

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 971

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

RECEIVED

MAY 09 2019

DEPARTMENT OF
WATER RESOURCES

LESSOR: WILLIAM R TOEVS
2841 W 1800 S
ABERDEEN, ID 83210

LESSOR: JOANNE TOEVS
2841 W 1800 S
ABERDEEN, ID 83210

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on April 02, 2019.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

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

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

Summary of Water Rights or Portions Leased to the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
35-7246M	9/5/1972	GROUND WATER	1.04	411.2	102.8
35-13609	9/5/1972	GROUND WATER	0.37	116.8	29.2
Combined Limit Totals			1.41	528.0	132.0
Combined Lease Totals			1.41	528.0	132.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 971

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

Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** The term of this lease shall be January 1, 2019 to December 31, 2019. This Lease shall bind the parties and take effect when both parties have signed it.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.
5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.
6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.
7. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 971

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

LESSOR: WILLIAM R TOEVS
2841 W 1800 S
ABERDEEN, ID 83210

By William R Toevs
Title owner
Date May 1, 2019

LESSOR: JOANNE TOEVS
2841 W 1800 S
ABERDEEN, ID 83210

By Joanne Toevs
Title owner
Date May 1, 2019

IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By Brian Patton
Brian Patton, Acting Administrator
Idaho Water Resource Board

Date 5/13/2019

Lease approved by IDWR Chy Wad

Date 5-13-2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 971

ATTACHMENT A
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Source and Location of Point(s) of Diversion for Water Right No(s): 35-7246M, 35-13609

GROUND WATER SENESW Sec. 16 Twp 04S Rge 31E BINGHAM County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
35-7246M	IRRIGATION	04/01	to	10/31	1.040 cfs	411.20 AF
35-13609	IRRIGATION	04/01	to	10/31	0.370 cfs	116.80 AF
Totals:					1.410 cfs	528.00 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	31E	16									33.0	33.0	33.0	33.0					132.0

Total Acres: 132.0

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

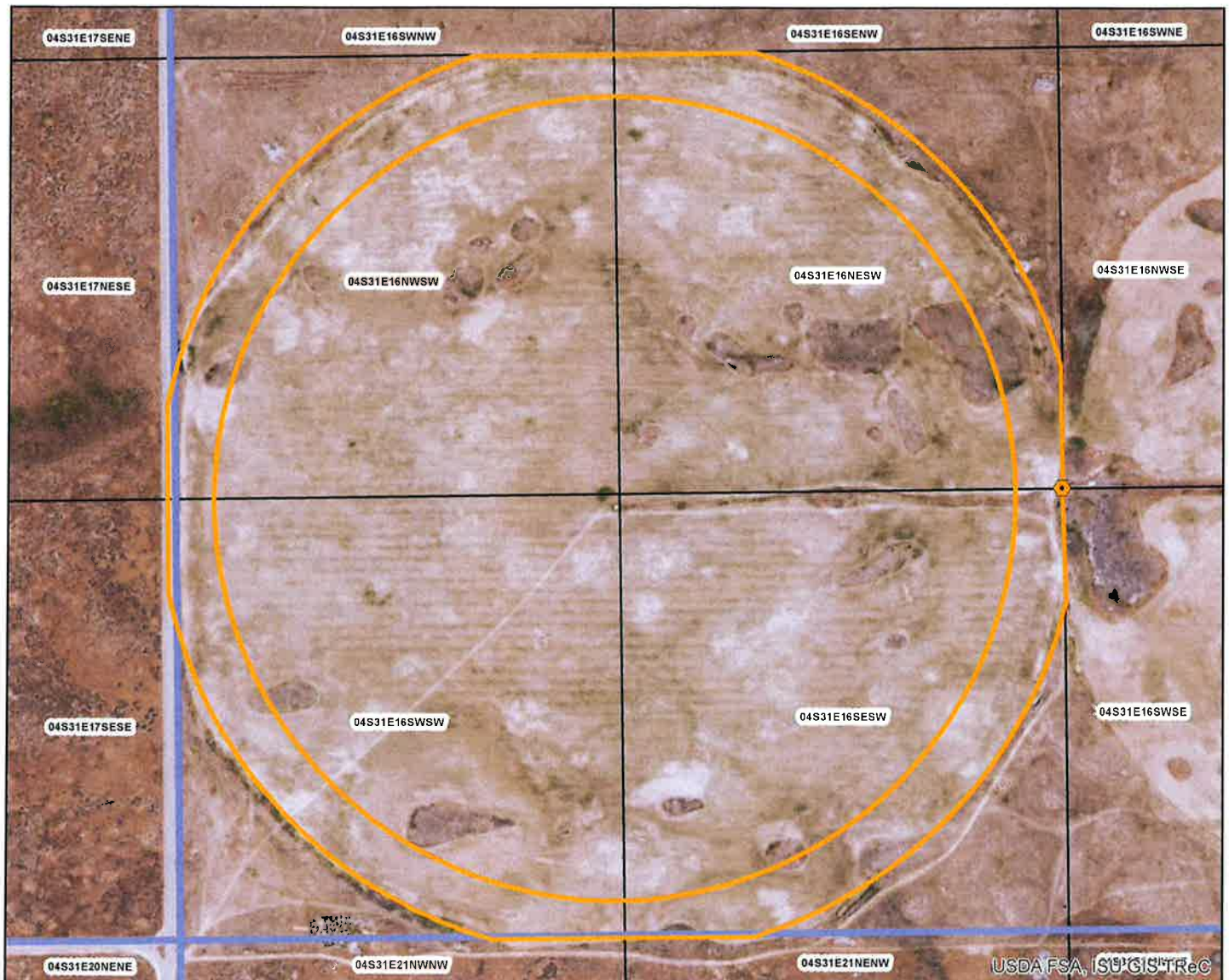
WATER SUPPLY BANK LEASE CONTRACT No. 971

