STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 325

This is to certify that:

MOSS FARMS INC
3286 N 3350 W
MOORE, ID 83255

RECEIVED
JUN 07 2019
DEPARTMENT OF
WATER RESOURCES

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)
34-282C	6/1/1897	BIG LOST RIVER, Tributary to SINKS	0.250	43.4	12.4	0.020	3.5
34-452E	6/1/1885	BIG LOST RIVER, Tributary to SINKS	0.250	45.2	12.9	0.019	3.6
34-2438	9/13/1961	GROUND WATER	0.520	90.7	25.9	0.020	3.5
34-10795	4/1/1977	GROUND WATER	0.080	14.4	30.0	0.003	0.5
Groundwater Combined Limit			**0.520**	**105.0**	**30.0**	**0.017**	**3.5**
Combined Rental Totals			**0.750**	**105.0**	**30.0**	**0.025**	**3.5**

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: $2,100.00 annually
2023: $2,415.00 annually

The full fee for the rental of the above-described right(s) is $2,100.00 per year for years 2019 - 2022 and $2,415.00 for 2023. The rental fee includes an administrative fee of $210.00 per year for years 2019 - 2022 and $241.50 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.

Detailed water right conditions are attached.

SUPPORT DATA
IN FILE # 34-282C

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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WATER RESOURCES

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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:

Dennis Moss Moss Farms Inc — 5-20-2019
Signature of Renter — Date

Dennis Moss — President
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 _____ Date 6/10/2019
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date 6-10-2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 325

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWSE	Sec. 14, Twp 06N, Rge 25E,	CUSTER County
BIG LOST RIVER	SENW	Sec. 32, Twp 06N, Rge 26E,	CUSTER County
GROUND WATER	SESW	Sec. 31, Twp 06N, Rge 26E,	BUTTE County
GROUND WATER	NWSE	Sec. 31, Twp 06N, Rge 26E,	BUTTE County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	0.75 CFS	105.0 AF

SEASON OF USE

Water Right No.	From	To	
34-10795	4/1	10/31	0.080 CFS
34-2438	4/1	11/1	0.520 CFS
34-452 E	5/1	10/15	0.250 CFS
34-282 C	5/1	10/15	0.250 CFS

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	
06N	26E	31			24.0	5.0										1.0			30.0

Total Acres: 30.0

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.

WATER SUPPLY BANK RENTAL AGREEMENT No. 325

9. 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. 34.

10. This rental agreement does not authorize the construction of a well.

11. The period of use for surface Water Right Nos. 34-282C and 34-482E for irrigation may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.

12. Right no. 34-10795 is an enlargement of Right No. 34-2438 pursuant to Section 42-1426, Idaho Code.

13. Right no. 34-10795 is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

14. Rights 34-2438 and 34-10795 when combined shall not exceed a total diversion rate of 0.52 cfs and a total annual maximum diversion volume of 105.0 af at the field headgate.

15. Rights 34-282C, 34-452E, 34-2438, and 34-10795 when combined shall not exceed a total diversion rate of 0.75 cfs and the irrigation of 30 acres.

16. Groundwater right nos. 34-2438 and 34-10795 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

17. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

18. Use under this rental of groundwater right numbers 34-2438 and 34-10795, when combined with groundwater right numbers 34-2379F and 34-14525, is limited to the irrigation of 174.0 acres in a single irrigation season.

19. Use under this rental of water right numbers 34-282C, 34-452E, 34-2438, and 34-10795 is limited to a total combined diversion rate of 0.75 cfs and a total combined annual diversion volume of 105.0 af. Use of rented water rights under this rental when combined with water right numbers 34-182, 34-381A, 34-2379F and 34-14525 is limited to a total combined diversion rate of 5.20 cfs, and the irrigation of a combined total of 200.0 acres in a single irrigation season.

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED
JAN 14 2019
DEPARTMENT OF WATER RESOURCES

Applicant Name: Moss Farms 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)	
34-282C	34-2438
34-452E	34-10795

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:

Rented these water rights from 2014 - 2018

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.

Denis Moss		12-28-18
Signature of Applicant	Printed Name of Applicant	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

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Moss Farms Inc.

