

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 272

RECEIVED

SEP 10 2018

**DEPARTMENT OF
WATER RESOURCES**

This is to certify that:

DUGAN FAMILY FARMS LLC
114 S 400 W
JEROME, ID 83338-6029

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)
36-8418	3/16/1989	GROUND WATER	0.138	34.00
Combined Rental Totals			0.138	34.00

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2022. 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 2018, whichever occurs last.

Annual Rental Fee:

2018 - 2022: \$680.00 annually

The full fee for the rental of the above-described right(s) is \$680.00 per year for years 2018 - 2022. The rental fee includes an administrative fee of \$68.00 per year for years 2018 - 2022.

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)
COMMERCIAL	0.079	34.00
STOCKWATER	0.105	34.00
Combined Total	0.138	34.00

Detailed water right conditions are attached.

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DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 272

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

9/4/18
Date

Chris Dugan
Printed Name

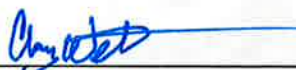
Member
Title

*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

9/12/2018
Date

Rental approved by IDWR 

9-12-2018
Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 272

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec. 28, Twp 08S, Rge 16E,	JEROME County
GROUND WATER	NWNW	Sec. 28, Twp 08S, Rge 16E,	JEROME County

BENEFICIAL USE

COMMERCIAL
STOCKWATER

DIVERSION RATE

0.105 CFS
0.079 CFS

VOLUME

34.00 AF
34.00 AF

SEASON OF USE

Water Right No.	From	To
36-8418	1/1	12/31
36-8418	1/1	12/31

RENTERS PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	28						X											X

RENTERS PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	28						X											X

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

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

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9. Use of water under this water right will be regulated by the watermaster of State Water District No. 130.
10. Commercial use is for a dairy.
11. Use of water under this rental, when combined with commercial / stock water right 35-8538, authorizes a maximum diversion volume of 120.7 acre feet annually.
12. This rental does not authorize construction of a well.

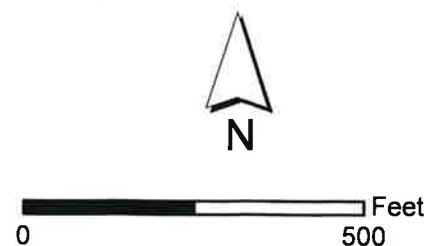
Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No. 272

Effective until December 31, 2022

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



-  Authorized Rental Point of Diversion
-  Authorized Rental Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED
JUL 19 2018
DEPARTMENT OF
WATER RESOURCES

Applicant Name: Dragon Family Farms LLC

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)

1130

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Dugan Family Farms, LLC dba Dugan Dairy

Mailing Address 114 South 400 West Jerome, ID 83338
Street City State Zip Code
Email Address chris@dugandairy.net Phone Number 208-969-0041

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 _____ Professional Title _____
Organization _____ Relationship to Applicant _____
Mailing Address _____
Email Address _____ Phone Number _____

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**:

Dairy is changing LCO from 2128 to 2909 Animal units. In order to complete Permit we need to increase the AF per year.

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
CFS	24 AF	CFS	AF	AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
01/01/2018	08/15/2018	☐ 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):

Pumped from wells at dairy.

- 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
	Well	

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

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

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

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

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

☐ Irrigation _____ (number of acres) Duration: Subject to IDWR standard seasons of use
☒ Commercial from: 01/01 (mm/dd) to: 12/31 (mm/dd)
☒ Stockwater from: 01/01 (mm/dd) to: 12/31 (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:

**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)
36-8418	Stock\commercial					24		
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		24	
						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:

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☒
If yes, describe:

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒
If yes, describe the date and location of the NOV.

- D. Additional Information

DECLARATION

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


Signature of Applicant


Printed Name of Applicant


Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

State of Idaho
Department of Water Resources

Water Right
36-8538

STOCKWATER

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

16E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.045 0.09 0.18 Miles



ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF AGRICULTURE

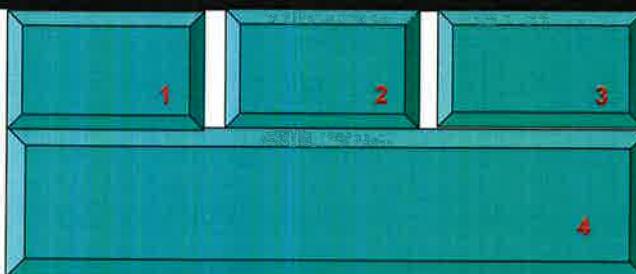
Cells this color are set up for user entries

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

YEAR 1989
SEASON SPRING

TRANSFER NO:

TRANSFER NAME:
Dugan Family Farm



ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	53	55	0	0
COLUMN	22	20	0	0

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 1989	0	35	35	0	0	0	0
SUM 1989	0	35	35	0	0	0	0
WIN 1989	0	35	35	0	0	0	0
SPR 1990	0	35	35	0	0	0	0
SUM 1990	0	35	35	0	0	0	0
WIN 1990	0	35	35	0	0	0	0
SPR 1991	0	35	35	0	0	0	0
SUM 1991	0	35	35	0	0	0	0
WIN 1991	0	35	35	0	0	0	0
SPR 1992	0	35	35	0	0	0	0
SUM 1992	0	35	35	0	0	0	0
WIN 1992	0	35	35	0	0	0	0
SPR 1993	0	35	35	0	0	0	0
SUM 1993	0	35	35	0	0	0	0
WIN 1993	0	35	35	0	0	0	0
SPR 1994	0	35	35	0	0	0	0
SUM 1994	0	35	35	0	0	0	0
WIN 1994	0	35	35	0	0	0	0
SPR 1995	0	35	35	0	0	0	0
SUM 1995	0	35	35	0	0	0	0
WIN 1995	0	35	35	0	0	0	0
SPR 1996	0	35	35	0	0	0	0
SUM 1996	0	35	35	0	0	0	0
WIN 1996	0	35	35	0	0	0	0
SPR 1997	0	35	35	0	0	0	0
SUM 1997	0	35	35	0	0	0	0
WIN 1997	0	35	35	0	0	0	0
SPR 1998	0	35	35	0	0	0	0
SUM 1998	0	35	35	0	0	0	0
WIN 1998	0	35	35	0	0	0	0
SPR 1999	0	35	35	0	0	0	0
SUM 1999	0	35	35	0	0	0	0
WIN 1999	0	35	35	0	0	0	0
SPR 2000	0	35	35	0	0	0	0
SUM 2000	0	35	35	0	0	0	0
WIN 2000	0	35	35	0	0	0	0
SPR 2001	0	35	35	0	0	0	0
SUM 2001	0	35	35	0	0	0	0
WIN 2001	0	35	35	0	0	0	0
SPR 2002	0	35	35	0	0	0	0
SUM 2002	0	35	35	0	0	0	0
WIN 2002	0	35	35	0	0	0	0