9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
 - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. The leased rights when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
13. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
14. Water right 36-13609 is limited to the irrigation of 29.2 acres within the authorized place of use in a single irrigation season.
15. Rights 35-13609 and 35-7246M when combined shall not exceed the irrigation of 132.0 acres.
16. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
17. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

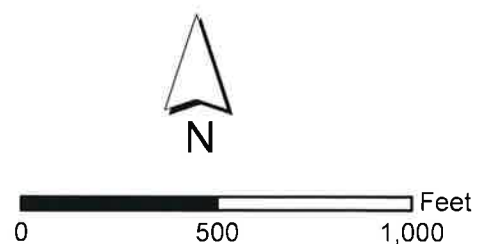
Idaho Water Resource Board
Water Supply Bank Lease Contract No. 971

35-7246M & 35-13609
Effective until December 31, 2019

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



-  Approved Lease Point of Diversion
-  Approved Lease Place of Use
-  Township/Range
-  Sections
-  QQ



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

APR 02 2019

DEPARTMENT OF
WATER RESOURCES

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

Designated Applicant William Toevs and Joanne Toevs

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

Water Right No. 35-7246M

(One water right per application)

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

Yes ☒ No ☐

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MINIMUM REQUIREMENT CHECKLIST

All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

Yes

- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*.
- ☒ Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
- ☒ Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment

N/A

Yes

- | | | | |
|----|-------------------------------------|-------------------------------------|--|
| 1A | ☐ | ☒ | Signatures and contact information for all owners of the water right to be leased or sold on this application. |
| 1B | ☐ | ☒ | An <u>Internal Revenue Service (IRS) Form W-9</u> for the Designated Applicant. |
| 1C | ☒ | ☐ | <i>Notice of Change in Water Right Ownership</i> form (accessible from www.idwr.idaho.gov). |
| 1D | ☒ | ☐ | Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity. |
| 2 | ☐ | ☒ | Description of a water right portion offered to the Water Supply Bank. |
| 3 | ☐ | ☒ | A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov . |
| 4A | ☒ | ☐ | Written consent from irrigation district or water delivery company. |
| 4G | ☐ | ☒ | Evidence demonstrating the water right has not been forfeited pursuant to <u>Section 42-222(2), Idaho Code</u> . |

Department Use Only

Fee Amount \$ <u>250</u>	Received By: <u>RD</u>	Date Received: <u>4/2/19</u>	Receipt # <u>C106504</u>
W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)		Name on W-9: <u>William Toevs</u>	

1393

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant William Toevs and Joanne Toevs

Mailing Address 2841 W 1800 S ABERDEEN, ID 83210
Street City State Zip Code

Email Address _____ Phone Number 2086042599

☐ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☐ No ☒
If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☒ No ☐
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative Greg Sullivan Organization Brockway Engineering

Professional Title Engineer Email Address greg.sullivan@brockwayeng.com

Mailing Address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Phone Number 208-736-8543

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☒ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☒ The full water right is being offered to the Bank.

OR

☐ A part of the water right is being offered to the Bank.

If a portion of the water right is being offered, **complete Attachment 2.**

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3.**

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☒
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

- B. Please provide a description of the current water diversion and delivery system.

Existing well. Pivots have been removed.

- C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. 35-7246M and 35-13609

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☒ No ☐

Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

- E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☒

If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.

- F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. See attached METRIC Data and WMIS Data. Last irrigation was in 2016.

- G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒

If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?

If yes, describe.

Yes ☐ No ☒

**STATE OF IDAHO
WATER RESOURCE BOARD**

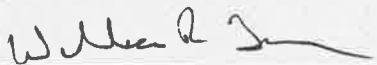
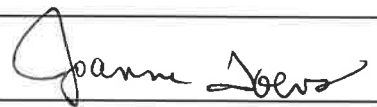
ATTACHMENT 1A

Additional Water Right Holders Party to the Lease Application

For the water right on this application, list all owners (individuals or business entities) of the right or the property to which it is appurtenant. All water right holders must sign a Water Supply Bank Lease Application. However, only the Designated Applicant needs to provide a completed IRS Form W-9 (Attachment 1B). **All correspondence and any financial payment associated with the rental of this water right will be directed to the Designated Applicant.** If additional space is needed to list any other water right holders, attach a second copy of Attachment 1A.

If submitting multiple applications, it is only necessary to complete one Attachment 1A for the group of applications. List each water right below.

Water Right No(s). 35-7246M and 35-13609

	Designated Applicant	Applicant #2	Applicant #3
Name	William Toevs	Joanne Toevs	
Mailing Address	2841 W 1800 S ABERDEEN, ID 83210	2841 W 1800 S ABERDEEN, ID 83210	
Phone Number	2086042599	2086042599	
Email Address			
Applicant Declaration	As Designated Applicant, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

	Applicant #4	Applicant #5	Applicant #6
Name			
Mailing Address			
Phone Number			
Email Address			
Applicant Declaration	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒.

