

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 280

RECEIVED

FEB 11 2019

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

COUNTY LINE FARMS

PO BOX 360

AMERICAN FALLS, ID 83211

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)
29-2395	2/28/1958	GROUND WATER	2.11	861.0	215.2	0.01	4.0
Rental Totals			2.11	861.0	215.2	0.01	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: \$17,220.00 annually

The full fee for the rental of the above-described right(s) is \$17,220.00 per year for years 2019 - 2020. The rental fee includes an administrative fee of \$1,722.00 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.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 280

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:



Signature of Renter

02-04-2019

Date

Monty Funk

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, Acting Administrator
Idaho Water Resource Board

Date 2/13/2018

Rental approved by IDWR 

Date 2-13-2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 280

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNW Sec. 20, Twp 06S, Rge 29E, POWER County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
2.11 CFS

VOLUME
861.0 AF

SEASON OF USE

Water Right No. **From** **To**
29-2395 4/1 10/31

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	
06S	29E	20		34.0	34.0		40.0	34.0	33.2	40.0									215.2

Total Acres: 215.2

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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
10. 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 280

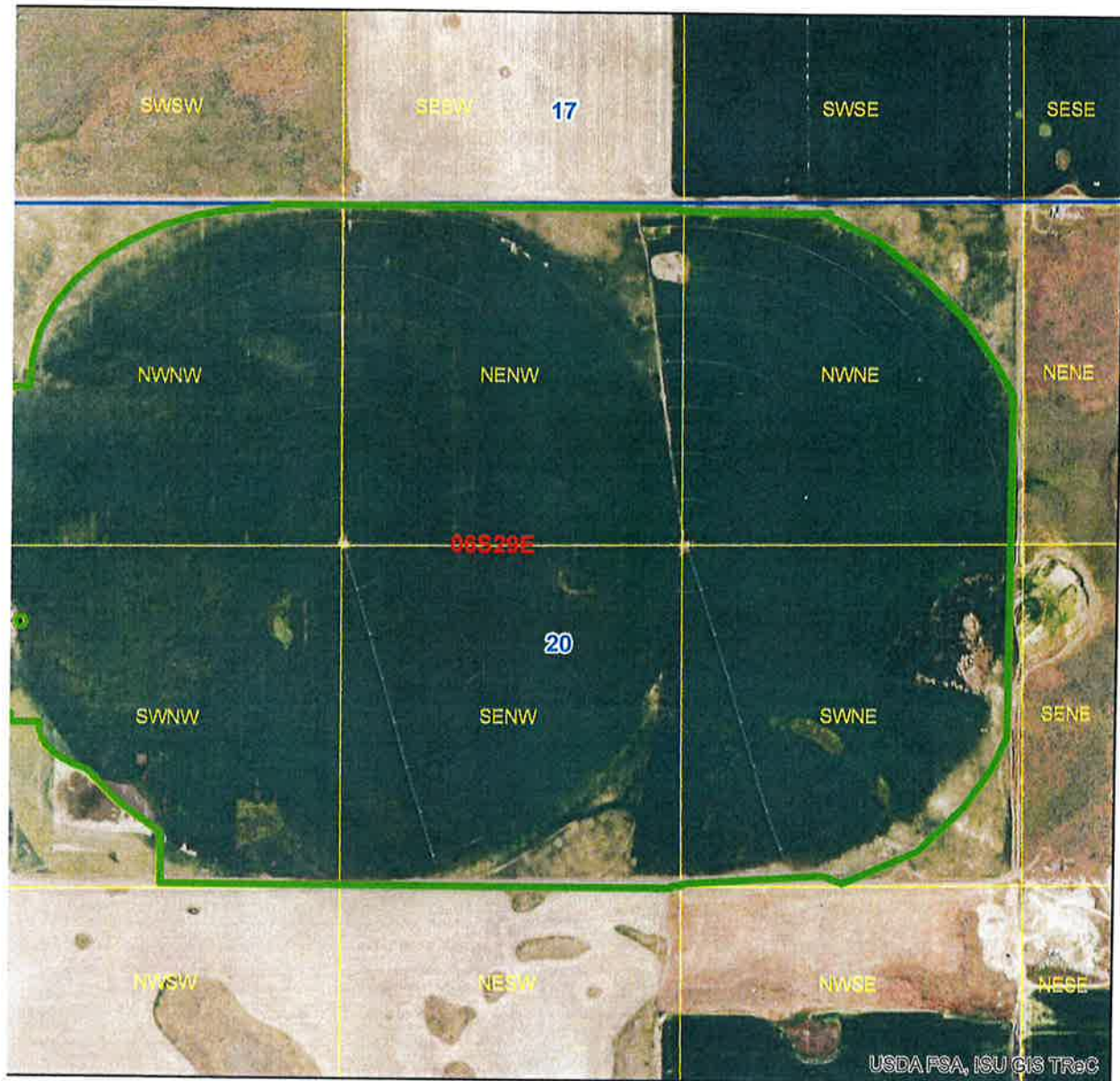
11. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
12. This rental agreement does not authorize the construction of a well.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 280

Effective until December 31, 2020

This map depicts the **rental place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



y Bank Rental POD

y Bank Rental POU

ange



n

0 1 500 Feet

STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED
SEP 04 2018
DEPARTMENT OF
WATER RESOURCES

Applicant Name: County Line Farms

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)

35-2395

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant County Line Farms

Mailing Address P.O. Box 360 American Falls ID 83211
Street City State Zip Code
 Email Address _____ Phone Number (208) 226-5207

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 Jason C. Helms, P.E. Professional Title _____
 Organization JCH Engineering & Consulting, PLLC Relationship to Applicant Consultant
 Mailing Address 6755 N. Albert Lane Idaho Falls, ID 83401
 Email Address jasoncivil@alumni.nd.edu Phone Number (208) 308-2109

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**:

Irrigation of prime land

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)
2.11 CFS	861 AF	2.11 CFS	861 AF	215.2 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?	
04/01/2019	06/01/2019	☐ 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):

Existing well, main, and center pivot system

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
WMIS ID 1002420	Ground Water	35-13811, 35-13812, 35-13813, 35-14418

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 215.2 (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:

none

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)
35-2395	Irrigation	2.11	861	215.2		2.11	861	215.2
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	2.11	861	215.2
						CFS	AF	AC

**Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.*

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

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

Yes ☐ No ☒

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

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

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

A similar rental has been previously approved for this right at this 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 ☐

Permanent water rights are being sought and this rental will only be discontinued with approval outside the irrigation season.

