

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 27 2019

WATER SUPPLY BANK RENTAL AGREEMENT No. 341

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

TRAVELL ENTERPRISES
7696 W HIGHWAY 287
LANDER, WY 82520-9303

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)
13-2092	11/28/1919	CUB RIVER	0.08	14.0	4.0	0.020	3.50
13-2179	6/1/1954	CUB RIVER	0.01	0.3	4.0	0.002	0.07
Combined Rental Totals			0.08	14.0	4.0	0.02	3.50

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2023. 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 2019, whichever occurs last.

Annual Rental Fee:

2019 - 2022 \$42.00 annually
2023 : \$46.20 annually

The full fee for the rental of the above-described right(s) is \$42.00 per year for years 2019 - 2022 and \$46.20 for 2023. The rental fee includes an administrative fee of \$14.00 per year for years 2019 - 2022 and \$32.20 for 2023.

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)
RECREATION STORAGE	0.08	10.0
Combined Total	0.08	10.0

** The authorized water usage reflects a reduction from the water right elements rented, to account for the change in nature of use from irrigation to recreational storage.*

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 341

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:


Signature of Renter

6/24/19
Date

Trawell Enterprises Inc.
by Travis McNiven
Printed Name

President
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, Acting Administrator
Idaho Water Resource Board

Date 6/27/2019

Rental approved by IDWR 

Date 6-27-2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 343

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

CUB RIVER	NWSE	Sec. 29, Twp 16S, Rge 40E,	FRANKLIN County
CUB RIVER	NWSE	Sec. 29, Twp 16S, Rge 40E,	FRANKLIN County
CUB RIVER	SWSE	Sec. 20, Twp 16S, Rge 40E,	FRANKLIN County
CUB RIVER	SWNW	Sec. 29, Twp 16S, Rge 40E,	FRANKLIN County

BENEFICIAL USE

RECREATION STORAGE

DIVERSION RATE

0.08 CFS

VOLUME

10.0 AF

SEASON OF USE

Water Right No.
13-2179

From
4/1

To
11/1

RENTERS PLACE OF USE: RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	40E	29													X	X	X		

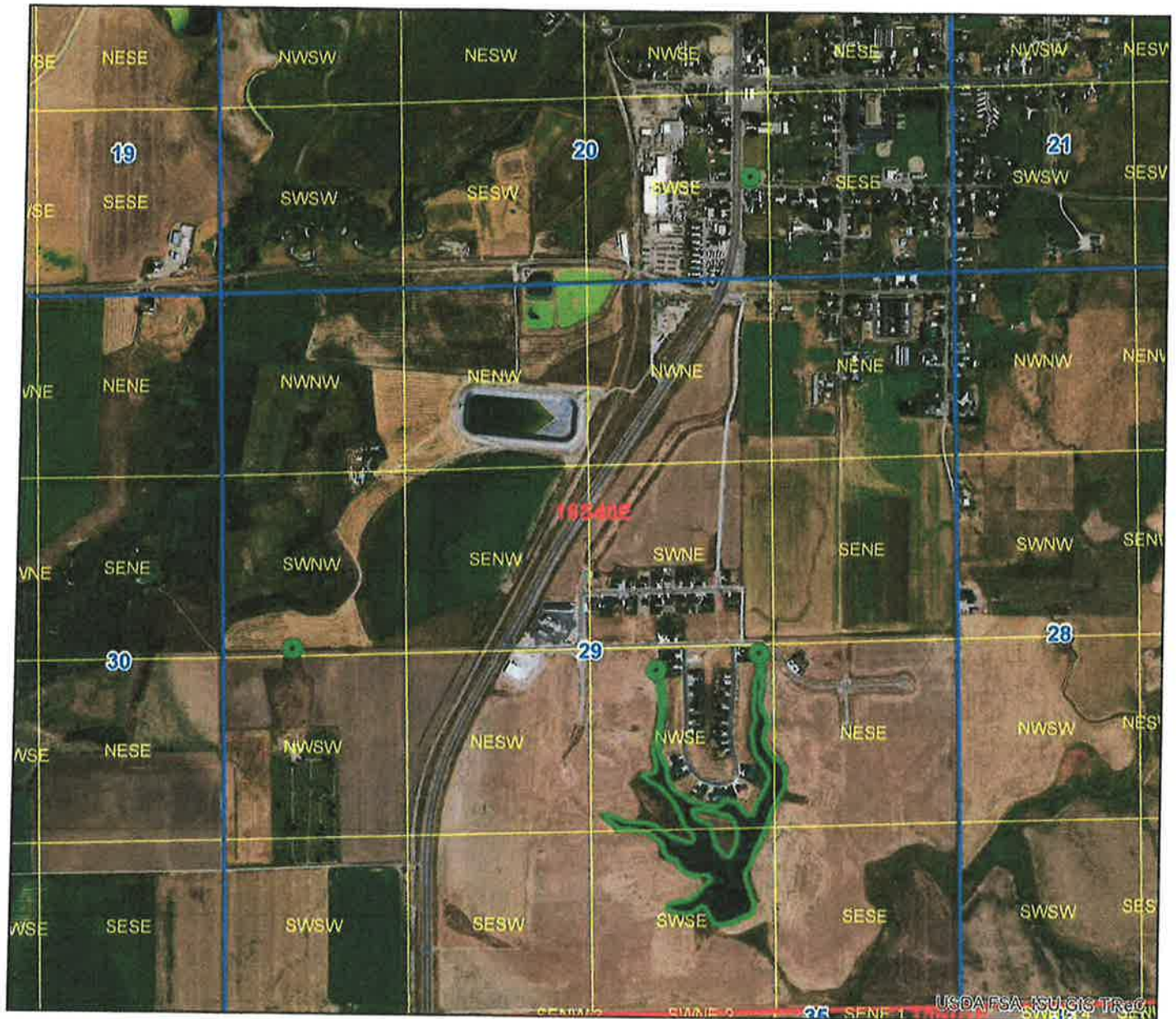
RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. The water rented under this agreement is appurtenant to irrigation of 4.0 acres.
10. 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, one of the points of diversion on this water right is within State Water District No. 13A.

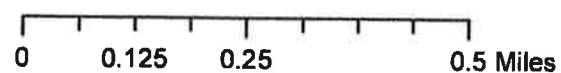
Attachment to Water Supply Bank Rental Agreement No. 341

Effective until December 31, 2023

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 BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKRECEIVED
MAR 04 2019
DEPARTMENT OF
WATER RESOURCESApplicant Name: Travell Enterprises, Inc.

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)

13-2092

13-2179

BS7

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Travell Enterprises, Inc.

Mailing Address 7696 Hwy 287 N. Lander Wyoming 82520
Street City State Zip Code
Email Address t_mcniven@yahoo.com Phone Number 307-438-3626

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 TJ Budge Professional Title Attorney
Organization Racine Olson, PLLP Relationship to Applicant Attorney
Mailing Address P.O. Box 1391, Pocatello, Idaho 83204-1391
Email Address tjb@racinelaw.net Phone Number 208-232-6101

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**:

Water will be used in Legacy Lake in accordance with the enclosed Water Management Plan.

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)
CFS	14 AF	CFS	AF	AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
01/01/2018	N/A	☐ 1	☐ 2	☐ 3	☐ 4	☒ 5	☒ Process application as soon as possible	☐ Return application to applicant

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

** Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):

See enclosed Water Management Plan Map.

- 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
Pump	Bear River	13-2092, 13-2134, 13-2179

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☒ N/A ☐
If yes, include documented consent as **Attachment 3F**.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☐ No ☒
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- H. Has water modeling been provided with your rental request? Yes ☐ N/A ☒
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

- I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

- ☐ Irrigation _____ (number of acres) Duration: Subject to IDWR standard seasons of use
- ☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
- ☒ Other: **Recreation Storage** from: **04/01** (mm/dd) to: **11/01** (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.