If lease, specify the years when the use of water will be suspended: 2019 to 2019 (maximum lease period 5 calendar years).
(Year) (Year)

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

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

William R. Toews
Signature of Designated Applicant

William R Toews
Printed Name

03/29/11
Date

Signature of Authorized Representative

Printed Name

Date

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

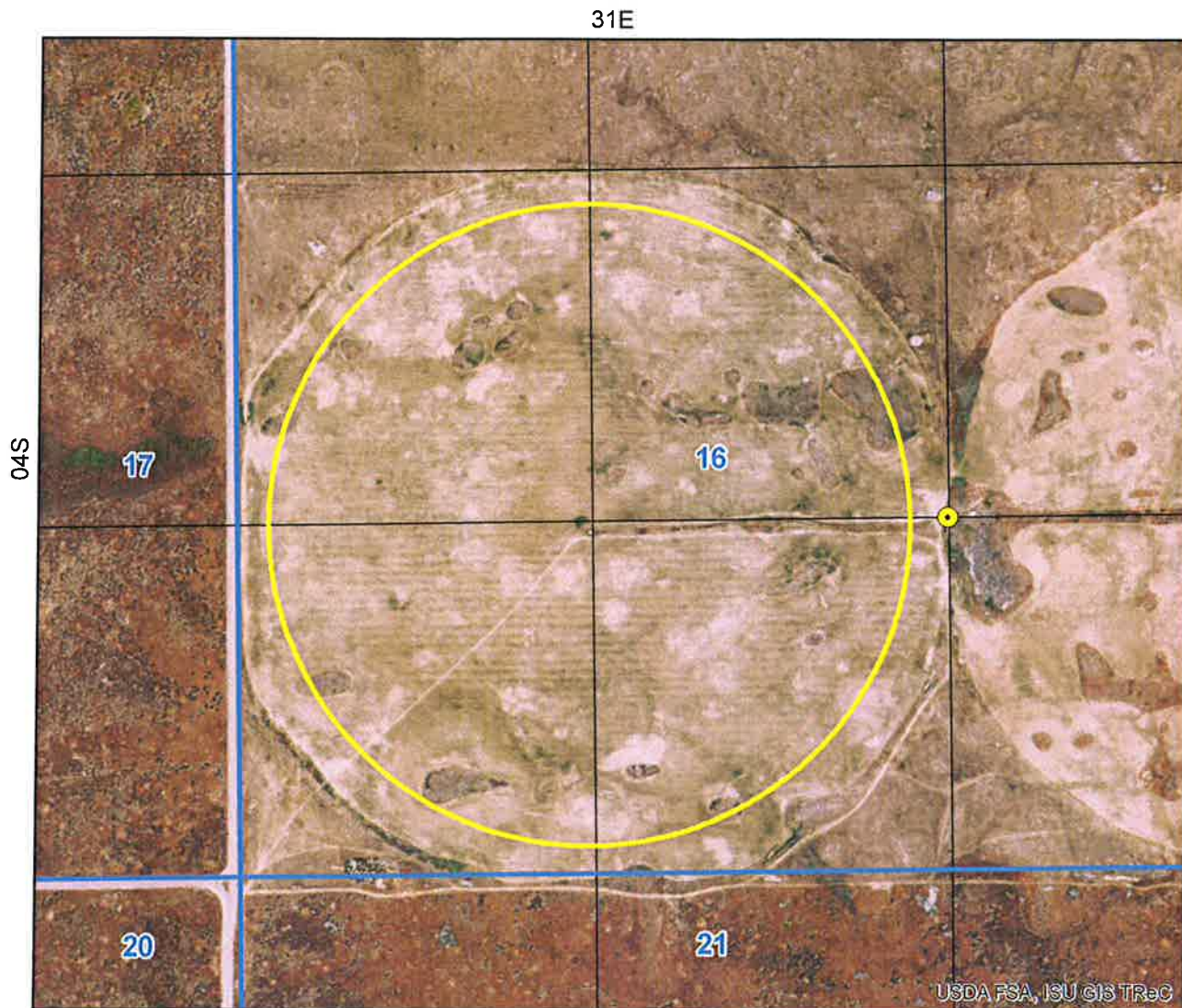
State of Idaho
Department of Water Resources

Water Right

35-7246M

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



● Point of Diversion

□ Place Of Use Boundary

□ Townships

□ PLS Sections

□ Quarter Quarters

0 0.075 0.15 0.3 Miles



CONTRACT OF AGREEMENT

To Whom It May Concern,

Lance Funk and William Toevs and Joanne Toevs have in place a long term farm lease agreement or contract for property owned by William Toevs and Joanne Toevs. The contract includes the property, water rights and water distribution systems.

Lance Funk has paid the annual contract payment for 2019. No additional fees are required by William Toevs and Joanne Toevs of Lance Funk for the 2019 irrigation season from the Idaho Water Supply Bank for the rental of 35-13609 and 35-7264M.

Therefore, the rental payment of the 90% of the rental fee to the owner of water rights 35-13609 and 35-7264M for 2019 has been paid in full.

