

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 08 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

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 09 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
Combined Rental Totals			3.71	885.7	222.4	0.017	3.98

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	0.78	185.7	49.0	0.016	3.79
Combined Total	0.78	185.7	49.0	0.016	3.79

EAST FARM

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	2.58	585.2	163.0	0.016	3.59
Combined Total	2.58	585.2	163.0	0.016	3.59

* 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

SCANNED
MAY 14 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 244

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:

William Milenkamp
Signature of Renter

May 7, 2018
Date

William J. Milenkamp
Printed Name

Manager
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 5/9/2018

Rental approved by IDWR Chay Webb

Date 5-9-2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 244

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	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	SENESE	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	SENESE	Sec. 14, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	NWSENE	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	SESENE	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	SESENE	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	NENESE	Sec. 34, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SESENE	Sec. 34, Twp 11S, Rge 27E,	CASSIA County
GROUND WATER	SWSENE	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	SESENE	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	1SENESE	Sec. 6, Twp 12S, Rge 28E,	CASSIA County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
3.36 CFS

VOLUME
770.9 AF

SEASON OF USE

Water Right No.	From	To
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															1.2		1.2
12S	26E	1		6.2	6.8	5.5	7.2			3.3	7.6					6.2	5.0		47.8

Total Acres: 49.0

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								12.0	21.0	14.0							47.0
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: 163.0

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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WATER SUPPLY BANK RENTAL AGREEMENT No. 244

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).

FOR OFFICE USE ONLY:

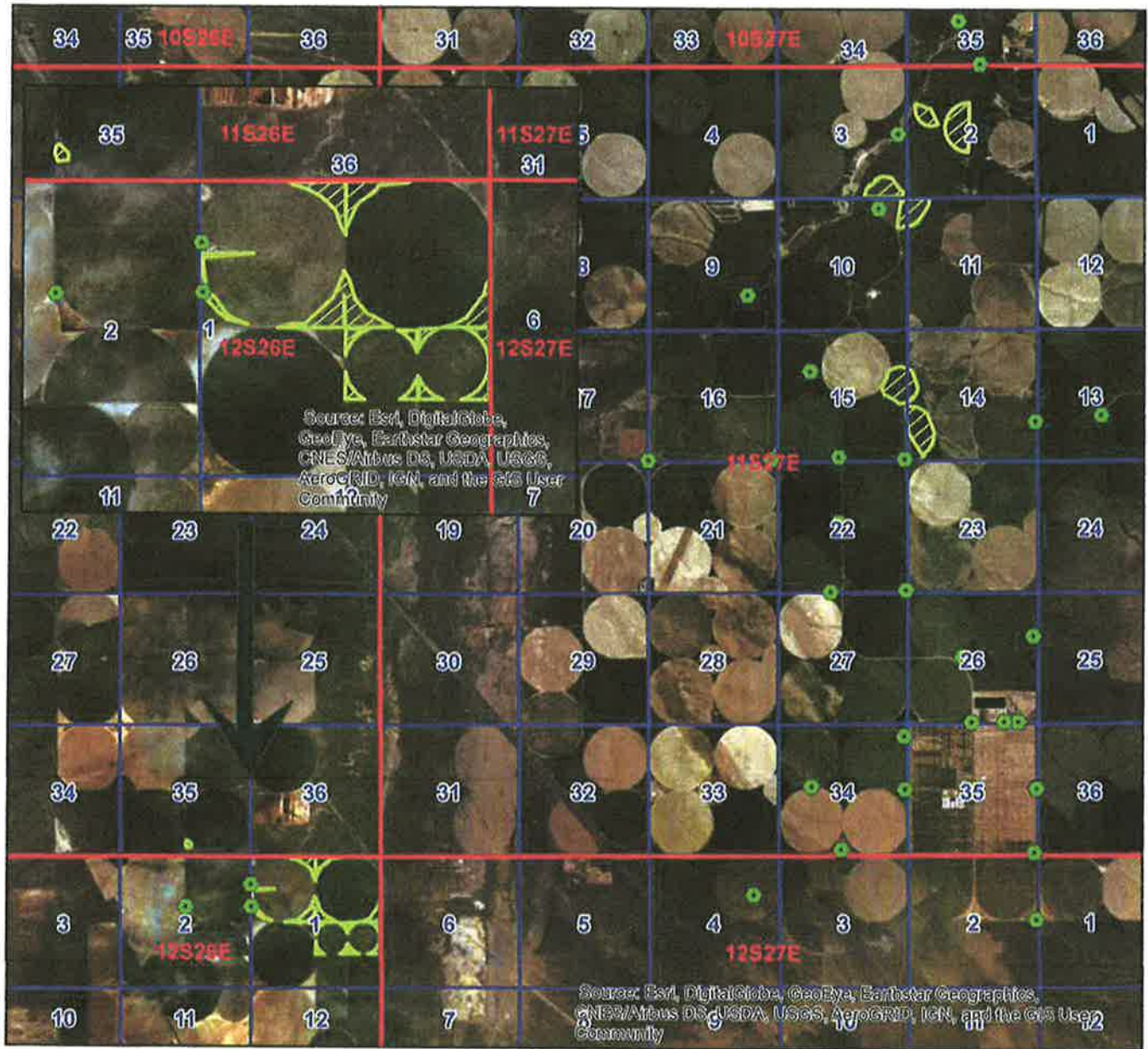
Fees paid: \$17,714.40 Date: 5/8/2018
Receipt No.: S036732 By: DM

