

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**AMENDED WATER SUPPLY BANK RENTAL AGREEMENT No. 244**

This is to certify that:

EAST VALLEY CATTLE LLC  
471 N 300 W  
JEROME, ID 83338

**RECEIVED**  
**MAY 3 2018**  
DEPARTMENT OF  
WATER RESOURCES

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

**Summary of Water Rights or Portions Rented from the Bank**

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
43-2347	9/7/1950	GROUND WATER	2.00	544.0	137.0	0.015	3.97
43-2413	9/21/1954	GROUND WATER	1.71	341.7	85.4	0.020	4.00
<b>Combined Rental Totals</b>			<b>3.71</b>	<b>885.7</b>	<b>222.4</b>	<b>0.017</b>	<b>3.98</b>

**Term of Rental:** This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2018. 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: \$17,714.40

The full fee for the rental of the above-described right(s) is \$17,714.40 for 2018. The rental fee includes an administrative fee of \$1,771.44 for 2018.

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**

**BUCK FARM**

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.85	204.2	54.0	0.016	3.79
<b>Combined Total</b>	<b>0.85</b>	<b>204.2</b>	<b>54.0</b>	<b>0.016</b>	<b>3.79</b>

**EAST FARM**

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	2.51	566.7	158.0	0.016	3.59
<b>Combined Total</b>	<b>2.51</b>	<b>566.7</b>	<b>158.0</b>	<b>0.016</b>	<b>3.59</b>

\* The authorized water usage reflects a reduction from the water right elements rented, to account for combined limits and to address enlargement concerns

Detailed water right conditions are attached.

**SUPPORT DATA**  
**IN FILE # 43-2347**

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

*Greg Sullivan*  
Signature of Renter

May 22, 2018  
Date

Greg Sullivan  
Printed Name

Limited Power of Attorney  
Title

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

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

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

Date 5/23/2018

Rental approved by IDWR *Cheryl*

Date 5-23-2018

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**WATER USE DETAILS**

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER	NWNENE	Sec. 10, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	4SWNWNW	Sec. 1, Twp 12S, Rge 26E,	CASSIA County
GROUND WATER	5NWSWNW	Sec. 1, Twp 12S, Rge 26E,	CASSIA County
GROUND WATER	SWSWNE	Sec. 2, Twp 12S, Rge 26E,	CASSIA County
GROUND WATER	SESESW	Sec. 35, Twp 10S, Rge 27E,	CASSIA County
GROUND WATER	SWSWSE	Sec. 35, Twp 10S, Rge 27E,	CASSIA County
GROUND WATER	SWNWSE	Sec. 13, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESESE	Sec. 14, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	NWSENW	Sec. 15, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESESE	Sec. 15, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESESW	Sec. 15, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESESE	Sec. 16, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SWSWSW	Sec. 16, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESENW	Sec. 22, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESESE	Sec. 22, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESESW	Sec. 22, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	NESENE	Sec. 26, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESENW	Sec. 26, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SWSESE	Sec. 26, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESESW	Sec. 26, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	NENENE	Sec. 34, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESENE	Sec. 34, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SWSENW	Sec. 34, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESESW	Sec. 34, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESENE	Sec. 35, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESENW	Sec. 35, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESESE	Sec. 35, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESESE	Sec. 36, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	NENESE	Sec. 3, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SWNESE	Sec. 9, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	2NWSWNW	Sec. 31, Twp 11S, Rge 28E,	CASSIA County
GROUND WATER	SESENE	Sec. 1, Twp 12S, Rge 27E,	CASSIA County
GROUND WATER	SESENE	Sec. 2, Twp 12S, Rge 27E,	CASSIA County
GROUND WATER	NWSENE	Sec. 4, Twp 12S, Rge 27E,	CASSIA County
GROUND WATER	1SENE	Sec. 6, Twp 12S, Rge 28E,	CASSIA County

**BENEFICIAL USE**  
IRRIGATION

**DIVERSION RATE**  
3.36 CFS

**VOLUME**  
770.9 AF

**SEASON OF USE**

<b>Water Right No.</b>	<b>From</b>	<b>To</b>
43-2413	4/1	10/31
43-2347	4/1	10/31

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**RENTERS PLACE OF USE: IRRIGATION**

**BUCK FARM**

Twp	Rng	Sec	NE				NW				SW				SE				Totals			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
11S	26E	35												5.0						1.2		6.2
12S	26E	1		6.2	6.8	5.5	7.2			3.3	7.6							6.2	5.0			47.8

Total Acres: 54.0

**EAST FARM**

Twp	Rng	Sec	NE				NW				SW				SE				Totals			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
11S	27E	2								7.0	21.0	14.0										42.0
11S	27E	3																		3.6	17.0	20.6
11S	27E	10	7.9																			7.9
11S	27E	11						17.0														17.0
11S	27E	14								7.8			18.0	17.0								42.8
11S	27E	15				23.0											4.7					27.7

Total Acres: 158.0

**RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE**

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. The following rights are diverted through point(s) of diversion described above for Buck Farm: 43-2313D, 43-2317F, 43-2320A, 43-2320B, 43-2339F, 43-2340, 43-2343, 43-2345, 43-2364, 43-2365, 43-2423F, 43-2467F, 43-2510F, 43-4002F, 43-10365 and 43-10366.

