

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT NO. 215

This is to certify that:

GEORGE KELLEY
PO BOX 25
ALBION, ID 83311

RECEIVED

FEB 20 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)
45-13998	2/26/1970	GROUND WATER	0.93	119.8	30.0
45-14000	1/7/1975	GROUND WATER	0.48	61.0	15.2
Combined Rental Totals			1.04	180.8	45.2

Term of Rental: This rental shall take effect when all parties have signed it and shall continue in effect until December 31, 2022

Annual Rental Fee:

2018:	\$3,616.00
2019:	\$3,616.00
2020:	\$3,616.00
2021:	\$3,616.00
2022:	\$3,616.00

The full fee for the rental of the above-described right(s) is \$3,616.00 per year for years 2018 - 2022. The rental fee includes an administrative fee of \$361.60 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.

Detailed water right conditions are attached.

SUPPORT DATA

IN FILE # 215-13998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT

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:

George Kelley 2-16-200
Signature of Renter Date

George Kelley
Printed Name 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 2/21/2018
BRIAN PATTON, Acting Administrator Date
Idaho Water Resource Board

Rental approved by IDWR Chris Votto 2-21-2018
Date

WATER SUPPLY BANK RENTAL AGREEMENT No. 215

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec. 35, Twp 11S, Rge 24E, CASSIA County

Beneficial Use Diversion Rate Volume
IRRIGATION 1.04 CFS 180.8 AF

SEASON OF USE

Water Right No.	From	To
45-13998	4/1	10/31
45-14000	4/1	10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	24E	36									13.1			32.1					45.2

Total Acres: 45.2

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement 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.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. 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.
6. 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. This rental for mitigation by non use may be ineffective if the mitigating water right is not in priority.
7. Prior to the diversion and use of water under this rental, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point of diversion, in accordance with Department specifications.
8. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. Use of water under this agreement 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. 140.

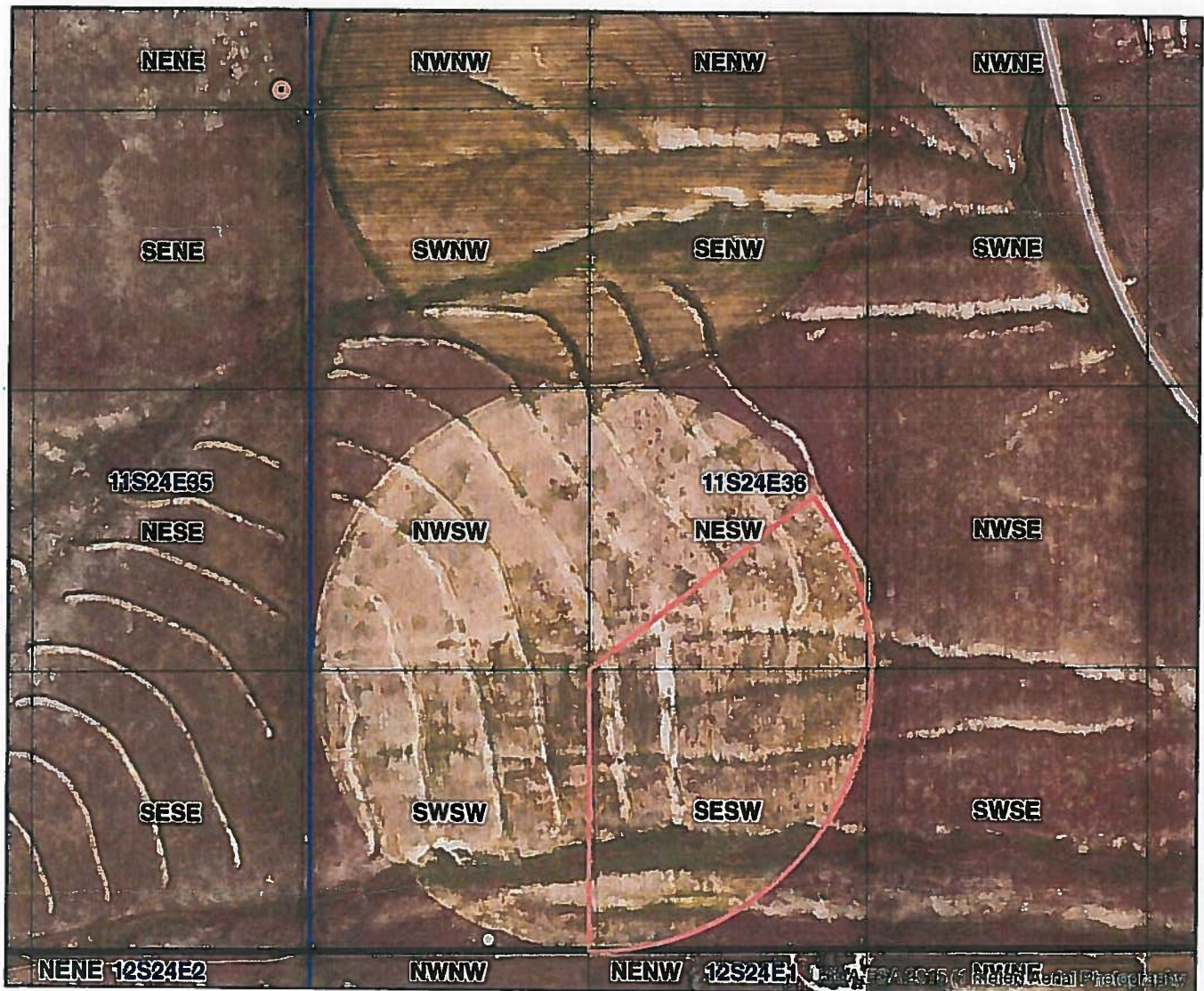
11. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
12. The following rights will be diverted through point(s) of diversion described above: 45-4084 and 45-4236, 45-13998 and 45-14000.
13. This rental agreement does not authorize the construction of a well.