William Toevs

William R Toevs

Date: 03/29/19

Joanne Toevs

Joanne Toevs

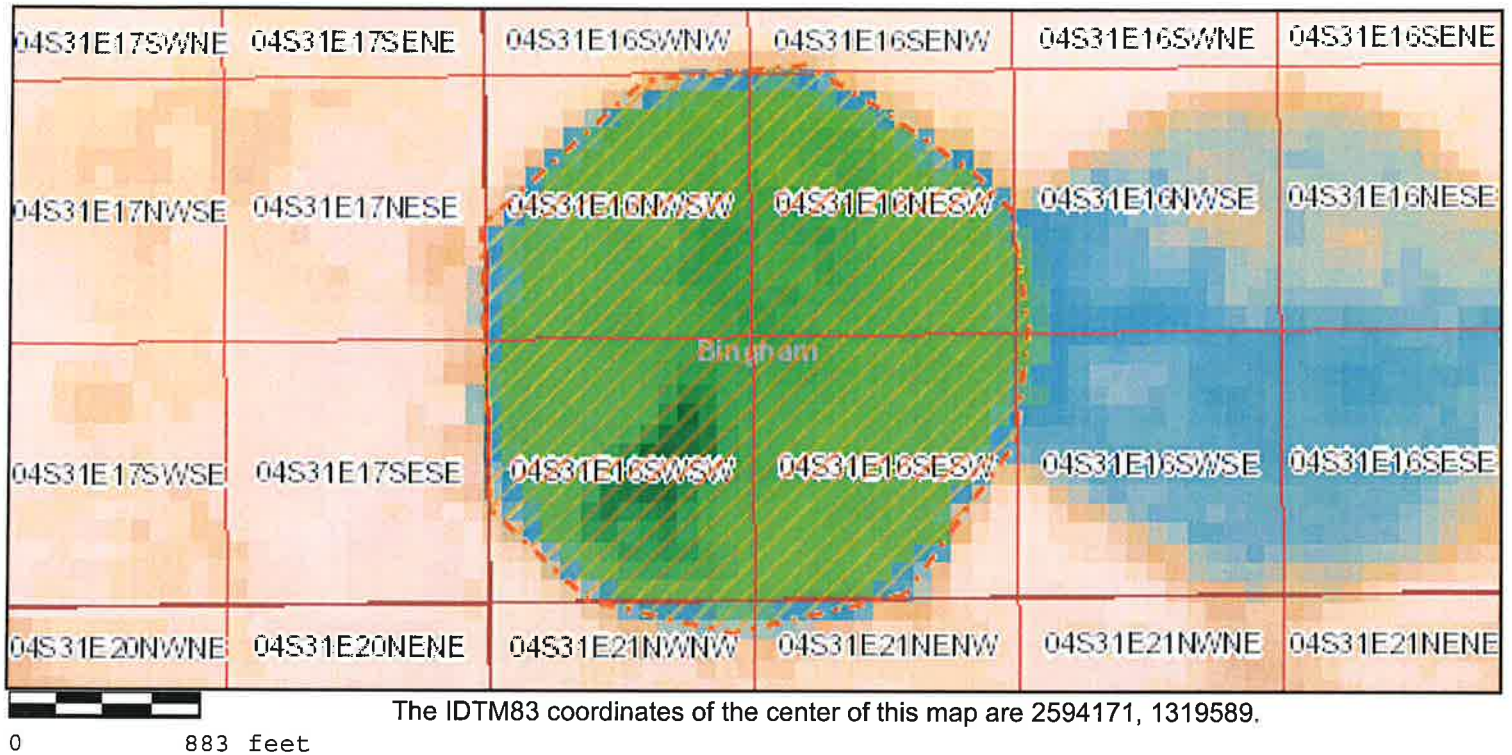
Date: 03/29/2019

Lance Funk

Lance Funk

Date: 03/29/2019

Evapotranspiration Statistics from the METRIC ET Model



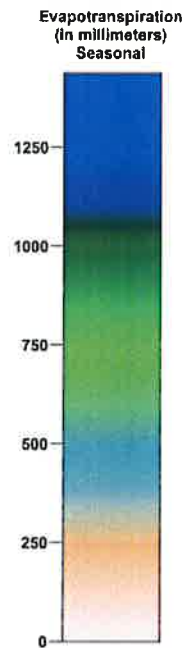
Evapotranspiration Statistics

Name: User Drawn Polygon

ET Dataset: p3940_20160401to20161031_et.img

Area: 142.9 acres

Statistics	ET	CIR
MEAN (mm)	747.7	539.7
AC-FT	350.55	253.03
AC-FT/Acre	2.45	1.77



These statistics were generated by the tools provided at <http://maps.idwr.idaho.gov/ET> using the METRIC (Mapping EvapoTranspiration at high Resolution with Internalized Calibration) model, developed by the University of Idaho.