N/A

- 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:
See Water Management Plan.

**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)
13-2092	Irrigation		7	29			7	29
13-2179	Irrigation		7	29			7	29
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		14	29
						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**:

See attached Water Management Plan.

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:
Permanent water right to be secured in Bear River Adjudication.

- 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? 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

Travis McNiven, Manager
Printed Name of Applicant

2/28/19
Date

Signature of Representative

Printed Name of Representative

Date

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

**STATE OF IDAHO
WATER RESOURCE BOARD**

Water Modeling Requirement Information Sheet

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

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

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

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

Regulated water sources may areas include:

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

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

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

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

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

Modeling situations may include:

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

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

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

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



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 28, 2019

TRAVELL ENTERPRISES
7696 W HIGHWAY 287
LANDER WY 82520-9303

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 13-2092 and 13-2179, AGREEMENT 341**

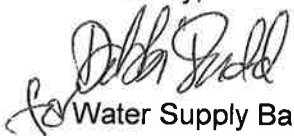
Dear Renter:

Please find enclosed a receipt in the amount of **\$42.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 14.0 acre-feet of water for recreation storage use during 2019. 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 \$28.00 of the rental fee will be paid to the lessor(s) and 10% or \$14.00 will be retained by the Department to offset administrative costs.

If you have any questions, please contact this office at (208) 287-4800.

Sincerely,


Water Supply Bank

Enclosures: Receipt No. C107105
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office
T J Budge – Racine Olson



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 24, 2019

TRAVELL ENTERPRISES
7696 W HIGHWAY 287
LANDER WY 82520-9303

RE: **APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 13-2092 and 13-2179, AGREEMENT 341**

*****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.

The full fee for the rental of the above-described rights is \$42.00 per year for years 2019-2022 and \$46.20 for 2023. The rental fee includes an administrative fee of \$14.00 per year for years 2019-2022 and \$32.32 for 2023. 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 \$42.00 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 (208) 287-4800.

Sincerely,


Water Supply Bank

Enclosure

c: IDWR Front Desk
T J Budge – Racine Olson

Webster, Clay

From: TJ Budge <tj@racineolson.com>
Sent: Monday, June 24, 2019 2:18 PM
To: Webster, Clay
Cc: Judd, Debbi; Buyer, Remington
Subject: RE: Water Supply Bank Rental Agreement Travell Enterprises

Thanks Clay. I'll get the original mailed to you. Thanks for considering a change to the original signature policy. Anymore I rarely see original signatures on contracts unless will be notarized and recorded in a county recorder's office.

T.J. Budge

RACINE OLSON

201 E. Center St. | P.O. Box 1391 | Pocatello, Idaho 83204

W: (208) 232-6101 | C: (208) 705-0826 | F: (208) 232-6109

www.racineolson.com

CONFIDENTIALITY NOTICE - This email and its attachments may contain information that is confidential, privileged, or otherwise protected from disclosure. If you believe this email may have been sent to you in error, please notify me immediately.

From: Webster, Clay <Clay.Webster@idwr.idaho.gov>
Sent: Monday, June 24, 2019 2:16 PM
To: TJ Budge <tj@racineolson.com>
Cc: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>; Buyer, Remington <Remington.Buyer@idwr.idaho.gov>
Subject: RE: Water Supply Bank Rental Agreement Travell Enterprises

T. J.,

The department's policy has been that we required the original signature on the Water Supply Bank Rental Agreement prior to executing the rental. The cover letter sent with the agreement spells out our process for executing the rental. Please have the original sent to the department along with the payment of \$42.00. I will then execute the rental. I have posed your comment to our legal staff for clarification. Thank you for your help in this matter.

Sincerely,
Clay Webster
Water Rights Supervisor
clay.webster@idwr.idaho.gov
208-287-4910
Idaho Department of Water Resources (IDWR)

From: Judd, Debbi
Sent: Monday, June 24, 2019 1:48 PM
To: Webster, Clay <Clay.Webster@idwr.idaho.gov>
Subject: FW: Water Supply Bank Rental Agreement Travell Enterprises

I thought we always ask for the original signed copy before executing.

From: TJ Budge [<mailto:tj@racineolson.com>]
Sent: Monday, June 24, 2019 1:41 PM

To: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>

Subject: RE: Water Supply Bank Rental Agreement Travell Enterprises

I was anticipated the scanned copy would suffice. Idaho law does not require original signatures on these types of contracts. I can have the original mailed if needed.

T.J. Budge

RACINE OLSON

201 E. Center St. | P.O. Box 1391 | Pocatello, Idaho 83204

W: (208) 232-6101 | C: (208) 705-0826 | F: (208) 232-6109

www.racineolson.com

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From: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>

Sent: Monday, June 24, 2019 1:39 PM

To: TJ Budge <tj@racineolson.com>

Subject: RE: Water Supply Bank Rental Agreement Travell Enterprises

The original signed agreement is/will be mailed to us, correct?

Thanks,

Debbi

From: TJ Budge [<mailto:tj@racineolson.com>]

Sent: Monday, June 24, 2019 1:36 PM

To: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>

Subject: RE: Water Supply Bank Rental Agreement Travell Enterprises

Debbi,

Attached is the rental agreement signed by Travell.

T.J. Budge

RACINE OLSON

201 E. Center St. | P.O. Box 1391 | Pocatello, Idaho 83204

W: (208) 232-6101 | C: (208) 705-0826 | F: (208) 232-6109

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From: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>

Sent: Friday, June 21, 2019 3:42 PM

To: TJ Budge <tj@racineolson.com>

Subject: Water Supply Bank Rental Agreement Travell Enterprises

Good afternoon,

Please find attached the *Proposed* Rental Agreement for Travell Enterprises 13-2092 & 13-2179.

Thank you.

Debbi Judd
Technical Records Specialist
debbi.judd@idwr.idaho.gov

Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise, ID 83720-0098
208-287-4920
www.idwr.idaho.gov

MEMORANDUM FOR APPLICATION # 1356

To: Water Right(s) 13-2179, 13-2093

From: Alex Dalglish

Date: May 24, 2019

Re: Review & Analysis of Application to Lease and Rent Water to and from the State Water Supply Bank

PURPOSE/NARRATIVE: The Department received a lease/rental companion package on March 4, 2019. There are two applications to lease rights from Franklin Cub River Pumping Co (FCRPC) and 1 rental package from Travell Enterprises, INC (TEI). A portion, 29 acres, of rights 13-2179 and 13-2092 will be leased into the Bank for from 2019-2023.

According to prior memos, the recreational storage pond where the rental water will be used, has been in existence for some time. Water rented under rights 13-43, 13-44, 13-45 and 13-46 provided water for the initial fill. The prior lease/rental from 2014-2018 provided maintenance of the pond level. A permanent storage right before the Department (13-7694), is currently in the draft application for permit stage.

The Pond is expanding in size and additional water is needed to compensate for evaporation and seepage loss. Development of roads and homes in the area will also cause a decrease in the surrounding irrigation of lands by 29 acres, according to a 2008 water management plan provided with the rental. According to this plan, the drying up of those acres will offset the depletion of water from the pond.

On 5/6/19, shapefiles were requested from TJ Budge showing the location of acres to be leased and the corresponding location those acres would be rented. He had the shapefiles sent over on 5/22/19. The lease shapefile represented 43.2 acres, not 29 acres proposed on the lease applications. A map was created by the Department to represent 29 acres at the lease POU. On 5/23/19, this map was sent to Mr. Budge and he responded promptly confirming he was ok with the lease shape represented on the map.