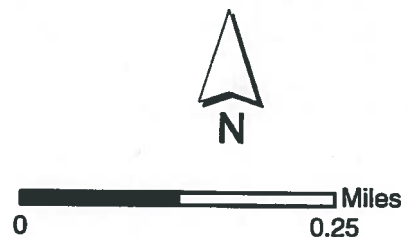
Idaho Water Resource Board
Attachment to Water Supply Bank Rental Agreement No 215

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 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

DEC 27 2017

DEPARTMENT OF
WATER RESOURCESApplicant Name: George Kelley

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 <i>Application to Rent Water from the Board's Water Supply Bank</i>
		☒	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)

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant George Kelley

Mailing Address P.O. Box 25 Albion, Idaho 83311

Street

City

State

Zip Code

Email Address _____

Phone Number (208) 673-5364

- 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 Jonas A. Reagan

Professional Title Limited License Legal Intern

Organization Barker, Rosholt & Simpson LLP

Relationship to Applicant Counsel

Mailing Address 163 2nd Avenue West, Twin Falls, Idaho 83301

Email Address jreagan@idahowaters.com

Phone Number (208) 733-0700

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 will be used to allow for complete irrigation under existing pivots. Water will be commingled with Applicant's existing water rights to complete pivots.

- 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	AF	CFS	AF	291 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?	
4/15/18	5/15/18	☐ 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):

Water is pumped from the well and piped to a sprinkler 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
11S 24E 35, NE NE	Groundwater	45-4084 & 45-4236

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 291 (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:

See E. above. Existing water rights do not cover entire pivot system. Additional water is needed to cover all acres.

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)
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			
						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**:

Applicant will irrigate what he can with the water provided.

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:

Applicant has attempted to purchase additional water rights by speaking with neighbors and others but has not
been able to find any water for purchase. Applicant has previously rented water rights 1-10443, 45-11969,
45-13998, 45-14000, and is currently renting 45-2746 through 2021.

- 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.

George Kelley
Signature of Applicant

George Kelley
Printed Name of Applicant

12-26-17
Date

[Signature]
Signature of Representative

Jonas Reagan
Printed Name of Representative

12.26.17
Date

Mail to:

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

STATE OF IDAHO
WATER RESOURCE BOARD

Water Modeling Requirement Information Sheet

Information on water modeling requirements for rental requests within special administrative areas

Important information on requesting rental water within special administrative areas: Refer to the information below to determine whether the modeling of potential impacts from your rental request is necessary. Use Section 4 of the rental application to identify selected water rights. **If you submit an application to rent water from within a special administrative area and water modeling is required, your rental request will be returned if water modeling is not provided.**

Water modeling may be required when an application to rent water involves one of two scenarios:

Scenario 1: The rental request proposes to divert water from a regulated water source and/or within a special administrative area AND the distance between the rental point(s) of diversion (POD) and the POD(s) for the leased water right(s) is greater than the administratively established, acceptable distance.

Regulated water sources may areas include:

- A. Ground water resources within the modeled area of the Eastern Snake Plain Aquifer (ESPA) and tributary aquifers;
- B. Ground water within Ground Water Management Areas (GWMAs) or Critical Ground Water Areas (CGWAs);
- C. Water resources within other specified administrative areas, as established by the Idaho Water Resource Board (IWRB) or the Idaho Department of Water Resources.

