

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 282

RECEIVED

FEB 22 2019

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

SANDERS FAMILY LLLP
C/O DAVID SANDERS
2473 E 2100 N
HAMER, ID 83425

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)
35-7777	1/24/1978	GROUND WATER	0.580	137.2	34.3	0.017	4.0
Rental Totals			0.580	137.2	34.3	0.017	4.0

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2020. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2019, whichever occurs last.

Annual Rental Fee:

2019 - 2020: \$2,744.00 annually

The full fee for the rental of the above-described right(s) is \$2,744.00 per year for years 2019 - 2020. The rental fee includes an administrative fee of \$274.40 per year for years 2019 - 2020.

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

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.510	120.1	34.3	0.015	3.5
Combined Total	0.510	120.1	34.3	0.015	3.5

** The authorized water usage reflects a reduction from the water right elements rented, to account for combined limits of points of diversions and headgate allowance*

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 282

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:

David Sanders
Signature of Renter

2-17-19
Date

David Sanders
Printed Name

Owner
Title

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

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

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

Date 2/25/2019

Rental approved by IDWR By War

Date 2-25-2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 282

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSENE	Sec. 15, Twp 07N, Rge 36E,	JEFFERSON County
GROUND WATER	SESWNW	Sec. 14, Twp 07N, Rge 36E,	JEFFERSON County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.51 CFS

VOLUME
120.1 AF

SEASON OF USE

Water Right No.	From	To
35-7777	4/15	10/15

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	36E	14								19.4									19.4
07N	36E	15		0.7	10.3											3.9			14.9

Total Acres: 34.3

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. Use of this right with Rights 31-7318, 31-12193, 31-12195, 31-12197 and 31-12199 when combined shall not exceed a total diversion rate of 2.38 cfs, a total annual maximum diversion volume of 410.0 af at the field headgate, and the irrigation of 128.0 acres.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 282

10. Use of this right with Rights 31-12196 and 31-12198 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 228.6 af at the field headgate, and the irrigation of 65.3 acres.
11. Use of this right with Rights 31-12196 and 31-12198 and 31-7318, 31-12193, 31-12195, 31-12197 and 31-12199 when combined shall not exceed a total diversion rate of 2.99 cfs, a total annual maximum diversion volume of 518.5 af at the field headgate, and the irrigation of 159.0 acres.
12. This right 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 lands above.
13. 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. 31 and State Water District No. 110.
14. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than February 2, 2002.
15. This rental agreement does not authorize the construction of a well.
16. Prior to December 31 of each year, the Board may review this rental agreement to determine whether it is consistent with the management plan that may be approved for the Eastern Snake Plain Aquifer Ground Water Management Area ("ESPA GWMA Plan") pursuant to Idaho Code § 42-233b. The Board may cancel this rental agreement if the Board determines it is not consistent with the ESPA GWMA plan. If this rental agreement is canceled, the cancellation shall not take effect until December 31 of the year in which the rental agreement is canceled.

STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED *De*

SEP 17 2018

DEPARTMENT OF
WATER RESOURCESApplicant Name: Sanders Family LLLP

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)

31-2380

35-7777

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Sanders Family LLLP c/o David Sanders

Mailing Address 2473 E 2100 N Hamer Idaho 83425
Street City State Zip Code
Email Address sanders@mudlake.net Phone Number 208-662-5437

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, Suite 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**:

For the irrigation of additional fields not covered under water 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)
0.28 CFS	50.4 AF	0.17 CFS	36 AF	14.4 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?	
April 15, 2019	June 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):

Two wells mainlines to laterals with sprinklers

- 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
7N 36E Sec 14 SWNW	Groundwater	31-12196, 31-12198
7N 36E Sec 15 SENE	Groundwater	31-7318, 31-12193, 31-12195, 31-12197, 31-12199

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 14.4 (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:
No other water rights at rental place of use.

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)
31-2380	Irrigation	0.06	17.15	4.9		0.06	17.15	4.9
35-7777	Irrigation	1.77	416	104		0.16	38	9.5
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	0.22	55.2	14.4
						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**:

N/A

C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☐ No ☒

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

These water rights were rented from the WSB in 2017-2018. Applicant is seeking water rights to purchase that can be reasonably transferred to the proposed location.

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental?

If yes, describe:

Yes ☐ No ☒

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV?

Yes ☐ No ☒

If yes, describe the date and location of the NOV.

- D. Additional Information

DECLARATION

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



Signature of Applicant

David Sanders

Printed Name of Applicant

9-7-18

Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

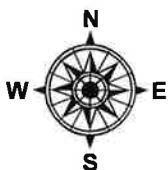


0 500 1,000 2,000 Feet

2017 Aerial Photography

Legend

- Rental POD
- Sanders WSB2019
- Twp & Rng
- Section
- QQ



Application to Rent 35-7777

Sanders Family LLLP

RMEA #15-0024

by: KM

Date: 10/26/2018



Eastern Snake Plain Aquifer Modeling Analysis - AMENDED

The Applicant proposes to rent 34.3 acres at the proposed place of use to irrigate additional acres for the 2019 and 2020 season. Using ETRAN 3.3 to simulate the depletions of transferring 34.3 acres to the proposed points of diversion, the affects do not exceed the threshold of 2.0 af/trimester. No mitigation is required.

Modeling inputs were based upon consumptive irrigation requirements for the existing and proposed locations, as displayed in the table below. Figures 1-3 include excerpts from the ETRAN 3.3 simulation.

WR#	WATER RIGHT QUANTITIES				MODELING QUANTITIES		
	acres	AF/acre	AFA	AF/tri	AF/acre	AFA	AF/tri
35-7777	34.3	4	137.2	45.7	3	102.9	34.3
TO WELL					2.5	85.75	28.6

Figure 1. Data Entry

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

UPDATE DATES

RUN MODEL

GET OUTPUT

CALCULATE EFFECTS

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

TRANSFER NO: 35-7777

YEAR: 1977

SEASON: WINTER

TRANSFER NAME: Sanders

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	42	70	27	45
COLUMN	169	130	157	30

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
WIN 1977	0	34	34	0	0	0	0
SPR 1978	0	34	34	0	0	0	0
SUM 1978	0	34	34	0	0	0	0
SPR 2018	0	34	34	0	0	0	0
SUM 2018	0	34	34	0	0	0	0
WIN 2018	0	34	34	0	0	0	0
SPR 2019	29	0	34	0	0	0	0
SUM 2019	29	0	34	0	0	0	0
WIN 2019	29	0	34	0	0	0	0
SPR 2020	29	0	34	0	0	0	0
SUM 2020	29	0	34	0	0	0	0
WIN 2020	29	0	34	0	0	0	0
SPR 2021	0	34	34	0	0	0	0
SUM 2021	0	34	34	0	0	0	0
WIN 2021	0	34	34	0	0	0	0

Figure 2. Net Transfer Graphs

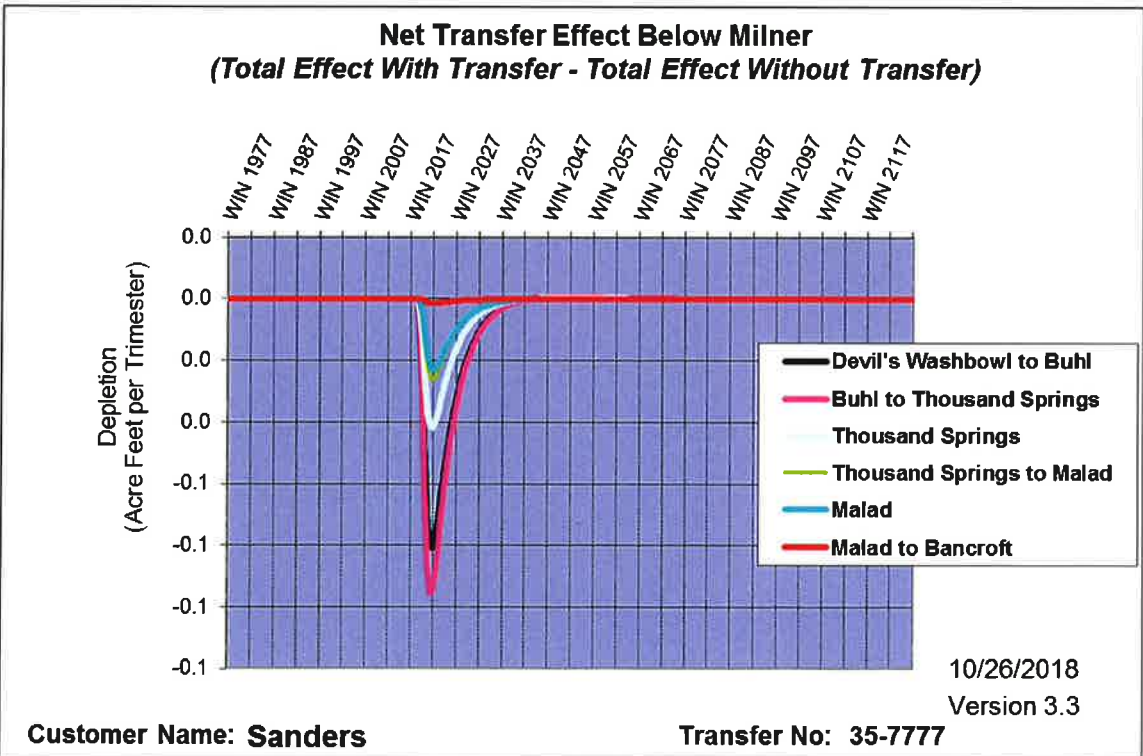
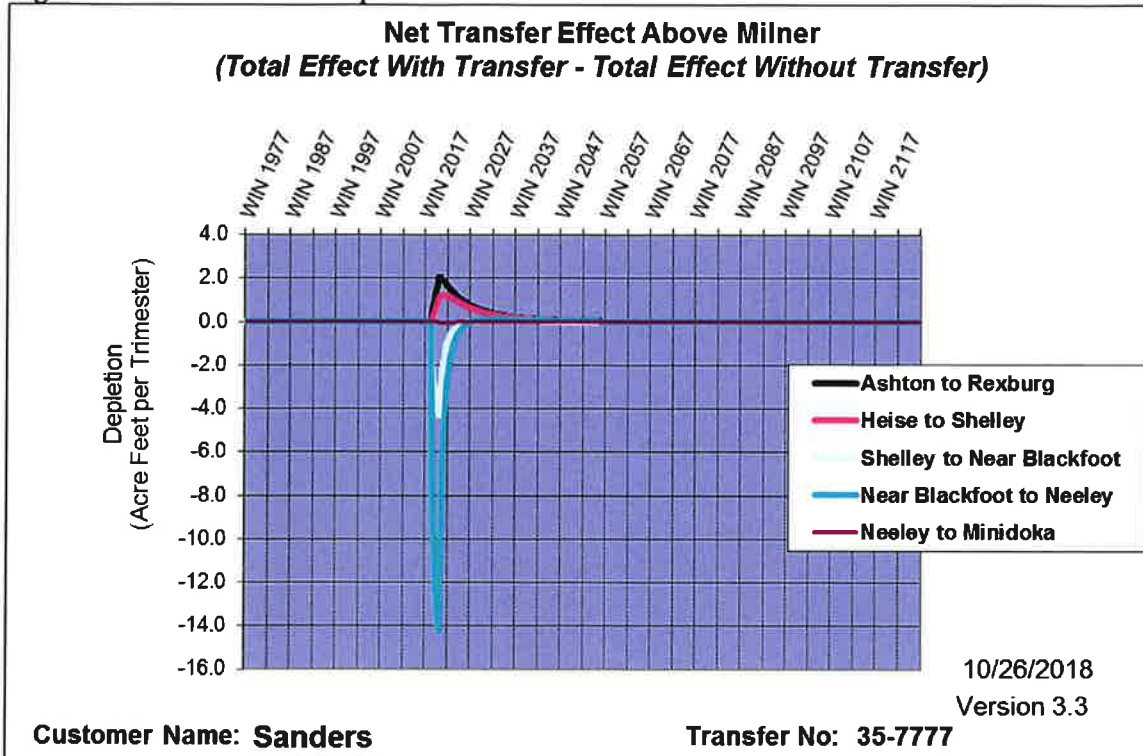