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No 244

Effective until December 31, 2018

This map depicts the IRRIGATION rental place of use for BUCK FARM and EAST FARM 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



STATE OF IDAHO
WATER RESOURCE BOARD

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

Applicant Name: East Valley Cattle

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	
	<input checked="" type="checkbox"/>	Completed <i>Application to Rent Water from the Board's Water Supply Bank</i>
	<input checked="" type="checkbox"/>	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
Attachment	N/A	Yes
2	<input checked="" type="checkbox"/>	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	<input type="checkbox"/>	<input checked="" type="checkbox"/> Detailed information on a proposed use of rental water
3F	<input checked="" type="checkbox"/>	<input type="checkbox"/> Authorization from the owner/operator of the rental point(s) of diversion
3H	<input checked="" type="checkbox"/>	<input type="checkbox"/> Water modeling to account for the impacts of the rental request
3J	<input checked="" type="checkbox"/>	<input type="checkbox"/> Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	<input checked="" type="checkbox"/>	<input type="checkbox"/> Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	<input type="checkbox"/>	<input checked="" type="checkbox"/> Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	<input type="checkbox"/>	<input checked="" type="checkbox"/> Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)
43-13763

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DEPARTMENT OF
WATER RESOURCES

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**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant East Valley Cattle LLC
 Mailing Address 471 N 300 W Jerome, Idaho 83338
 Street City State Zip Code
 Email Address _____ Phone Number 208-324-2350

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 Greg Sullivan Professional Title Engineer
 Organization Brockway Engineering Relationship to Applicant Consultant
 Mailing Address 2016 North Washington St Ste 4 Twin Falls, Idaho 83301
 Email Address greg.sullivan@brockwayeng.com Phone Number 208-736-8543

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**:

Water right was converted from irrigation water to S/C by Transfer 80639 in 2017. The S/C water is not needed for 2018. The water right owner would like to rent the original 212.4 acres back for irrigation during the 2018 irrigation season.

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)
1.35 CFS	645.1 AF	1.35 CFS	645.1 AF	163.0 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?	
5/1/2018	6/30/2018	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> Process application as soon as possible	<input type="checkbox"/> 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 PODs, mainlines and delivery 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
	Ground Water	43-2423C et al.

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 163.0 (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:
43-2423C et al. Additional water is need to cover areas that are not currently covered by an irrigation water right.
-
-

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)
43-13763	Stock/Commercial	1.75	637.2		1.35	645.1	163.0	
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	1.35	645.1	163.0
						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**:

The proposed rental amounts are based on pre-transfer approval values for 43-13452. See transfer 80639.

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**:

The proposed rental amounts are based on pre-transfer approval values for 43-13452. See transfer 80639.

