

JUL 06 2020

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 441

This is to certify that:

RANDY D TURPIN
1146 W 100 S
BLACKFOOT, ID 83221

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

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
29-14054	12/31/1974	GROUND WATER	0.22	73.5	18.4	0.01	4.0
29-14055	6/20/1961	GROUND WATER	0.02	3.9	1.0	0.02	4.0
29-14056	10/26/1966	GROUND WATER	0.01	2.8	0.7	0.02	4.0
29-14080	12/31/1974	GROUND WATER	0.04	13.1	3.3	0.01	4.0
29-14081	6/20/1961	GROUND WATER	0.01	0.8	0.2	0.02	4.1
29-14082	10/26/1966	GROUND WATER	0.01	0.4	0.1	0.02	3.9
Combined Rental Totals			0.26	94.6	23.7	0.01	4.0

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2020. 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 2020, whichever occurs last.

Annual Rental Fee:

2020: \$1,892.00

SUPPORT DATA
IN FILE # 29-14054

The full fee for the rental of the above-described right(s) is \$1,892.00 for 2020. The rental fee includes an administrative fee of \$189.20 for 2020.

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

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.26	52.0	13.0	0.02	4.0
Combined Total	0.26	52.0	13.0	0.02	4.0

* The authorized water usage reflects a reduction from the water right elements rented, to account for combined limits and an increased rate per acre

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 441

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:

Randy Turpin
Signature of Renter

6-29-2020
Date

Randy Turpin
Printed Name

owner
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 6/17/20

Rental approved by IDWR HP

Date 6/17/20

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 441

10. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/22/2004.
11. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
12. Upon specific notification of the Department, the renter shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
13. Prior to the diversion and use of water under this rental agreement, the renter shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
14. 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
15. This rental agreement does not grant any right-of-way or easement across the land of another.
16. This rental agreement does not authorize the construction of a well.

Idaho Water Resource Board

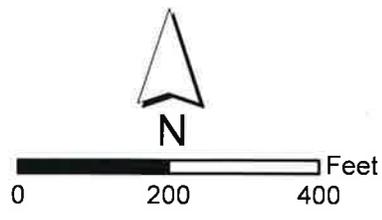
Attachment to Water Supply Bank Rental Agreement No. 441

Effective until December 31, 2020

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

RECEIVED

Print Form

APR 30 2020

APPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK

DEPARTMENT OF
WATER RESOURCES

Applicant Name: Randy Turpin

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 *AS per Justin*
- 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 Randy Turpin
 Mailing Address 1146 W 1005 Blackfoot Idaho 83221
street City State Zip Code
 Email Address Just2shart4me@gmail.com Phone Number 208-680-3793

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 _____ Professional Title _____
 Organization _____ Relationship to Applicant _____
 Mailing Address _____
 Email Address _____ Phone Number _____

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**.

My brother-in-law in 1970 changed this farm from surface irrigation to ground water but did not include the area on the other side of the canal that runs through it. He has died so I am asking for the rental to cover this ground

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)
<u>.011 CFS</u>	<u>AF</u>	<u>CFS</u>	<u>AF</u>	<u>13 AC</u>

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?	
<u>4-30-2020</u>	<u>6-30-2020</u>	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> Process application as soon as possible	<input type="checkbox"/> 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):

Well with 25Hp turbine pump on the ESPA with mainline to hand lines

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
<u>25 HP turbine pump SW/SE, Sect 6, T03S, R34E</u>	<u>ESPA</u>	<u>35-8153</u>

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 12.5 (number of acres) Duration: Subject to IDWR standard seasons of use
- Commercial from: _____ (mm/dd) to: _____ (mm/dd)
- Stockwater from: _____ (mm/dd) to: _____ (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:

35-8153, Peoples canal (Because of the ditch being filled in I can not get the water from the surface right without mixing - pumps, power, mainline - so I need more water to cover the short fall.

**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)
29-14054	Irrigation							
29-14055		Per						
29-14056			Just					
29-14080			145					
29-14081		15						
29-14082								
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			
						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**:

This rental along with water used on the rest of farm should cover the needs until we can get water from canal or buy & transfer water

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:

2019 contract #359 - CANAL company not able to get head gate in and we are also looking at changing POD on the pump on the other side of canal because of possible gate for a Sigues lagoon for Rockport that would dry up some ground

B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? If yes, describe: Yes No

C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? If yes, describe the date and location of the NOV. Yes No

D. Additional Information

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any wilful 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.