Figure 3. Calculated Affects.

	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Neeley to Neeley	Dev. Wbl. Minidoka	Buhl to Buhl	Kspr Kspr	Kspr to Malad	Malad Malad	Malad to Bancroft	
WIN 1977	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1978	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1978	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1978	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1979	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1979	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	0.3	0.1	-1.6	-5.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	0.7	0.3	-2.5	-9.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	1.0	0.5	-3.2	-11.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	1.4	0.7	-3.7	-12.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	1.7	0.9	-4.0	-13.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	2.0	1.1	-4.3	-14.2	0.0	0.0	-0.1	0.0	0.0	0.0	0.0
SPR 2021	2.0	1.2	-3.0	-8.9	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
SUM 2021	2.0	1.2	-2.2	-6.3	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
WIN 2021	1.9	1.2	-1.7	-4.7	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
SPR 2022	1.8	1.2	-1.3	-3.6	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
SUM 2022	1.7	1.2	-1.0	-2.8	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
WIN 2022	1.6	1.2	-0.8	-2.2	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
SPR 2023	1.6	1.1	-0.6	-1.8	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
SUM 2023	1.5	1.1	-0.5	-1.4	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
WIN 2023	1.4	1.1	-0.4	-1.1	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
SPR 2024	1.3	1.0	-0.3	-0.9	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
SUM 2024	1.3	1.0	-0.2	-0.7	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
WIN 2024	1.2	1.0	-0.2	-0.6	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
SPR 2025	1.1	0.9	-0.1	-0.5	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
SUM 2025	1.1	0.9	-0.1	-0.4	0.0	-0.1	-0.1	0.0	0.0	0.0	0.0
WIN 2025	1.0	0.8	-0.1	-0.3	0.0	0.0	-0.1	0.0	0.0	0.0	0.0
SPR 2026	1.0	0.8	-0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.9	0.8	0.0	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.9	0.7	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.8	0.7	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	0.8	0.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	0.8	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2028	0.7	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2028	0.7	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2028	0.7	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2029	0.6	0.5	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2029	0.6	0.5	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2029	0.6	0.5	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2030	0.5	0.5	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0

or First Time Step of Transfer: WIN 1977

Match:	1	Match:	456										
	AtR	His	StNB	NBN	NtM	DWIB	BTs	TS	TSIM	M	MtB	Total	
Effects @ SS (Last Time Step):	0.79	2.38	7.28	22.27	0.13	0.41	0.47	0.21	0.13	0.12	0.01	34.20	Total Effect
Value of Dep. @ Last Time Step:	0.79	2.39	7.29	22.27	0.13	0.41	0.47	0.21	0.13	0.12	0.01	34.21	Total Effect
ent State (Max Value Timestep):	0.79	2.38	7.28	22.27	0.13	0.41	0.47	0.21	0.13	0.12	0.01	34.20	Total Effect
fax. Value of Dep. After Transfer:	2.78	3.58	7.32	22.33	0.13	0.41	0.47	0.21	0.13	0.12	0.01	37.48	Total Effect
Steady State Change:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	1.99	1.20	0.03	0.07	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

No. L 6719		Due no later than Aug 31, 2018		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address: Correct in this box if needed. SANDERS FAMILY LLP DAVID B SANDERS PO BOX 205 HAMER ID 83425 USA		GREGORY C CALDER 2105 CORONADO IDAHO FALLS ID 83404			
				3. <u>New</u> Registered Agent Signature:*			
Office Held GENERAL PARTNER	Name DAVID B SANDERS	Street or PO Address PO BOX 205	City HAMER	State ID	Country USA	Postal Code 83425	
5. Organized Under the Laws of: ID L 6719		6. Annual Report must be signed.* Signature: Dave Sanders Name (type or print): Dave Sanders Date: 06/18/2018 Title: General Partner					
Processed 06/18/2018		* Electronically provided signatures are accepted as original signatures.					

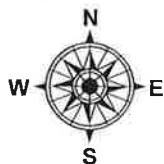


0 450 900 1,800 Feet

2017 Aerial Photography

Legend

- Rental POD
- Rental POU for 35-7777 & 31-2380
- Twp & Rng
- Section
- QQ



Application to Rent 31-2380 and 35-7777 Sanders Family LLLP

RMEA #15-0024

by: KM

Date: 9/6/2018



Eastern Snake Plain Aquifer Modeling Analysis

The Applicant proposes to rent 14.4 acres at the proposed place of use to irrigate additional acres for the 2019 season. Using ETRAN 3.3 to simulate the depletions of transferring 14.4 acres to the proposed points of diversion, the affects do not exceed the threshold of 2.0 af/trimester. No mitigation is required.

Modeling inputs were based upon consumptive irrigation requirements for the existing and proposed locations, as displayed in the table below. Figures 1-3 include excerpts from the ETRAN 3.3 simulation.

WR#	WATER RIGHT QUANTITIES				MODELING QUANTITIES		
	acres	AF/acre	AFA	AF/tri	AF/acre	AFA	AF/tri
31-2380	4.9	3.5	17.15	5.7	2.5	12.25	4.1
35-7777	9.5	4	38	12.7	3	28.5	9.5
TO WELL					2.5	36	12.0

Figure 1. Data Entry

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
"UPDATE DATES" BUTT 31-2380, 35-7777
YEAR 1960 TRANSFER NAME: Sanders
SEASON WINTER

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	42	70	27	45
COLUMN	169	130	157	30

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
WIN 1960	0	0	0	4	4	0	0
SPR 1961	0	0	0	4	4	0	0
SUM 1961	0	0	0	4	4	0	0
SPR 1977	0	0	0	4	4	0	0
SUM 1977	0	0	0	4	4	0	0
WIN 1977	0	10	10	4	4	0	0
SPR 1978	0	10	10	4	4	0	0
SUM 1978	0	10	10	4	4	0	0
SPR 2018	0	10	10	4	4	0	0
SUM 2018	0	10	10	4	4	0	0
WIN 2018	0	10	10	4	4	0	0
SPR 2019	12	0	10	0	4	0	0
SUM 2019	12	0	10	0	4	0	0
WIN 2019	12	0	10	0	4	0	0
SPR 2020	0	10	10	4	4	0	0
SUM 2020	0	10	10	4	4	0	0
WIN 2020	0	10	10	4	4	0	0