AUTHORITY TO FILE: Chris Allen, President of FCRPC, signed both lease applications and Travis McNiven, manager for TEI signed the rental application. The rental application was completed by attorney TJ Budge, of Racine Olson PLLP. IDSOS confirms Chris Allen as president. Travell Enterprises Inc. did not appear on the IDSOS search. A google search provided that TI is located in Lander, Wyoming. The Wyoming SOS site (<https://wyobiz.wy.gov/Business/FilingSearch.aspx>) shows Travis McNiven as president/director. Both are authorized to sign. An agreement, included with the lease authorizes Chris Allen to submit the lease applications on behalf of all other water right holders. A private lease agreement requests a rental rate of \$1.00 per acre-foot.

According to Department records and Franklin County parcel search, the property at the POD for leased right 29-2179 does not have an owner listed. Department records show the property at the POU for both leased rights covers various parcels. The property at the POD for right 13-2092 is owned by Valenge Etux Olsen.

The rental map lists four POD's, one from the Cub River Pump Co. Canal in the SWNW QQ of Sec 29, Twp16S, Rge 40E and the other from Maple Creek Irrigation Co. Pipeline in the SWSE QQ of Sec 20, TWP 16S, Rge40E. The other two POD's are represented by the discharge locations from the canal and pipeline into Morrison Reservoir. Both are located in the NWSE QQ Sec 29 Twp 16S Rge 40E. Morrison Reservoir is now called Legacy Lake.

WATER RIGHT VALIDITY: According to prior memos, rights 13-2179 and 13-2092 were licensed in 1927 and 1921 respectively. They have been continuously leased and rented to the Bank since April 2008. Forfeiture is not an issue.

INJURY TO OTHER WATER RIGHTS: No injury is apparent from the lease or rental of rights 13-2179 and 13-2092. Modeling is not required.

ENLARGEMENT OF USE: No enlargement is evident. The lease and rental share the same season of use from 4/1 to 11/1. They also share the same headgate requirement of 3.5 af/ac and consumptive use of 2.5 af/ac. The rental will change the nature of use from irrigation to recreation storage. The lease proposes to put 29 acres into the Bank and the rental is for 14 AF. The 2008 water management plan, included with the rental, suggests that Legacy Lake will need an estimated 9.85 AF annually to compensate for evaporation and seepage losses. The rental will be limited to 10 AF (requested 14 AF divided by 3.5af/ac headgate requirement multiplied by the consumptive use of 2.5af/ac = 10AF). This rental will be charged for the full headgate volume of the irrigation rights but will be limited to the consumptive use volume to avoid enlargement. This will require Travell Enterprises, Inc to rent 4 acres worth of irrigation.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The lease and rental appear consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The leased rights are subject to Water District 13A (Cub River). On 5/24/19, comments were submitted to Eastern Region and Watermaster of District 13A, Kirk Iverson. Water District 13A covers the POD's for rights 13-2092 and 13-2179 but not the rental POD's.

Dalglish, Alex

From: Dalglish, Alex
Sent: Thursday, May 23, 2019 4:32 PM
To: 'TJ Budge'
Subject: RE: Rental Dates

TJ,

That's what I thought but needed confirmation. Thank you, I'll proceed.

From: TJ Budge [mailto:tj@racineolson.com]
Sent: Thursday, May 23, 2019 4:31 PM
To: Dalglish, Alex <Alex.Dalglish@idwr.idaho.gov>
Subject: RE: Rental Dates

Sorry Alex, that is a clerical mistake. The prior rental ended December 31, 2018. The new rental should commence January 1, 2019. Please consider this email your authorization to process accordingly.

Thanks,

T.J. Budge
RACINE OLSON
201 E. Center St. | P.O. Box 1391 | Pocatello, Idaho 83204
W: (208) 232-6101 | C: (208) 705-0826 | F: (208) 232-6109
www.racineolson.com

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From: Dalglish, Alex <Alex.Dalglish@idwr.idaho.gov>
Sent: Thursday, May 23, 2019 4:22 PM
To: TJ Budge <tj@racineolson.com>
Subject: Rental Dates

TJ,

I have processed the lease and am now working on the rental. The rental application requests a start date of 01/01/2018 with a desired timeline of 5 years. Is this correct, or does the possible error need to be corrected?

Thanks,

Alex Dalglish
Water Resource Agent
Phone (208) 287-4913
alex.dalglish@idwr.idaho.gov

Dalglish, Alex

From: Bonnie Hill <bonnie@racineolson.com>
Sent: Wednesday, May 22, 2019 2:03 PM
To: Dalglish, Alex
Cc: TJ Budge
Subject: RE: Shapefiles for Franklin Cub River Pumping Co. and Travell Enterprises
Attachments: Lease POU.shp; Lease POU.shx; Rental POU.cpg; Rental POU.dbf; Rental POU.prj; Rental POU.sbn; Rental POU.sbx; Rental POU.shp; Rental POU.shx; Lease POU.cpg; Lease POU.dbf; Lease POU.prj; Lease POU.sbn; Lease POU.sbx

Shapefiles attached.

Bonnie K. Hill

Assistant to Patrick N. George



201 E. Center Street / P.O. Box 1391
Pocatello, Idaho 83204
(208)232-6101 - Phone
(208)478-3470 - Fax

www.racinelaw.net

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From: TJ Budge <tj@racineolson.com>
Sent: Wednesday, May 22, 2019 2:01 PM
To: Bonnie Hill <bonnie@racineolson.com>
Cc: Dalglish, Alex <Alex.Dalglish@idwr.idaho.gov>
Subject: FW: Shapefiles for Franklin Cub River Pumping Co. and Travell Enterprises

Bonnie,

Please email to Alex the shapefile for the Water Supply Bank map you prepared for McNiven.

T.J. Budge
RACINE OLSON
201 E. Center St. | P.O. Box 1391 | Pocatello, Idaho 83204
W: (208) 232-6101 | C: (208) 705-0826 | F: (208) 232-6109
www.racineolson.com

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From: Dalglish, Alex <Alex.Dalglish@idwr.idaho.gov>
Sent: Wednesday, May 22, 2019 12:14 PM
To: TJ Budge <tj@racineolson.com>
Subject: RE: Shapefiles for Franklin Cub River Pumping Co. and Travell Enterprises

TJ,

Is it possible to send me the actual shapefiles so I can easily import them into ArcGIS?

Alex Dalglish
Water Resource Agent
Phone (208) 287-4913
alex.dalglish@idwr.idaho.gov

From: TJ Budge [<mailto:tj@racineolson.com>]
Sent: Wednesday, May 22, 2019 9:54 AM
To: Dalglish, Alex <Alex.Dalglish@idwr.idaho.gov>
Subject: RE: Shapefiles for Franklin Cub River Pumping Co. and Travell Enterprises

Here you go! Sorry about the wait.

T.J. Budge
RACINE OLSON
201 E. Center St. | P.O. Box 1391 | Pocatello, Idaho 83204
W: (208) 232-6101 | C: (208) 705-0826 | F: (208) 232-6109
www.racineolson.com

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From: Dalglish, Alex <Alex.Dalglish@idwr.idaho.gov>
Sent: Wednesday, May 22, 2019 8:25 AM
To: TJ Budge <tj@racineolson.com>
Subject: Shapefiles for Franklin Cub River Pumping Co. and Travell Enterprises

Good Morning TJ,

I'm still holding the lease/rental package of rights 13-2179 and 13-2092 between Franklin Cub River Pumping Company and Travell Enterprises, Inc. I'm reaching out as a reminder that I need the shapefile representing the acres that will be dried up/ leased as well as the shapefile showing where the rented water will be used at Legacy Lake. The Department typically gives the applicant 30 days to provide additional requested information. After 30 days, the application(s) are returned and consequently go unprocessed.

Please send me the respective shapefiles so I can finish processing the lease/rental. Feel open to call or email me with questions/concerns.