- 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

Monty Funk

Printed Name of Applicant

08-15-2018

Date

Signature of Representative

Printed Name of Representative

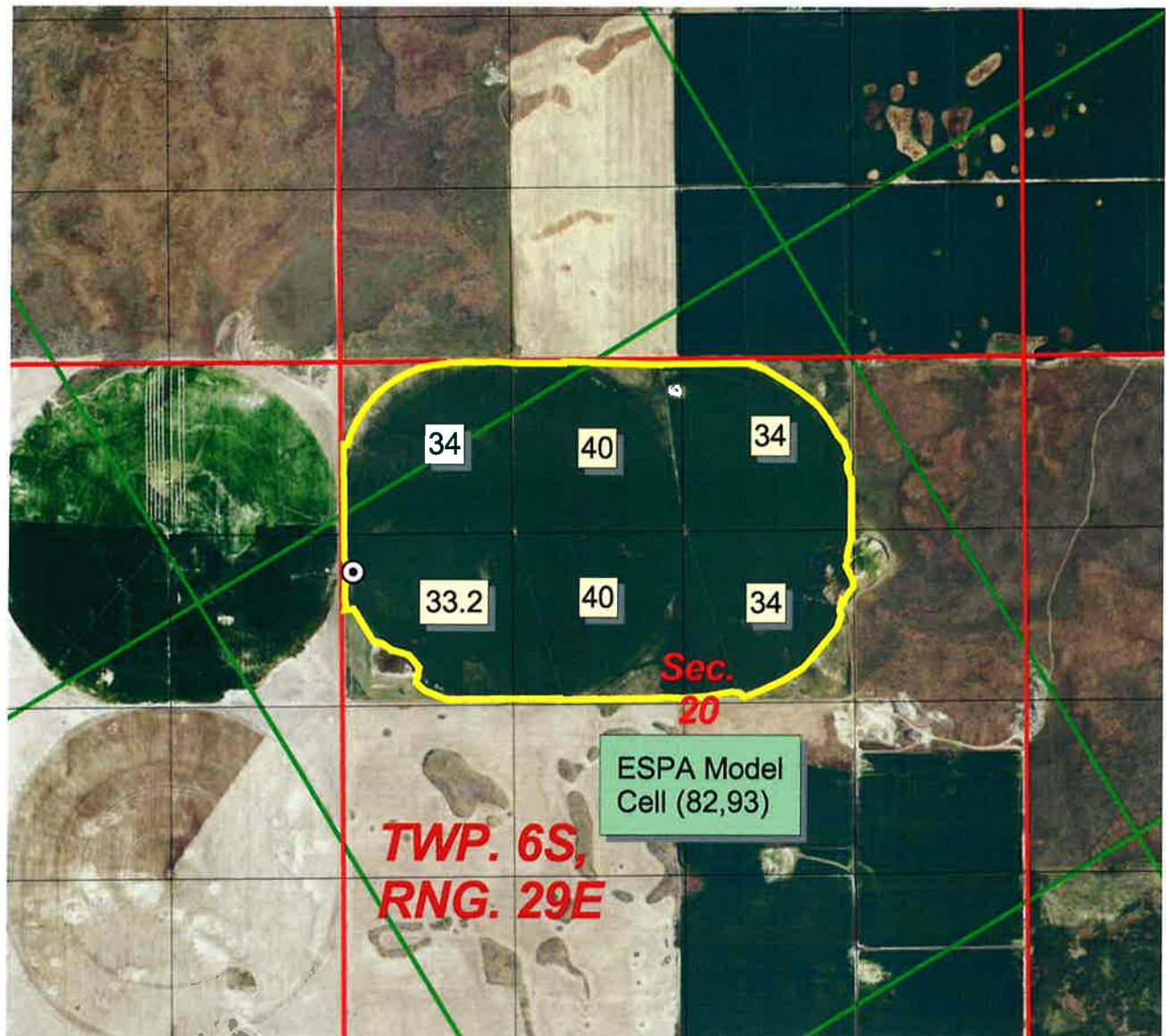
Date

Mail to:

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

Application to Rent Water From The Water Supply Bank

County Line Farms, (6S, 29E, Section 20 NW 1/4 & W 1/2NE 1/4)

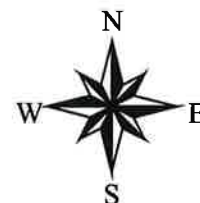


JCH - 08/09/2018

2017 NAIP Aerial Photo

0.25 0 0.25 0.5 0.75 Miles

- ⊙ Proposed Rental Point of Diversion
- Yellow Outline Irrigation Rental Place of Use (Yellow)
215.2 Total Acres
- Red Outline Sections
- Green Outline ESPA Model Grid
- White Outline 40s



ENHANCED GROUND-WATER RIGHTS TR

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE | IDAHO DEP

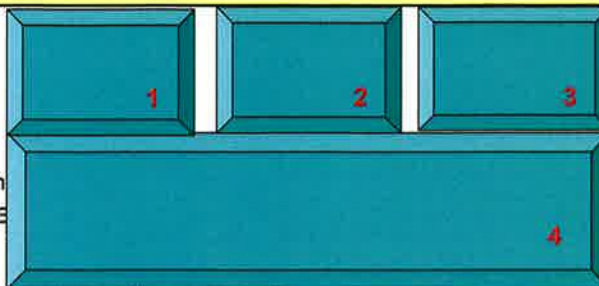
Cells this color are
set up for user entries