Mailing Address 3286 North 3350 West, Moore, Idaho 83255
Street City State Zip Code

Email Address mx222moss@aol.com Phone Number 208-406-1600

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 Kristin Moore Professional Title Senior Water Rights Analyst

Organization Rocky Mountain Environmental Assoc. Inc Relationship to Applicant consultant

Mailing Address 482 Constitution Way Ste 303, Idaho Falls, ID 83402

Email Address kristin.rmea@gmail.com Phone Number 208-524-2353

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:**

Existing surface water rights at proposed location are not always sufficient for irrigation due to delivery and curtailment. Applicant proposes to rent the additional water rights to supplement existing rights.

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)
0.75 CFS	105 AF	0.3 CFS	75 AF	30 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?	
4/15/2019	6/1/2019	☐ 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):
Surface water is delivered through either the 3 in 1 Ditch or a pump on the Big Lost River. Ground water is diverted through a well on the property. All water is comingled into the irrigation system.

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: SENW S32 6N 26E	Big Lost River	34-182, 34-381A
Well: NESESW S31 6N 26	Ground Water	34-2379F, 34-14525

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 30 (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:
34-182 and 34-381A from the Big Lost River both overlap the proposed rental place of use. Other rights included in the same system are 34-2379F and 34-14525.

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)
34-282C	Irrigation	0.25		12.4		0.25	43.4	12.4
34-452E	Irrigation	0.25		12.9		0.25	45.2	12.9
34-2438	Irrigation	0.52	90.7	25.9		0.52	90.7	25.9
34-10795	Irrigation	0.08	14.4	30		0.08	14.4	30
		0.75	105	30				
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**	0.75	105	30
						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.*

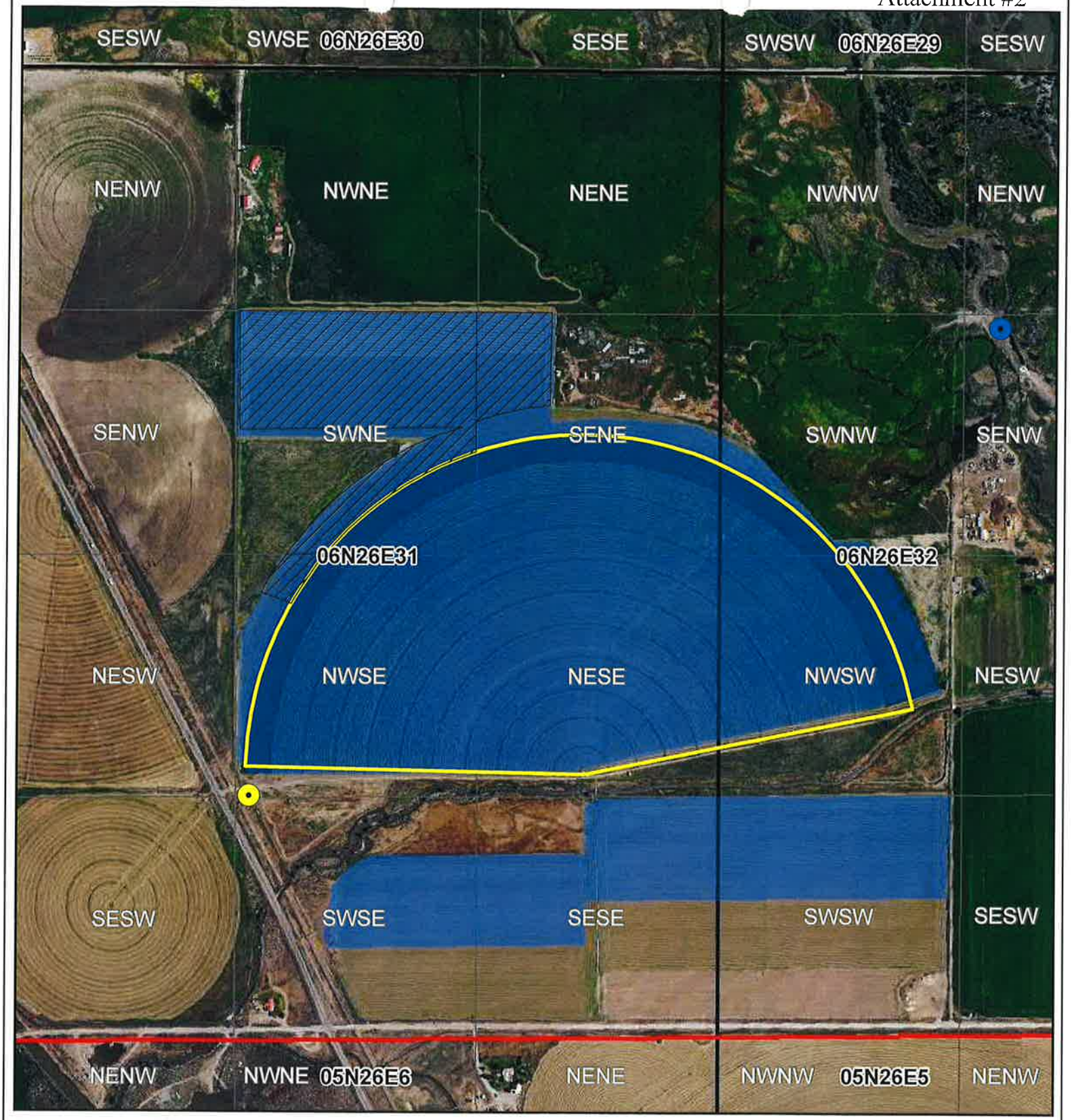
B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