Figure 2. Net Transfer Graphs

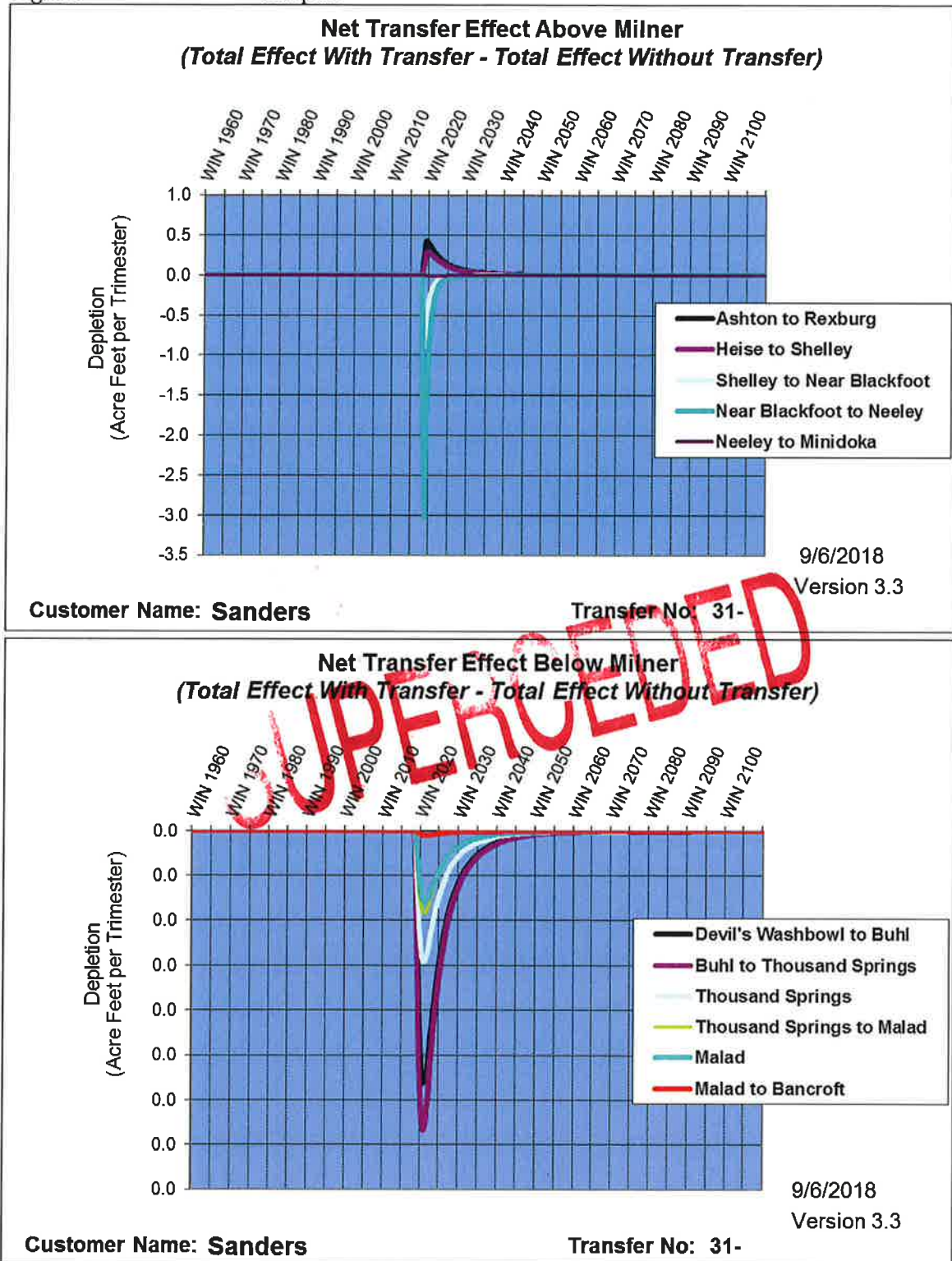


Figure 3. Calculated Affects.

	Net Transfer Effect (AF/four months)										
	Ashton to	Heise to	Shelley to	Nr Bickft	Neeley to	Dev. Wbl	Buhl to	Kspr	Kspr to	Malad	Malad to
	Rexburg	Shelley	Nr Bickft	Neeley	Minidoka	Buhl	Kspr		Malad		Bancroft
WIN 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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
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	0.1	0.1	-0.4	-1.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	0.3	0.2	-0.7	-2.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	0.4	0.3	-0.9	-3.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	0.4	0.3	-0.6	-1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	0.4	0.3	-0.4	-1.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	0.4	0.3	-0.3	-0.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	0.4	0.3	-0.2	-0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	0.3	0.3	-0.2	-0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	0.3	0.2	-0.1	-0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	0.3	0.2	-0.1	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	0.3	0.2	-0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	0.3	0.2	-0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	0.2	0.2	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	0.2	0.2	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	0.2	0.2	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	0.2	0.2	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	0.2	0.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	0.2	0.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	0.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: WIN 1960													
Match:	1	Match:	456										
	AtR	HtS	StNB	NBtN	NtM	DWtB	BtTS	TS	TSIM	M	MtB	Total	
Preexisting Effects @ SS (Last Time Step):	1.32	1.78	2.50	7.45	0.04	0.14	0.16	0.07	0.04	0.04	0.00	13.55	Total Effect
Steady State - Value of Dep. @ Last Time Step:	1.32	1.78	2.50	7.45	0.04	0.14	0.16	0.07	0.04	0.04	0.00	13.55	Total Effect
Effects @ Transient State (Max Value Timestep):	1.32	1.78	2.50	7.45	0.04	0.14	0.16	0.07	0.04	0.04	0.00	13.55	Total Effect
Transient State - Max. Value of Dep. After Transfer:	1.72	2.04	2.50	7.45	0.04	0.14	0.16	0.07	0.04	0.04	0.00	14.22	Total Effect
Steady State Change:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	0.40	0.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

SEP 17 2018

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Sanders Family LLLP

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)

31-2465

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Sanders Family LLLP c/o David Sanders

Mailing Address 2473 E 2100 N Hamer Idaho 83425
Street City State Zip Code
Email Address sanders@mudlake.net Phone Number 208-662-5437

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, Suite 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**:

For the irrigation of additional fields not covered under water 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)
0.4 CFS	72.8 AF	0.25 CFS	72.8 AF	20.8 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?	
April 15, 2019	June 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):

Two wells mainlines to laterals with sprinklers

- 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
7N 36E Sec 14 SWNW	Groundwater	31-12196, 31-12198
7N 36E Sec 15 SENE	Groundwater	31-7318, 31-12193, 31-12195, 31-12197, 31-12199

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 20.8 (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:
No other water rights at rental place of use.

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)
31-2465	Irrigation	0.31	72.8	20.8		0.31	72.8	20.8
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	0.31	72.8	20.8
						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**:

N/A

C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☐ No ☒

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

These water rights were rented from the WSB in 2017-2018. Applicant is seeking water rights to purchase that can be reasonably transferred to the proposed location.

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental?

If yes, describe:

Yes ☐ No ☒

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV?

Yes ☐ No ☒

If yes, describe the date and location of the NOV.

- D. Additional Information

DECLARATION

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



Signature of Applicant

David Sanders

Printed Name of Applicant

9-7-18

Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

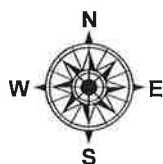


0 460 920 1,840 Feet

2017 Aerial Photography

Legend

- Rental POD
- Rental POU for 31-2465
- Twp & Rng
- Section
- QQ



Application to Rent 31-2465

Sanders Family LLLP

RMEA #15-0024

by: KM

Date: 9/6/2018



Eastern Snake Plain Aquifer Modeling Analysis

The Applicant proposes to rent 20.8 acres at the proposed place of use to irrigate additional acres. Water right 31-2465 was rented in 2017-2018 for the same place of use and is proposed to be rented for years 2019-2021. Using ETRAN 3.3 to simulate the depletions of transferring 20.8 acres to the proposed points of diversion, the affects do not exceed the threshold of 2.0 af/trimester. No mitigation is required.

Modeling inputs were based upon consumptive irrigation requirements for the existing and proposed locations, as displayed in the table below. Figures 1-3 include excerpts from the ETRAN 3.3 simulation.

WR #	WATER RIGHT QUANTITIES				MODELING QUANTITIES		
	acres	AF/acre	AFA	AF/tri	AF/acre	AFA	AF/tri
31-2465	20.8	3.5	72.8	24.3	2.5	52	17.3

Figure 1. Data Entry

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

UPDATE DATES RUN MODEL GET OUTPUT

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON
TRANSFER NO: 31-2465
YEAR: 1960
SEASON: WINTER
TRANSFER NAME: Sanders

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	42	27	75	45
COLUMN	169	157	105	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
WIN 1960	0	17	17	0	0	0	0
SPR 1961	0	17	17	0	0	0	0
SUM 1961	0	17	17	0	0	0	0
WIN 1961	0	17	17	0	0	0	0
SPR 1962	0	17	17	0	0	0	0
SPR 2018	0	17	17	0	0	0	0
SUM 2018	0	17	17	0	0	0	0
WIN 2018	0	17	17	0	0	0	0
SPR 2019	17	0	17	0	0	0	0
SUM 2019	17	0	17	0	0	0	0
WIN 2019	17	0	17	0	0	0	0
SPR 2020	17	0	17	0	0	0	0
SUM 2020	17	0	17	0	0	0	0
WIN 2020	17	0	17	0	0	0	0
SPR 2021	17	0	17	0	0	0	0
SUM 2021	17	0	17	0	0	0	0
WIN 2021	17	0	17	0	0	0	0
SPR 2022	0	17	17	0	0	0	0
SUM 2022	0	17	17	0	0	0	0
WIN 2022	0	17	17	0	0	0	0