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

TRANSFER NO:
County Line Farm

YEAR: 1957
SEASON: SPRING

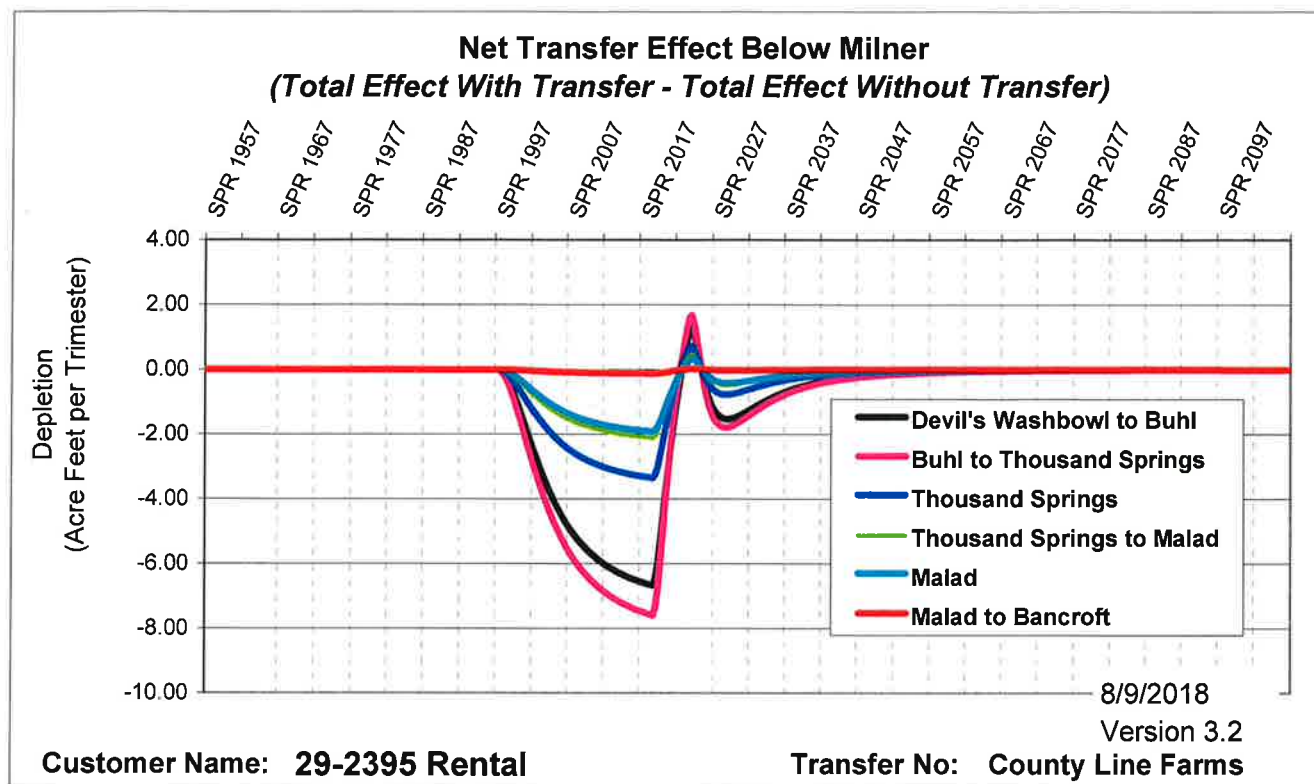
TRANSFER NAME:
29-2395 Rental



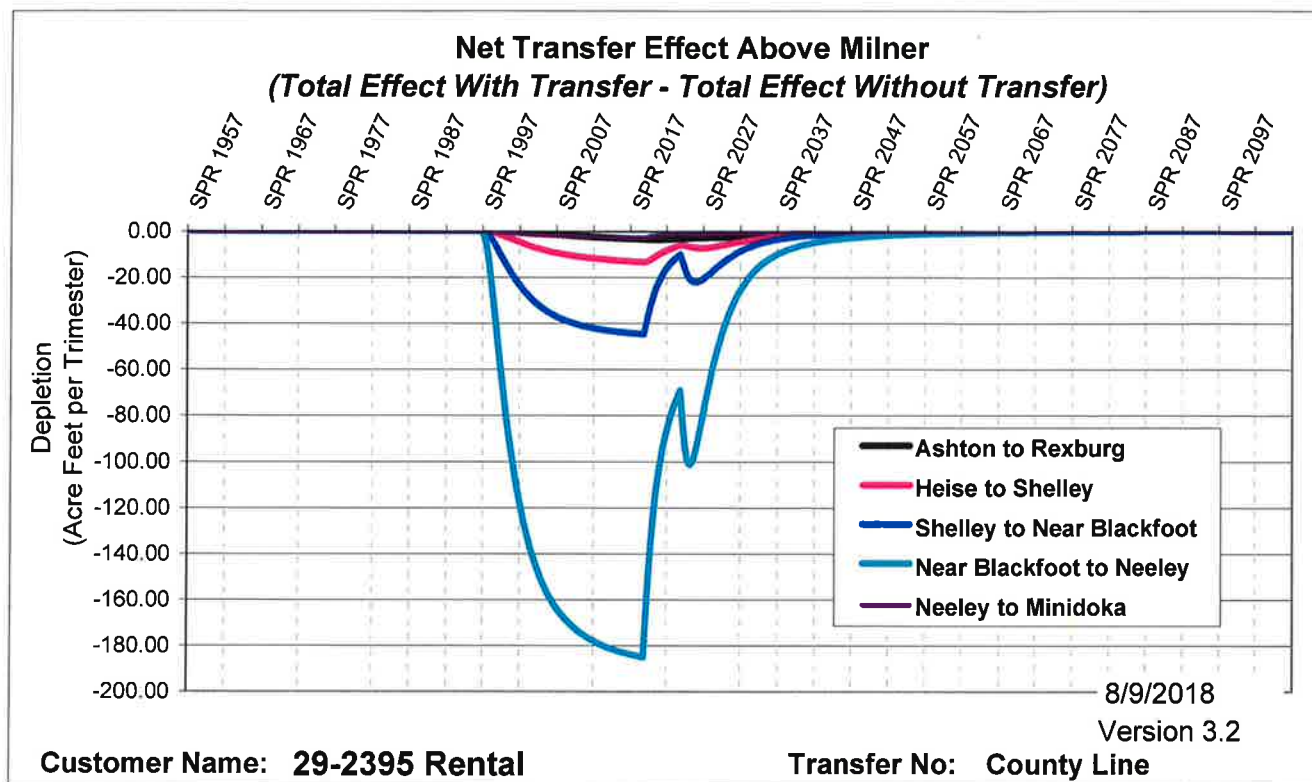
[acre-ft]
861

ENTER CELL LOCATIONS:				29-2395		2/28/1958		861	
	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL					
ROW	82	97							
COLUMN	93	124							
6S29E-20SWNW			29-2395		Total rental: 861				
TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL			
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfe AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfe AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER		
SPR 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1958	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1958	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1958	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1959	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1996	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1996	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1996	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1997	0.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2018	0.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2018	0.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2018	0.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2019	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	287.0	0.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2106	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2106	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2106	0.0	287.0	287.0	0.0	0.0	0.0	0.0	0.0	0.0

ATTACHMENT #3H
Data Entry



ATTACHMENT #3H Impacts Below Milner



ATTACHMENT #3H
Impacts Above Milner



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 14, 2019

COUNTY LINE FARMS
PO BOX 360
AMERICAN FALLS ID 83211

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 29-2395, AGREEMENT 280**

Dear Renter:

Please find enclosed a receipt in the amount of **\$17,220.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 861.0 acre-feet of water for irrigation of 215.2 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 \$15,498.00 of the rental fee will be paid to the lessor(s) and 10% or \$1,722.00 will be retained by the Department to offset administrative costs.

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

Sincerely,

Water Supply Bank

Enclosures: Receipt No. C106242
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office/Water District # 120
Jason Helms – JCH Engineering & Consulting
Aberdeen American Falls 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 1, 2019

COUNTY LINE FARMS
PO BOX 360
AMERICAN FALLS ID 83211

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 29-2395, AGREEMENT 280**

*****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 \$17,220.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 861.0 acre-feet.

Please send a check for \$17,220.00 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 \$15,498.00 of the rental fee will be paid to the lessor(s) and 10% or \$1,722.00 will be retained by the Department to offset administrative costs.

