

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 17 2020

DEPARTMENT OF
WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 384

This is to certify that:

MOO VIEW COW PALACE
327 E 600 S
BURLEY, ID 83318

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

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
45-13905	11/16/1974	GROUND WATER	0.30	352.0	Not Stated
Combined Rental Totals			0.30	352.0	Not Stated

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: \$704.00

The full fee for the rental of the above-described right(s) is \$704.00 for 2020. The rental fee includes an administrative fee of \$704.00 for 2020. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 45-13905.

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	0.30	352.0	88.0	0.03	4.0
Combined Total	0.30	352.0	88.0	0.03	4.0

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 384

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:

Craig E. Seale 3/16/20
Signature of Renter Date

Craig E. Seale Partner
Printed Name Title

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

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

By Brian Patton Date 3/27/2020
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR Angela M. Green Date 3/27/2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 384

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENE	Sec. 31, Twp 11S, Rge 24E,	CASSIA County
GROUND WATER	NWNW	Sec. 32, Twp 11S, Rge 24E,	CASSIA County
GROUND WATER	NWNW	Sec. 32, Twp 11S, Rge 24E,	CASSIA County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.30 CFS

VOLUME
352.0 AF

SEASON OF USE

From	To
3/15	11/15

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	23E	12		22	40					26									88

Total Acres: 88

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 384

11. 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.
12. This rental agreement does not authorize the construction of a well.
13. 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.
14. Use of water under this agreement 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. 140.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 384

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



0 2,000 4,000 Feet

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

DEC 19 2019

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Moo-View Cow Palace

Is this application being submitted with a lease application as a lease/rental package?

Yes ☒ No ☐

If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Yes

- ☒ Completed *Application to Rent Water from the Board's Water Supply Bank*
- ☐ Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank

Attachment N/A Yes

- 2 ☒ A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
- 3A ☐ ☒ Detailed information on a proposed use of rental water
- 3F ☐ ☒ Authorization from the owner/operator of the rental point(s) of diversion
- 3H ☐ ☐ Water modeling to account for the impacts of the rental request
- 3J ☐ ☐ Documents justifying a rate of flow greater than 0.02 cfs/acre
- 3K ☐ ☒ Authorization from the owner/operator of the property at the proposed rental place(s) of use
- 4B ☐ ☒ Explanation of how the rental water will sufficiently accomplish your rental purposes
- 4C ☐ ☒ Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

1014

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

- A. Applicant Moo-View Cow Palace
Mailing Address 522 E. 600S, Burley Idaho 83318
Street City State Zip Code
Email Address C.Searle@Pmt.org Phone Number 208/312-1595
- 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 Craig & Searle Professional Title Partner
Organization Moo-View Cow Palace Relationship to Applicant _____
Mailing Address 522 E 600S B
Email Address C.Searle@Pmt.org Phone Number 208/312-1595

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**:

was changed To commercial but never developed, use
is the same as historic

- 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>3</u> CFS	<u>352</u> AF	CFS	AF	<u>88</u> AC

* Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

- C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
<u>3/15/20</u>	<u>11/15/20</u>	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 5	<input 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):

- 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
Same as previous		

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 88 (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:

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)
Same as previous								
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**:

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:

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

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

- D. Additional Information

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.

Signature of Applicant

Printed Name of Applicant

Date

MOO-View Cow Palace

12/17/19

Signature of Representative

Printed Name of Representative

Date

Craig E Searle

12/17/19

Mail to:

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



Legend

- Proposed_PPU_2010 = 4,383.7 acres
- Water_Bank_Rented_86_Ac.
- Township_Range
- Section_Lines
- QQ_lines

**SEARLE MOO VIEW COW PALACE
RENTAL APPLICATION 2012
NAIP 2011 AERIAL**



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 30, 2020

MOO VIEW COW PALACE
327 E 600 S
BURLEY ID 83318

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 45-13905, AGREEMENT 384**

Dear Renter:

Please find enclosed a receipt in the amount of **\$704.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 352.0 acre-feet of water for irrigation of 88.0 acres during 2020. 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, the rental fee will be retained by the Department to offset administrative costs since you are the owner of the right(s).

Please note, the points of diversion (POD) were amended to reflect the actual POD's that will be used for this rental.