Figure 2. Net Transfer Graphs

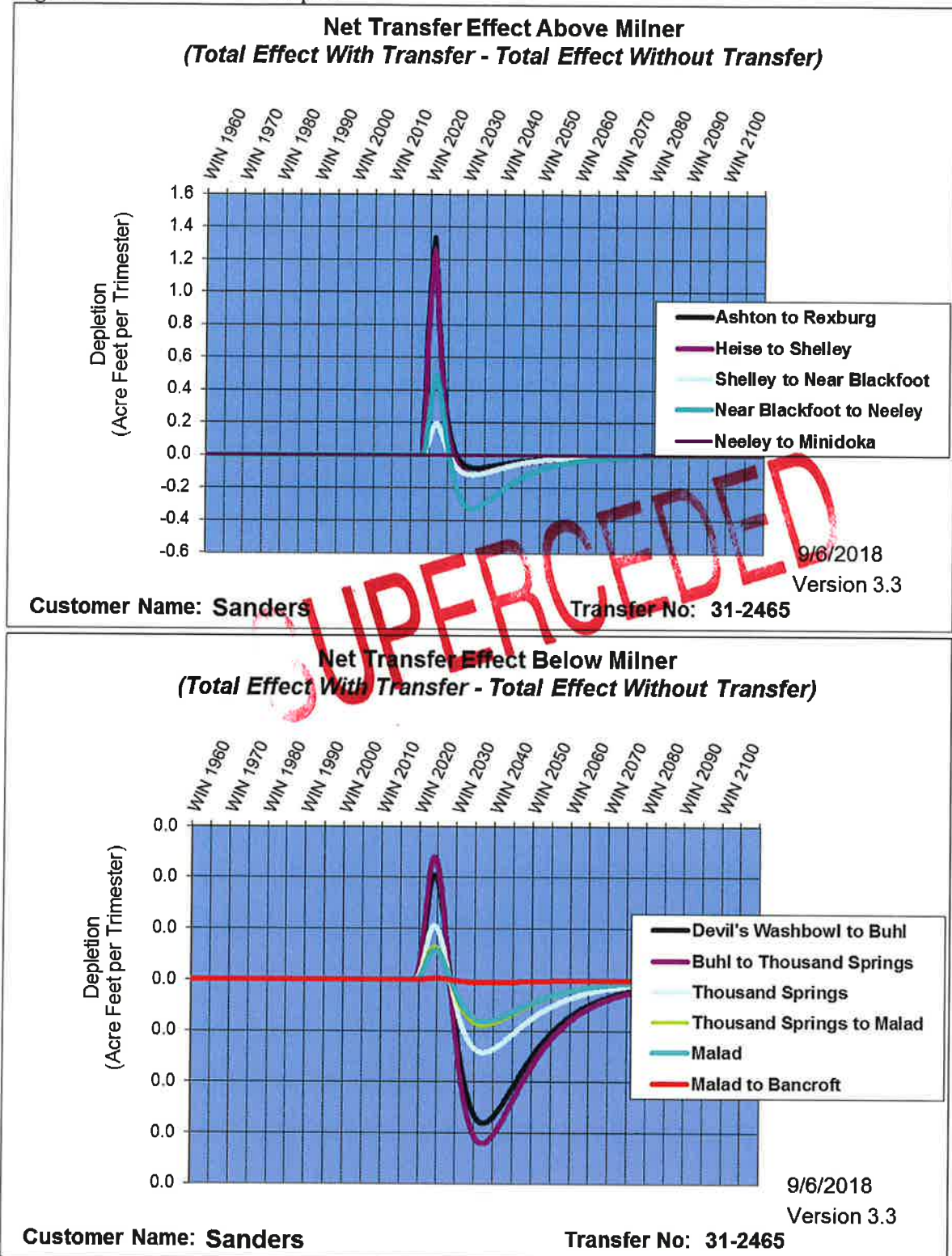


Figure 3. Calculated Affects.

	Net Transfer Effect (AF/four months)										
	Ashton to	Heise to	Shelley to	Nr Bickft	Neeley to	Dev. Wbl.	Buhl to	Kspr	Kspr to	Malad	Malad to
	Rexburg	Shelley	Nr Bickft	Neeley	Minidoka	Buhl	Kspr		Malad		Bancroft
WIN 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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
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	0.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	0.4	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	0.6	0.5	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	0.7	0.7	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	0.9	0.8	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	1.0	1.0	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	1.1	1.1	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	1.2	1.2	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	1.3	1.3	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	1.2	1.2	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	1.1	1.1	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	0.9	0.9	0.2	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	0.8	0.8	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	0.7	0.7	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	0.6	0.6	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	0.5	0.5	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	0.4	0.4	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	0.4	0.3	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	0.3	0.2	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	0.2	0.2	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	0.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.1	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.1	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	-0.1	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: WIN 1960												
Match:	1	Match:	456									
	AtR	His	StNB	NBIN	NIM	DWIB	BlTS	TS	TSIM	M	MB	Total
Preexisting Effects @ SS (Last Time Step):	4.66	4.71	2.02	5.42	0.03	0.11	0.13	0.06	0.04	0.03	0.00	17.23
dy State - Value of Dep. @ Last Time Step:	4.66	4.71	2.02	5.42	0.03	0.11	0.13	0.06	0.04	0.03	0.00	17.22
ts @ Transient State (Max Value Timestep):	4.66	4.71	2.02	5.42	0.03	0.11	0.13	0.06	0.04	0.03	0.00	17.23
nt State - Max. Value of Dep. After Transfer:	5.93	5.92	2.18	5.81	0.03	0.12	0.13	0.06	0.04	0.03	0.00	20.26
Steady State Change:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Transient State Change:	1.27	1.20	0.16	0.39	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

February 26, 2019

SANDERS FAMILY LLLP
C/O DAVID SANDERS
2473 E 2100 N
HAMER ID 83425

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 35-7777, AGREEMENT 282**

Dear Renter:

Please find enclosed a receipt in the amount of **\$2,744.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 137.2 acre-feet of water for irrigation of 34.3 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 \$2,469.60 of the rental fee will be paid to the lessor(s) and 10% or \$274.40 will be retained by the Department to offset administrative costs.

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

Sincerely,


John Sudd
Water Supply Bank

Enclosures: Receipt No. C106275
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office/Water District # 110
Greg Shenton – State Water District No. 31
Kristin Moore – Rocky Mountain Environmental
Jefferson Clark GWD



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

February 12, 2019

SANDERS FAMILY LLLP
C/O DAVID SANDERS
2473 E 2100 N
HAMER ID 83425

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 35-7777, AGREEMENT 282

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 \$2,744.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 137.2 acre-feet.

Please send a check for \$2,744.00 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 \$2,469.60 of the rental fee will be paid to the lessor(s) and 10% or \$274.40 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

Webster, Clay

From: Condon, Mary
Sent: Monday, December 31, 2018 2:52 PM
To: Webster, Clay
Subject: FW: Rental Review Sanders Family 2019-2020

FYI

From: Cefalo, James
Sent: Monday, December 31, 2018 12:06 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: RE: Rental Review Sanders Family 2019-2020

Mary,

I don't have any concerns with the proposed WSB rentals.

James

From: Condon, Mary
Sent: Monday, December 31, 2018 10:09 AM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>; shentonwd31@mudlake.net
Subject: Rental Review Sanders Family 2019-2020

Good morning,

Please see the attached rental review memo and move map, and kindly respond with any comment or concerns within 10 days. I also attached the rental map and Etran modeling just in case.

Happy New Year!
Mary

Mary Condon
Water Supply Bank Specialist
Planning & Projects Bureau
Idaho Department of Water Resources
Main: (208) 287-4936
Fax: (208) 287-6700

MEMORANDUM FOR AGREEMENT # 282

To: Water Right(s) 35-7777

From: Mary Condon

Date: December 18, 2018 (December 28, 2018)

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

PURPOSE/NARRATIVE: Applications to rent on adjacent properties in the form of two applications, 1175 & 1232, for water rights 31-2380, 35777 and 31-2465, received on September 17, 2018, with a November 1st priority, per bank rules, was submitted by Kristen Moore (Rocky Mountain Environmental) for the Sanders Family LLLP. An amendment to consolidate the acres into one rental, and request only water right 35-7777 was received on October 26, 2018, with the required Etran v3.3 modeling, showing no mitigation required.

AUTHORITY TO FILE: The rental applications were signed by David Sanders, who is an authorized agent for Sanders Family LLLP, and with Kristen Moore listed as their representative on the applications. The taxlot information for the rental POU and POD is in the Sanders Family name. No concerns with authority to file.

WATER RIGHT VALIDITY: Water right 35-7777 was decreed in 2002 and has been fully leased into the bank since 2006. No concerns with validity of leased water right.

INJURY TO OTHER WATER RIGHTS: Rental of this right for the current location have occurred in 2017-2018, with no concerns known. Proper modeling was provided for the rental place of use, from the leased point of diversion. The provided modeling was reduced to consumptive use values, however, modeling at the described acre-foot per the water right produced no significant changes. A sliver from the 2017-2018 was reduced from 35.2 to 34.3 for this rental application, amended.

Process	grid cells	Date	Acres	AF		AF/Trimester
Rental	Row 42, Col 169	2019-2020 rental	34.3	120.5	3.5 af/acre	42 af/tri
Lease	Row 70, Col 130	01/1978 priority	34.3	137.2	4 af/acre	46 af/tri
Amount dedicated to rental		.58 cfs	34.3	137.2		
Limited to		.51 cfs	34.3	120.1		

ENLARGEMENT OF USE: The rental POD's are for two pivots, of which the rental water will cover the west pivot corners and a field to the east. Water rights for the pivots and PODs are 31-12196 and 31-12198, with combined limits of 0.62 cfs and 108.5 af at the field headgate, , and Rights 31-7318, 31-12193, 31-12195, 31-12197 and 31-12199, with combined limits of 1.86 cfs and 289.9 af at the field headgate, both limited to .02 cfs/acre and 3.5 afa per acre. The rental allowable will be reduced considerate to the rental POU limitation to prevent enlargement.

Review of the leased acres showed a crop harvested in the summer of 2017 and 2018. Request for additional information regarding possible irrigation was replied to by Greg Sullivan for Knudsen Farms. The Watermaster and Eastern Region were included in the conversation. No water has been diverted from the leased water right authorized POD during 2017 and 2018. Greg stated the crop was not irrigated and grew from precipitation in the spring.

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 within the ESPA and is subject to Water District #31 and #110, for Mud Lake, and GWD Jefferson Clark. Lease water right SOU 4/1-11/01.