NA

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**:

Attachment #2



2017 Aerial Photography

Legend

- Big Lost River Pump
- Existing Well
- Rental Place of Use
- WR POU 34-2379F GW
- WR POU 34-182 Big Lost River
- Twp & Rng
- Section
- QQ

N
W E
S

Water Right Rental Location

Moss Farms Inc

RMEA #14-0063	
by: KM	
December 28, 2018	

Rocky Mountain ENVIRONMENTAL ASSOCIATES, INC.

Eastern Snake Plain Aquifer Modeling Analysis

Rental of Water Rights 34-282C and 34-10795

The Applicant proposes to rent 30 acres for the 2019 – 2023 irrigation. Using the ETRAN 3.3 to simulate the depletions of transferring 105 AFA to the proposed point of diversion, the affects do not exceed the threshold of 2.0 af/trimester. No mitigation is required.

Figures 1-3 include excerpts from the ESPAM 2.1 simulation.

Figure 1. Data Entry

ENHANCED GROUND-WATER RIGHTS TRAN

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

Cells this color are set up for user entries

UPDATE DATES | RUN MODEL | GET OUTPUT

CALCULATE EFFECTS

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTO

YEAR 1961

SEASON SUMMER

TRANSFER NO: 34-2438, 37-1079

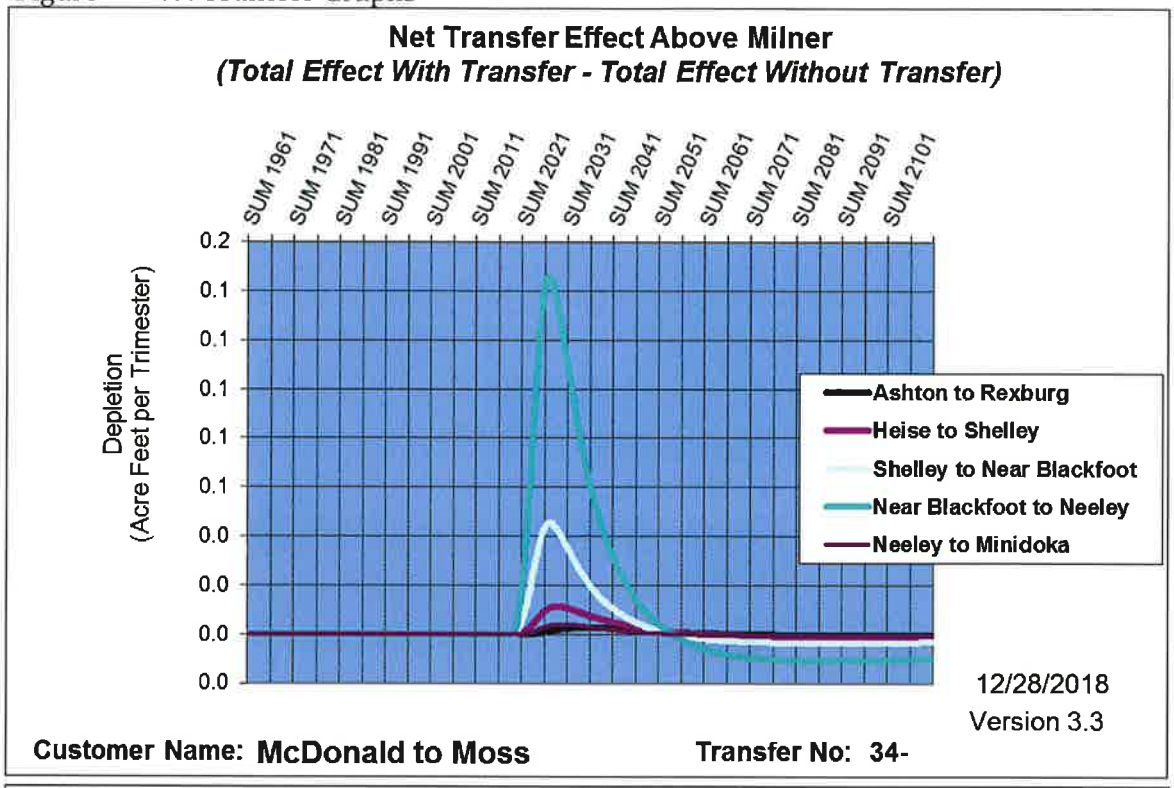
TRANSFER NAME: McDonald to Mos