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
None

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

Bill M. Ken Kamp
Printed Name of Applicant

3/23/18
Date

Signature of Representative

Printed Name of Representative

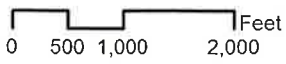
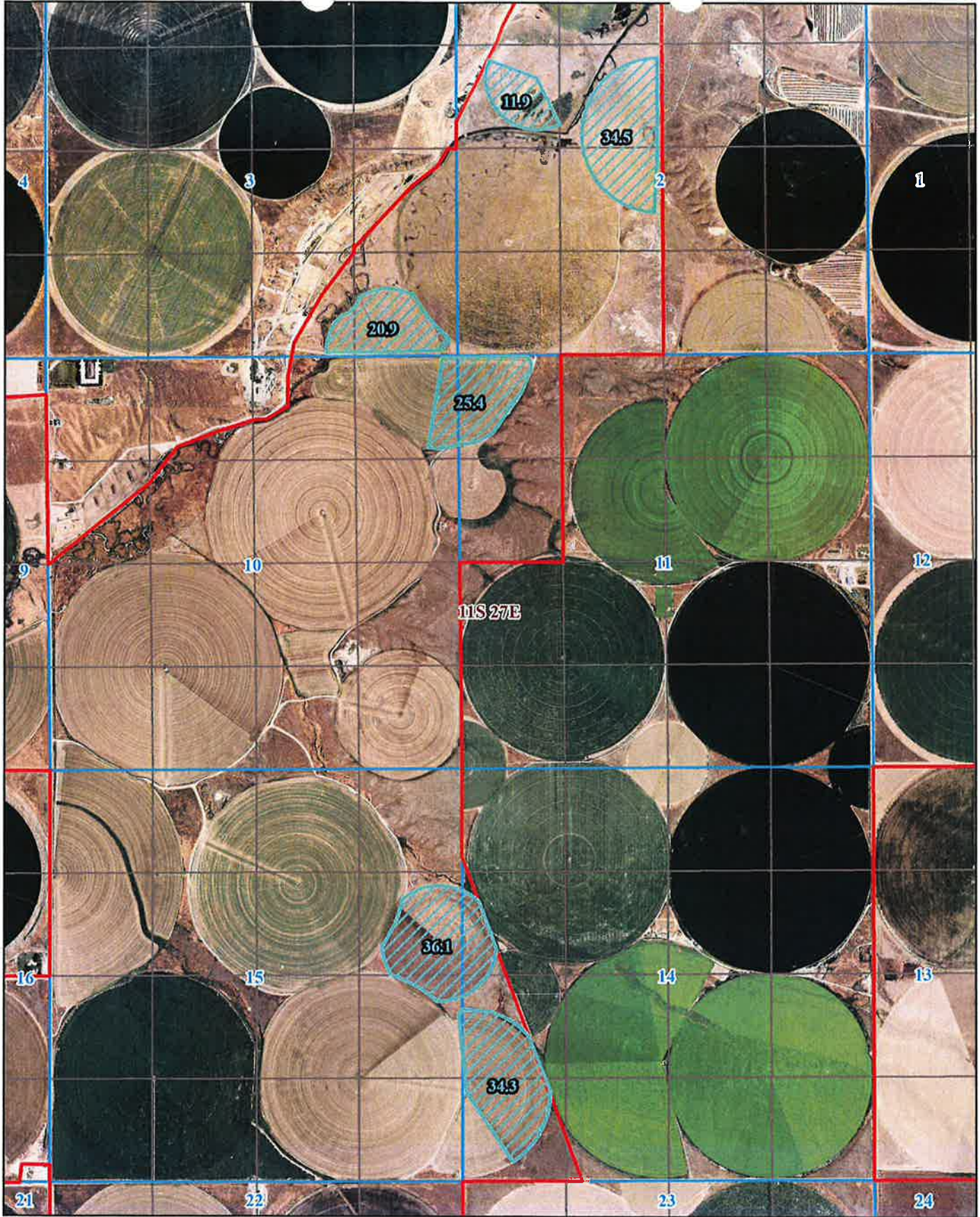
Date

Mail to:

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

Points of Diversion

	NEW ?	Lot	¼	¼	¼	Sec.	Township	Range	County	Source
1	No			NE	SW	35	10S	27E	Cassia County	Groundwater
2	No			SW	SE	35	10S	27E	Cassia County	Groundwater
3	No			NE	SE	3	11S	27E	Cassia County	Groundwater
4	No			NE	SE	9	11S	27E	Cassia County	Groundwater
5	No			NE	NE	10	11S	27E	Cassia County	Groundwater
6	No			NW	SE	13	11S	27E	Cassia County	Groundwater
7	No			NE	SE	14	11S	27E	Cassia County	Groundwater
8	No			SE	NW	15	11S	27E	Cassia County	Groundwater
9	No			SE	SW	15	11S	27E	Cassia County	Groundwater
10	No			SE	SE	15	11S	27E	Cassia County	Groundwater
11	No			SW	SW	16	11S	27E	Cassia County	Groundwater
12	No			SE	SE	16	11S	27E	Cassia County	Groundwater
13	No			SE	NW	22	11S	27E	Cassia County	Groundwater
14	No			SE	SW	22	11S	27E	Cassia County	Groundwater
15	No			SE	SE	22	11S	27E	Cassia County	Groundwater
16	No			SE	NE	26	11S	27E	Cassia County	Groundwater
17	No			SE	NW	26	11S	27E	Cassia County	Groundwater
18	No			SE	SW	26	11S	27E	Cassia County	Groundwater
19	No			SE	SE	26	11S	27E	Cassia County	Groundwater
20	No			NE	NE	34	11S	27E	Cassia County	Groundwater
21	No			SE	NE	34	11S	27E	Cassia County	Groundwater
22	No			SE	NW	34	11S	27E	Cassia County	Groundwater
23	No			SE	SW	34	11S	27E	Cassia County	Groundwater
24	No			SE	NE	35	11S	27E	Cassia County	Groundwater
25	No			SE	NW	35	11S	27E	Cassia County	Groundwater
26	No			SE	SE	35	11S	27E	Cassia County	Groundwater
27	No			SE	SE	36	11S	27E	Cassia County	Groundwater
28	No	2		SW	NW	31	11S	28E	Cassia County	Groundwater
29	No			SE	NE	1	12S	27E	Cassia County	Groundwater
30	No			SE	NE	2	12S	27E	Cassia County	Groundwater
31	No			SE	NE	4	12S	27E	Cassia County	Groundwater
32	No	1		NE	NE	6	12S	28E	Cassia County	Groundwater



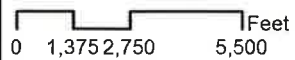
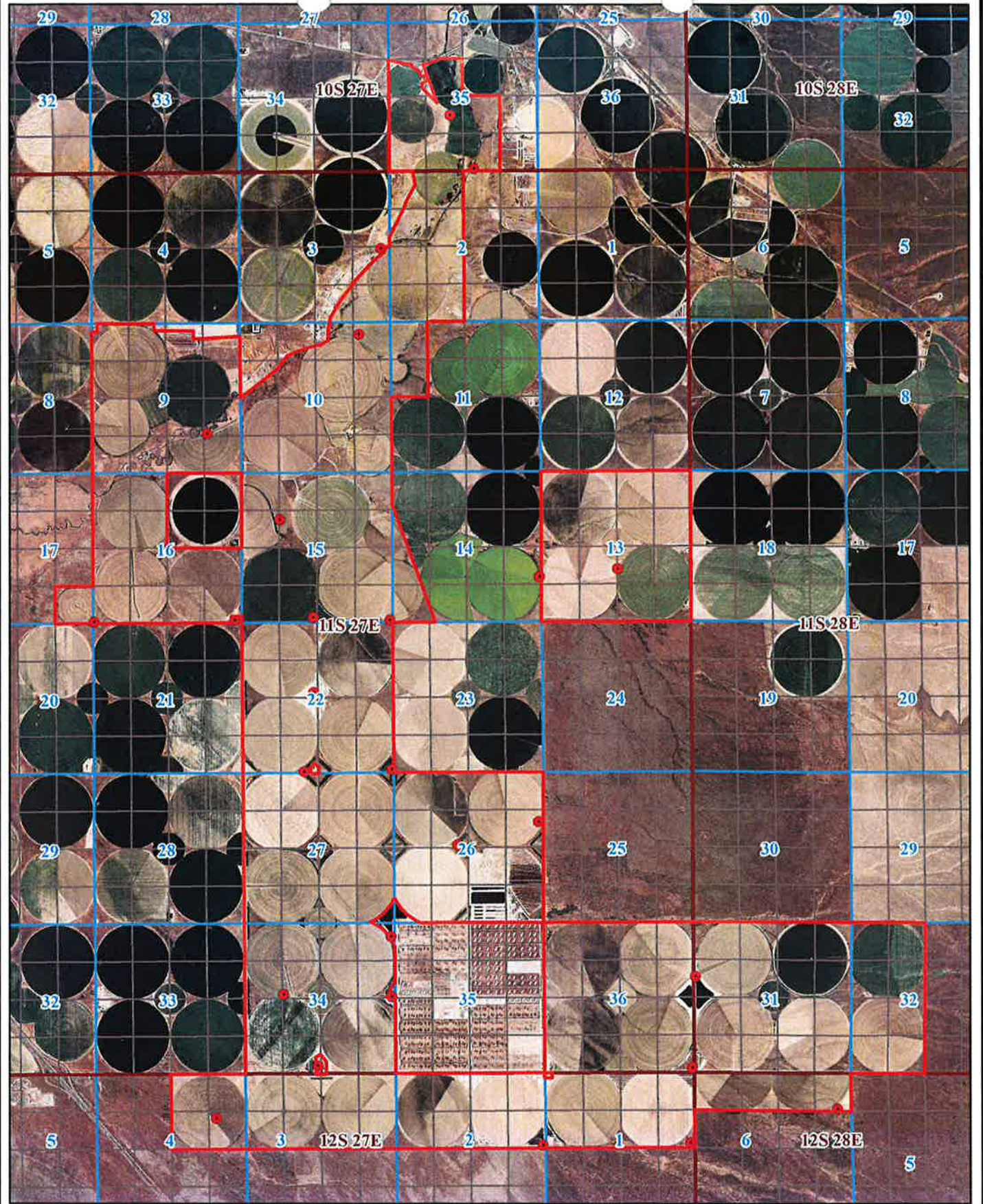
EAST VALLEY CATTLE LLC