Thank you,

Alex Dagleish
Water Resource Agent
Phone (208) 287-4913
alex.dagleish@idwr.idaho.gov

Field, Christine

From: TJ Budge <tj@racineolson.com>
Sent: Thursday, March 14, 2019 12:28 PM
To: Field, Christine
Subject: RE: Map Request Needed for Lease and Rental
Attachments: Figure 1.pdf; 13-2179 Water Right Report.pdf; 13-2179 Map.pdf; 13-2092 Water Right Report.pdf; 13-2092 Map.pdf; Water Management Plan.pdf; 20140422 WSB Rental Agreement.PDF

Hi Christine –

Attached are water right reports and maps for 13-2092 and 13-2179. Also attached is a map of Legacy Lake along with the Water Management Plan which explains the basis for the 9.85 AF of evaporation that this rental seeks to cover.

I assume you are aware but this rental application seeks to extend a prior rental application under the same water rights. I've attached that rental agreement for reference.

Let me know if you have any further questions.

Thanks,

T.J. Budge

RACINE OLSON

201 E. Center St. | P.O. Box 1391 | Pocatello, Idaho 83204

W: (208) 232-6101 | C: (208) 705-0826 | F: (208) 232-6109

www.racineolson.com

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From: Field, Christine <Christine.Field@idwr.idaho.gov>

Sent: Tuesday, March 12, 2019 2:42 PM

To: TJ Budge <tj@racineolson.com>

Subject: Map Request Needed for Lease and Rental

Hi TJ,

I am working on the Lease Applications for Franklin Cub River Pumping and Rental Application for Travell Enterprises that your firm recently submitted.

Please send the Maps for W/R 13-2092 and W/R 13-2179. The Map is needed to outline the specific areas that will be dried up.

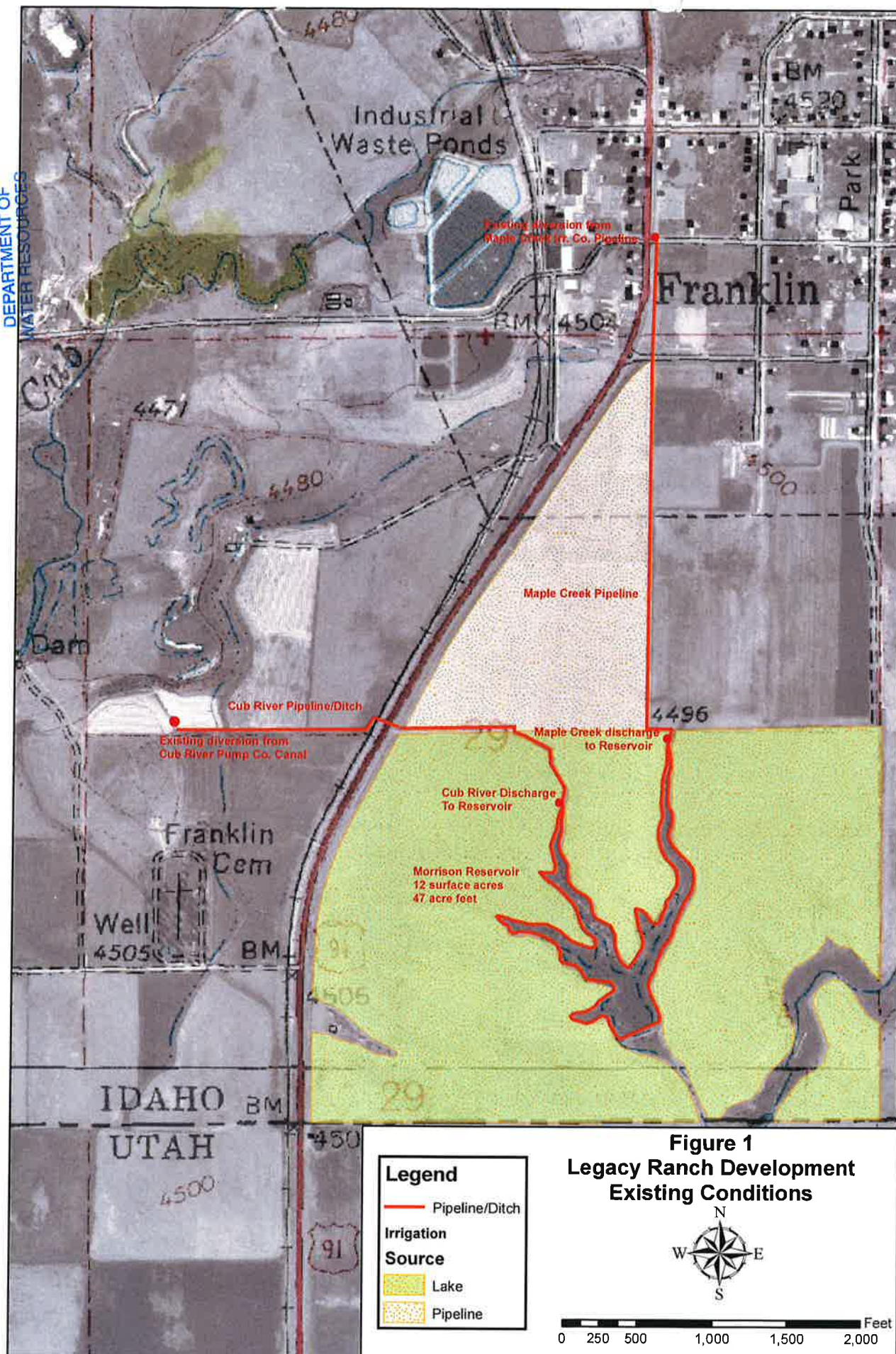
Please send the Map showing proposed points of diversion, place of use and distribution systems proposed to be used with your Rental request.

The applications are considered incomplete until the maps are received.

You can scan the Maps for the Leases and Rental to my email address, please make sure the map is in color.

Regards,

Christine Field
WSB Support
ID Dept. of Water Resources



MAPLE LEAF INVESTMENTS, LLC
Water Management Plan

RECEIVED
MAR 14 2019
DEPARTMENT OF
WATER RESOURCES

This Water Management Plan is submitted to the Idaho Department of Water Resources ("IDWR") together with the Application for Permit for the storage of 52 acre-feet for recreation purposes in Morrison Reservoir (a.k.a. "Legacy Lake") submitted on behalf of Maple Leaf Investments, LLC. Maple Leaf Investments is in the process of developing 270 acres of agricultural land into commercial and residential building lots ("Legacy Ranch") south of the City of Franklin, Idaho, in Section 29, Township 16S, Range 40E, B.M. The purpose of this Water Management Plan is to demonstrate that the Legacy Ranch development will decrease depletions to the Bear River watershed such that the storage of an additional 52 acre-feet in Morrison Reservoir will not injure other water right holders. This plan details (1) historic water supply for Legacy Ranch property, (2) estimated historic depletion, (3) future water supply, (4) expansion of Morrison Reservoir, and (5) estimated future depletion.

I. Historic Water Supply

Legacy Ranch encompasses 270 acres of real property, of which 242.1 acres have historically been sprinkler irrigated¹ via appurtenant water rights represented by 470 shares of stock in the Franklin Cub River Pump Company ("Cub River Pump") and 279 shares of stock in the Franklin Maple Creek Pioneer Irrigation Company ("Franklin Maple Creek"). A portion of the water available under Maple Leaf Investments' stock in Franklin Maple Creek shares was historically utilized to irrigate approximately 48.7 acres directly from the Maple Creek pipeline as shown on Figure 1 attached hereto. The remaining water from Franklin Maple Creek and all water available from Cub River Pump have since at least 1970 been diverted into Morrison Reservoir and then pumped from the Reservoir to irrigate the remaining 193.4 acres.