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	20	18	27	45
COLUMN	112	113	157	30

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	FROM1 WELL Without Transfer AF/TRIMESTER	FROM2 WELL With Transfer AF/TRIMESTER	FROM2 WELL Without Transfer AF/TRIMESTER	FROM3 WELL With Transfer AF/TRIMESTER	FROM3 WELL Without Transfer AF/TRIMESTER
SUM 1961	0	35	35	0	0	0	0
WIN 1961	0	35	35	0	0	0	0
SPR 1962	0	35	35	0	0	0	0
SUM 1962	0	35	35	0	0	0	0
WIN 1962	0	35	35	0	0	0	0
SPR 1963	0	35	35	0	0	0	0
SUM 1963	0	35	35	0	0	0	0
SPR 2018	0	35	35	0	0	0	0
SUM 2018	0	35	35	0	0	0	0
WIN 2018	0	35	35	0	0	0	0
SPR 2019	35	0	35	0	0	0	0
SUM 2019	35	0	35	0	0	0	0
WIN 2019	35	0	35	0	0	0	0
SPR 2020	35	0	35	0	0	0	0
SUM 2020	35	0	35	0	0	0	0
WIN 2020	35	0	35	0	0	0	0
SPR 2021	35	0	35	0	0	0	0
SUM 2021	35	0	35	0	0	0	0
WIN 2021	35	0	35	0	0	0	0
SPR 2022	35	0	35	0	0	0	0
SUM 2022	35	0	35	0	0	0	0
WIN 2022	35	0	35	0	0	0	0
SPR 2023	35	0	35	0	0	0	0
SUM 2023	35	0	35	0	0	0	0
WIN 2023	35	0	35	0	0	0	0
SPR 2024	0	35	35	0	0	0	0
SUM 2024	0	35	35	0	0	0	0
WIN 2024	0	35	35	0	0	0	0
SUM 2109	0	35	35	0	0	0	0
WIN 2109	0	35	35	0	0	0	0
SPR 2110	0	35	35	0	0	0	0
SUM 2110	0	35	35	0	0	0	0
WIN 2110	0	35	35	0	0	0	0
SPR 2111	0	35	35	0	0	0	0