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

Sincerely,

Water Supply Bank

Enclosure

c: IDWR Front Desk
Jason Helms – JCH Engineering & Consulting

Webster, Clay

From: Condon, Mary
Sent: Monday, December 17, 2018 11:39 AM
To: Webster, Clay
Subject: FW: Lease review for companion rental

FYI--

From: Cefalo, James
Sent: Monday, December 17, 2018 11:33 AM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: RE: Lease review for companion rental

Mary,

The reduction is fine. I still don't have any concerns.

James

From: Condon, Mary
Sent: Monday, December 17, 2018 11:11 AM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: RE: Lease review for companion rental

Good morning, James,

This rental request has been reduced from 5 years to 2 years, as it tripped the modeling requiring mitigation if over 2 years. Jason Helms requested a reduction in years for his client. I have attached my review and the map for your information.

Best,
Mary

From: Cefalo, James
Sent: Monday, December 03, 2018 8:53 AM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: RE: Lease review for companion rental

Mary,

I don't have any concerns or comments about the proposed WSB lease or rental.

James

From: Condon, Mary
Sent: Friday, November 30, 2018 5:07 PM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: Lease review for companion rental

Hello, James,

Please see my attached review memo and map layout for the proposed lease renewal, and kindly respond with comments or concerns within 7 days.

There is a companion rental for this from County Line Farms, another repeat on both, which I will send you my review for the rental once complete.

Thank you,
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 # 280

To: Water Right(s) 29-2395

From: Mary Condon

Date: December 3, 2018 (December 17, 2018)

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

PURPOSE/NARRATIVE: The application to rent was received as a companion package on September 04, 2018, for water right 29-2395, for 2019-2023. This is a repeat of previous rental from 2013-2018, for the same purposes, at slightly higher acreage.

The five year rental for this water did not pass the ESPA modeling without mitigation. After consulting with Jason, he requested a reduction on the rental to 2 years, which does pass without mitigation.

AUTHORITY TO FILE: Application is signed by Monty Funk for County Line Farms, dba. Place of use and point of diversion are owned by the Monty Funk. No concerns of authority. County Line Farms is represented by Jason C. Helms, who provided the modeling for the ESPA requirement.

WATER RIGHT VALIDITY: Decreed in 2004, this water right was in CREP from 1997-2010, then placed entirely into the bank from 2013-2018. Water is not being used on the leased place of use. The lease place of use land is no longer in the water right owners name as of 2016, but no concerns here either.

INJURY TO OTHER WATER RIGHTS: This rental is accompanied by the proper ESPA modeling, and is a repeat of previous rental from 2016-2018 for the place of use, with an increase on the amount of acreage from 182 to 215 acres. Grid cells for leased POD are: row 97, col 124 and Rental POD are: row 82, col 93

process	grid cells	Date	AF/Trimester
Rental	Row 82, Col 93	2019-2020 rental	287/tri
Lease	Row 97, Col 124	02/1958 priority	287 af/tri
CREP contract active (zero's)		1997-2010	0
Lease term prior & now (show full amount)		2013-2023	287 af/tir

Table 1

Full amounts at from well during leased term due to previous rentals. Zero's in from well only from 1997-2010 while in CREP. Reduction to two year rental instead of five does not require mitigation.

ENLARGEMENT OF USE: No water rights are currently authorized for the place of use or actively diverted from the rental POD, except authorized rentals. Rental POD, WMIS ID 1002420, has water rights 35-13811, 35-13812, 35-13813 and 35-14418 with combined limits of 13.09cfs, 2800 af and 700 acres. These other water rights are owned by Global Ag, as part of a transfer in 2015 to add the POD, however the rental POU is not within the legal POU for these rights. Another POD exists in the same QQ for rights 35-7632A, 35-14442 and 35-14443, as part of transfer 80631, in the name of Lance Funk and Lisa Funk. However, the POU for these rights is not likely accessible from this POD, and it is not known if a well was drilled for this transfer. Additionally, transfer 79844 for water right 29-7006 was denied

in 2015, for a split right 35-14412 for the rental place of use, due to mitigation not being proposed or sufficient for the ESPA transfer, which may have caused injury per the modeling.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest. These rentals have been active in the area since 2015 with no appeals by the public.

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is subject to Groundwater District Aberdeen-Amercian Falls, Water District 120 American Falls and within the ESPA. Request for comment will be resubmitted to Eastern due to the change from 5 year request to 2 year because of mitigation requirement over 2 years.

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

1164

TRANSFER NO:

1167

YEAR
SEASON

1957

TRANSFER NAME:

County Line Farm

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	82	97		
COLUMN	93	124		

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
SPR 1957	0	0	0	0	0	0	0
SUM 1957	0	0	0	0	0	0	0
WIN 1957	0	287	287	0	0	0	0
SPR 1958	0	287	287	0	0	0	0
SUM 1958	0	287	287	0	0	0	0
WIN 1958	0	287	287	0	0	0	0
SPR 1959	0	287	287	0	0	0	0
SUM 1959	0	287	287	0	0	0	0
WIN 1959	0	287	287	0	0	0	0
SPR 1960	0	287	287	0	0	0	0
SUM 1960	0	287	287	0	0	0	0
WIN 1960	0	287	287	0	0	0	0
SPR 1961	0	287	287	0	0	0	0
SUM 1961	0	287	287	0	0	0	0
WIN 1961	0	287	287	0	0	0	0
SPR 1962	0	287	287	0	0	0	0
SUM 1962	0	287	287	0	0	0	0
WIN 1962	0	287	287	0	0	0	0
SPR 1963	0	287	287	0	0	0	0
SUM 1963	0	287	287	0	0	0	0
WIN 1963	0	287	287	0	0	0	0
SPR 1964	0	287	287	0	0	0	0
SUM 1964	0	287	287	0	0	0	0
WIN 1964	0	287	287	0	0	0	0
SPR 1965	0	287	287	0	0	0	0
SUM 1965	0	287	287	0	0	0	0
WIN 1965	0	287	287	0	0	0	0
SPR 1966	0	287	287	0	0	0	0
SUM 1966	0	287	287	0	0	0	0
WIN 1966	0	287	287	0	0	0	0
SPR 1967	0	287	287	0	0	0	0
SUM 1967	0	287	287	0	0	0	0
WIN 1967	0	287	287	0	0	0	0
SPR 1968	0	287	287	0	0	0	0
SUM 1968	0	287	287	0	0	0	0
WIN 1968	0	287	287	0	0	0	0
SPR 1969	0	287	287	0	0	0	0
SUM 1969	0	287	287	0	0	0	0
WIN 1969	0	287	287	0	0	0	0
SPR 2012	0	0	287	0	0	0	0
SUM 2012	0	0	287	0	0	0	0
WIN 2012	0	0	287	0	0	0	0
SPR 2013	0	287	287	0	0	0	0
SUM 2013	0	287	287	0	0	0	0
WIN 2013	0	287	287	0	0	0	0
SPR 2014	0	287	287	0	0	0	0
SUM 2014	0	287	287	0	0	0	0
WIN 2014	0	287	287	0	0	0	0
SPR 2015	0	287	287	0	0	0	0
SUM 2015	0	287	287	0	0	0	0
WIN 2015	0	287	287	0	0	0	0
SPR 2016	0	287	287	0	0	0	0
SUM 2016	0	287	287	0	0	0	0
WIN 2016	0	287	287	0	0	0	0
SPR 2017	0	287	287	0	0	0	0
SUM 2017	0	287	287	0	0	0	0
WIN 2017	0	287	287	0	0	0	0
SPR 2018	0	287	287	0	0	0	0
SUM 2018	0	287	287	0	0	0	0
WIN 2018	0	287	287	0	0	0	0
SPR 2019	287	0	287	0	0	0	0
SUM 2019	287	0	287	0	0	0	0
WIN 2019	287	0	287	0	0	0	0
SPR 2020	287	0	287	0	0	0	0
SUM 2020	287	0	287	0	0	0	0
WIN 2020	287	0	287	0	0	0	0
SPR 2021	0	287	287	0	0	0	0
SUM 2021	0	287	287	0	0	0	0
WIN 2021	0	287	287	0	0	0	0
SPR 2022	0	287	287	0	0	0	0
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WIN 2022	0	287	287	0	0	0	0

