a written request on the *Request to Release a Water Right from the Bank* form. This form is available on our public website at www.idwr.idaho.gov. **Please note your water rights may not be available for immediate release if they have been rented or are being considered for a future rental. Furthermore, it is at the discretion of the Department whether or not a water right can be released early from a lease contract.**

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

Sincerely,

Jean Hersley

for
Water Supply Bank

Enclosure: Executed Lease Contract

c: IDWR- Southern Region
Nathan Erickson WD 143

Hersley, Jean

From: Hersley, Jean
Sent: Monday, January 11, 2021 12:39 PM
To: Erickson, Nathan; Skinner, Corey
Subject: WSB Lease Application for 43-13797
Attachments: Idled Acres.pdf; Lease Application Review.xls; Lease Contract - Template.docx

Please let me know within 7 days if you have any comments or concerns with the attached contract. Thank you.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 12, 2021

NATURE FARM LLC
872 E PEBBLE DR
BURLEY ID 83318

**RE: APPLICATION TO LEASE WATER RIGHT 43-13797 TO THE WATER SUPPLY BANK
CONTRACT 1297**

******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, 2021**, 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,

Jean Hersley

for
Water Supply Bank

Enclosures: Proposed Lease Contracts
Receipt # C109716

WATER SUPPLY BANK		Quick Tools	
Lease Review Checklist		Decreed	No Forfeiture Concerns Thru:
Applicant(s) Name: Nature Farm LLC		Year	
Memo Date: January 7, 2021		2011	2017
Water Right Number(s): 43-13797		2012	2018
Reviewers Name: Jean		2013	2019
		2014	2020
		2015	2021
		Check box	COMMENTS/CONCERNS:
1	Fill out WSB Data Entry Checklist for Leases (Front of File)	x	
2	Reason for lease of water rights (Brief description of lease proposal in narrative)		
	Portion of right	x	
	All of right		
3	Check GWMA/CGWA/ADC and basin 63 areas of concern (note area in comments)		ESPA GWMA & Raft River GWD
		Yes	No
4	Rentable? (If no explain in comments or narrative)	x	
5	Authority to file		
	Current owner or designated applicant	x	
	SOS Web site checked for business entity	x	Benjamin Giddy, Manager
	Other (explain in comments)		
6	Water Right validity		
	Decreed/Licensed/Statutory claim date (write in comments section)		2002
	Past irrigation to ensure forfeiture is not an issue if decreed or licensed over 7 years ago (consider transfers that changed the POU, rentals to the POU etc.)		
	Has this right previously been leased to the bank or in CREP?		2011 or 2012-2015 CRP
7	Injury to other water rights		
	If the POD is through a delivery entity, was consent provided?		na
	If the POD is through a delivery entity, was holdback required? (percentage in comments)		%
	Any other concerns	x	
8	Enlargement concerns	Check box	
	Complete a POU comparison overlap analysis	x	
	Complete a combined limits review	x	
	Complete POD overlap analysis (if there is an overlap add condition to lease)	x	
		Yes	No
	Are there overlapping rights that need to be placed in the bank also?		x
	Will the place of use continue to receive water? (if yes explain in comments)		x
9	Local Public Interest		
	Does the processor know of any problems this action will cause for the local public?		x
10	Have you contacted regional office and watermaster for comment/concerns?	x	
	Send the watermaster comment request form or e-mail request	x	
11	Area Headgate requirement (write in Comments)		4
12	Is water right involved in any other department action? Pull file and check database () Ownership Change () Transfer () Mitigation () Other - Explain in comments		x
13	Narrative: The Department received this application on December 23, 2020. The application was signed by Benjamin Giddy, manager of Nature Farm, LLC. The parent of this right was decreed in 2002. Portions of this right were enrolled in the CRP program from 2011 or 2012 to 2015. And these 25.3 acres have been in the Bank since. The current owner wishes to place 25.3 acres of this right in the Bank. This right is limited to the irrigation of 226.6 acres in a 3469.7 PPU and is combined with 15 other rights. These rights combined are limited to the irrigation of 708.2 acres in a single irrigation season. Portions of the other rights have never been leased to the Bank. The unleased portion of this right combined with the other rights will be limited to the irrigation of 682.9 acres during the term of this lease. This right is currently within WD 143, ESPA GWMA and Raft River GWD.		



0004039169

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0004039169

Date Filed: 10/21/2020 1:44:55 PM

Entity Name and Mailing Address:

Entity Name: NATURE FARM, L.L.C.
The file number of this entity on the records of the Idaho Secretary of State is: 0000064288
Address: 872 PEBBLE DR
BURLEY, ID 83318-5099

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W16780

The registered agent on record is:

Registered Agent: MONTE QUAST
Registered Agent
Physical Address
872 E PEBBLE DR
BURLEY, ID 83318
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
+ Reed Gibby	Manager	872 E PEBBLE DR BURLEY, ID 83318-5099
+ Benjamin Gibby	Manager	872 E PEBBLE DR BURLEY, ID 83318-5099

The annual report must be signed by an authorized signer of the entity.

*Tyson Nelson**10/21/2020*

Sign Here

Date

Job Title: Legal Counsel

B0340-0004 10/21/2020 1:43 PM RECEIVED BY ID SECRETARY OF STATE LAWRENCE DENNEY