SPR 2003	0	35	35	0	0	0	0
SUM 2003	0	35	35	0	0	0	0
WIN 2003	0	35	35	0	0	0	0
SPR 2004	0	35	35	0	0	0	0
SUM 2004	0	35	35	0	0	0	0
WIN 2004	0	35	35	0	0	0	0
SPR 2005	0	35	35	0	0	0	0
SUM 2005	0	35	35	0	0	0	0
WIN 2005	0	35	35	0	0	0	0
SPR 2006	0	35	35	0	0	0	0
SUM 2006	0	35	35	0	0	0	0
WIN 2006	0	35	35	0	0	0	0
SPR 2007	0	35	35	0	0	0	0
SUM 2007	0	35	35	0	0	0	0
WIN 2007	0	35	35	0	0	0	0
SPR 2008	0	35	35	0	0	0	0
SUM 2008	0	35	35	0	0	0	0
WIN 2008	0	35	35	0	0	0	0
SPR 2009	0	35	35	0	0	0	0
SUM 2009	0	35	35	0	0	0	0
WIN 2009	0	35	35	0	0	0	0
SPR 2010	0	35	35	0	0	0	0
SUM 2010	0	35	35	0	0	0	0
WIN 2010	0	35	35	0	0	0	0
SPR 2011	0	35	35	0	0	0	0
SUM 2011	0	35	35	0	0	0	0
WIN 2011	0	35	35	0	0	0	0
SPR 2012	0	35	35	0	0	0	0
SUM 2012	0	35	35	0	0	0	0
WIN 2012	0	35	35	0	0	0	0
SPR 2013	0	35	35	0	0	0	0
SUM 2013	0	35	35	0	0	0	0
WIN 2013	0	35	35	0	0	0	0
SPR 2014	0	35	35	0	0	0	0
SUM 2014	0	35	35	0	0	0	0
WIN 2014	0	35	35	0	0	0	0
SPR 2015	0	35	35	0	0	0	0
SUM 2015	0	35	35	0	0	0	0
WIN 2015	0	35	35	0	0	0	0
SPR 2016	0	35	35	0	0	0	0
SUM 2016	0	35	35	0	0	0	0
WIN 2016	0	35	35	0	0	0	0
SPR 2017	0	35	35	0	0	0	0
SUM 2017	0	35	35	0	0	0	0
WIN 2017	0	35	35	0	0	0	0
SPR 2018	8	27	35	0	0	0	0
SUM 2018	8	27	35	0	0	0	0
WIN 2018	8	27	35	0	0	0	0
SPR 2019	8	27	35	0	0	0	0
SUM 2019	8	27	35	0	0	0	0
WIN 2019	8	27	35	0	0	0	0
SPR 2020	8	27	35	0	0	0	0
SUM 2020	8	27	35	0	0	0	0
WIN 2020	8	27	35	0	0	0	0
SPR 2021	8	27	35	0	0	0	0
SUM 2021	8	27	35	0	0	0	0
WIN 2021	8	27	35	0	0	0	0
SPR 2022	8	27	35	0	0	0	0
SUM 2022	8	27	35	0	0	0	0
WIN 2022	8	27	35	0	0	0	0
SPR 2023	0	35	35	0	0	0	0
SUM 2023	0	35	35	0	0	0	0
WIN 2023	0	35	35	0	0	0	0
SPR 2024	0	35	35	0	0	0	0
SUM 2024	0	35	35	0	0	0	0
WIN 2024	0	35	35	0	0	0	0
SPR 2025	0	35	35	0	0	0	0
SUM 2025	0	35	35	0	0	0	0
WIN 2025	0	35	35	0	0	0	0
SPR 2026	0	35	35	0	0	0	0
SUM 2026	0	35	35	0	0	0	0
WIN 2026	0	35	35	0	0	0	0
SPR 2027	0	35	35	0	0	0	0
SUM 2027	0	35	35	0	0	0	0
WIN 2027	0	35	35	0	0	0	0

SPR 2028	0	35	35	0	0	0	0
SUM 2028	0	35	35	0	0	0	0
WIN 2028	0	35	35	0	0	0	0
SPR 2029	0	35	35	0	0	0	0
SUM 2029	0	35	35	0	0	0	0
WIN 2029	0	35	35	0	0	0	0
SPR 2030	0	35	35	0	0	0	0
SUM 2030	0	35	35	0	0	0	0
WIN 2030	0	35	35	0	0	0	0
SPR 2031	0	35	35	0	0	0	0
SUM 2031	0	35	35	0	0	0	0
WIN 2031	0	35	35	0	0	0	0
SPR 2032	0	35	35	0	0	0	0
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SUM 2034	0	35	35	0	0	0	0
WIN 2034	0	35	35	0	0	0	0
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WIN 2035	0	35	35	0	0	0	0
SPR 2036	0	35	35	0	0	0	0
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WIN 2036	0	35	35	0	0	0	0
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SPR 2038	0	35	35	0	0	0	0
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SPR 2039	0	35	35	0	0	0	0
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WIN 2040	0	35	35	0	0	0	0
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SPR 2044	0	35	35	0	0	0	0
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WIN 2071	0	35	35	0	0	0	0
SPR 2072	0	35	35	0	0	0	0
SUM 2072	0	35	35	0	0	0	0
WIN 2072	0	35	35	0	0	0	0
SPR 2073	0	35	35	0	0	0	0
SUM 2073	0	35	35	0	0	0	0
WIN 2073	0	35	35	0	0	0	0
SPR 2074	0	35	35	0	0	0	0
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WIN 2074	0	35	35	0	0	0	0
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WIN 2076	0	35	35	0	0	0	0
SPR 2077	0	35	35	0	0	0	0
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WIN 2091	0	35	35	0	0	0	0
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SUM 2092	0	35	35	0	0	0	0
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SUM 2099	0	35	35	0	0	0	0
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SUM 2137	0	35	35	0	0	0	0
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SPR 2138	0	35	35	0	0	0	0
SUM 2138	0	35	35	0	0	0	0
WIN 2138	0	35	35	0	0	0	0

ESPA Ground Water Rights Transfer Spreadsheet Data Summary

TRANSFER NO: 0
TRANSFER NAME: Dugan Family Farms

PREPARED BY: Chris Dugan
DATE: 7/17/2016
Transfer Tool Version: Version 3.2

BLUE CELLS ARE SET UP FOR
WORKSHEET PROTECTION

WATER RIGHTS INVOLVED:

Group 1 Transfer Rights		Group 2 Additional Mitigation Rights	
Right No.	Priority Date	Right No.	Priority Date
36-8538	6/31/1990		
36-8418	3/15/1989		

HISTORIC BENEFICIAL USE:

Trans/Mit. Rights (group no.)	Acres to Dry Up (ac)	Beneficial Use (ata/vr)	Total (at/vr)

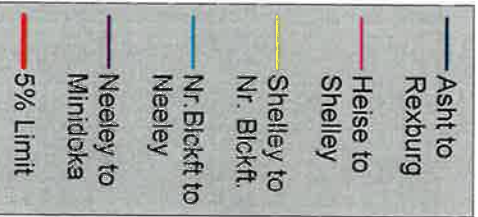
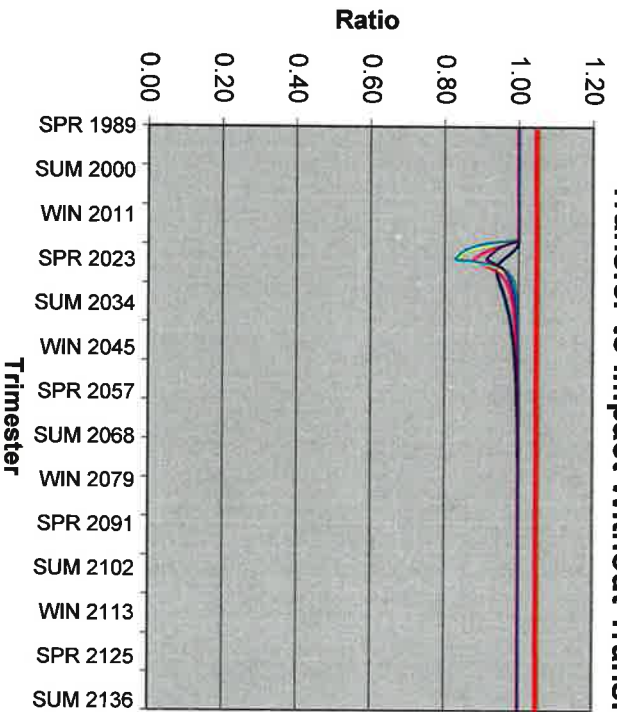
MODEL CELL LOCATIONS:

	TO WELL	FROM1 WELL	FROM2 WELL	FROM3 WELL
ROW	53	55	0	0
COLUMN	22	20	0	0

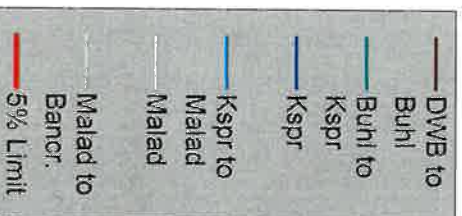
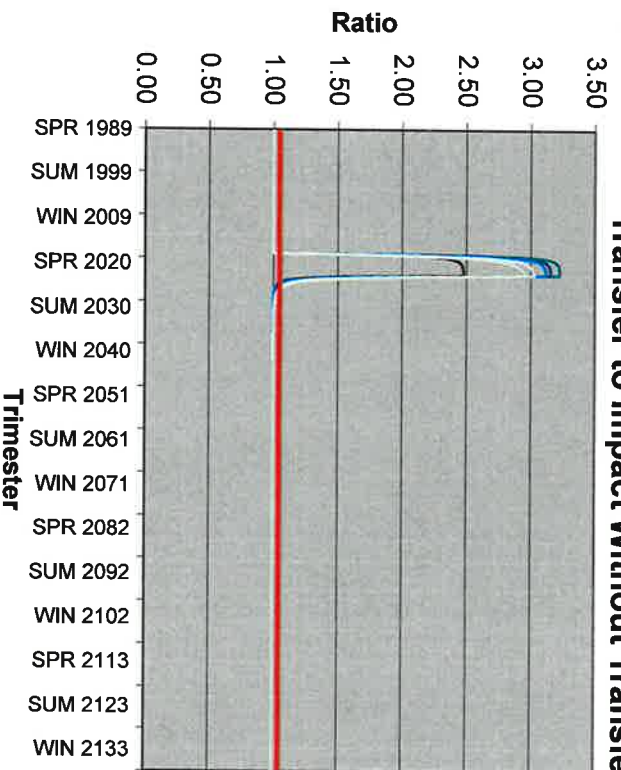
MITIGATION NOTES:

	Start Date		End Date		Water Use		Acres Authorized (acres)	Notes
	Season	Year	Season	Year	Annual (at/vr)	Trimester (at/trimester)		
TO Well (Projected Use)	Spring	2018	Winter	2022	110.0	36.7	0.0	
FROM1 Well (With Transfer)	Spring	2018	Winter	2022	24	8.0		
FROM1 Well (Without Transfer)	Spring	2018	Summer	2022	103	34.3		
FROM2 Well (With Transfer)								
FROM2 Well (Without Transfer)								
FROM3 Well (With Transfer)								
FROM3 Well (Without Transfer)								

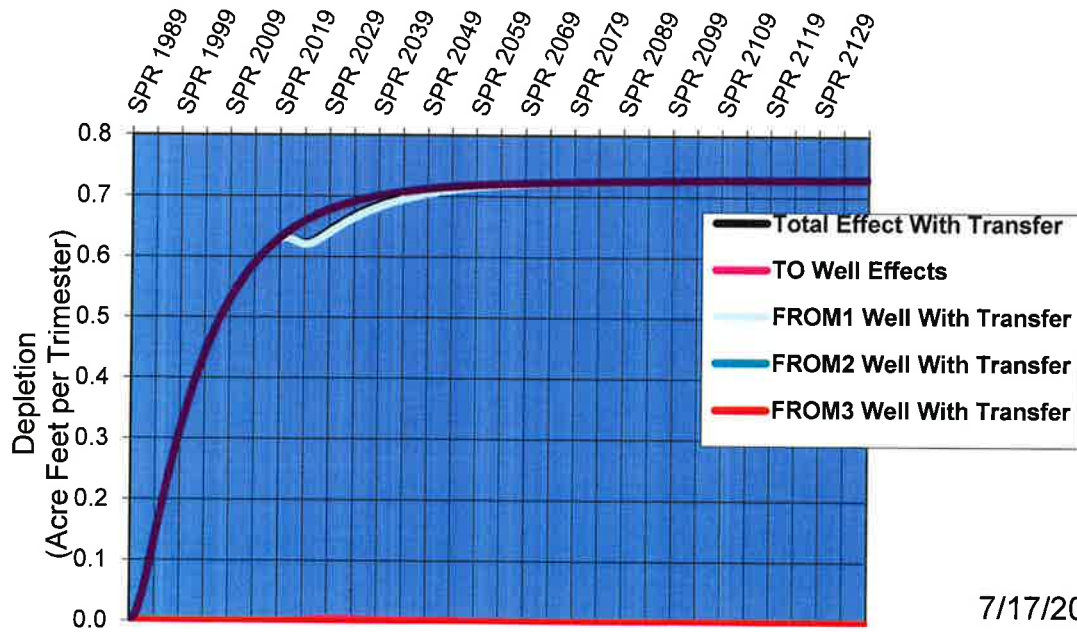
**Change Above Milner as Ratio of Impact With
Transfer to Impact Without Transfer**