Evapotranspiration (ET) from irrigated agriculture is synonymous with consumptive use. The consumptive irrigation requirement (CIR) is a measure of the irrigation water, exclusive of within-season effective rainfall, necessary to meet the consumptive use requirement of a crop. A detailed explanation of these data can be found here:

<http://idwr.idaho.gov/GIS/mapping-evapotranspiration/>

WMIS

Water Management Information System

Quick Search:

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Search Method:

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WMIS Number

[WMIS Number](#)

1001783

Search

[Point Of Diversion](#) [PCC](#) [Flow Meter](#) [Time Clock](#) [Alternate](#) [Contacts](#) [Data Summary](#) [Other](#) [Logout](#)

Data Summary

You are viewing 1001783; A0010144

Report Year	Alternate	FM	PCC	Time Clock
2018			0.00	
2017			0.00	
2016			440.55	
2015			371.70	
2014			398.23	
2013				

Trimester 1 2 Trimester)
Annual AFT/1:

Total Reach Depletion Impacts

AFT:	0.0	0.0	0.0	-0.01	0.0	0.2	0.21	0.1	0.1	0.0	0.0
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One-Way Analysis of Independent Transfers

Transfer 1 : 107.0 Acre Rental

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
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Transfer 1: Proposed Steady State Impacts following Transfer

Transfer: Worst Case Transient State Impacts following Transfer

Impact by Reach (AF/Trimester)		Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to 1000 Spr	1000 Spr to 1000 Spr	1000 Spr to Malad	Malad to Malad	Malad to Bancroft
Pre-SS	2.41	7.28	22.20	68.48	0.57	1.73	1.97	0.88	0.55	0.51	0.03	
Post-SS	2.41	7.28	22.20	68.48	0.57	1.73	1.97	0.87	0.55	0.51	0.03	
Pre-TS	2.41	7.28	22.20	68.48	0.57	1.73	1.97	0.88	0.55	0.51	0.03	
Post-TS	2.41	7.28	22.20	68.48	0.58	1.90	2.18	0.97	0.61	0.55	0.03	

Steady State Analysis	Mitigation Check 1 - >10% of Historical:	0%	0%	0%	0%	0.0%	0.0%	0.0%	0.0%	0%	0%	
	Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.00	0.00	0.00	0.00	0.00	0.0	
	Mitigation Check 3 - >10% of Total:	2.3%	6.8%	20.8%	64.3%	0.5%	1.6%	1.8%	0.6%	0.5%	0.0%	
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	
	Mitigation Vol. Req'd (ac-ft):	0.00	0.00	0.00	-0.01	0.00	0.00	0.00	0.00	0.00	0.00	
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	-0.1%	0.0%	0.0%	0.0%	1.6%	9.6%	10.6%	10.6%	10.4%	9.1%	7.7%
	Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.01	0.17	0.21	0.09	0.1	0.0	0.0
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	
	Mitigation Vol. Req'd (ac-ft):	0.00	0.00	0.00	-0.01	0.01	0.17	0.21	0.09	0.06	0.05	0.00

Read 1/4

Transfer 2 :

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
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Transfer: Proposed Steady State Impacts following Transfer

Transfer 1: Worst Case Transient State Impacts following Transfer

Impact by Reach (AF/Trimester)		Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to 1000 Spr	1000 Spr to 1000 Spr	1000 Spr to Malad	Malad to Malad	Malad to Bancroft
Pre-SS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Post-SS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Pre-TS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Post-TS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

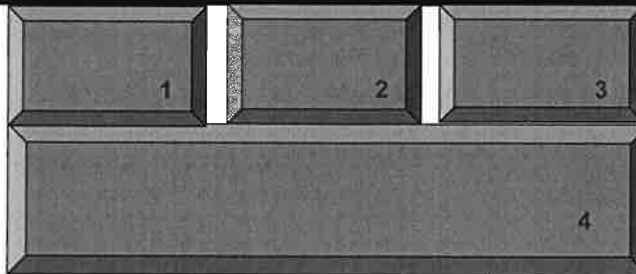
Steady State Analysis	Mitigation Check 1 - >10% of Historical:	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
	Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.0	0.00	0.00	0.00	0.0	0.0	
	Mitigation Check 3 - >10% of Total:	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
	Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.00	0.00	0.00	0.00	0.0	0.0	
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.00	0.00	0.00	0.00	0.00	0.0	0.0	

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries



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

TRANSFER NO:

YEAR

1950

TRANSFER NAME:

SEASON

SPRING

ENTER CELL LOCATIONS:

	TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL		11.2	33.6
ROW	82	71	71	78		61.5	184.5
COLUMN	92	130	130	111		34.3	102.9

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1954	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1955	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1955	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1955	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1956	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1956	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1956	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1957	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1957	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1957	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1958	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1958	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1958	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1959	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1959	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1959	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1960	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1960	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1960	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1961	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1961	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1961	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1962	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1962	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1962	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1963	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1963	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1963	0.0	11.2	11.2	0.0	0.0	0.0	0.0