In the 1950's Maple Leaf Investments' predecessor in interest constructed Morrison Reservoir as a storage facility for his water available under his shares of stock in Cub River Pump and Franklin Maple Creek. Although most of such water has since at least 1970 been stored in Morrison Reservoir, the water rights of Cub River Pump and Franklin Maple Creek had never been amended to include "irrigation storage" as an authorized nature of use. Therefore, Cub River Pump and Franklin Maple Creek each filed a Statutory Claim to a Water Right with IDWR for the storage of 47 acre-feet in Morrison Reservoir in accordance with historic practice.

II. Historic Depletion

Within what is now the Legacy Ranch subdivision, the historic crop mix averaged 9.4% alfalfa and 90.6% small grains, as shown in Table 1 below. Based upon Franklin

¹ Based on Farm Service Agency (FSA) records from 1995-2005 in the Preston, Idaho FSA office.

County depletion figures supplied by Robert W. Hill², depletion of the water source under historic farming practices averaged 329 acre-feet annually, as shown in Table 2 below.

Table 1. Legacy Ranch crop history and irrigated acres (1997 – 2005)

Year	Safflower	W. Wheat	Barley	Alfalfa	Total irrigated acres
2005	103.5	127.5	0.0	20.7	251.7
2004	117.4	103.5	0.0	20.7	241.6
2003	121.1	109.9	0.0	20.7	251.7
2002	94.1	141.7	0.0	20.7	256.5
2001	0.0	225.0	0.0	20.7	245.7
2000	0.0	175.0	50.0	31.5	256.5
1999	0.0	99.2	28.0	31.5	158.7
1998	0.0	141.5	83.5	31.5	256.5
1997	<u>0.0</u>	<u>170.8</u>	<u>54.2</u>	<u>31.5</u>	<u>256.5</u>
Average	43.6	150.9	24.6	22.9	242.1

Table 2. Annual depletion rate, existing acreage and total existing depletion.

Crop	Annual Depletion inches	Water use Acres	Depletion Ac-ft
Alfalfa	19.9	22.95	38.1
Pasture	15.5	0.00	0
Other Hay	16.1	0.00	0
Sp. Grain	13.9	219.16	253.9
Turf	14.4	0.00	0
Garden	10.3	0.00	0
Phreatophytes	39.8	9.26	30.7
Open Water ³	19.1	5.27	6.3
Total	15.5	256.64	329.0

III. Water Supply for Legacy Ranch

Two sources of water will supply the needs of the Legacy Ranch development. The City of Franklin will supply all domestic in-house water use within Legacy Ranch as

² Hill, Robert W., January 27, 2003. Procedures for Estimating Depletion in the Lower Bear River Basin in Idaho. Report submitted to Pacificorp.

³ Depletion figures for Morrison Reservoir (phreatophytes; open water) are based upon a survey completed in the spring of 2006, which identified a total surface area of 14.53 acres, comprising 5.27 acres of open water and 9.26 acres of riparian wetland vegetation. According to Idaho State Dam Safety Records the reservoir has a surface area of 12 acres. The surface area discrepancy between the survey and Dam Safety Records is explained by the presence of emergent wetland vegetation in the shallower areas of the reservoir when filled to capacity.

well as all irrigation water on lands located outside of the "Irrigation Service Area" (see Figure 3 attached hereto). Water available to Maple Leaf Investments under its shares of stock in Cub River Pump and Franklin Maple Creek will be utilized to irrigate lots located within the Irrigation Service Area and to provide additional storage water in Morrison Reservoir.

IV. Expansion of Morrison Reservoir

Maple Leaf proposes to expand Morrison Reservoir from its current volume of 47 acre-feet to an expanded volume of 99 acre-feet (see Table 3 below and Figure 2 attached hereto). The additional 52 acre-feet of storage will be utilized for recreation purposes. The original 47 acre-feet of irrigation storage will continue to be utilized for irrigation within the Irrigation Service Area, resulting in surface area fluctuation generally limited to the top 3 feet of reservoir operation.

Table 3. Conditions of proposed modified Reservoir

New reservoir area	15.32
Average open water	13.90
Perimeter wetland	2.96
Park wetland	2.19
Mitigation wetland	2.07
Total area	19.05
Total wetland vegetation	7.22
Total Volume – ac-ft	99
Side Slopes	3:1
Maximum Depth – ft	10

The initial fill of the additional 52 acre-feet to be used for recreation storage will be accomplished during the 2008 irrigation season via a one-time lease of 52 acre-feet from Franklin Maple Creek. This lease will be processed through the Idaho Department of Water Resources ("IDWR") Water Supply Bank.

There will be no irrigation demand at Legacy Ranch in the year 2008 due to construction of the development. Accordingly, there will be no irrigation of the 242.1 acres historically irrigated. As shown in Table 1 above, the reduced depletion to the Bear River Basin resulting from drying up 242.1 acres is 329 acre-feet. Therefore, the initial fill of the 52 acre-feet will be more than offset by the 329 acre-feet reduction in depletion from irrigation. Thus, in 2008 the Legacy Ranch development will reduce depletions to the Bear River basin by 277 acre-feet.

With the additional 52 acre-feet of storage in Legacy Lake, an estimated 9.85 acre-feet will be needed annually to compensate for evaporation and seepage from the Reservoir. This ongoing water requirement will be supplied via an annual renewable lease of 9.85 acre-feet annual from Cub River Pump, which will also be processed through the Water Supply Bank. Because of the implementation of roads, driveways, and

homes within the development, there will be a permanent decrease in irrigable lands within Legacy Ranch of 29 acres. There is a 71.2 acre-feet reduction in depletion resulting from the drying up of 29 acres (compare Tables 2 & 4) which will easily offset the 9.85 acre-feet needed to mitigate for evaporation and seepage.

V. Future Depletion

The Legacy Ranch development will reduce overall depletion to the Bear River system by an estimated 71.2 acre-feet annually, as shown by comparing Tables 2 above with Table 4 below. The expansion of Morrison Reservoir slightly increases depletion resulting from evaporation and increased phreatophyte area⁴; however, that slight increase is offset the substantial decrease in depletion resulting from the 29-acre reduction in irrigable acres. Maple Leaf accepts the risk that water shortage and seepage may diminish reservoir elevations, and has implemented procedures for restricting irrigation within the Irrigation Service Area as necessary.

Table 4. Expected average annual depletions after project development

Crop	Annual Depletion inches	Acres	Depletion ac-ft
Turf	14.4	85.0	102.0
Pasture	15.5	85.0	109.8
New Open Water	19.1	13.9	22.1
New Phreatophyte Area	39.8	<u>7.2</u>	<u>23.9</u>
Total Depletion		191.1	257.8

CONCLUSION

Maple Leaf Investments' development of Legacy Ranch and expansion of Morrison Reservoir decreases overall depletions to the Bear River System and does not harm other water rights. Thus, Maple Leaf Investments' accompanying Application for Permit to store an additional 52 acre-feet in Morrison Reservoir should be expeditiously approved.

⁴ The expansion of Morrison Reservoir is not expected to increase seepage from the reservoir by a measurable amount. The expansion only slightly increases contact area (see Figure 2), and the Reservoir is located in an area of low permeability clay resulting in minimal seepage historically as evidenced by very stable water levels in the reservoir during periods of no inflow.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT

RECEIVED

MAR 14 2014

DEPARTMENT OF
WATER RESOURCES

RECEIVED

APR 22 2014

DEPARTMENT OF
WATER RESOURCES

This is to certify that: **NFS HOLDINGS LLC**
PO BOX 829
NORTH PLATTE NE, 69103
(308) 534-2100
tlucas@nlmb.com

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

<u>Water Right</u>	<u>Rented Rate</u>	<u>Annual Rented Volume</u>	<u>Acre Limit</u>	<u>Total Rented Acres</u>
13-2092	0.08 CFS	14.0 AF	NA	NA
13-2179	0.01 CFS	1.0 AF	NA	NA
Combined				
Rental Totals:	0.09 CFS	14 AF*	NA	NA

*This rental is limited to a total combined annual diversion volume of 10.0 AF

Term of Rental: **April 1, 2014 to December 31, 2014**
 April 1, 2015 to December 31, 2015
 April 1, 2016 to December 31, 2016
 April 1, 2017 to December 31, 2017
 April 1, 2018 to December 31, 2018

Rental Fee: **\$23.80 annually 2014 through 2017**
 \$28.00 for 2018

The total fee for rental of the above-described water is \$238 for 2014 through 2017. The fee for 2018 will be 28.00. Per a private agreement with the lessor, the renter is required to pay the Department only the 10% administrative fee of **\$23.80** for 2014 through 2017 and **\$28.00** for 2018. An annual payment shall be received by the Department prior to April 1, the beginning of the irrigation season, each year 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. To terminate the agreement prior to the end of the rental period, written notice must be received by the Department at least 30 days prior to the rental fee due date.