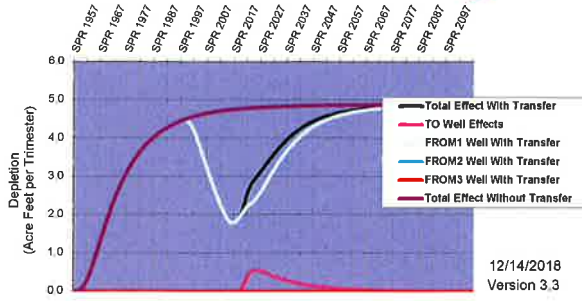
2 year rental WR29-2395

Enter First Time Step of Transfer: **SPR 2019**

Mach	IBT	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	
Preexisting Effects @ SS (Last Time Step)	4.87	15.25	47.11	191.60	2.90	7.25	8.24	3.66	2.31	2.11	0.13	285.47	Total Effects without Transfer - Last Time Step
Steady State - Value of Dep. @ Last Time Step	4.87	15.25	47.09	191.55	2.90	7.25	8.24	3.66	2.31	2.11	0.13	285.35	Total Effects with Transfer - Last Time Step
Preexisting Effects @ Transient State (Max Value Timestep)	4.89	15.26	47.11	191.60	2.90	7.25	8.24	3.66	2.31	2.11	0.13	295.47	Total Effects without Transfer - Correlates to Max. Value from Total Effects with Transfer
Transient State - Max. Value of Dep. After Transfer	4.87	15.25	46.93	193.38	2.90	8.04	9.43	4.15	2.62	2.29	0.14	293.68	Total Effects with Transfer - Max Value from Start of Transfer to Last Time Step
Steady State Change	-0.01	-0.02	-0.02	-0.06	0.00	-0.01	-0.01	0.00	0.00	0.00	0.00	0.00	
Transient State Change	-0.01	-0.02	3.52	1.78	0.00	0.78	1.19	0.49	0.29	0.18	0.01	0.01	

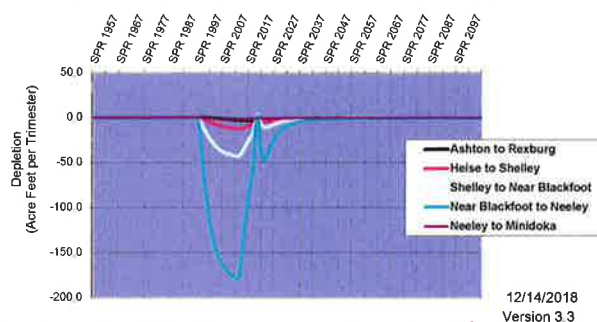
Mitigation Analysis Period:

Hydrologic Response--Ashton to Rexburg
Customer Name: County Line Transfer No: 1167



12/14/2018
Version 3.3

Net Transfer Effect Above Milner
(Total Effect With Transfer - Total Effect Without Transfer)

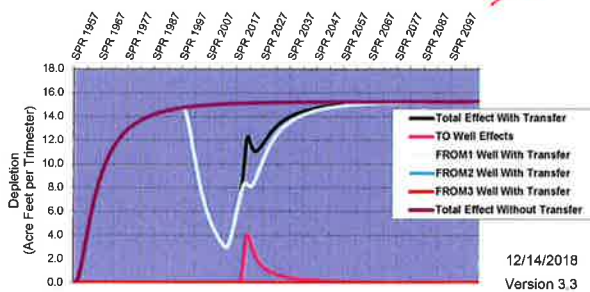


12/14/2018
Version 3.3

Customer Name: County Line Farms

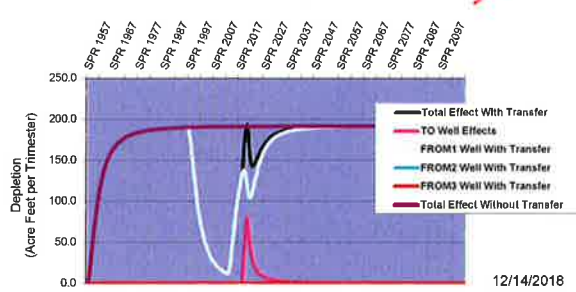
Transfer No: 1167

Hydrologic Response--Halse to Shelley
Customer Name: County Line Farms Transfer No: 1167



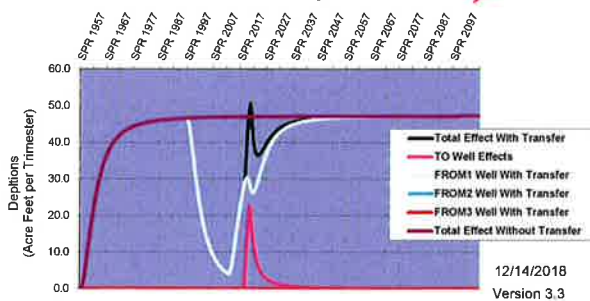
12/14/2018
Version 3.3

Hydrologic Response--Near Blackfoot to Neeley
Customer Name: County Transfer No: 1167