[Signature]
Signature of Applicant

Randy Turpin
Printed Name of Applicant

4-22-2020
Date

[Signature]
Signature of Representative

Randy Turpin
Printed Name of Representative

4-22-2020
Date

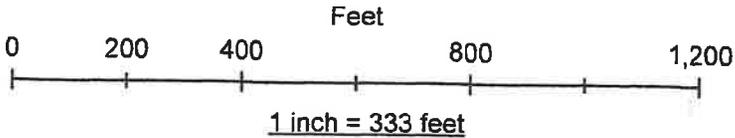
Print Form

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



USDA FSA, ISU GIS TR&C

Point_of_Diversion_35-8153
 Place_of_Use_35-8153
 MAIN Line
 Township/Range
 Sections
 QQ



Hand line -



To Whom it may concern,

I understand Randy Turpin is applying for water to irrigate land that is rented to him.

I am authorizing Randy Turpin to obtain water to irrigate the 13 acres he is renting from Murdock Family Farms Limited Partnership.

Murdock Family Farms Limited Partnership
Zoanne McGarry, LLC, General Partner


Zoanne McGarry, LLC, General Partner



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

July 20, 2020

RANDY D TURPIN
1146 W 100 S
BLACKFOOT, ID 83221

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 29-14054, 29-14055, 29-14056, 29-14080, 29-14081, 29-14082,
AGREEMENT 441**

Dear Renter:

Please find enclosed a receipt in the amount of **\$2,270.00** and a copy of a fully executed Water Supply Bank Rental Agreement of 94.6 acre-feet of water for irrigation of 13 acres. 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 \$1,702.80 of the rental fee will be paid to the lessor(s) and 10% or \$189.20 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,



Water Supply Bank

Enclosures: Receipt No. C108998
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office
Blake Jordan – State Water District No. 120



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

June 23, 2020

RANDY D TURPIN
1146 W 100 S
BLACKFOOT, ID 83221

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 29-14054, 29-14055, 29-14056, 29-14080, 29-14081, 29-14082,
AGREEMENT 441**

*****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 \$1,892.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 94.6 acre-feet.

Please send a check for \$1,892.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

Pursuant to the Water Supply Bank Rules, 90% or \$1,702.80 of the rental fee will be paid to the lessor(s) and 10% or \$189.20 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,

A handwritten signature in black ink that reads "Amanda Johnson-Walsh". The signature is written in a cursive style.

Water Supply Bank

Enclosure

c: IDWR Front Desk

Memorandum

To: Water Rights

From: Justin Ferguson

Date: April 30, 2020

Re: Water Supply Bank Rental Application 1714

Purpose/Narrative: An application was received by the Department April 30, 2020 from Mr. Randy Turpin requesting a rental of Eastern Snake River Plane Aquifer (ESPA) water for 2022. Prior to receiving the application, Mr. Turpin had worked with Bank staff to identify water rights available within his basin as well as an estimated amounts that could be used for preliminary modeling. While Mr. Turpin has requested a rental through 2022 it appears, based on the water rights available, that the rental will be limited to a single year.

This application was a continuation of a prior rental from 2019 through 2020, it appears Mr. Turpin wishes to irrigate acreage that is not otherwise covered by water rights and cannot receive canal shares.

Authority to File: The application was signed and submitted by Mr. Turpin along with a land use agreement from Murdock Family Farms signed by Zoanne McGary. No concerns at this time.

Water Right Validity/Forfeiture Evaluation: The water rights being used to facilitate this rental are valid and leased to the Bank. No concerns at this time

Injury Evaluation: No injury is apparent through this rental, preliminary modeling was prepared and reviewed prior to receiving the application. The information submitted was run on the latest version of the ETRAN program and, using the data provided, no further mitigation is required.

Enlargement of Use: No enlargement is evident as there are not water rights appurtenant to the property. Further, the area is also unable to receive irrigation from the People's Canal as such, this rental will be the only source of water for that acreage.

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

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

Department/Watermaster Comments: Watermaster and IDWR Eastern Region comments were requested *via email* 6/22/20. No concerns were received.

Water Supply Bank Evaluation: Bank staff recommend the approval of this rental through 2020.