Detailed water right specific limitations and conditions are attached.

RECEIVED
MAR 14 2013
DEPARTMENT OF
WATER RESOURCES

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:



Signature of Renter

Ty Lucas, Authorized Signer

Printed Name and Title*

4/7/14

Date

Signature of Renter

Printed Name and Title*

Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfies 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 conditions herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By



BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date

April 23, 2014

**WATER SUPPLY BANK RENTAL AGREEMENT
WATER RIGHT NO. 13-2092**

The 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 below:

Renter: NFS HOLDINGS LLC
PO BOX 829
NORTH PLATTE NE, 69103
(308) 534-2100
tlucas@nlmb.com

Priority Date: 11/28/1919

Source: CUB RIVER

Tributary to: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
RECREATION STORAGE	04/01	to 11/01		14 AF*
DIVERSION TO STORAGE	04/01	to 11/01	0.08 CFS	14 AF*
		Total:	0.08 CFS	14 AF*

LOCATION OF RENTER'S POINT(S) OF DIVERSION:

CUB RIVER

SENE

Sec. 30, Twp 16S, Rge 40E, FRANKLIN County

RENTER'S PLACE OF USE: RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	40E	29														X	X		

Total Acres: N/A

Acre limit within place of use described: NA

CONDITIONS OF WATER USE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. The water rented under this agreement is appurtenant to irrigation to 4.0 acres.
3. 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.
4. 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.
5. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
6. 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.
7. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.

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DEPARTMENT OF
WATER RESOURCES

8. 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.
9. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
10. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
11. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
12. 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 Nos. 11 and 13A.
13. *The rental of Right Nos. 13-2092 and 13-2179 is limited to an annual diversion volume of 10.0 AF.

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WATER RESOURCES

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14. *The rental of Right Nos. 13-2092 and 13-2179 is limited to an annual diversion volume of 10.0 AF.

STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANKRECEIVED
MAR 14 2013
DEPARTMENT OF
WATER RESOURCESRECEIVED
FEB 27 2014
DEPARTMENT OF
WATER RESOURCES

This application must be prepared in accordance with the minimum requirements listed to be acceptable for processing by the Department. Incomplete applications will be returned.

Name of Renter(s) NFS HOLDINGS LLCMailing Address PO BOX 829, NORTH PLATTE, NE 69103Phone 308 534 2100Email tlucas@nlmb.com

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. Maximum Flow Rate (cfs) Maximum Volume (ac-ft) Nature of Use Period of Use
9.85 recreation/storage 04/01 to 11/01
 to
 to

Total: _____

2. Source of water Cub River tributary to Bear River

3. Point(s) of Diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County
16S	40E	30		SE	NE		FRANKLIN

4. Lands to be irrigated or place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	40E	29				40					20			20	40	40	40	40	160

If the use is for irrigation, show total number of acres proposed through rental.

Total Acres 240

B. OWNERSHIP

1. Do you own the land at the proposed point of diversion?

Yes ☐ No ☒

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed point of diversion. FRANKLIN CUB RIVER PUMPING COMPANY RENTER IS OWNER OF STOCK IN COMPANY

2. Do you own the land at the proposed place of use?

Yes ☒ No ☐

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed place of use.

C. MAP

Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described by this application in section A. Include legal description labels.

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WATER RESOURCES

D. GENERAL INFORMATION

1. Please provide a description of the proposed diversion system.

WATER IS PUMPED FROM CUB RIVER AND DELIVERED BY DITCH TO PLACE OF USE

2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.

3. Will the proposed place of use receive water from any other source? Yes ☒ No ☐

If yes, describe. FRANKLIN MAPLE CREEK PIONEER IRRIGATION COMPANY

4. If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of water required. Attach additional sheets if needed. THE WATER WILL BE USED TO MAINTAIN MORRISON RESEVOIR, NKS LEGACY LAKE, AS NECESSARY TO COMPENSATE FOR ANNUAL EVAPORATION AND SEEPAGE. THER MAY BE SOME USE AS IRRIGATION FOR LAWNS AND CROPS.

5. Are there any other applications pending before the Department, such as an application for permit or transfer, for the same use(s) proposed by this rental? Yes ☐ No ☒

If yes, describe. _____

6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation? Yes ☐ No ☒

If yes, describe. _____

E. RENTAL TERM

- Do you wish to rent water from the Board's bank for more than one (1) year? Yes ☒ No ☐

If yes, please specify the number of years desired through proposed rental. 5

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.

If this application is approved, the applicant agrees to the following:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Renter shall comply with all applicable state and federal laws while using water under this agreement.
3. Renter shall hold the Board, the Director, and the state of Idaho harmless from all liability on account of negligent acts of the renter.
4. The Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
5. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
6. Renter is not authorized to use water proposed by this application until the rental fees are paid in full and the renter receives an executed copy of the agreement signed by the Director.