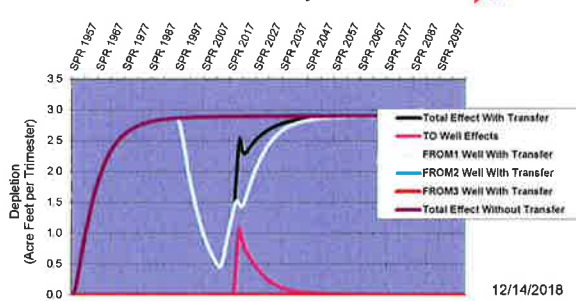
12/14/2018
Version 3.3

Hydrologic Response--Shelley to Near Blackfoot
Customer Name: County Transfer No: 1167



12/14/2018
Version 3.3

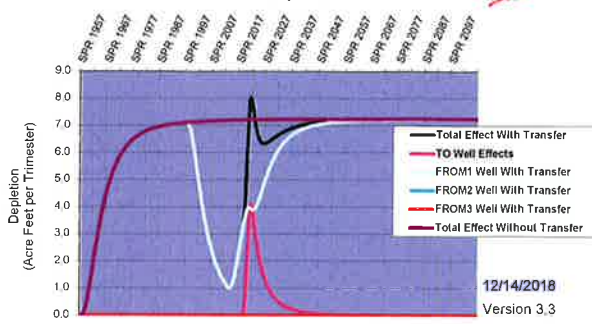
Hydrologic Response--Neeley to Minidoka
Customer Name: County Transfer No: 1167



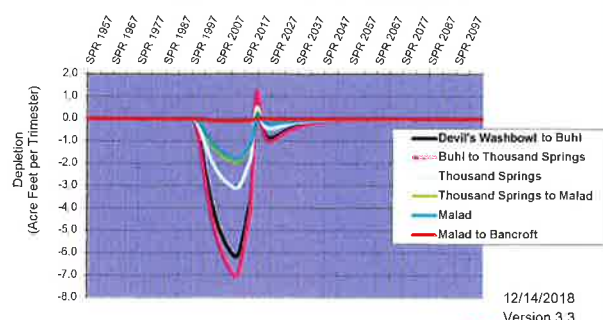
12/14/2018
Version 3.3

Rental App 1164 me

Hydrologic Response--Devil's Washbowl to Buhl
Customer Name: County Line Transfer No: 1167



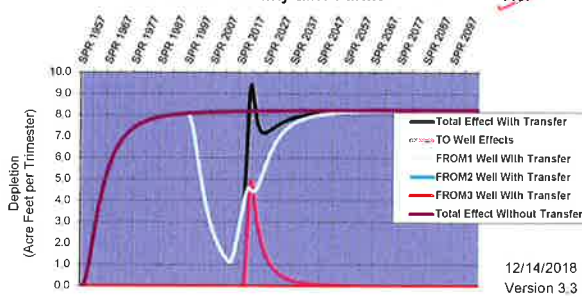
Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)



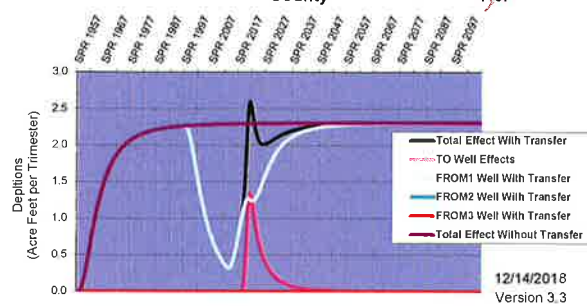
Customer Name: County Line Farms

Transfer No: 1167

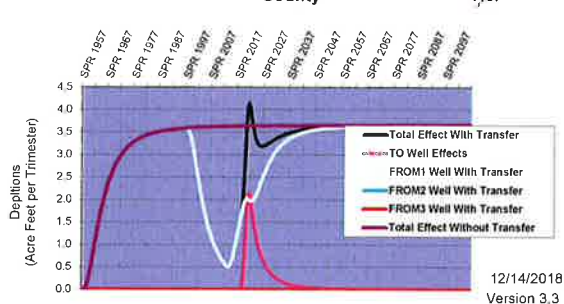
Hydrologic Response--Buhl to Thousand Springs
Customer Name: County Line Farms Transfer No: 1167



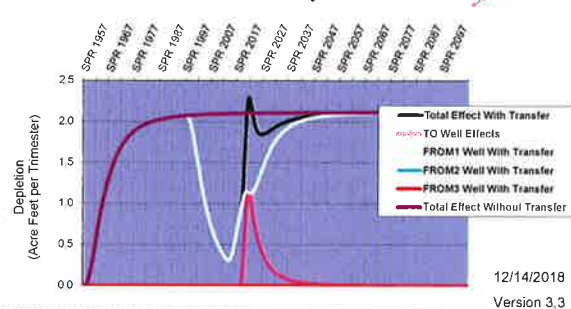
Hydrologic Response--Thousand Springs to Malad
Customer Name: County Transfer No: 1167



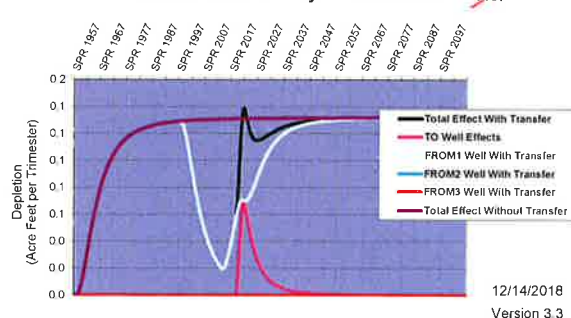
Hydrologic Response--Thousand Springs
Customer Name: County Transfer No: 1167



Hydrologic Response--Malad
Customer Name: County Transfer No: 1167



Hydrologic Response--Malad to Bancroft
Customer Name: County Transfer No: 1167



Rental App 1164 me

Condon, Mary

From: Condon, Mary
Sent: Friday, December 14, 2018 5:20 PM
To: 'Jason Helms'
Subject: RE: County Line Farms Rental

Jason,

I was able to run the Etran 3.3 again today for a two-year and it came back the same as yours. I did have to delete my Etran and download it again.

Either way, we can accept a two year rental based on a successful modeling with no requirement for mitigation. I will include the new runs in the file.