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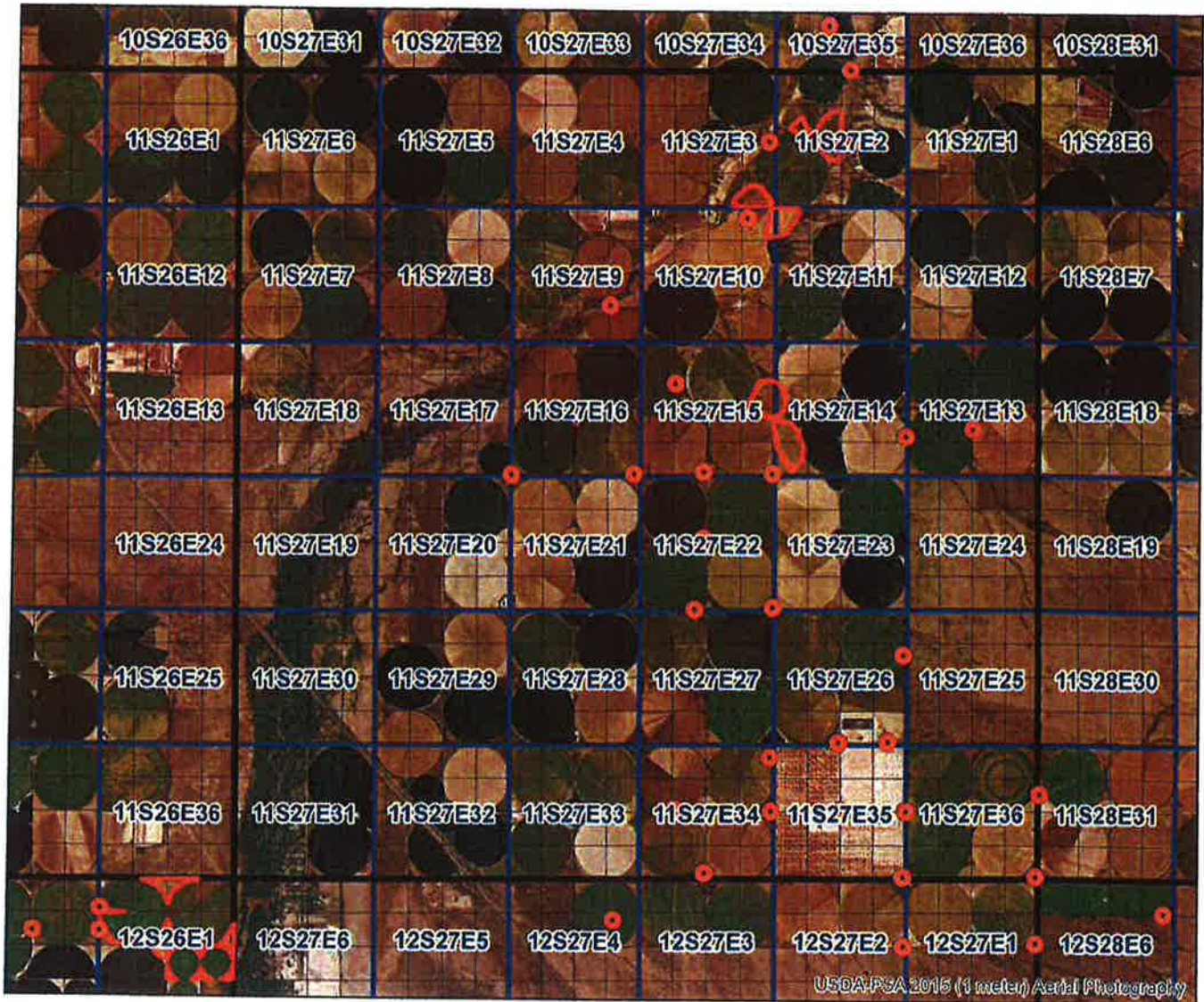
10. The following rights are diverted through point(s) of diversion described above for East Farm: 43-4060D ,43-4063D ,43-10787 ,43-10795 ,43-12923 ,43-2321B ,43-2574B ,43-2576B ,43-4012B ,43-4012C ,43-4012D ,43-4013B ,43-4015B ,43-10045 ,43-10046 ,43-13301 ,43-13303 ,43-13305 ,43-13448 ,43-13450 ,43-13452 ,43-13454 ,43-13456 ,43-13458 ,43-13460 ,43-13462 ,43-2317C ,43-2339C ,43-2423C ,43-2467C ,43-2510C ,43-4002C ,43-10019 ,43-2317E ,43-2339E ,43-2423E ,43-2467E ,43-2510E ,43-4002E ,43-12933 ,43-2574E ,43-2576E ,43-4014A ,43-4014B ,43-13405 ,43-13490 ,43-13492 ,43-13494 ,43-13496 ,43-13498 ,43-13500 ,43-13502 ,43-13504 ,43-13506 ,43-13508 ,43-13510.
11. 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 lands above.
12. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.
13. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.
14. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).






Idaho Water Resource Board

Attachment to Amended Water Supply Bank Rental Agreement No.244

Effective until December 31, 2018

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