**Change Below Milner as Ratio of Impact With
Transfer to Impact Without Transfer**

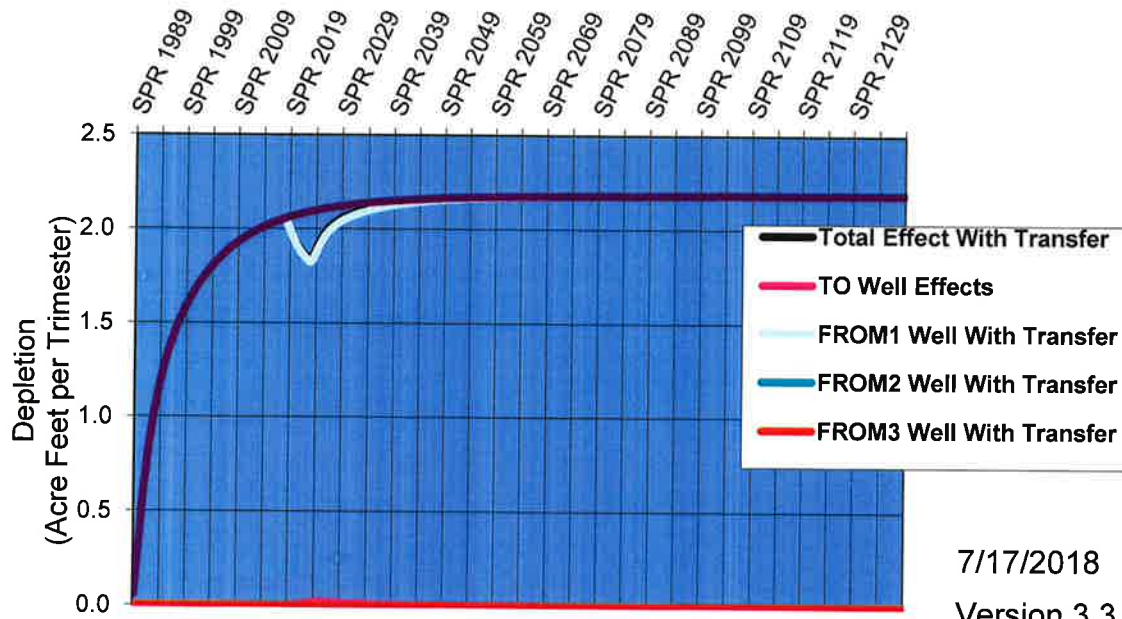


Hydrologic Response--Ashton to Rexburg Customer Name: **Dugan Family** Transfer No:



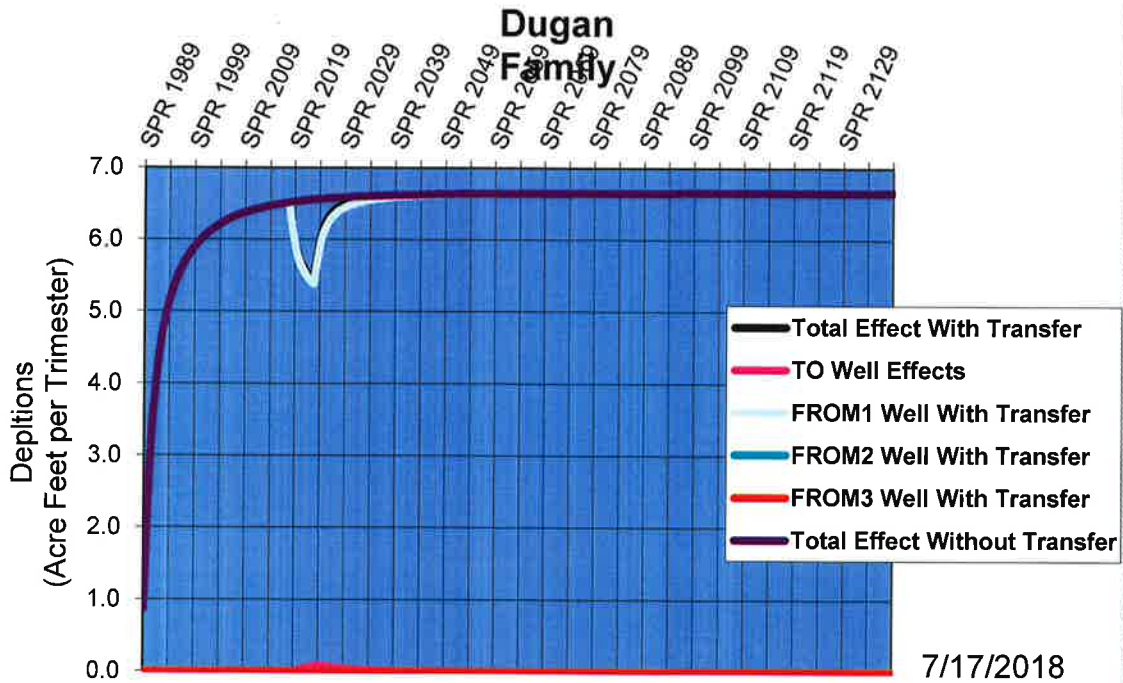
7/17/2018
 Version 3.3

Hydrologic Response--Heise to Shelley Customer Name: **Dugan Family** Transfer No:

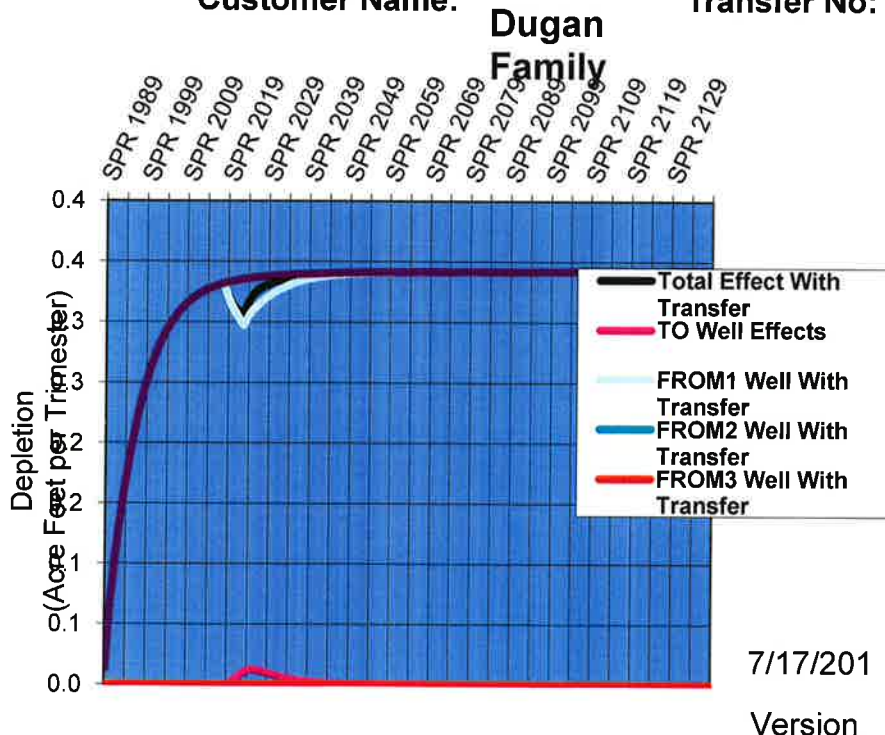


7/17/2018
 Version 3.3

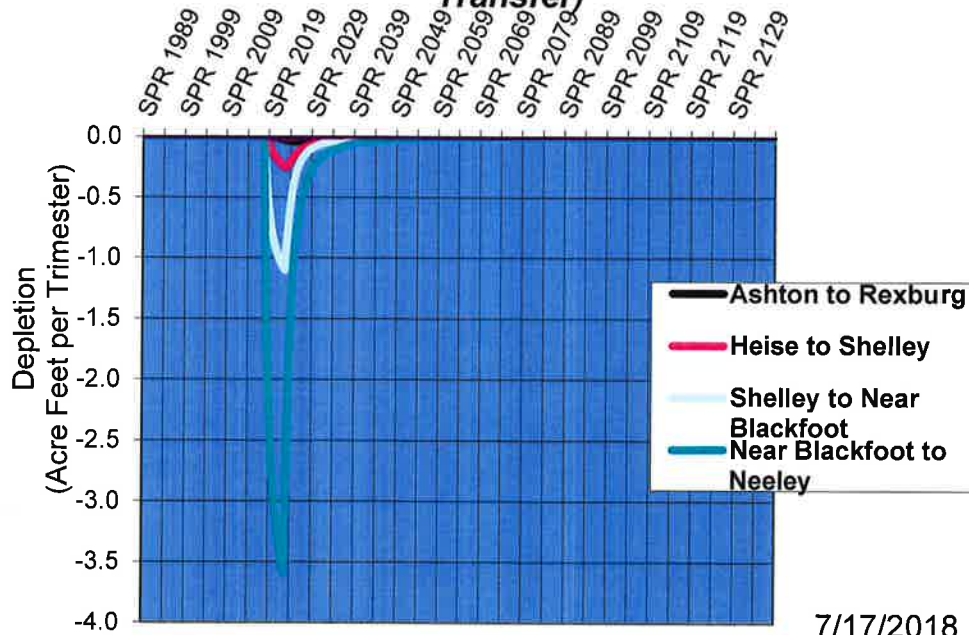
Hydrologic Response--Shelley to Near Blackfoot Customer Name: Transfer No:



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



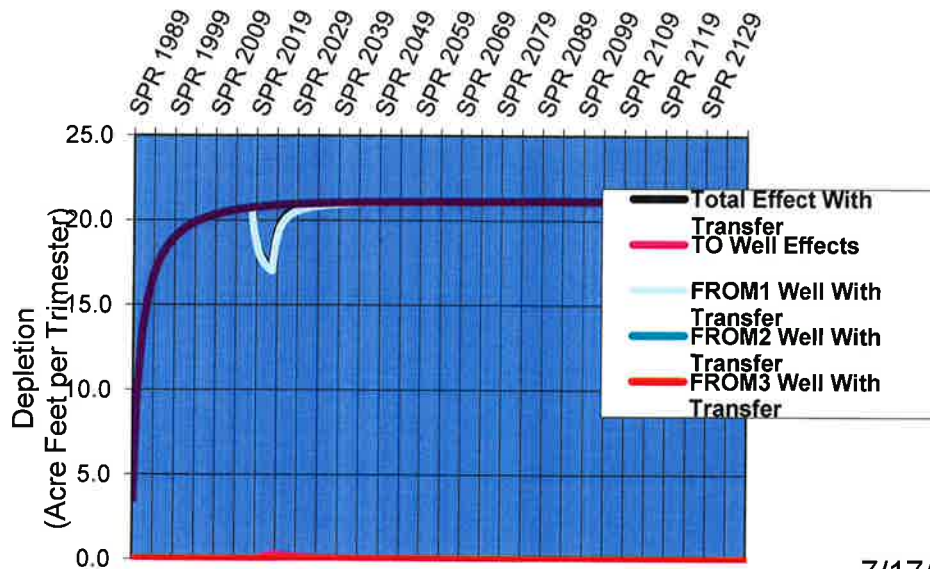
Net Transfer Effect Above Milner **(Total Effect With Transfer - Total Effect Without Transfer)**