Best,
Mary

From: Jason Helms [mailto:jasoncivil@alumni.nd.edu]
Sent: Thursday, December 13, 2018 2:34 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: Re: County Line Farms Rental

Yes, I only show 3.5 af increase transient in shelley to near blackfoot. screenshot of my input below

WIN 2011	0.0	0.0	287.0	0.0	0.0	0.0	0.0
SPR 2012	0.0	0.0	287.0	0.0	0.0	0.0	0.0
SUM 2012	0.0	0.0	287.0	0.0	0.0	0.0	0.0
WIN 2012	0.0	0.0	287.0	0.0	0.0	0.0	0.0
SPR 2013	0.0	287.0	287.0	0.0	0.0	0.0	0.0
SUM 2013	0.0	287.0	287.0	0.0	0.0	0.0	0.0
WIN 2013	0.0	287.0	287.0	0.0	0.0	0.0	0.0
SPR 2014	0.0	287.0	287.0	0.0	0.0	0.0	0.0
SUM 2014	0.0	287.0	287.0	0.0	0.0	0.0	0.0
WIN 2014	0.0	287.0	287.0	0.0	0.0	0.0	0.0
SPR 2015	0.0	287.0	287.0	0.0	0.0	0.0	0.0
SUM 2015	0.0	287.0	287.0	0.0	0.0	0.0	0.0
WIN 2015	0.0	287.0	287.0	0.0	0.0	0.0	0.0
SPR 2016	0.0	287.0	287.0	0.0	0.0	0.0	0.0
SUM 2016	0.0	287.0	287.0	0.0	0.0	0.0	0.0
WIN 2016	0.0	287.0	287.0	0.0	0.0	0.0	0.0
SPR 2017	0.0	287.0	287.0	0.0	0.0	0.0	0.0
SUM 2017	0.0	287.0	287.0	0.0	0.0	0.0	0.0
WIN 2017	0.0	287.0	287.0	0.0	0.0	0.0	0.0
SPR 2018	0.0	287.0	287.0	0.0	0.0	0.0	0.0
SUM 2018	0.0	287.0	287.0	0.0	0.0	0.0	0.0
WIN 2018	0.0	287.0	287.0	0.0	0.0	0.0	0.0
SPR 2019	287.0	0.0	287.0	0.0	0.0	0.0	0.0
SUM 2019	287.0	0.0	287.0	0.0	0.0	0.0	0.0
WIN 2019	287.0	0.0	287.0	0.0	0.0	0.0	0.0
SPR 2020	287.0	0.0	287.0	0.0	0.0	0.0	0.0
SUM 2020	287.0	0.0	287.0	0.0	0.0	0.0	0.0
WIN 2020	287.0	0.0	287.0	0.0	0.0	0.0	0.0
SPR 2021	0.0	287.0	287.0	0.0	0.0	0.0	0.0
SUM 2021	0.0	287.0	287.0	0.0	0.0	0.0	0.0

On Tue, Dec 11, 2018 at 2:32 PM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Hi Jason,

Looks like a 1 year will work for the rental, but the two year would still require mitigation.

Did you get a different result for a two year?

Type	POD Location	Dedicated Vol. AFA/ AFT	Model Node	Impact by Reach (AF/Trimester)									
				Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Mindoka	Dev. Wbt. To Buhi	Buhi to Kspr	Kspr	Kspr to Malad	
Impacts following Transfer													
60	8S26E-3	275.6	91.9	SP082075	4.89	15.26	47.11	191.60	2.90	7.25	8.24	3.66	2.31
60	8S26E-3	275.6	91.9	SP068066	4.88	15.25	47.09	191.56	2.90	7.25	8.24	3.66	2.31
Impacts following Transfer													
60	8S26E-3	275.6	91.9	SP082075	4.89	15.26	47.11	191.60	2.90	7.25	8.24	3.66	2.31
60	8S26E-3	275.6	91.9	SP068066	4.88	15.25	54.67	206.32	2.90	8.78	10.25	4.52	2.83
Steady State Analysis													
Mitigation Check 1 - >10% of Historical					-0.2%	-0.1%	0.0%	0.0%	0.0%	-0.1%	-0.1%	-0.1%	-0.1%
Mitigation Check 2 - > 2 AFT					0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total					1.7%	5.3%	16.5%	67.1%	1.0%	2.5%	2.9%	1.3%	0.8%
Mitigation Required?					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
Transient State Analysis													
Mitigation Check 1 - >10% of Historical					-0.2%	-0.1%	16.1%	7.7%	0.0%	21.1%	24.3%	23.4%	22.7%
Mitigation Check 2 - > 2.01 AFT					0.0	0.0	7.6	14.7	0.0	1.5	2.0	0.9	0.5
Mitigation Required?					NO	NO	YES	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)					0.0	0.0	7.6	14.7	0.0	1.5	2.0	0.9	0.5

2 year rental above vs 1 year rental below

Type	POD Location	Dedicated Vol. AFA/ AFT	Model Node	Impact by Reach (AF/Trimester)									
				Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Mindoka	Dev. Wbt. To Buhi	Buhi to Kspr	Kspr to Kspr to Malad		
Impacts following Transfer													
60	8S26E-3	275.6	91.9	SP082075	4.89	15.26	47.11	191.60	2.90	7.25	8.24	3.66	2.31
60	8S26E-3	275.6	91.9	SP068066	4.88	15.25	47.09	191.56	2.90	7.25	8.24	3.66	2.31
Impacts following Transfer													
60	8S26E-3	275.6	91.9	SP082075	4.89	15.26	47.11	191.60	2.90	7.25	8.24	3.66	2.31
60	8S26E-3	275.6	91.9	SP068066	4.88	15.25	48.44	199.38	2.90	7.25	8.24	3.66	2.31
Steady State Analysis				Mitigation Check 1 - >10% of Historical	-0.2%	-0.1%	0.0%	0.0%	0.0%	-0.1%	-0.1%	-0.1%	-0.1%
				Mitigation Check 2 - > 2 AF/T	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
				Mitigation Check 3 - >10% of Total	1.7%	5.3%	16.5%	67.1%	1.0%	2.5%	2.9%	1.3%	0.8%
				Mitigation Required?	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
Transient State Analysis				Mitigation Check 1 - >10% of Historical	-0.2%	-0.1%	2.8%	4.1%	0.0%	-0.1%	-0.1%	-0.1%	-0.1%
				Mitigation Check 2 - > 2.01 AF/T	0.0	0.0	1.3	7.8	0.0	0.0	0.0	0.0	0.0
				Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO
				Mitigation Vol. Req'd (ac-ft)	0.0	0.0	1.3	7.8	0.0	0.0	0.0	0.0	0.0

Mary

From: Jason Helms [mailto:jasoncivil@alumni.nd.edu]

Sent: Wednesday, December 05, 2018 2:40 PM

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

Subject: Re: County Line Farms Rental

Mary,

Ok, and what I meant to say was "rental" term reduction to a 2 year period. The lease can remain 5 years.

Thanks,

Jason

On Wed, Dec 5, 2018 at 12:58 PM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Hi Jason,

I did not have time to get to this today, and I will be out until Monday. I will let you know when I am able to look at this again.

Thank you for your time,

Mary

From: Jason Helms [mailto:jasoncivil@alumni.nd.edu]

Sent: Tuesday, December 04, 2018 7:43 PM

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

Subject: Re: County Line Farms Rental

Hi Mary,

I believe I understand and can confirm your result.