NAIP 2017 AERIAL

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 5/2/2018

- Legend
- IRRIGATION PPU
 - 2018_Rental





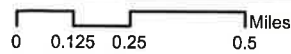
EAST VALLEY CATTLE LLC

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 5/2/2018

NAIP 2017 AERIAL

- Legend
- RRIGATION PPU
 - Points_of_Diversion





BROCKWAY ENGINEERING, PLLC
GWS - Date: 3/23/2018

Supercehd

EAST VALLEY CATTLE LLC
RENTAL ACRES FOR 2018
NAIP 2017 AERIAL

Legend

- 2018_Rental
- PPU



Exhibit B
Points of Diversion

	NEW ?	Lot	¼	¼	¼	Sec.	Township	Range	County	Source
1	No	✓	SE	NE	SW	35	10S	27E	Cassia County	Groundwater
2	No	✓	SW	SW	SE	35	10S	27E	Cassia County	Groundwater
3	No	✓	NE	NE	SE	3	11S	27E	Cassia County	Groundwater
4	No	✓	SW	NE	SE	9	11S	27E	Cassia County	Groundwater
5	No	✓	NW	NE	NE	10	11S	27E	Cassia County	Groundwater
6	No	✓	SW	NW	SE	13	11S	27E	Cassia County	Groundwater
7	No	✓	SE	NE	SE	14	11S	27E	Cassia County	Groundwater
8	No	✓	NW	SE	NW	15	11S	27E	Cassia County	Groundwater
9	No	✓	SE	SE	SW	15	11S	27E	Cassia County	Groundwater
10	No	✓	SE	SE	SE	15	11S	27E	Cassia County	Groundwater
11	No	✓	SW	SW	SW	16	11S	27E	Cassia County	Groundwater
12	No	✓	SE	SE	SE	16	11S	27E	Cassia County	Groundwater
13	No	✓	SE	SE	NW	22	11S	27E	Cassia County	Groundwater
14	No	✓	SE	SE	SW	22	11S	27E	Cassia County	Groundwater
15	No	✓	SE	SE	SE	22	11S	27E	Cassia County	Groundwater
16	No	✓	NE	SE	NE	26	11S	27E	Cassia County	Groundwater
17	No	✓	SE	SE	NW	26	11S	27E	Cassia County	Groundwater
18	No	✓	SE	SE	SW	26	11S	27E	Cassia County	Groundwater
19	No	✓	SW	SE	SE	26	11S	27E	Cassia County	Groundwater
20	No	✓	NE	NE	NE	34	11S	27E	Cassia County	Groundwater
21	No	✓	SE	SE	NE	34	11S	27E	Cassia County	Groundwater
22	No	✓	SW	SE	NW	34	11S	27E	Cassia County	Groundwater
23	No	✓	SE	SE	SW	34	11S	27E	Cassia County	Groundwater
24	No	✓	SE	SE	NE	35	11S	27E	Cassia County	Groundwater
25	No	✓	SE	SE	NW	35	11S	27E	Cassia County	Groundwater
26	No	✓	SE	SE	SE	35	11S	27E	Cassia County	Groundwater
27	No	✓	SE	SE	SE	36	11S	27E	Cassia County	Groundwater
28	No	2✓	NW	SW	NW	31	11S	28E	Cassia County	Groundwater
29	No	✓	SE	SE	NE	1	12S	27E	Cassia County	Groundwater
30	No	✓	SE	SE	NE	2	12S	27E	Cassia County	Groundwater
31	No	✓	NW	SE	NE	4	12S	27E	Cassia County	Groundwater
32	No	1✓	SE	NE	NE	6	12S	28E	Cassia County	Groundwater