SPR 1964	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1964	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1964	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1965	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1965	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1965	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1966	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1966	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1966	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1967	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1967	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1967	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1968	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1968	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1968	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1969	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1969	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1969	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1970	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1970	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1970	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1971	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1971	0.0	11.2	11.2	0.0	0.0	0.0	0.0
WIN 1971	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SPR 1972	0.0	11.2	11.2	0.0	0.0	0.0	0.0
SUM 1972	0.0	11.2	11.2	0.0	0.0	34.3	34.3
WIN 1972	0.0	11.2	11.2	0.0	0.0	34.3	34.3
SPR 1973	0.0	11.2	11.2	0.0	0.0	34.3	34.3
SUM 1973	0.0	11.2	11.2	0.0	0.0	34.3	34.3
WIN 1973	0.0	11.2	11.2	0.0	0.0	34.3	34.3
SPR 1974	0.0	11.2	11.2	0.0	0.0	34.3	34.3
SUM 1974	0.0	11.2	11.2	0.0	0.0	34.3	34.3
WIN 1974	0.0	11.2	11.2	0.0	0.0	34.3	34.3
SPR 1975	0.0	11.2	11.2	0.0	0.0	34.3	34.3
SUM 1975	0.0	11.2	11.2	0.0	0.0	34.3	34.3
WIN 1975	0.0	11.2	11.2	0.0	0.0	34.3	34.3
SPR 1976	0.0	11.2	11.2	0.0	0.0	34.3	34.3
SUM 1976	0.0	11.2	11.2	0.0	0.0	34.3	34.3
WIN 1976	0.0	11.2	11.2	0.0	0.0	34.3	34.3
SPR 1977	0.0	11.2	11.2	0.0	0.0	34.3	34.3
SUM 1977	0.0	11.2	11.2	0.0	0.0	34.3	34.3
WIN 1977	0.0	11.2	11.2	0.0	0.0	34.3	34.3
SPR 1978	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 1978	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 1978	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 1979	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 1979	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 1979	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 1980	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 1980	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 1980	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 1981	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 1981	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 1981	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 1982	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 1982	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 1982	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 1983	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 1983	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 1983	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 1984	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 1984	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 1984	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 1985	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 1985	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 1985	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 1986	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 1986	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 1986	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 1987	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 1987	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 1987	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 1988	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 1988	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 1988	0.0	11.2	11.2	61.5	61.5	34.3	34.3

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SPR 2014	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2014	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2014	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2015	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2015	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2015	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2016	0.0	11.2	11.2	61.5	61.5	0.0	34.3
SUM 2016	0.0	11.2	11.2	61.5	61.5	0.0	34.3
WIN 2016	0.0	11.2	11.2	61.5	61.5	0.0	34.3
SPR 2017	0.0	0.0	11.2	0.0	61.5	0.0	34.3
SUM 2017	0.0	0.0	11.2	0.0	61.5	0.0	34.3
WIN 2017	0.0	0.0	11.2	0.0	61.5	0.0	34.3
SPR 2018	0.0	0.0	11.2	0.0	61.5	0.0	34.3
SUM 2018	0.0	0.0	11.2	0.0	61.5	0.0	34.3
WIN 2018	0.0	0.0	11.2	0.0	61.5	0.0	34.3
SPR 2019	107.0	0.0	11.2	0.0	61.5	0.0	34.3
SUM 2019	107.0	0.0	11.2	0.0	61.5	0.0	34.3
WIN 2019	107.0	0.0	11.2	0.0	61.5	0.0	34.3
SPR 2020	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2020	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2020	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2021	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2021	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2021	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2022	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2022	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2022	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2023	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2023	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2023	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2024	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2024	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2024	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2025	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2025	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2025	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2026	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2026	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2026	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2027	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2027	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2027	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2028	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2028	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2028	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2029	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2029	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2029	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2030	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2030	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2030	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2031	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2031	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2031	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2032	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2032	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2032	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2033	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2033	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2033	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2034	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2034	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2034	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2035	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2035	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2035	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2036	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2036	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2036	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2037	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2037	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2037	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2038	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2038	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2038	0.0	11.2	11.2	61.5	61.5	34.3	34.3

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SPR 2089	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2089	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2089	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2090	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2090	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2090	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2091	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2091	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2091	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2092	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2092	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2092	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2093	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2093	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2093	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2094	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2094	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2094	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2095	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2095	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2095	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2096	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2096	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2096	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2097	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2097	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2097	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2098	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2098	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2098	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SPR 2099	0.0	11.2	11.2	61.5	61.5	34.3	34.3
SUM 2099	0.0	11.2	11.2	61.5	61.5	34.3	34.3
WIN 2099	0.0	11.2	11.2	61.5	61.5	34.3	34.3

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

APR 02 2019

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKDesignated Applicant William Toevs and Joanne Toevs
(Select one owner – see item 1A on the application)Water Right No. 35-13609
(One water right per application)

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

Yes ☒ No ☐

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MINIMUM REQUIREMENT CHECKLIST

All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

Yes

- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*.
- ☒ Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
- ☒ Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment N/A Yes

- 1A ☐ ☒ Signatures and contact information for **all owners** of the water right to be leased or sold on this application.
- 1B ☐ ☒ An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.
- 1C ☒ ☐ *Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
- 1D ☒ ☐ Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
- 2 ☐ ☒ Description of a water right portion offered to the Water Supply Bank.
- 3 ☐ ☒ A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.
- 4A ☒ ☐ Written consent from irrigation district or water delivery company.
- 4G ☐ ☒ Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.

Department Use Only

Fee Amount \$ <u>250</u>	Received By: <u>RD</u>	Date Received: <u>4/2/19</u>	Receipt # <u>C10650 # RD</u>
W-9 received? Yes ☒ No ☐	(Route W-9 to Fiscal)	Name on W-9: <u>William Toevs</u>	

1398

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant William Toeves and Joanne Toeves

Mailing Address 2841 W 1800 S ABERDEEN, ID 83210
Street City State Zip Code

Email Address _____ Phone Number 2086042599

☐ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☐ No ☒

If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐

If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☒ No ☐

If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative Greg Sullivan Organization Brockway Engineering

Professional Title Engineer Email Address greg.sullivan@brockwayeng.com

Mailing Address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Phone Number 208-736-8543

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☒ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☒ The full water right is being offered to the Bank.

OR

☐ A part of the water right is being offered to the Bank.

If a portion of the water right is being offered, complete Attachment 2.