Comments will be requested December 31, 2018, and concerns considered.

Condon, Mary

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Thursday, December 20, 2018 8:32 AM
To: Condon, Mary
Cc: 'Lance Funk'; Cefalo, James; Buyer, Remington; 'Rob Harris'
Subject: RE: Request for additional information re Water Right 35-7777

Mary,

I did talk with my client about the crop in the spring time that was harvested. It was a spring dry crop from the previous years of seeding and cultivation. Someone cut it and used it for cattle feed. Any plant growth at this location is a result of spring snow melt or precipitation. If needed that individual can be contacted by IDWR or an affidavit can be provided to IDWR from this individual.

My client is adamant that water was not pumped from the authorized point of diversion in 2017 and 2018. The IDWR WMIS records indicate that no electrical power was consumed for WMIS #500104 in 2017. If no power was consumed by the well then no water was pumped. Therefore, the lease contract was not breached in 2017.

The USGS Landsat images below provide a look at 2017. The images would suggest that irrigation is occurring in the spring and through August of 2017. But no water was ever pumped based on records for WMIS #500104. Additionally there is no infrastructure to provide water from any other source.

The USGS Landsat images below for 2018 follow the same trend as 2017. With heavy green color in the spring that fades during the middle of the summer and into the fall there is no green present on the authorized POU for water rights 35-2391 and 35-7777.

James Cefalo has indicated that the power records for 2018 will be available to IDWR before the end of the year. The IDWR WMIS data for 2018 is the best data to verify if indeed pumping occurred. Let's review the 2018 WMIS data when it is available and continue this discussion.

I am also going to forward everyone an email from Ryan Tracy who works in the Eastern IDWR office. The email contains a series of notes and pictures taken by IDWR staff regarding the POD for 35-2391 and 35-7777. The photographs are intended to document that this well is not in compliance with IDWR policy because a flowmeter has not yet been installed on the mainline from the well. The email also verifies that WMIS #500104 is indeed the authorized POD for 35-2391 and 35-7777. Some of the photographs also provide a view of the field area next to the well. It is evident that a crop was harvested from fields. No irrigation hand lines or wheel lines can be seen in the fields.

Greg Sullivan

WMIS

Water Management Information System

Quick Search:

[For assistance, email WMIS info](#)[Login](#)

Search Method:

WMIS Number

WMIS Number

500104

Search

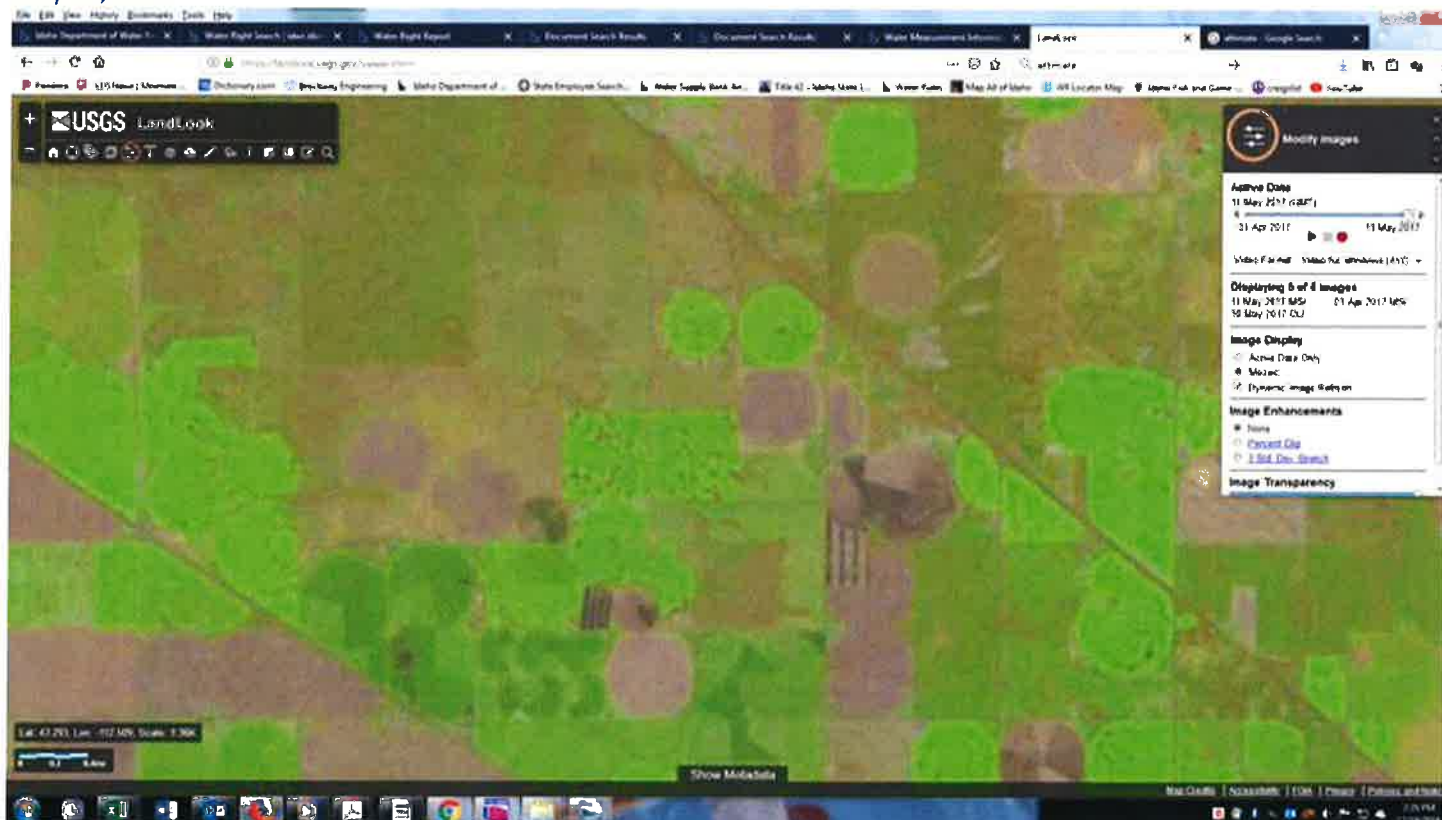
[Point Of Diversion](#) [PCC](#) [Flow Meter](#) [Time Clock](#) [Alternate](#) [Contacts](#) [Data Summary](#) [Other](#) [Logout](#)

Data Summary

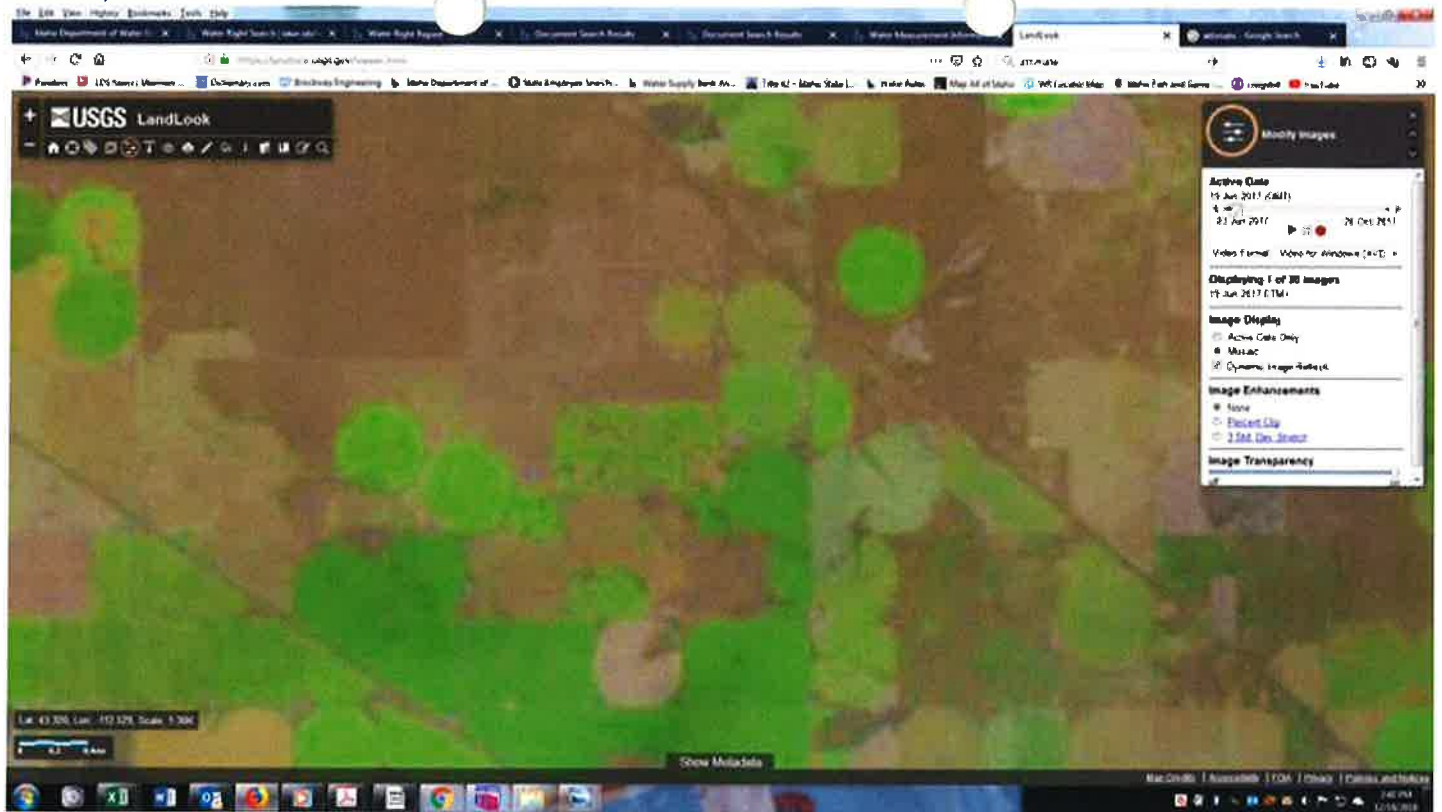
You are viewing 500104; A0007138

Report Year	Alternate	FM	PCC	Time Clock
2018				
2017			0.00	
2016			729.53	
2015			692.73	
2014			526.80	
2013			483.99	
2012			549.05	
2011			395.30	
2009			0.00	