Can you verify that a lease term reduction to 2 years will be acceptable and meet the goal?

Thanks or your help,

Jason

On Tue, Dec 4, 2018 at 5:35 PM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Hi Jason,

There was confirmed non-use for CREP from 1997 until 2010, but zero's are still here until 2013 when it was placed in the bank. The full amount is then entered again to the from well with transfer until the new rental request for this one in 2019 until 2023.

This was the result, above.

Mary

From: Jason Helms [mailto:jasoncivil@alumni.nd.edu]
Sent: Tuesday, December 04, 2018 5:29 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: Re: County Line Farms Rental

Hi Mary,

Can you show me your input data?

Thanks,

Jason

On Tue, Dec 4, 2018 at 4:55 PM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Hi Jason,

We ran the modeling on a different computer, however it still requires mitigation when properly accounting for the lease from 2013 to now. If the water had sat fully unused since 1997, like in your modeling, it passes without mitigation. However, per our instructions on the ESPA Modeling for WSB Rentals on page 8, zero's can only be used if it is absolutely certain that the water has not been rented during the lease period, otherwise the full volume must still be used during the lease period. <https://idwr.idaho.gov/files/water-supply-bank/Use-of-ESPA-Modeling-Spreadsheet-for-WSB-Rentals-in-ESPA.pdf>

We can provide a list of additional rentable rights in a few weeks once we have completed preliminary reviews for 2019, or you may be able to secure one earlier if you can find it. I look forward to hearing how you would like to proceed.

Thank you,

Mary

From: Jason Helms [mailto:jasoncivil@alumni.nd.edu]
Sent: Tuesday, December 04, 2018 1:10 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: Re: County Line Farms Rental

Ok,

The problem is the transient spike you show in the spring reaches that is just crazy for this application.

Thanks,

Jason

On Tue, Dec 4, 2018 at 1:03 PM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Jason,

Thank you for providing this. I'm going to look into this further and ask some questions as to why mine is triggering differently. I will get back to you as soon as I get a solid answer.

Best,

Mary

From: Jason Helms [mailto:jasoncivil@alumni.nd.edu]
Sent: Tuesday, December 04, 2018 12:59 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: Re: County Line Farms Rental

Hi Mary,

Attached mitigation analysis tool with the values inserted from the ESPA Transfer Spreadsheet calculated results.

I have high hope this will help.

Thanks,

Jason

On Tue, Dec 4, 2018 at 9:14 AM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Jason,

The data under Model Node is not brought in from when I ran the modeling, it is just within the template. The data I did pull in is in the hashed area, which then generated the data within the mitigation checks. I assure you that I ran this modeling from the correct cells, with multiple different variables, including reducing the rental to 100af/trimester and it still tripped requiring mitigation.

For your benefit, I have attached copies of the modeling I ran at only 100af/trimester. I have also attached the mitigation analysis tool, in which the orange cells have no bearing on the results calculating mitigation.

Best,

Mary

From: Jason Helms [mailto:jasoncivil@alumni.nd.edu]

Sent: Monday, December 03, 2018 10:20 PM

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

Subject: Re: County Line Farms Rental

Hi Mary,

I believe there must be some mistake. The rental by County Line Farms near Aberdeen should not be generating those impacts you are showing in the spring reaches.

Based on your results above, it appears to show cells (82,75) and (68,66). According to my file the from cell should be (97,124) and the to cell should be (82,93).

Please verify your model input and let me know?

Thanks,

Jason C. Helms, P.E.

JCH Engineering & Consulting, PLLC
(208) 308-2109

On Mon, Dec 3, 2018 at 2:45 PM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

Good afternoon, Jason,

During my review of the rental request for WR 29-2395 from Hart to County Line Farms, and a run through of the ESPA modeling, the mitigation analysis shows mitigation is required.

Please let us know how your client would like to proceed with in the next 10 days, whether through a reduction in acres or additional rental in Basin 35 to offset, to continue moving this along.

Best,

Mary

Mary Condon

Water Supply Bank Specialist

Planning & Projects Bureau

Idaho Department of Water Resources

Main: (208) 287-4936

Fax: (208) 287-6700

From: Condon, Mary
To: jasoncivild@alumni.nd.edu
Subject: County Line Farms Rental
Date: Monday, December 03, 2018 2:45:00 PM
Attachments: [image001.png](#)

Good afternoon, Jason,

During my review of the rental request for WR 29-2395 from Hart to County Line Farms, and a run through of the ESPA modeling, the mitigation analysis shows mitigation is required.

Please let us know how your client would like to proceed with in the next 10 days, whether through a reduction in acres or additional rental in Basin 35 to offset, to continue moving this along.

		Impact by Reach (AF/Trimester)										
Dedicated Vol	Model	Ashton to	Heise to	Shelley to	Nr Bickft To	Neeley to	Dev. Wbl To	Buhl to	Kspr	Kspr to	Maled	Maled to
AFA/ AFT	Node	Rexburg	Shelley	Nr Bickft	Neeley	Minidoka	Buhl	Kspr		Maled		Bancroft
Transfer												
275.6	91.9	SP082075	6.07	18.18	55.40	175.89	2.85	8.22	9.34	4.15	2.62	2.40
275.6	91.9	SP088066	6.04	18.14	55.36	175.77	2.85	8.21	9.33	4.14	2.61	2.39
g Transfer												
275.6	91.9	SP082075	6.07	18.18	55.40	175.89	2.85	8.22	9.34	4.15	2.62	2.40
275.6	91.9	SP088066	6.04	18.14	55.36	175.77	2.85	55.72	92.72	39.94	24.76	21.73
Mitigation Check 1 - >10% of Historical		-0.5%	-0.2%	-0.1%	-0.1%	-0.1%	-0.1%	-0.1%	-0.1%	-0.1%	-0.1%	-0.1%
Mitigation Check 2 - > 2 AF/T		0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total		2.1%	6.4%	19.4%	61.7%	1.0%	2.9%	3.3%	1.5%	0.9%	0.8%	0.1%
Mitigation Required?		NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol Req'd (ac-ft)		0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 1 - >10% of Historical		-0.5%	-0.2%	-0.1%	-0.1%	-0.1%	577.9%	892.3%	862.7%	845.9%	807.4%	775.4%
Mitigation Check 2 - > 2.01 AF/T		0.0	0.0	0.0	-0.1	0.0	47.5	83.4	35.8	22.1	19.3	1.2
Mitigation Required?		NO	NO	NO	NO	NO	YES	YES	YES	YES	YES	NO
Mitigation Vol Req'd (ac-ft)		0.0	0.0	0.0	-0.1	0.0	47.5	83.4	35.8	22.1	19.3	1.2

Best,
Mary

Mary Condon
 Water Supply Bank Specialist
 Planning & Projects Bureau
 Idaho Department of Water Resources
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