7/17/2018
Version

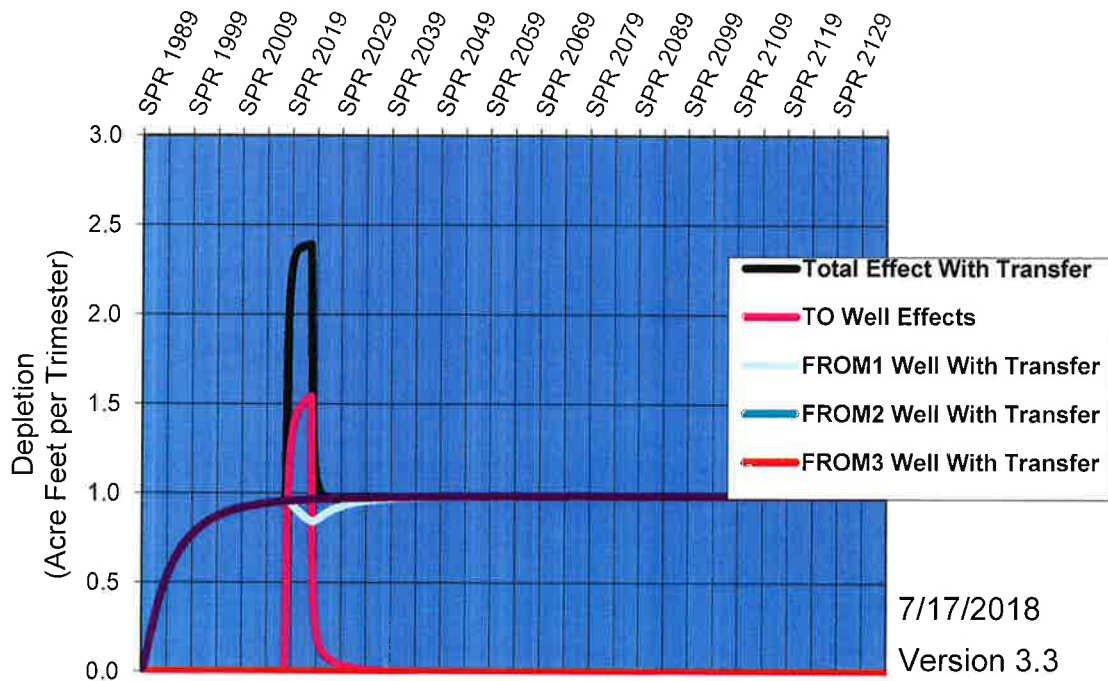
Customer Name: **Dugan Family Farms** Transfer No:

Hydrologic Response-- Near Blackfoot to Neeley **Customer Name: Dugan Transfer No:**

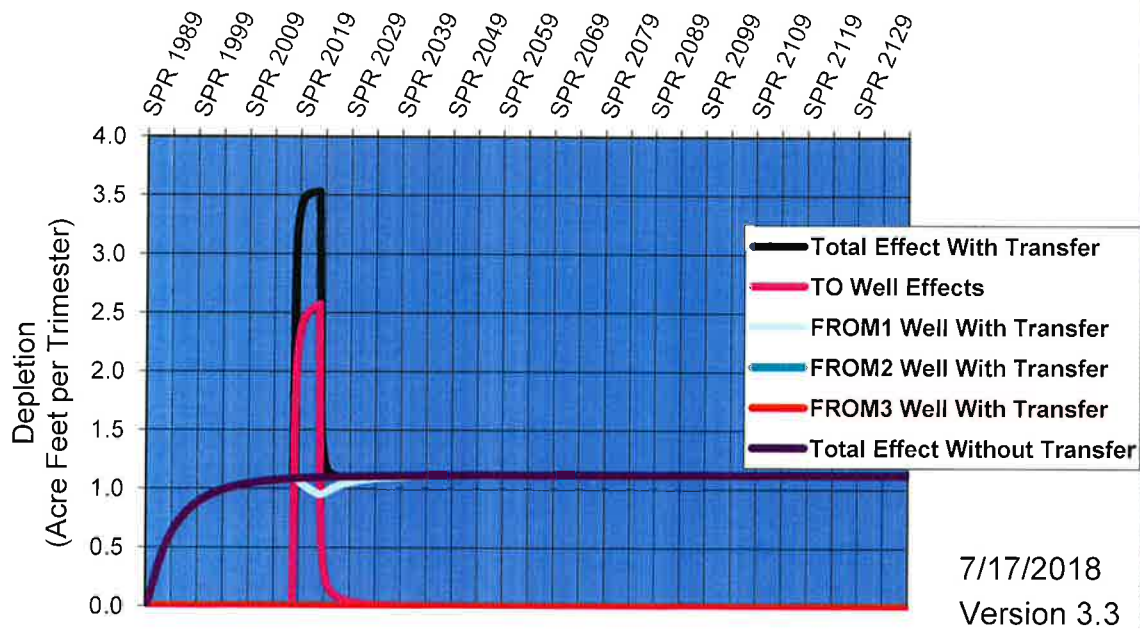


7/17/2018
Version

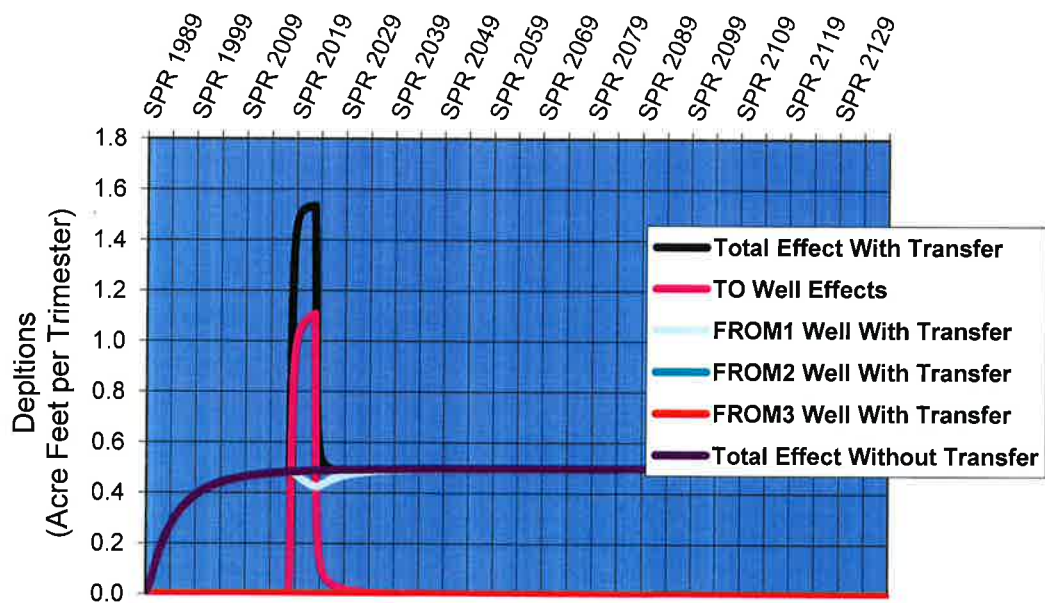
Hydrologic Response--Devil's Washbowl to Buhl Customer Name **Dugan Family** Transfer No:



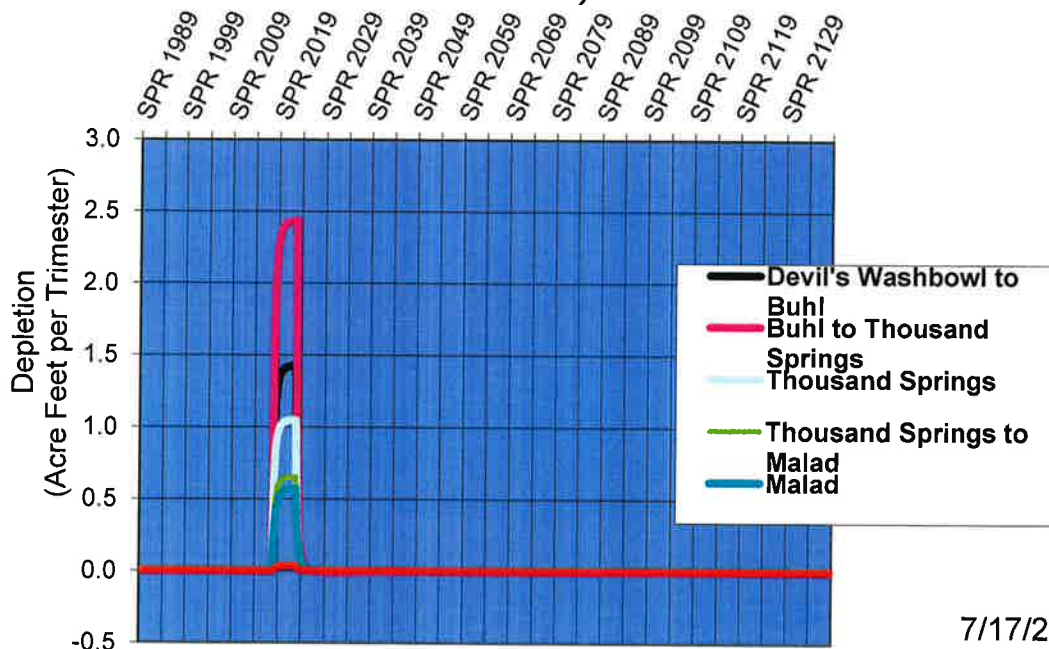
Hydrologic Response--Buhl to Thousand Springs Customer Name **Dugan Family** Transfer No:



Hydrologic Response--Thousand Springs
Customer Name: **Dugar** Transfer No:
Family



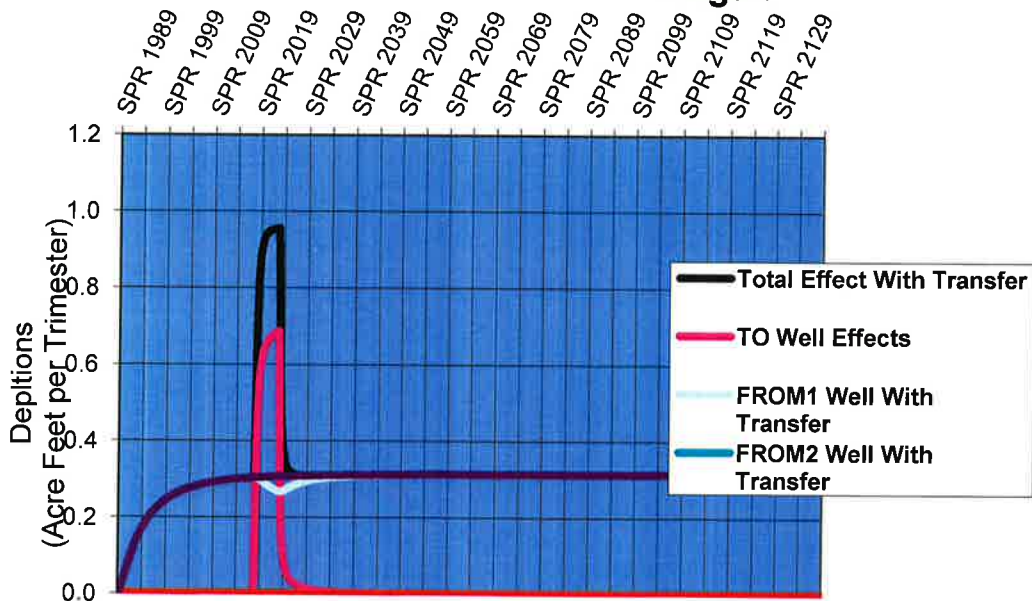
Net Transfer Effect Below Milner **(Total Effect With Transfer - Total Effect Without Transfer)**



7/17/201
Version

Customer Dugan Family Farms Transfer No:

Hydrologic Response--Thousand Springs to Malad **Customer Name: Dugan Transfer No:**



7/17/201
Versio

Mitigation Analysis Period

Trimester

One-Way Analysis of Independent Transfers

New Water Right (GModelo):

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT		Model Node
Transfer 1: Proposed Steady State Impacts following Transfer								
???	???	275.6	68.9	1/1/1960	8S26E-3	275.6	91.9	SP082075
???	???	275.6	68.9	1/1/1960	8S26E-3	275.6	91.9	SP068066
Transfer 1: Worst Case Transient State Impacts following Transfer								
???	???	275.6	68.9	1/1/1960	8S26E-3	275.6	91.9	SP082075
???	???	275.6	68.9	1/1/1960	8S26E-3	275.6	91.9	SP068066

Impact by Reach (AF/Trimester)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
0.73	2.19	6.66	21.14	0.34	0.99	1.12	0.50	0.31	0.29	0.02
0.73	2.19	6.66	21.14	0.34	0.99	1.12	0.50	0.31	0.29	0.02
0.73	2.19	6.66	21.14	0.34	0.99	1.12	0.50	0.31	0.29	0.02
0.73	2.19	6.66	21.14	0.34	2.39	3.53	1.53	0.96	0.85	0.05

Steady State Analysis

Mitigation Check 1 - >10% of Historical:	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.0	0.0	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%
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - >10% of Historical:	0.0%	0.0%	0.0%	0.0%	0.0%	141.9%	214.3%	207.6%	203.8%	195.3%
Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	0.0	0.0	0.0	1.4	2.4	1.0	0.6	0.6
Mitigation Required?:	NO	NO	NO	NO	NO	NO	YES	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	1.4	2.4	1.0	0.6	0.0

Read Me

7/17/18

Idaho Department of Resources

PO Box 83720

Boise, ID 83720-0098

RE: Water right 36-3538

The water right is currently owned by MIPAD Limited Partnership, The property is being purchased by Dugan Family Farms, LLC. This transaction should be completed by 7/23/18.