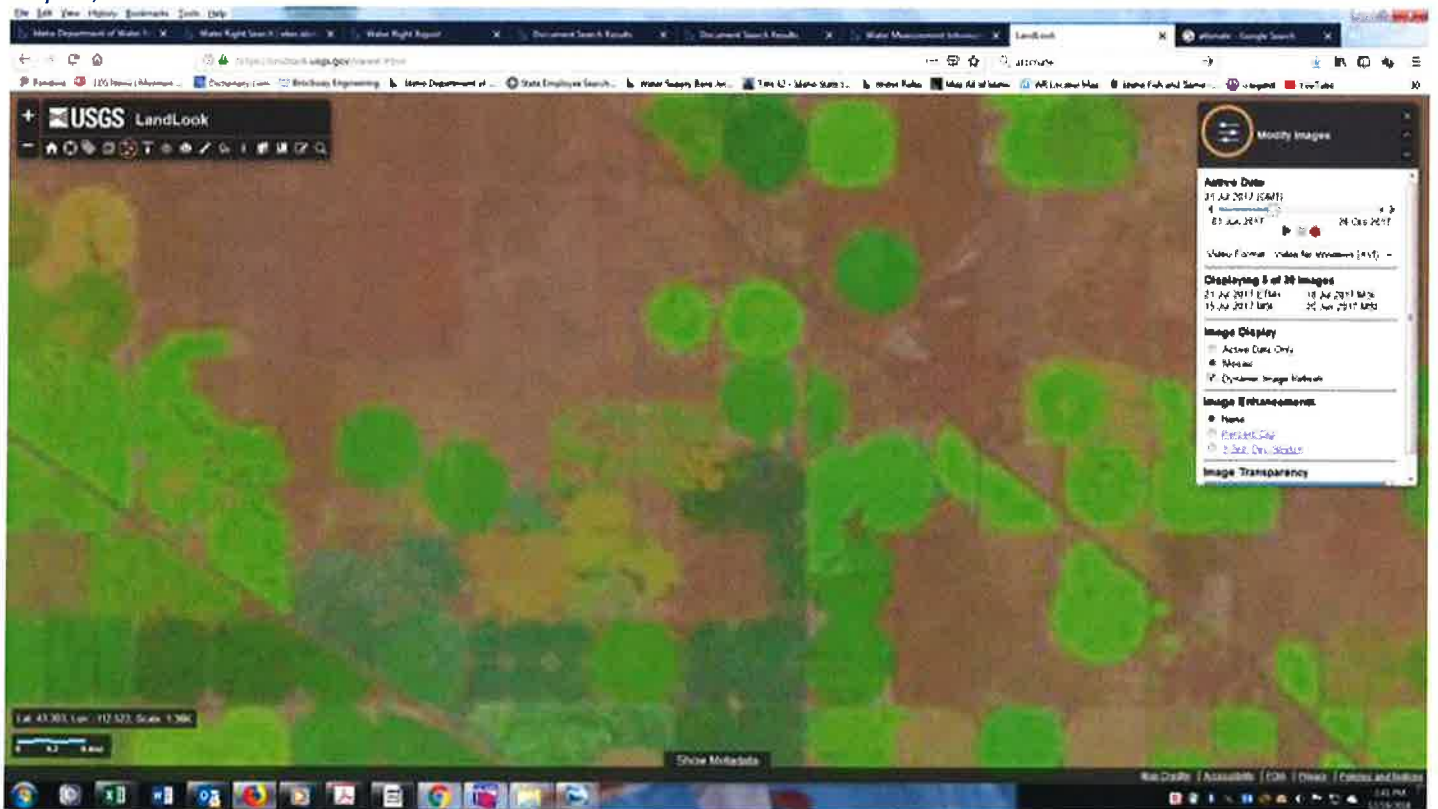
May 11, 2017



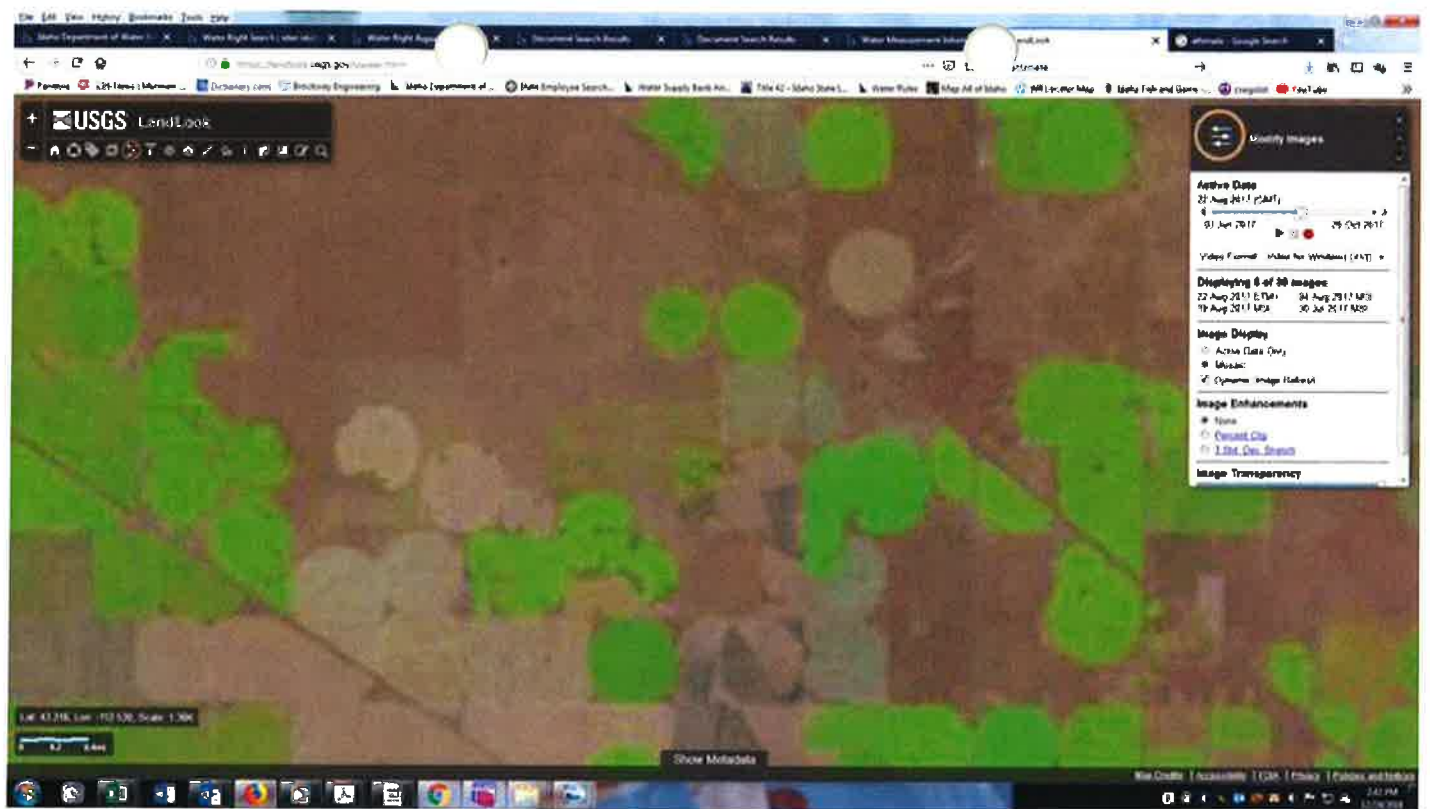
June 19, 2017



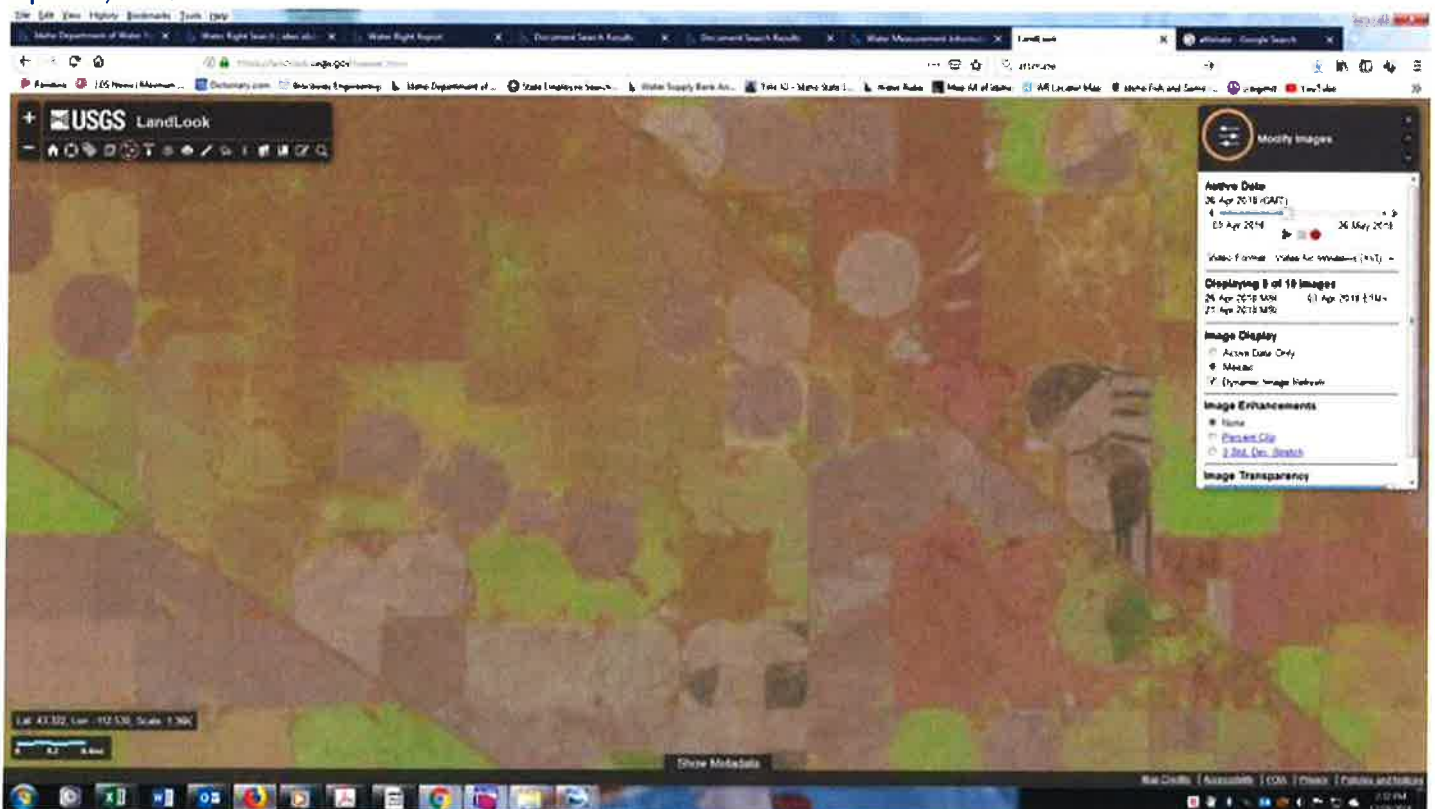
July 21, 2017



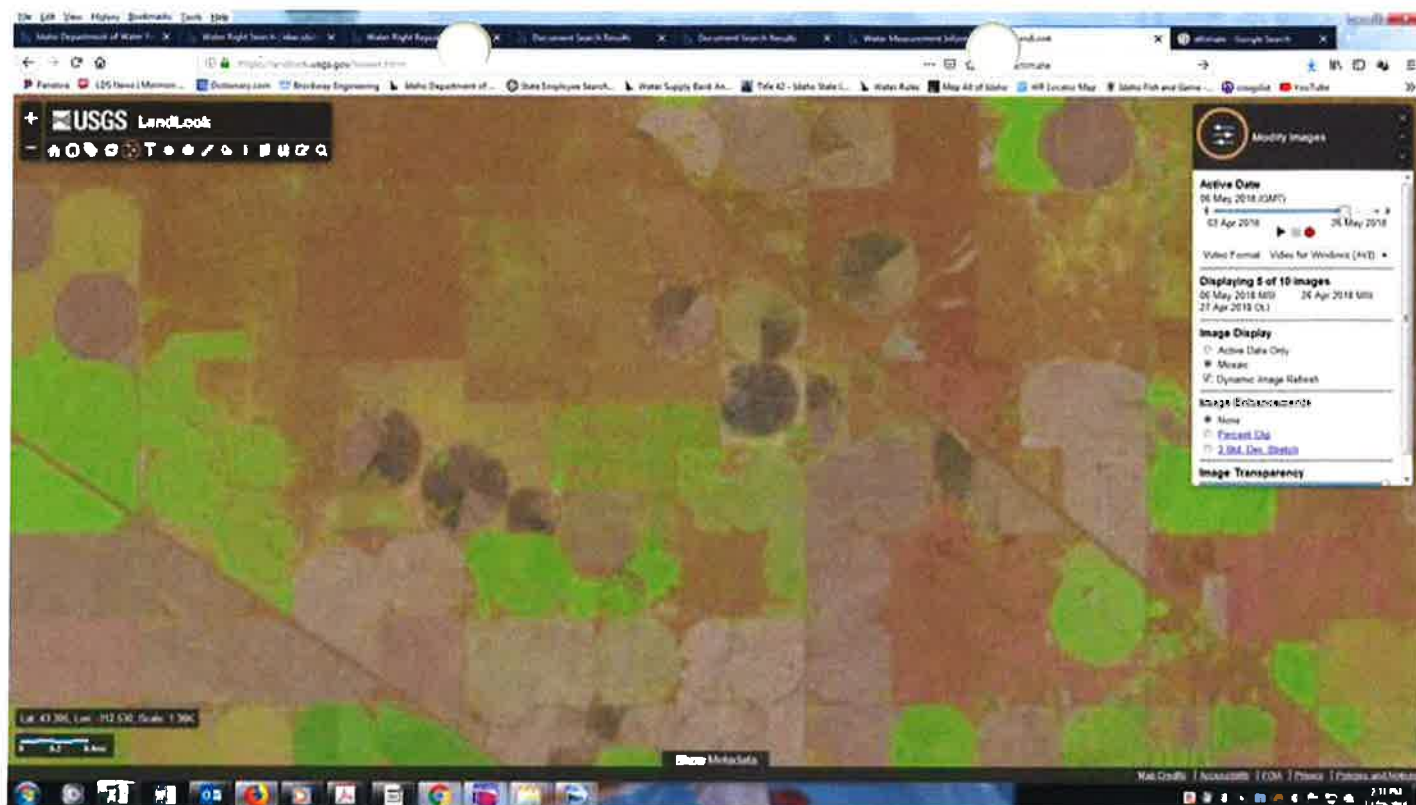
August 22, 2017



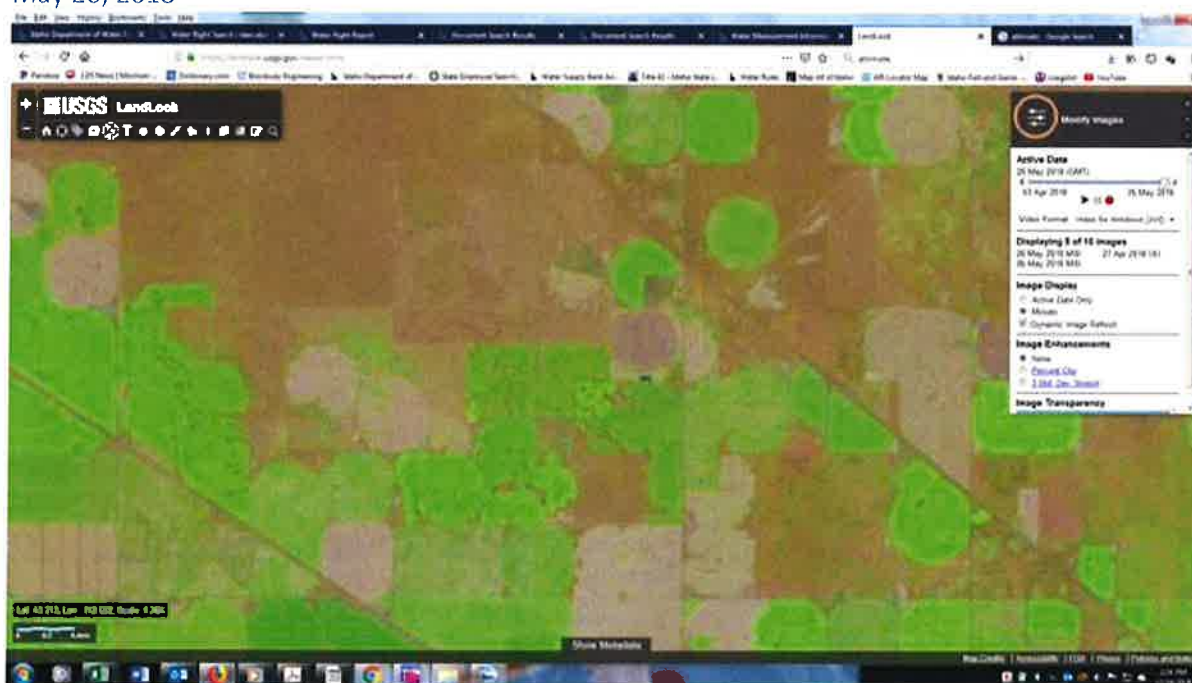
April 26, 2018



May 6, 2018



May 26, 2018



From: Condon, Mary [mailto:Mary.Condon@idwr.idaho.gov]

Sent: Wednesday, December 19, 2018 1:05 PM

To: Greg Sullivan <greg.sullivan@brockwayeng.com>

Cc: 'Lance Funk' <lance@lancefunkfarms.com>; Cefalo, James <James.Cefalo@idwr.idaho.gov>; Buyer, Remington <Remington.Buyer@idwr.idaho.gov>; Rob Harris <rharris@holdenlegal.com>

Subject: RE: Request for additional information re Water Right 35-7777

Greg,

The months in question are April and May into June. Please inquire with your client about the crop on the fields in the early season of 2017 and 2018.