STATE OF IDAHO
WATER RESOURCE BOARD

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

Applicant Name: East Valley Cattle

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	
	<input checked="" type="checkbox"/>	Completed <i>Application to Rent Water from the Board's Water Supply Bank</i>
	<input checked="" type="checkbox"/>	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
Attachment	N/A	Yes
2	<input checked="" type="checkbox"/>	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	<input type="checkbox"/>	<input checked="" type="checkbox"/> Detailed information on a proposed use of rental water
3F	<input checked="" type="checkbox"/>	<input type="checkbox"/> Authorization from the owner/operator of the rental point(s) of diversion
3H	<input checked="" type="checkbox"/>	<input type="checkbox"/> Water modeling to account for the impacts of the rental request
3J	<input checked="" type="checkbox"/>	<input type="checkbox"/> Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	<input checked="" type="checkbox"/>	<input type="checkbox"/> Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	<input type="checkbox"/>	<input checked="" type="checkbox"/> Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	<input type="checkbox"/>	<input checked="" type="checkbox"/> Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)
43-13763

RECEIVED
MAR 27 2018

DEPARTMENT OF
WATER RESOURCES

1062

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant East Valley Cattle LLC
 Mailing Address 471 N 300 W Jerome, Idaho 83338
 Street City State Zip Code
 Email Address _____ Phone Number 208-324-2350

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 Greg Sullivan Professional Title Engineer
 Organization Brockway Engineering Relationship to Applicant Consultant
 Mailing Address 2016 North Washington St Ste 4 Twin Falls, Idaho 83301
 Email Address greg.sullivan@brockwayeng.com Phone Number 208-736-8543

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**:

Water right was converted from irrigation water to S/C by Transfer 80639 in 2017. The S/C water is not needed for 2018. The water right owner would like to rent 49.0 acres back for irrigation during the 2018 irrigation season.

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.40 CFS	193.5 AF	0.40 CFS	193.5 AF	49.0 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?	
5/1/2018	6/30/2018	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> Process application as soon as possible	<input type="checkbox"/> 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 PODs, mainlines and delivery 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
	Ground Water	43-2313D et al.

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 49.0 (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:
43-2313D et al. Additional water is need to cover areas that are not currently covered by an irrigation water right.

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)
43-13763	Stock/Commercial	1.75	838.6		0.40	193.5	49.0	
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.40	193.5	49.0
					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**:

The proposed rental amounts are based on pre-transfer approval values for 43-13452. See transfer 80639.

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**:

The proposed rental amounts are based on pre-transfer approval values for 43-13452. See transfer 80639.

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:
Transfer application was submitted to Southern IDWR office March 19, 2018.

- 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.
Letter from Cherie Palmer dated February 6, 2018. Compliance conference was held on March 16, 2018. During the meeting this rental was discussed and verbally agreed to that it would be adequate to cover these acres during the 2018 season.