Figure 2. Net Transfer Graphs



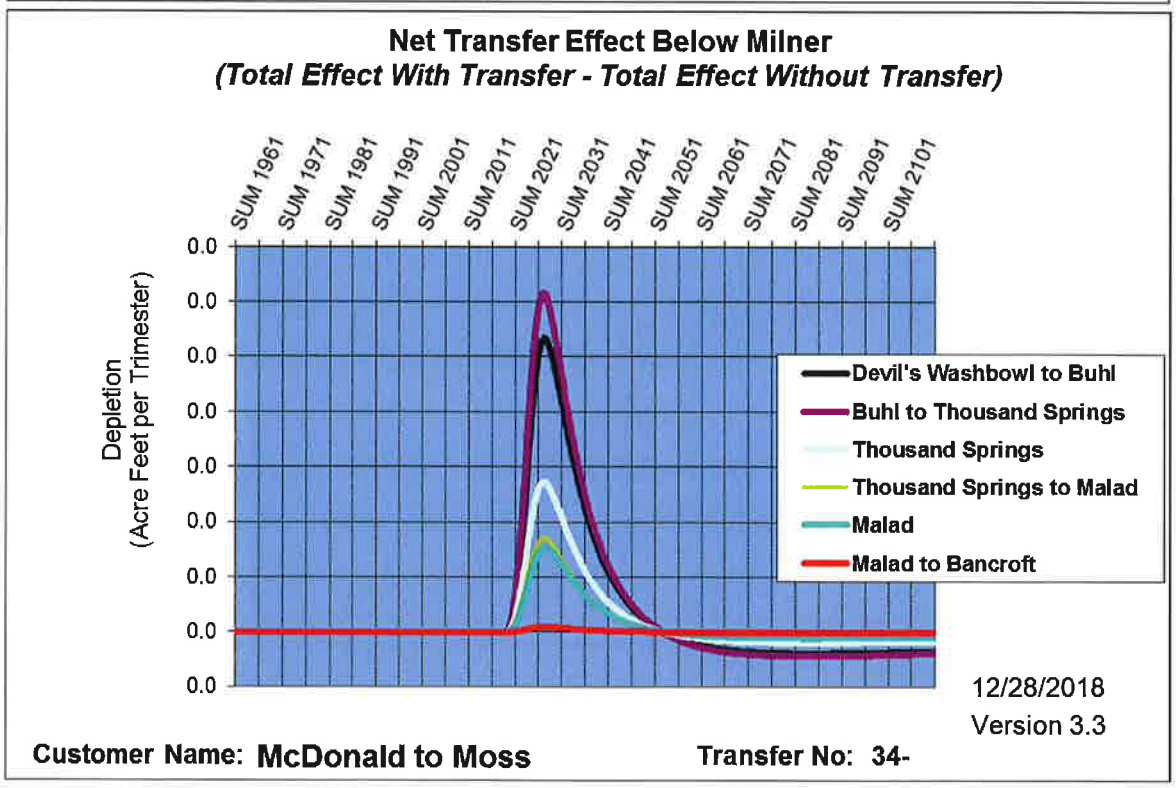


Figure 3. Calculated Effects.

	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft T Neeley	Neeley to Minidoka	Dev. Wbl. Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
SUM 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2019	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: SUM 1961

Match: 1 Match: 456

	AtR	HtS	StNB	NBtN	NtM	DWtB	BtTS	TS	TStM	M	MtB	Total	
Preexisting Effects @ SS (Last Time Step):	0.39	1.16	3.48	10.89	0.38	1.92	2.19	0.97	0.61	0.56	0.03	22.59	Total Effec
dy State - Value of Dep. @ Last Time Step:	0.39	1.16	3.47	10.88	0.38	1.92	2.19	0.97	0.61	0.56	0.03	22.57	Total Effec
ts @ Transient State (Max Value Timestep):	0.39	1.16	3.48	10.89	0.38	1.92	2.19	0.97	0.61	0.56	0.03	22.59	Total Effec
nt State - Max. Value of Dep. After Transfer:	0.39	1.16	3.47	10.88	0.38	1.92	2.19	0.97	0.61	0.56	0.03	22.57	Total Effec
Steady State Change:	0.00	0.00	0.00	-0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	0.00	0.00	0.00	-0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

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 10, 2019

MOSS FARMS
3286 N 3350 W
MOORE ID 83255

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 34-282C, 34-452E, 34-2438 & 34-10795, AGREEMENT 325

Dear Renter:

Please find enclosed a receipt in the amount of **$2,700.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 105.0 acre-feet of water for irrigation of 30.0 acres 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 $1890.00 of the rental fee will be paid to the lessor(s) and 10% or $210.00 will be retained by the Department to offset administrative costs.

The rental fee for Agreement 321, which includes water rights 34-14527, 34-14526, 34-14528 & 34-14529, is $602.00 annually. You included a check for $2,700.00 for agreements 321 & 325. The rental fee for Agreement 325 is $2,100.00 and the rental fee for Agreement 321 is $602.00. Therefore, an additional **$2.00** is required before the Department will sign Agreement 321. Remember, the rented water cannot be used until the fee is paid is full.