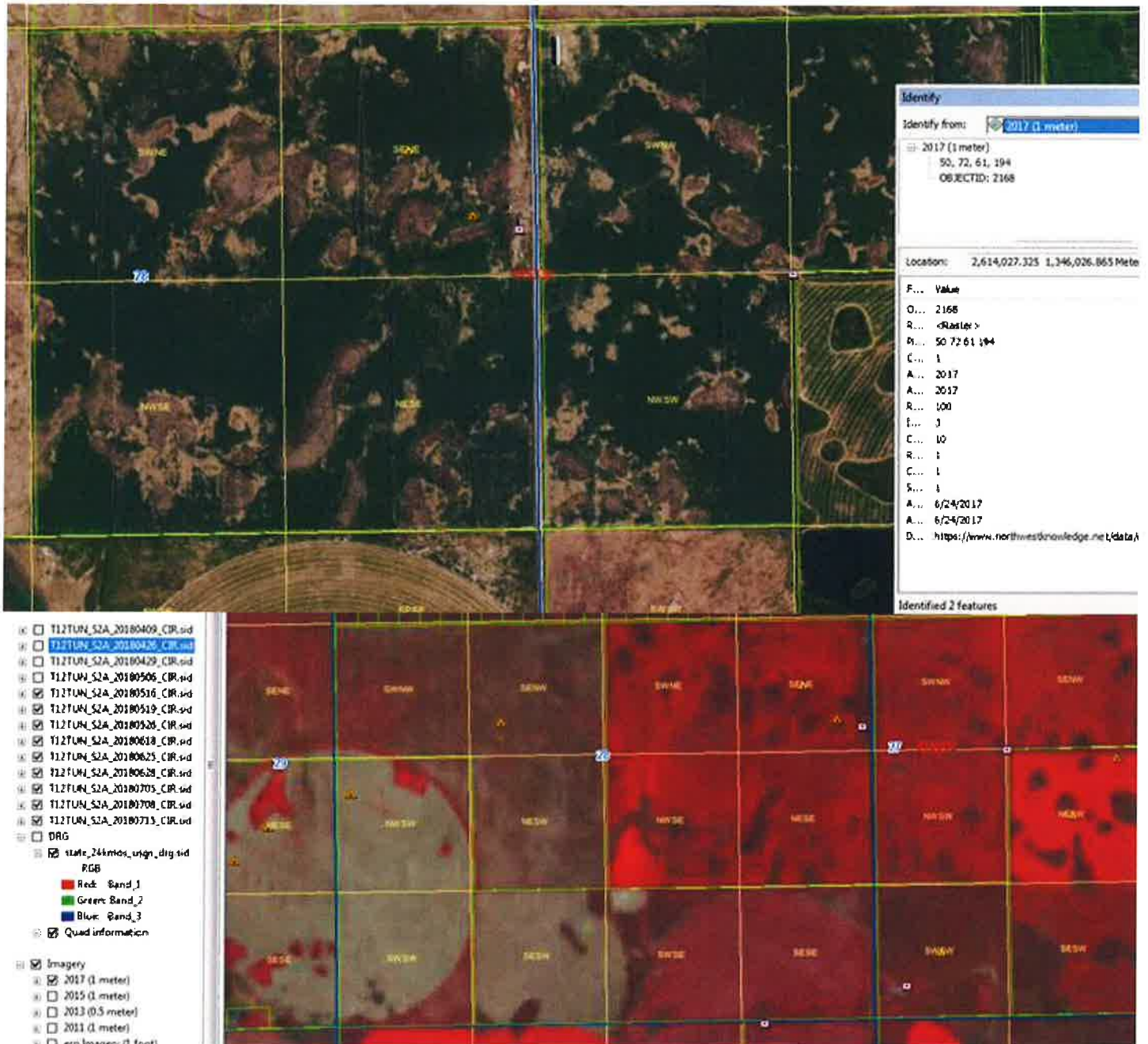
Additionally, the wheel lines are clearly visible in ArcMap 2017 satellite imagery, and even google earth.

I have included two snips of images, which will help show why I am asking these questions.

The first is the 2017 imagery showing wheel lines on a crop, taken on June 24th. The second is sentinel imagery with dark red on the field on May 16, 2018, with a harvest sometime after May 26 and before June 18. Beginning in April, changes in vegetative growth/density on these fields are obvious from April to June, in both 2017 and 2018.

Thank you,

Mary



From: Greg Sullivan [mailto:greg.sullivan@brockwayeng.com]

Sent: Wednesday, December 19, 2018 10:27 AM

To: Condon, Mary <Mary.Condon@idwr.idaho.gov>

Cc: 'Lance Funk' <lance@lancefunkfarms.com>; Cefalo, James <James.Cefalo@idwr.idaho.gov>; Buyer, Remington <Remington.Buyer@idwr.idaho.gov>; Rob Harris <rharris@holdenlegal.com>

Subject: RE: Request for additional information re Water Right 35-7777

Mary,

See the images below. There appear to have been no irrigation in June, July or August of 2018 based on the these USGS LandLook images. I talked with Ryan at the Eastern IDWR office and he has told me that the well on this property has been locked out by IDWR because no flowmeter has been installed. The lock out device was put on the well in either August or September of this year. Which makes sense, because who would install a flowmeter on a well that is not being used. Ryan also indicated that the power records for 2018 applicable to this well will not be available to IDWR until mid January. The power records are how the annual volume pumped values are calculated using PCC measurements because there is no flowmeter on this well. Based on the WMIS Data for WMIS # 500104, the annual pumping volume in 2017 was 0.00 acre-feet. The pumping volume in 2016 was 729.53 acre-feet.

Additionally, I talked with Lance Funk (the farm manager) this morning and he indicated that all of the handlines and wheel lines on this farm were removed before the 2017 irrigation season.

Unless the Water Supply Bank can provide some physical proof that water rights 35-2391 and 35-7777 were used during 2018. The current lease contract for 35-2391 (Lease Contract #614) and 35-7777 (Lease Contract #615) should be valid through 12/31/2020.

Please let me know if IDWR needs any additional information regarding this issue. Thank you.

June 25, 2018



July 6, 2018



August 4, 2018



Greg Sullivan
 Brockway Engineering
 2016 North Washington Street, Suite 4
 Twin Falls, Idaho 83301
 208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Condon, Mary [<mailto:Mary.Condon@idwr.idaho.gov>]
Sent: Wednesday, December 19, 2018 9:28 AM

To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: RE: Request for additional information re Water Right 35-7777

Greg,

Our GIS staff replied:

Although the site is temporarily under construction and/or maintenance at the moment, Sentinel imagery may be downloaded and further processed from: <https://earthexplorer.usgs.gov/>

Best,
Mary

From: Greg Sullivan [<mailto:greg.sullivan@brockwayeng.com>]
Sent: Tuesday, December 18, 2018 3:23 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: RE: Request for additional information re Water Right 35-7777

Mary,

Can you please provide the satellite imagery used in the Water Supply Bank review process?

Thank you.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Condon, Mary [<mailto:Mary.Condon@idwr.idaho.gov>]
Sent: Tuesday, December 18, 2018 2:39 PM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: Request for additional information re Water Right 35-7777

Good afternoon, Greg,

Please see the attached letter concerning your client, and our request for additional information.

Best,
Mary

Mary Condon
Water Supply Bank Specialist
Planning & Projects Bureau
Idaho Department of Water Resources
Main: (208) 287-4936
Fax: (208) 287-6700



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 18, 2018

KNUDSEN POOR FARMS INC
98 FORT HALL AVE
AMERICAN FALLS ID 83211

RESPONSE DEADLINE

1/19/2018

RE: REQUEST FOR ADDITIONAL INFORMATION TO CONTINUE WATER SUPPLY BANK LEASE
CONTRACTS 614 & 615 FOR WATER RIGHT NO(S). 35-2391 & 35-7777

Dear Lessor:

This letter is to remind you on the status of water right(s) 35-2391 and 35-7777 and request information from you to continue the lease contracts of these rights. All of the water right(s) are leased into the Water Supply Bank (Bank) on May 5, 2017. All of your water right(s) are considered leased into the Bank, and should remain unused, until the water right(s) are released from the Bank on December 31, 2020, unless the rights are released earlier by the Board, or upon your request.

During a review for a rental application requesting to rent a portion of water right 35-7777, it is the Bank procedure to make sure the leased right has remained idled. Satellite imagery of the place of use for water rights 35-2391 and 35-7777 shows hand lines and green fields in 2017 imagery, and through Sentinel imagery, irrigation can be observed from as early as April to as late as June in both 2017 and 2018 on these fields. A question on the applications from you to lease these water rights into the bank asked if you would use any other source of water on the place of use, and you answered "no." Within the Additional Conditions of Acceptance of both contracts 614 & 615, Condition 3 states:

"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."

Please respond to the department within 30 days with the source of water for the irrigation of the fields, per the water right legal description of the place of use. Failure to respond to this request may result in cancellation of the leases and/or referral to our Water Compliance Bureau.

If you have questions regarding this matter, please contact me at (208) 287-4936.

Sincerely,

Mary Condon
Water Supply Bank Specialist

c: James Cefalo – IDWR Eastern Regional Manager and Watermaster
Greg Sullivan – Brockway Engineering, Consultant

Condon, Mary

From: Kristin Moore <kristin.rmea@gmail.com>
Sent: Friday, October 26, 2018 10:11 AM
To: Buyer, Remington
Cc: 'Dave Sanders'
Subject: Sanders WSB Rental Application
Attachments: Attach2_AMENDED.pdf; Attach3H_AMENDED.pdf

Remington,

As we discussed on the phone, we submitted two rental applications for Sanders Family LLP in September. Two of the three water rights we proposed to rent were removed from the Bank after we submitted our applications. We would therefore like to amend the current applications to increase the number of acres under the third water right 35-7777 to cover both rental applications. I have attached a new map and a new modeling analysis for your review. Please let me know if there is anything else that is required.

Thank you,

Kristin Moore

Senior Water Rights Analyst

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

E-Mail: kristin.rmea@gmail.com

VOICE: 208-524-2353 ||| FAX: 208-524-1795



CONFIDENTIALITY NOTICE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of this communication to other than the intended recipient is strictly prohibited. If you have received this communication in error, please notify us immediately by reply email to the sender or collect telephone call to (208) 524-2353. *Thank you.*