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☒
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

- B. Please provide a description of the current water diversion and delivery system.
Existing well. Pivots have been removed.

- C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. 35-7246M and 35-13609

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☒ No ☐
Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

- E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☒
If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.

- F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. See attached METRIC Data and WMIS Data. Last irrigation was in 2016.

- G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒
If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?
If yes, describe.

Yes ☐ No ☒

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒.

If lease, specify the years when the use of water will be suspended: 2019 to 2019 (maximum lease period 5 calendar years).
(Year) (Year)

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

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

William R. L.
Signature of Designated Applicant

William R. L. Teos
Printed Name

03/29/19
Date

Signature of Authorized Representative

Printed Name

Date

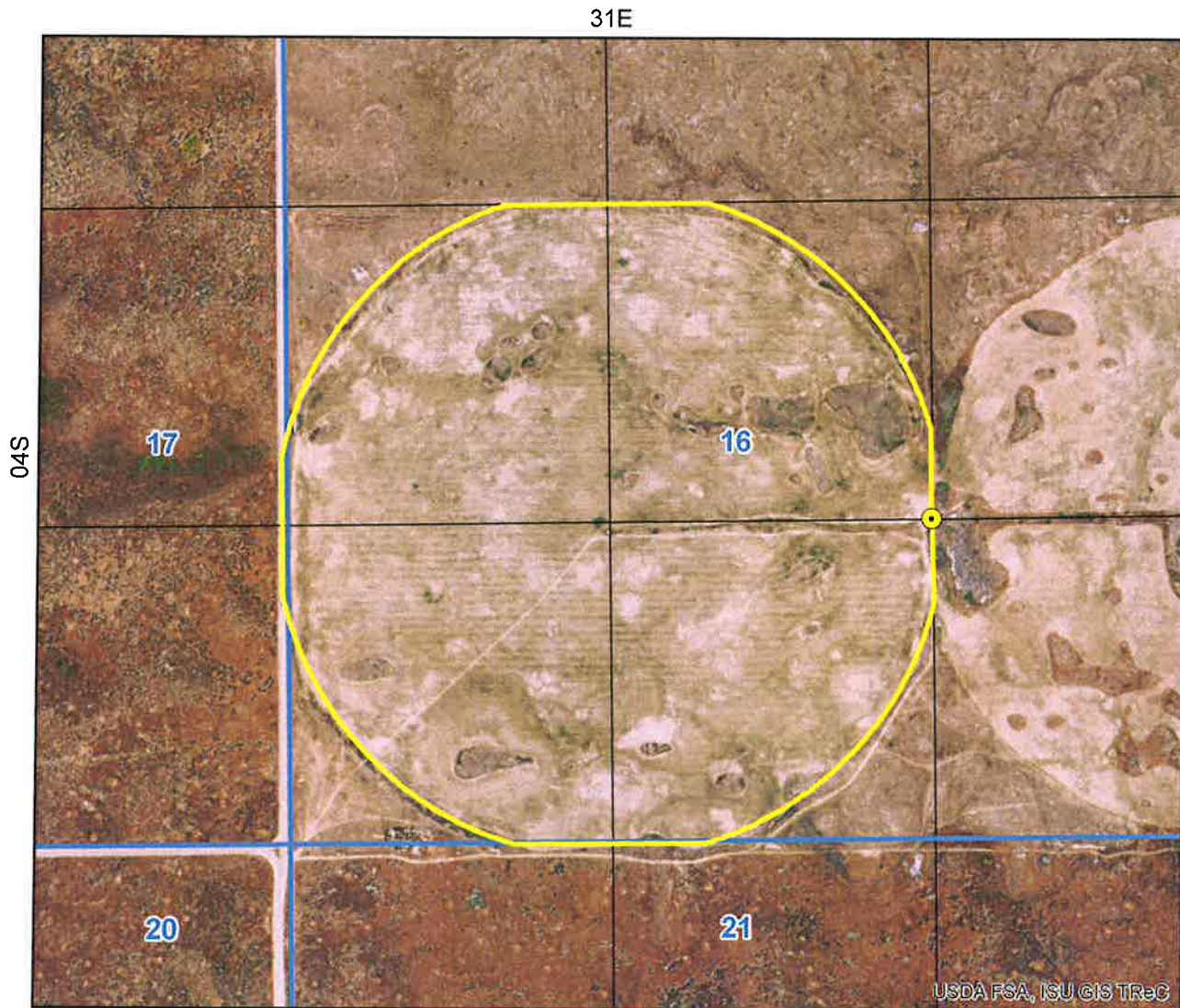
Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

State of Idaho
Department of Water Resources

Water Right 35-13609

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



● Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

0 0.075 0.15 0.3 Miles





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

May 14, 2019

WILLIAM R TOEVS
2841 W 1800 S
ABERDEEN ID 83210

**RE: WATER SUPPLY BANK LEASE CONTRACT 971
FOR WATER RIGHTS 35-7246M and 35-13609**

Dear Lessor:

Water rights **35-7246M and 35-13609** were leased into the Water Supply Bank (Bank) as of April 2, 2019, in accordance with the enclosed executed lease contract. **Your water rights, as described on the lease contract, are considered leased into the Bank and should remain unused until they are formally released from the Bank.** More information and further restrictions placed on your water rights while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The rights will automatically be released from the Bank on **December 31, 2019**, unless the rights are released earlier by the Water Resource Board (Board). On behalf of the Board, the Department of Water Resources (Department) can evaluate an early release of the lease contract upon your request. To release the water rights from the Bank prior to the release date, submit a written request on the *Request to Release a Water Right from the Bank* form. This form is available on our public website at www.idwr.idaho.gov. **Please note your water rights may not be available for immediate release if they have been rented or are being considered for a future rental. Furthermore, it is at the discretion of the Department whether or not a water right can be released early from a lease contract.**

If you have questions regarding this matter, please contact this office at 287-4800.