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

Sincerely,

Jan Hersley
for Water Supply Bank

Enclosures: Receipt No. C106967
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR XX Regional Office
Lucas Yockey – State Water District No. 34
Kristin Moore – Rocky Mountain Environmental

State of Idaho
DEPARTMENT OF WATER RESOURCES
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BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 9, 2019

MOSS FARMS INC
3286 N 3350 W
MOORE ID 83255

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 34-282C, 34-452E, 34-2438, and 34-10795, AGREEMENT 325

*****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 $2,100.00 was calculated based on the current rental rate of $20.00 per acre-foot times a diversion volume of 105.0 acre-feet.

Please send a check for $2,100.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement**, **within 14 days** so I can complete processing.

Pursuant to the Water Supply Bank Rules, 90% or $1,890.00 of the rental fee will be paid to the lessor(s) and 10% or $210.00 will be retained by the Department to offset administrative costs.

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

Sincerely,

for Water Supply Bank

Enclosure

c: IDWR Front Desk
Kristin Moore – Rocky Mountain Environmental

Buyer, Remington

From: Condon, Mary
Sent: Tuesday, April 16, 2019 1:01 PM
To: Buyer, Remington
Subject: FW: McDonald to Moss Farms Rental Basin 34
Attachments: Rental Review Memo 1308.docx; Move Map.pdf; Rental Map.pdf

Hi Remington,

This one is very similar to rental agreement 321 I sent Friday; I set up conditions similarly. All of the information is saved in the N Drive Rental for Moss Farms 34-282C et al and the data entered in the software, and is ready to be forwarded to Clay for review.

Thanks so much! ☺
Mary

From: Condon, Mary
Sent: Tuesday, April 16, 2019 12:58 PM
To: 'watermaster34@atcnet.net' <watermaster34@atcnet.net>
Cc: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: McDonald to Moss Farms Rental Basin 34

Good afternoon,

Please see the attached rental review memo and move map, and kindly respond in 10 days with any comments or concerns.

Best,
Mary

Mary Condon
Contractor
for
Water Supply Bank
Idaho Department of Water Resources

MEMORANDUM FOR AGREEMENT # 325

To: Water Right(s) 34-282C, 34-452E, 34-2438 & 34-10795

From: **Mary Condon**

Date: **April 16, 2019**

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

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PURPOSE/NARRATIVE: Repeat application to rent water received on January 14, 2019, requesting the above rights, same as rental agreement from 2014-2018 for additional groundwater source and supplemental surface water.

AUTHORITY TO FILE: Application to rent for Moss Farms, signed by Daniel Moss, with Kristin Moore with Rocky Mountain Environmental as the consultant. Daniel Moss is listed as manager for Moss Farms in Idaho SOS annual report. Land tax lot data shows rental place of use in the name of Moss Farms. No concerns with authority to file.

WATER RIGHT VALIDITY: Rights decreed in 2009 and the 30 acre portion of overlapping rights have been in the bank since 2014. Recent lease renewal shows no irrigation of leased rights. No concerns of validity or forfeiture.

INJURY TO OTHER WATER RIGHTS: This is a repeat of previous five year rental and will be used in conjunction with rental agreement 321 with water rights 34-14526 thru 34-14529 for 8.6 acres, all to increase the amount of acres irrigable with groundwater and sufficient surface water for a total of 200 acres. No injury has been apparent through previous rental. Water modeling was provided with the rental application with no mitigation required.

ENLARGEMENT OF USE: Leased and rental POU and POD's are relatively close and within the same basin. Existing water rights on the rental POU are limited to 5.2 cfs for 200 acres, with a condition that when combined with other rights not to exceed 0.02 cfs per acre and 3.5 afa. Only groundwater rate and acres will be additive to existing groundwater rights through this rental. Rental of these rights when combined with rental 321 and the existing rights should not result in 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 rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is subject to Water District # 34 – Big Lost River and the ESPA.

Surface water rights 34-285C and 34-452E SOU 5/1-1015 for both
Groundwater rights 34-2438 and 34-10795 SOU 4/1-11/01 and 4/1-10/31, respectively
Right 34-10795 is an enlargement of right 34-2438

Request for comment sent to Eastern Region Manager and Watermaster on 4/16/2019.

Idaho Water Resource Board

Move Map 2019-2023
McDonald to Moss Farms

- Active Water Supply Bank Lease POD
- Active Water Supply Bank Lease POU
- Authorized Rental Point of Diversion
- Authorized Rental Place of Use
- Township/Range
- Sections

N

0 0.5 1 Miles