Thank You

A handwritten signature in blue ink, appearing to read "Chris Dugan", is written over the "Thank You" text.

Chris Dugan

Dugan Family Farms, LLC

208-969-0041



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

September 12, 2018

DUGAN FAMILY FARMS LLC
114 S 400 W
JEROME ID 83338-6029

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 36-8418**

Dear Renter:

Please find enclosed a receipt in the amount of **\$680.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 34.0 acre-feet of water for commercial and stockwater use during 2014. 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 \$612.00 of the rental fee will be paid to the lessor(s) and 10% or \$68.00 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. C105630
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Corey Skinner – IDWR Southern Regional Office
Nathan Erickson – State Water District No. 130



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

August 27, 2018

DUGAN FAMILY FARMS LLC
114 S 400 W
JEROME ID 83338-6029

RE: **APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 36-8418**

*****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.

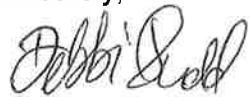
A rental fee of \$680.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 34.0 acre-feet.

Please send a check for \$680.00 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 \$612.00 of the rental fee will be paid to the lessor(s) and 10% or \$68.00 will be retained by the Department to offset administrative costs.

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

Sincerely,


Debbie Gold
for Water Supply Bank

Enclosure

c: IDWR Front Desk

Memorandum

To: Water Rights 36-8418

From: Remington Buyer

Date: August 24, 2018

Re: Water Supply Bank Rental Application 1030

Purpose/Narrative: Application received July 19th, 2018 from Chris Dugan, on behalf of Dugan Family Farms LLC, proposing to rent commercial/stock water rights to accommodate increased authorized volumetric diversions at the Dugan Dairy. Dugan Dairy is associated with water right 36-8538, however commercial / stock water diversions are limited to 0.27 cfs and 86.7 afa, and the applicant has stated that they desire to increase the number of cattle at their dairy, which requires increased water volumes. The applicant originally requested a rental of 24.0 afa, however, as outlined below, this volume was less than what was used on average by the applicant, and this rental is recommended approved with a rental volume of 34 afa.

Authority to File: Chris Dugan is a registered agent of Dugan Family Farms LLC, owner of the land and water right 36-8538, which is being supplemented by this rental. No concerns about authority to file.

Water Right Validity/Forfeiture Evaluation: Water rights 36-8418 is leased to the Bank and available for rental. Water right 36-8538 appears to be active. No water right forfeiture or validity concerns.

Injury Evaluation: It is proposed that commercial / stock water right 36-8418 be rented to supplement water diversion volumes under water right 36-8538 for the period of 2018 through 2022. Use of the ESPA transfer tool indicates that no mitigation is required for this rental for the entire rental period.

Enlargement of Use: The authorized (licensed) and intended rental use of water right 36-8418 is commercial / stock water and no enlargement is expected to occur to rental water right 36-8418. However, the water right being supplemented (36-8538) only authorizes diversion volumes of 87.6 af year. WMIS data reveals annual diversion volumes in excess of the licensed volume limit in each year since the water right was licensed (2009):

Year	Annual Diversion Volumes		
	Licensed	Actual	Difference
2010	86.7	113.71	-27.01
2011	86.7	109.3	-22.6
2012	86.7	117.65	-30.95
2013	86.7	136.76	-50.06
2014	86.7	126.21	-39.51
2015	86.7	106.26	-19.56
2016	86.7	111.68	-24.98
2017	86.7	103.99	-17.29
Average:		115.7	-29.0

To avoid enlargement in water use under right 36-8538 and 368418, this rental will authorize an increased annual diversion volume of 34 af, for commercial and stock water purposes, and the rental will be conditioned with language limiting annual diversion volumes to 131.6 afa.

Local Public Interest: Staff are unaware of any local public interests contrary to this rental.

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

Department/Watermaster Comments: Watermaster and regional comments will be requested.

Water Supply Bank Evaluation: It is recommended this rental be approved.

Buyer, Remington

From: Erickson, Nathan
Sent: Tuesday, August 21, 2018 4:28 PM
To: Buyer, Remington
Subject: RE: Dugan Family Farms Rental

Remington,

I don't see any problem with the rental as long as they are renting enough to cover the use. I am glad to see they are getting the extra use covered.

Thanks,
Nathan

From: Buyer, Remington
Sent: Tuesday, August 21, 2018 1:57 PM
To: Erickson, Nathan <Nathan.Erickson@idwr.idaho.gov>
Subject: Dugan Family Farms Rental

Nathan,

Dugan Dairy, operated by Dugan Family Farms, operates with water right 36-8538. They appear to have an ongoing issue with diverting volume in excess of their authorized water usage (see review memo). When you have a moment, please have a look at the attached and let me know if you have any questions, comments or concerns, and whether you would recommend any changes to the rental.

Thanks,

Remington

Buyer, Remington

From: Chris Dugan <chris@dugandairy.net>
Sent: Tuesday, August 21, 2018 2:20 PM
To: Buyer, Remington
Subject: RE: Rental Volume Requirements

Remington,

Looking at these numbers we should increase the rental from 24 to 34 acre feet. Thank you for all your help.

Chris

From: Buyer, Remington [mailto:Remington.Buyer@idwr.idaho.gov]
Sent: Tuesday, August 21, 2018 2:02 PM
To: chris@dugandairy.net
Subject: Rental Volume Requirements

Chris,

I've completed my review of the Dugan Dairy rental request and we should be able to finalize our processing in the coming days. Looking at the dairy's well diversion records since 2010, it appears the dairy, on average, diverts approximately 29.0 acre feet of water above and beyond the 86.7 acre feet limit authorized under water right 36-8538. Prior to completing processing on this rental, I wanted to confirm with you that 24.0 acre feet will suffice for your purposes now through 2020. (This will provide you with an annual diversion volume limit of 110.7 acre feet). For your reference, the diversion volumes observed are as follows:

Annual Diversion Volumes

Year	Licensed	Actual	Difference
2010	86.7	113.71	-27.01
2011	86.7	109.3	-22.6
2012	86.7	117.65	-30.95
2013	86.7	136.76	-50.06
2014	86.7	126.21	-39.51
2015	86.7	106.26	-19.56
2016	86.7	111.68	-24.98
2017	86.7	103.99	-17.29
Average:		115.7	-29.0

Regards,

Remington Buyer
Water Supply Bank Coordinator
Idaho Department of Water Resources
322 East Front Street, Boise, ID, 83720
T: (208) 287-4918 | F: (208) 287-6700