Signature of Applicant

STEVEN R. FULLER, Attorney for Renter

Printed Name and Title*

02/24/14

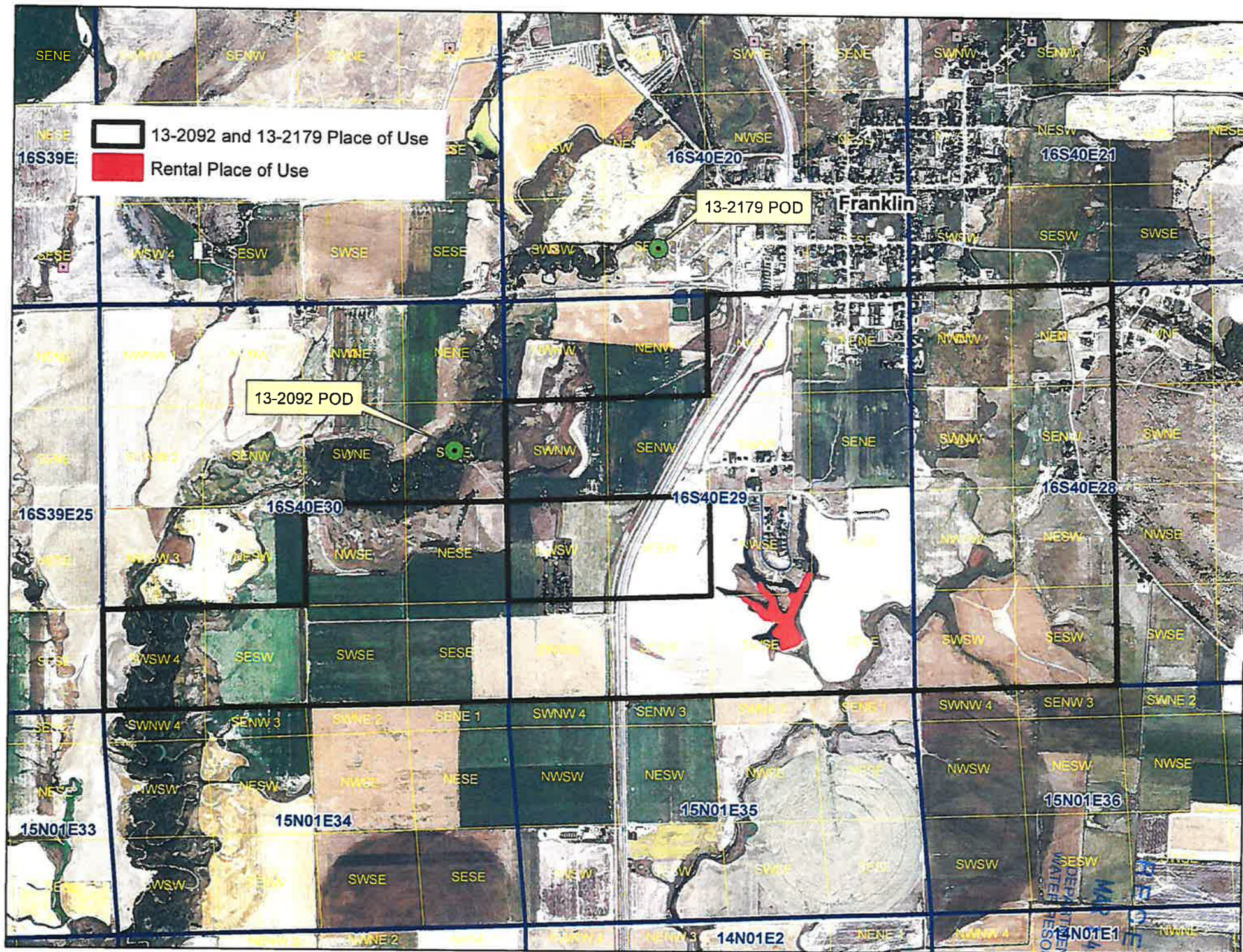
Date

Signature of Applicant

Printed Name and Title*

Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney



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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

April 23, 2014

NFS HOLDINGS LLC
PO BOX 829
NORTH PLATTE NE 69103

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MAR 14 2019
DEPARTMENT OF
WATER RESOURCES

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 13-02092 AND 13-02179**

Dear Renter:

Please find enclosed a receipt in the amount of **\$123.20** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 14 acre-feet of water for Recreation Storage and Diversion to Storage during **2014 through 2018**. 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 have a private agreement with the lessor of the right(s).

If you have any questions, please contact me at (208) 287-4879.

Sincerely,

Sandra Thiel
for Sandra Thiel

Water Resource Planner

Enclosure(s): Receipt No. C098720
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office
Josh Hanks – State Water District No. 11
Kirk Iverson – State Water District No. 13A
Steven R Fuller – Fuller & Fuller PLLC
Liz Cresto - IDWR State Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

April 15, 2014

FRANKLIN CUB RIVER PUMPING CO
PO BOX 311
PRESTON ID 83263

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MAR 14 2019
DEPARTMENT OF
WATER RESOURCES

RE: WATER SUPPLY BANK LEASE CONTRACT FOR RIGHTS 13-02092 & 13-02179

Dear Lessor:

Water Rights 13-02092 and 13-02179 were leased into the Water Supply Bank on January 1, 2014 in accordance with the executed original Lease Contract enclosed. **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.**

The rights will automatically be released from the Bank on **December 31, 2018**, unless the rights are released earlier by the Board, or upon your request. **Please note your rights may not be available for immediate release if they have been rented.** 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. This form is available from our public website at www.idwr.idaho.gov.

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 me at 287-4910.

Sincerely,

Clay Webster

Technical Records Specialist

Enclosure: Executed Lease Contract

c: Steven R Fuller – Fuller & Fuller PLLC
James Cefalo- IDWR Eastern Regional Office
Kirk Iverson – Watermaster District 13A
Josh Hanks – Watermaster District 11



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN

Director
April 17, 2014

C.L. "BUTCH" OTTER
Governor

NFS HOLDINGS LLC
PO BOX 829
NORTH PLATTE NE 69103

RE: REQUEST FOR RETURN OF SIGNED RENTAL AGREEMENT AND PAYMENT FOR
WATER RIGHT(S) 13-02092 & 13-02179

TIME SENSITIVE RESPONSE REQUIRED

Dear Applicant:

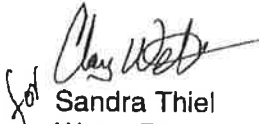
The Department of Water Resources ("department") mailed a **Water Supply Bank Rental Agreement ("agreement")** for your review and signature on April 1, 2014. The signed agreement and rental fee has not been returned to the department.

Please sign the rental agreement and return it with the rental payment in the amount of \$23.80 within ten (10) days of this letter to complete processing. Diversion and use of the water right(s) is not authorized under the proposed agreement until it has been signed by both the renter and the department. Any use associated with your proposed rental request before it has been executed is considered unauthorized and, if occurring, will be subject to any necessary enforcement action.

If the signed rental agreement and fee is not received by the department within the 10-day period, the rental application will be returned, and the proposed rental right(s) made available for other rental applicants. You can reapply to rent water from the Bank again in the future by submitting a new rental application form that will be processed in turn with other pending applications.

If you have questions regarding this matter, please contact me at 287-4879.

Sincerely,


Sandra Thiel

Water Resource Planner

c: Allen Meritt IDWR Southern Region Manager
Steven R. Fuller – Fuller & Fuller PLLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

April 1, 2014

NFS HOLDINGS LLC
PO BOX 829
NORTH PLATTE NE 69103

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DEPARTMENT OF
WATER RESOURCES

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S) 13-02092 AND 13-02179**

*****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 \$238 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 14 acre-feet. In 2018 there will be a rate increase to \$20.00 per acre-foot. Therefore the calculated rental rate for 2018 will be \$280.00. Since you have a private agreement with the lessor of the right(s) **you are only obligated to pay the 10% administrative fee or \$23.80 annually 2014 through 2017 and \$28.00 in 2018.** An annual payment shall be received by the Department prior to the execution of this agreement and prior to April 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 \$23.80 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 me at (208) 287-4879.

Sincerely,

Sandra Thiel
Water Resource Planner

Enclosure(s)

c: IDWR Front Desk
Steven R. Fuller – Fuller & Fuller PLLC

MEMORANDUM

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MAR 14 2019
DEPARTMENT OF
WATER RESOURCES

To: Water Right File No(s): 13-2092 and 13-2179

From: Clay Webster and Sandra Thiel

Date: March 10, 2014

Re: Review of Applications Rent Water Rights through State Water Supply Bank

PURPOSE/NARRATIVE: According to existing memos we have received these lease/rental applications several times; April 8, 2008; December 24, 2009; June 27, 2011. This application packet is the result of an agreement between Franklin Maple Creek Pioneer Irrigation Co (lessor) and NFS Holdings LLC (renter). Franklin Cub River is leasing irrigation water into the Bank and NFS Holdings LLC is renting the water for storage. Previous rental applications were submitted by Maple Leaf Investments. I emailed the attorney of record requesting information about the change.

The pond has been in existence for quite some time. Water rented under rights 13-43, 13-44, 13-45 and 13-46 provided water for the initial fill. This lease/rental will provide maintenance of the pond level. The permanent storage right is an application for permit (13-7694) currently before the Department.

The rental application received on February 27, 2014 included an irrigation component, under question A4, for 240 acres. Under question D4 the applicant states 'there may be some use as irrigation for lawns and crops.' I talked to Steven Fuller in the afternoon of March 13, 2014. Mr. Fuller stated that he was trying to duplicate what had been done on previous rental applications for the same water. He indicated that the water will be used just for evaporation and seepage, or maintenance of the lake. He said that Morrison Reservoir is now called Legacy Lake.