- D. Additional Information
None

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

Bill Miller Kamp
Printed Name of Applicant

3/23/18
Date

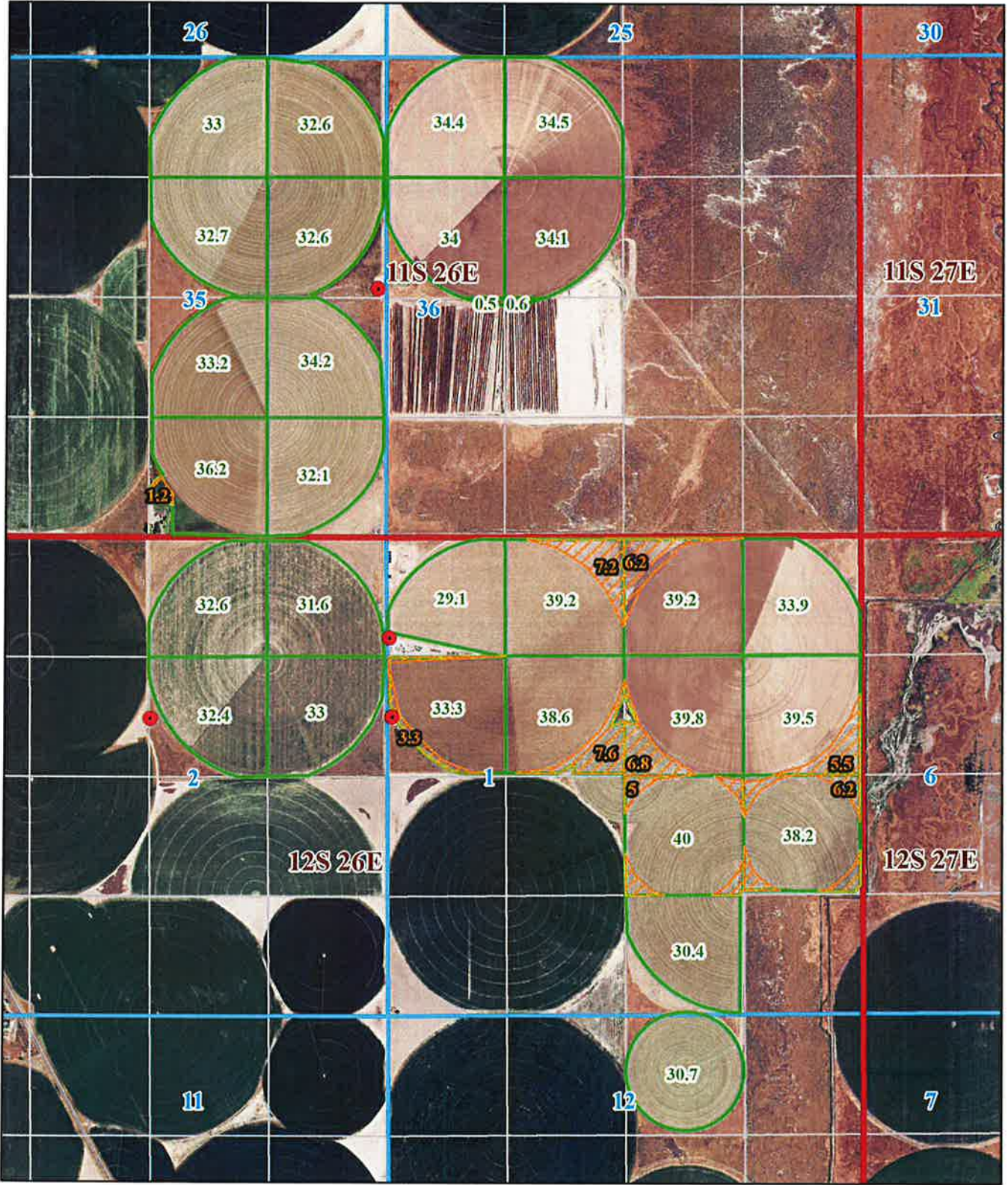
Signature of Representative

Printed Name of Representative

Date

Mail to:

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



**EAST VALLEY CATTLE
MILLENKAMP**

- Legend
- Points_of_Diversion
 - ▨ 2018 Buck Farm Rental
 - 2018_Irrigation_POU