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. C108478
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Corey Skinner – IDWR Southern Regional Office
Brian Higgs – State Water District No. 140



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 4, 2020

MOO VIEW COW PALACE
327 E 600 S
BURLEY, ID 83318

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 45-13905, AGREEMENT 384**

*****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 \$7040.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 352.00 acre-feet. Since you are both the lessor and the renter of the right(s), **you are only obligated to pay the 10% administrative fee or \$704.00.** An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for \$704.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

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

Sincerely,

f Water Supply Bank

Enclosure(s)

c: IDWR Front Desk

Memorandum

To: Water Rights 45-13905

From: Justin Ferguson

Date: January 29, 2020

Re: Water Supply Bank Rental Application 1614

Purpose/Narrative: An application was received December 19, 2019 requesting the rental of water right 45-13905 for a full five years. The applicant, Craig Searle on behalf of Moo View Cow Palace, is also the current owner of the water right which has been leased to the Bank from 2010 through the end of 2020.

Mr. Searle has requested to rent the full amount available of the right however, the lease contract is set to expire and the right will only be available for a single year. Mr. Searle was notified via email that the rental was only available using this right for a single year unless the lease application was renewed, otherwise the Bank would proceed with the single year rental. At the time of this review there has been no response, as such we will proceed with the rental for a single year.

Historically this right has been changed from an irrigation water right to a commercial water right for the construction of a dairy (transfer no. 71925). As the dairy has not been completed this right has not been used for commercial purposes and was accepted into the Bank as 0.3 cfs and 352 af for the irrigation of 88 acres.

After talking with Mr. Searle it appears that the dairy is not going to be built. He requested that we proceed with the rental for a single year before the transfer is revoked and the rights are changed back to irrigation from commercial.

Authority to File: The applications were signed and submitted by Mr. Craig Searle, Idaho Secretary of State Records show that Mr. Searle is a general partner of the business. No concerns about the applicant's authority to file at this time.

Water Right Validity/Forfeiture Evaluation: This right is a split of 45-7186B and was initially leased to the Bank beginning in 2010 for an indefinite term. When the Bank initiated the five year time limit Mr. Searle requested that the term carry through the end of 2020. No concerns of validity at this time.

Injury Evaluation: The rental proposes to use the applicant's own water right, in full, at their own place of use. Mr. Searle had requested the rental through 2024 however, as the water right is only available through 2020 the term has been adjusted. It is unclear how the place of use will receive the irrigation as the identified points of diversion are two sections to the north. While the rental is within the ESPA, no modeling is required.

Enlargement of Use: No enlargement is evident through the rental as the amount available is reflective of the amount historically used for irrigation. The place of use intended to be irrigated is within the surface water delivery area of the Southwest Irrigation District however only the ground water will be used to cover the acreage. As such, conditions will be added to the agreement to limit water use and prevent the possibility of enlargement.

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

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

Department/Watermaster Comments: Watermaster and IDWR Southern Region comments were requested January 29, 2020.

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

Ferguson, Justin

From: Ferguson, Justin
Sent: Wednesday, January 29, 2020 1:14 PM
To: Skinner, Corey; Olenichak, Tony; 'Brian@WaterWellConsultants.com'
Subject: WSB Rental Applications - Moo View Cow Palace & Ranch Properties
Attachments: Rental Review Memo.docx; Draft Lease Ranch Properties.docx; Rental Map Ranch Properties 45-11969.pdf; Rental Review Memo.docx; Draft Agreement Moo View Cow Palace.docx; Rental Map Moo-View Cow Palace.pdf

Afternoon!

Attached are the draft rental maps, memos, and agreements for Ranch Properties and Moo View Cow Palace. Please let me know if you have any comments or concerns, IDWR will assume you do not object to this application if a timely response is not received.

Thank you!

Ferguson, Justin

From: Ferguson, Justin
Sent: Monday, January 13, 2020 10:31 AM
To: 'CSearle@pmt.org'
Subject: Water Supply Bank Rental for Moo-View Palace

Morning!

I have started the review of your rental of water right 45-13905 and wanted to check in, from the application it looks like you are requesting a five year rental. At this time we can't do the full five years as the contract for lease for that water right is set to expire December 31, 2020. Since this is your own right we have a some options that may be helpful:

1. Execute the rental contract for a single year and send in your application to lease the water right in next year as a lease/rental package.
2. Hold the rental application so you can submit the lease application extending the period the water right is in the Bank. Then we can process the rental for the full five years through 2024.
3. Proceed with the five year rental and use the available rights leased to the Bank in your area. This may change the rental fees due as a rental of more acre-feet may be necessary as mitigation due to your proximity to the Eastern Snake Plane Aquifer. For more information on the ESPA [our page](#) has the model grid cells, modeling tool, and results analysis.

Since there is not an application fee for a rental the fastest option may be to process the rental for a single year, then send the lease/rental package together next year or, use the available rights in the area for the full five years. In your application you indicated that the latest start date is November 15, 2020 so if time is not a factor we may be able to process the lease/rental package this year before that date. If I don't hear back from you by Friday January 17, 2020 I will proceed with the rental for a single year so that you are covered for 2020.

Thank you
Justin Ferguson