AUTHORITY TO FILE: The application was signed by Steven R. Fuller, attorney for Franklin Cub River Pumping Co, and Steven R. Fuller attorney for NFS Holdings.

WATER RIGHT VALIDITY: These rights were licensed in March 1921 and May 1927. Aerial imagery of the proposed lease area shows irrigation occurred in 2004. The applications were received first in 2008, so five years would not have elapsed prior to the first application filing.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident. The rental does authorize a change in nature of use from irrigation to storage. The lessor put 29 Acres into the WSB and the rental is for 14 AF (4 acres at 3.5 AF/ac/yr and limited to the consumptive volume of 10 AF. Therefore,

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DEPARTMENT OF
WATER RESOURCES

the renter will be paying for the full headgate volume of the irrigation right, but they will be limited to the consumptive volume to avoid enlargement

LOCAL PUBLIC INTEREST:

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

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:

The leases and rental appear to be consistent with conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The leased right(s) are subject to Water Districts 11 and #13A. The water master from water district 11 responded saying that he had no comments on the lease/rental (see attachment). The water master from 13A did not respond. Comments were also solicited from IDWR's Eastern regional office. None were received.

Thiel, Sandra

From: watermasterdist11@gmail.com on behalf of Josh Hanks [watermaster@bearriveridaho.com]
Sent: Friday, March 14, 2014 9:42 PM
To: Thiel, Sandra
Subject: Re: FW: Water supply bank lease / rental rights 13-2092 and 13-2179

I have no comments concerning this lease or rental package.

Thanks,
Josh Hanks
Water master
District 11

On Mar 13, 2014 11:50 AM, "Thiel, Sandra" <Sandra.Thiel@idwr.idaho.gov> wrote:

Hello, The attached files have information about a lease/rental package received by the Department. Franklin Cub River is leasing irrigation water into the Bank and NFS Holdings LLC (formerly Maple Leaf Investments?) is renting the water for storage. The place of use for the lease and rental are shown in the attached pdf. Both parties have been participating in the bank since 2008. The leased irrigation water is being used by the renter to maintain a pond. If possible could you provide comments by Thursday, March 27th? Please let me know if you need any other information. Thanks.

Sandra Beer Thiel

Idaho Department of Water Resources

322 East Front Street

Boise, Idaho 83720-0098

(208)287-4881

sandra.thiel@idwr.idaho.gov

Thiel, Sandra

From: Thiel, Sandra
Sent: Thursday, March 13, 2014 11:51 AM
To: 'FARMERKIRK@HOTMAIL.COM'; 'WATERMASTERDIST11@GMAIL.COM'
Subject: FW: Water supply bank lease / rental rights 13-2092 and 13-2179
Attachments: LeaseRental.pdf; Review Memo.docx

Hello, The attached files have information about a lease/rental package received by the Department. Franklin Cub River is leasing irrigation water into the Bank and NFS Holdings LLC (formerly Maple Leaf Investments?) is renting the water for storage. The place of use for the lease and rental are shown in the attached pdf. Both parties have been participating in the bank since 2008. The leased irrigation water is being used by the renter to maintain a pond. If possible could you provide comments by Thursday, March 27th? Please let me know if you need any other information. Thanks.

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov

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Thiel, Sandra

From: Thiel, Sandra
Sent: Thursday, March 13, 2014 11:31 AM
To: Cefalo, James
Subject: Water supply bank lease / rental rights 13-2092 and 13-2179
Attachments: LeaseRental.pdf; Review Memo.docx

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WATER RESOURCES

Tracking:	Recipient	Delivery
	Cefalo, James	Delivered: 3/13/2014 11:31 AM

Hi James, The attached files have information about a lease/rental package. They have been participating in the bank since 2008 and are using irrigation water to maintain a pond. The renters filed an application, 13-7694, for ongoing storage in the pond. Do you know the status of that application? It doesn't show as active in information search. They were supposed to file a transfer to cover the diversion to storage component of the pond. I don't find anything that says they did file a transfer. Please let me know if you need any other information. Thanks.

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov



IDAHO SECRETARY OF STATE Viewing Business Entity

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DEPARTMENT OF
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Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for NFS HOLDINGS LLC](#)]

NFS HOLDINGS LLC

PO BOX 829
NORTH PLATTE, NE 69103

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING, ANREPT SENT 03 Dec 2013

State of Origin: NEBRASKA

Date of 06 Feb 2012

Origination/Authorization:

Current Registered Agent: STEVEN FULLER
24 N STATE ST
PRESTON, ID 83263

File Number: W110814

Date of Last Annual Report: 17 Dec 2013

Original Filing:

Filed 06 Feb 2012 CERTIFICATE OF AUTHORITY
[[Help Me Print/View TIFF](#)]
[View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Annual Reports:

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Report for year 2014 ANNUAL REPORT [View Document Online](#)
Report for year 2013 ANNUAL REPORT [View Document Online](#)

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@sos.idaho.gov

No. W 110814	Due no later than Feb 28, 2014 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. NFS HOLDINGS LLC KIMBERLY A SCHROLL PO BOX 829 NORTH PLATTE NE 69103		STEVEN FULLER 24 N STATE ST PRESTON ID 83263			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MANAGER	MICHAEL B JACOBSON	1400 S. DEWEY	NORTH PLATTE	NE	USA	69101
5. Organized Under the Laws of:		6. Annual Report must be signed.*				
NE W 110814		Signature: Kimberly A. Schroll			Date: 12/17/2013	
		Name (type or print): Kimberly A. Schroll			Title: Evp	
Processed 12/17/2013		* Electronically provided signatures are accepted as original signatures.				

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MAR 14 2019
DEPARTMENT OF
WATER RESOURCES

FULLER & FULLER, PLLC
Attorneys and Counselors at Law
24 North State ♦ P.O. Box 191 ♦ Preston, Idaho 83263
www.fullerlawonline.com

STEVEN R. FULLER*
LYLE J. FULLER*

*Also Member of Utah Bar

Steven R. Fuller
sfuller@fullerlawonline.com

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FEB 27 2014
DEPARTMENT OF
WATER RESOURCES
Telephone: (208) 852-2680
Fax: (208) 852-2683

RECEIVED
MAR 14 2019
DEPARTMENT OF
WATER RESOURCES
Lyle J. Fuller
LFuller@fullerlawonline.com

February 25, 2014

TO:

ATTN: Remington Buyer
Idaho Dept. Of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Please Note:

This form letter is used to expedite communications. You need direct your attention **only** to the items marked.

RE: Franklin Cub River Pumping Co./Water Supply Bank

- ☐ Enclosed is information/pleadings relating to the above matter.
- ☐ For your information.
- ☐ Please review and file in your records.
- ☐ Please record in the county records and return.
- ☐ Please file in the court record of the above case.
- ☐ Please review and call us to discuss over the telephone.
- ☐ Please sign and return.
- ☐ Enclosed are documents for your records

Enclosures:

1. Application to Rent Water from the Water Supply Bank.



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 14, 2019

TRAVELL ENTERPRISES INC

7696 HWY 287 N

LANDER WY 82520

**RE: ADDITIONAL INFORMATION REQUEST FOR PROCESSING APPLICATION TO
RENT WATER FROM THE WATER SUPPLY BANK**

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

Dear Applicant:

The Department of Water Resources ("Department") acknowledges receipt of your Application to Rent Water from the Water Supply Bank ("Bank"). A preliminary review of your application has been completed and it has been determined that additional information is required to continue processing.

Please provide the following information within 14 days of the date of this letter or the application will be returned:

- 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

Please provide the required information within fourteen (14) days. If sufficient information is not received within 14 days, your application will be returned to you unprocessed and you will have to re-file your application.

Sincerely,

A handwritten signature in cursive script that reads "Christine Field".

Christine Field

Water Supply Bank Support

C: TJ Budge – Racine Olson