Sincerely,

Water Supply Bank

Enclosure: Executed Lease Contract

c: James Cefalo - IDWR Eastern Region
Blake Jordan - Water District 120
Aberdeen American Falls GWD
Greg Sullivan - Brockway Engineering



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

April 26, 2019

WILLIAM R TOEVS
JOANNE TOEVS
2841 W 1800 S
ABERDEEN ID 83210

RE: APPLICATION TO LEASE WATER RIGHTS 35-7246M and 35-13609
TO THE WATER SUPPLY BANK - CONTRACT 971

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

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water rights to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please sign and return ALL Lease Contracts within 14 days.** Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The rights will automatically be released from the Bank on **December 31, 2019**, unless the rights are released earlier by the Board, or upon your request. To release the rights from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your rights may not be available for immediate release if they have been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact this office at 287-4800.

Sincerely,

Water Supply Bank

Enclosures: Proposed Lease Contracts
Receipt # C106504

c: Greg Sullivan – Brockway Engineering

Buyer, Remington

From: Buyer, Remington
Sent: Tuesday, April 9, 2019 1:20 PM
To: Jordan, Blake
Cc: Webster, Clay
Subject: WSB Lease for water rights 35-7246M and 35-13609
Attachments: Lease_Map.pdf; Draft Lease Contract.docx; Lease Review Memo.docx

Blake,

William Toevs, through Brockway Engineering, has submitted lease applications for water rights 35-7246M and 35-13609. The purpose of the lease is to secure water rights that can satisfy rental application 1220 for Lance Funk. Attached are my lease review memo, map and draft lease contract. On behalf of Water District 120 and IDWR Eastern Region, please advise if you have any questions, comments or concerns about this rental.

Thanks,

Remington

Memorandum

To: Water Rights 35-7246M and 35-13609

From: Remington Buyer

Date: April 8, 2019

Re: Water Supply Bank Lease Application 1393 for Contract 971

Purpose/Narrative: Applications received April 2, 2019, from William and Joanne Toevs, through Greg Sullivan of Brockway Engineering. The water rights are proposed to be leased to the Bank for one year (application 1393), largely to accommodate rental application 1220, which was short of water for 2019.

Authority to File: Applications have been submitted and signed by William R Toevs, who is the owner of records for the water rights. No concerns about authority to file.

Water Right Validity/Forfeiture Evaluation: The water rights were fully leased to the Bank from the date of their decree (2003) until 2015. They were not in the Bank during 2016, 2017 or 2018. A METRIC ET Model analysis of the place of use indicates irrigation during 2016, which is further validated by observations of 2016 ground water diversions from the water right PODs (per WMIS data). No concerns about water right validity.

Injury Evaluation: No injury is apparent from the lease alone.

Enlargement of Use: To avoid enlargement in water use, the rights will be leased in and rented together.

Local Public Interest: Staff are unaware of any local public interest concerns regarding this lease proposal.

Beneficial Use/Conservation of Water Resources: No concerns about beneficial use/conservation of water.

Department/Watermaster Comments: Watermaster and Eastern Regional Office comments will be requested.

Water Supply Bank Evaluation: Subject to favorable regional/water district review, it is recommended the water rights be leased into the Bank.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

APR 02 2019

DEPARTMENT OF
WATER RESOURCES

April 1, 2019

Remington Buyer
Idaho Water Supply Bank
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Rental of 107.0 Acres

Dear Mr. Buyer:

Through correspondence with the Idaho Water Supply Bank I was informed that the rental application that was submitted on October 31, 2018 could not be fulfilled with water rights 35-2391 and 35-7777 for the 2019 and 2020 irrigation seasons.

It is now necessary to lease in the full amount of water under 35-7246M and 35-13609 for the 2019 irrigation season. Because the proposed lease for these two water rights is only for 2019. The rental period for the other water rights for this 107.0 acre rental can only be for 2019.

The ESPA Model analysis was performed on this 2019 rental and no mitigation is required. Attached to this letter is the Data Entry and Analysis pages for the ESPA Model analysis tool.

Historical use under 35-7246M and 35-13609 is documented by the attached METRIC Data for the irrigation POU during the 2016 and WMIS data for well #1001783. No irrigation has occurred on this farm since 2016.

A contract of agreement between Lance Funk and Ritchie Toevs and Joanne Toevs is attached to this letter. The agreement states that Lance Funk has already paid the Toevs a rental payment for the farm for 2019. Therefore, the Idaho Water Supply Bank will be paid the 10% rental processing fee by Lance Funk and the Toevs will not receive a rental payment at the end of 2019 from the Idaho Water Supply Bank.

Sincerely,



Greg Sullivan, M.S., Engineer

Cc: Lance Funk, Ritchie Toevs

Enc: Aerial Maps, ESPA Model Analysis, Contract of Agreement, WMIS Data, METRIC Data, Brockway Engineering Check # 152666 for \$500.00

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506