The distance between any rental POD(s) and the POD(s) for a leased water right to be rented is important. On the ESPA, distance is measured in terms of model cells that cover an area of one square mile. Ground water modeling is not required if lease POD(s) and rental POD(s) are located within the same model cell or within adjacent model cells. If the lease and rental PODs are separated by more than one model cell groundwater modeling must be completed using the IDWR ESPA Transfer Tool and modeling results must be submitted with the rental application. ESPA modeling tools can be accessed and freely downloaded from IDWR's website by visiting: www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.

Ground water modeling may be required within GWMAs, CGWAs or other regulated administrative areas. Applicants who desire to rent water within an established GWMA, CGWA or other regulated administrative area should consult IDWR's website before submitting their application to review the current status of administrative orders related to regulated administrative areas. Consult www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated_areas.htm for information on GWMAs or CGWAs, visit <https://idwr.maps.arcgis.com/home/> to use mapping tools to find other regulated areas.

Applicants interested in renting water within a GWMA, CGWA or other regulated administrative areas should request water rights that have been leased into the Bank from within the same administrative area. Generally, the Bank will not permit a rental of water within a regulated administrative area if the leased water rights are not located within that same administrative area.

Scenario 2: A rental request proposes to divert water from a different but hydraulically connected water source.

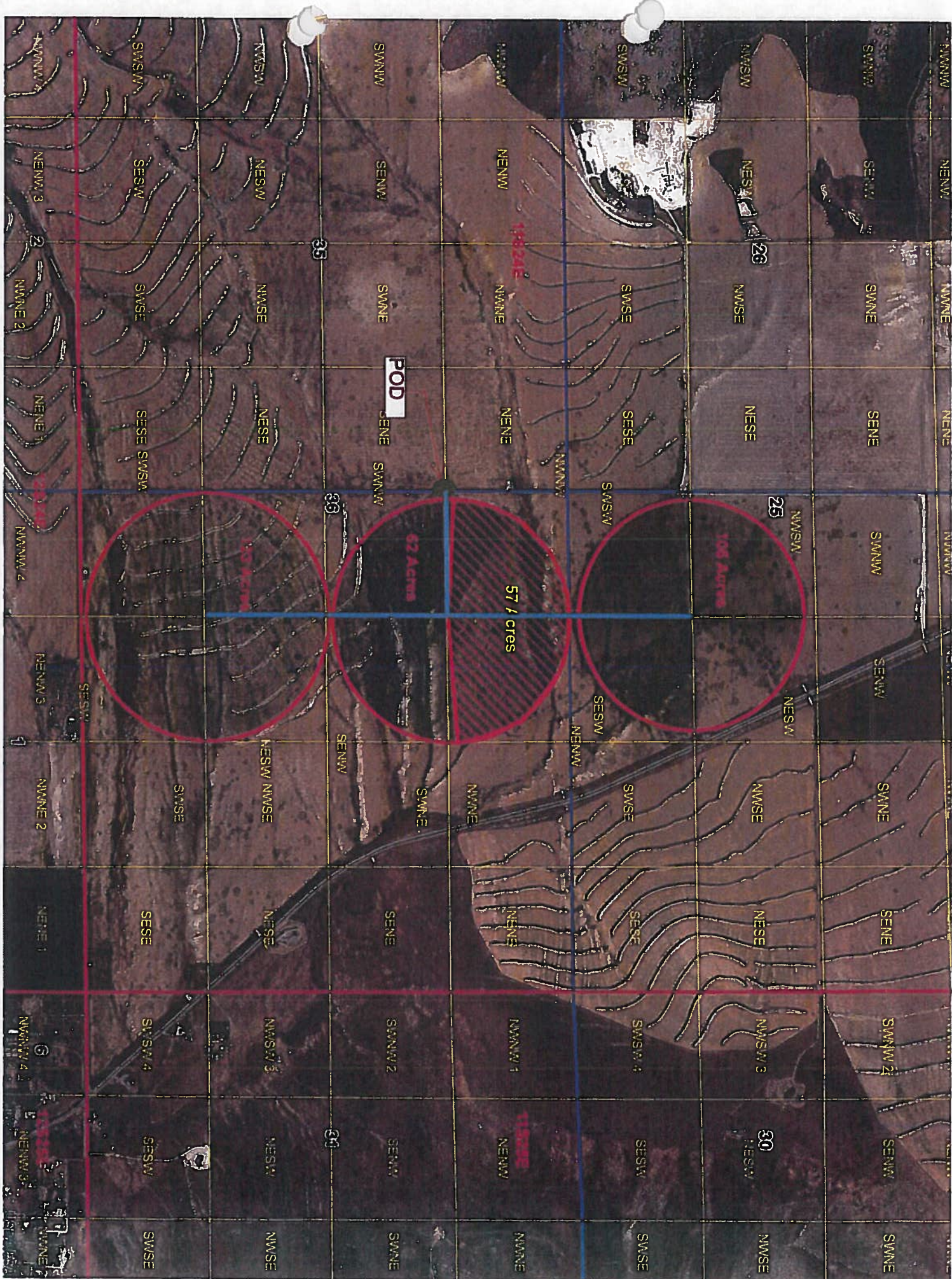
Modeling situations may include:

- A. Rental requests that propose to divert surface water rights via ground water POD(s) (wells); and
- B. Rental requests that propose to divert ground water from one aquifer when the right being rented authorizes the diversion of ground water from a hydraulically connected, tributary aquifer.

Rental requests that propose to divert surface water rights from ground water points of diversion may be considered if ground water modeling establishes that the surface and ground water resources are directly and immediately hydraulically connected. An acceptable hydraulic connection occurs when at least 50 percent of the total depletions from a well are detectable from the original water source within a 24 hour period. The existing (leased) POD and proposed (rental) POD must be proximate such that diversion and use of water from the proposed POD would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original POD.

Requests to rent ground water across tributary aquifer sources may be considered if ground water modeling is provided to demonstrate that two aquifers are hydraulically connected and the anticipated impacts of diverting ground water from one source through the other is modeled accordingly.

For more information about rental application requirements, contact IDWR at (208) 287-4800.



STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK

RECEIVED

DEC 27 2017

DEPARTMENT OF
WATER RESOURCESApplicant Name: George Kelley

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)

952

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant George Kelley

Mailing Address P.O. Box 25 Albion, Idaho 83311

Street City State Zip Code

Email Address _____ Phone Number (208) 673-5364

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 Jonas A. Reagan Professional Title Limited License Legal Intern

Organization Barker, Rosholt & Simpson LLP Relationship to Applicant Counsel

Mailing Address 163 2nd Avenue West, Twin Falls, Idaho 83301

Email Address jreagan@idahowaters.com Phone Number (208) 733-0700

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 will be used to allow for complete irrigation under existing pivots. Water will be commingled with Applicant's existing water rights to complete pivots.

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	AF	CFS	AF	291 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?	
		☐ 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):

Water is pumped from the well and piped to a sprinkler 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
11S 24E 35, NE NE	Groundwater	45-4084 & 45-4236

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 291 (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:

See E. above. Existing water rights do not cover entire pivot system. Additional water is needed to cover all acres.

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)
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			
						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**:

Applicant will irrigate what he can with the water provided.

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:

Applicant has attempted to purchase additional water rights by speaking with neighbors and others but has not been able to find any water for purchase. Applicant has previously rented water rights 1-10443, 45-11969, 45-13998, 45-14000, and is currently renting 45-2746 through 2021.

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

If yes, describe:

Yes ☐ No ☒

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒

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

- D. Additional Information

DECLARATION

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

George Kelley
Signature of Applicant

George Kelley
Printed Name of Applicant

12-26-17
Date

[Signature]
Signature of Representative

Jonas Reagan
Printed Name of Representative

12.26.17
Date

Mail to:

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

STATE OF IDAHO
WATER RESOURCE BOARD

Water Modeling Requirement Information Sheet

Information on water modeling requirements for rental requests within special administrative areas

Important information on requesting rental water within special administrative areas: Refer to the information below to determine whether the modeling of potential impacts from your rental request is necessary. Use Section 4 of the rental application to identify selected water rights. **If you submit an application to rent water from within a special administrative area and water modeling is required, your rental request will be returned if water modeling is not provided.**

Water modeling may be required when an application to rent water involves one of two scenarios:

Scenario 1: The rental request proposes to divert water from a regulated water source and/or within a special administrative area AND the distance between the rental point(s) of diversion (POD) and the POD(s) for the leased water right(s) is greater than the administratively established, acceptable distance.

Regulated water sources may areas include:

- A. Ground water resources within the modeled area of the Eastern Snake Plain Aquifer (ESPA) and tributary aquifers;
- B. Ground water within Ground Water Management Areas (GWMAs) or Critical Ground Water Areas (CGWAs);
- C. Water resources within other specified administrative areas, as established by the Idaho Water Resource Board (IWRB) or the Idaho Department of Water Resources.

The distance between any rental POD(s) and the POD(s) for a leased water right to be rented is important. On the ESPA, distance is measured in terms of model cells that cover an area of one square mile. Ground water modeling is not required if lease POD(s) and rental POD(s) are located within the same model cell or within adjacent model cells. If the lease and rental PODs are separated by more than one model cell groundwater modeling must be completed using the IDWR ESPA Transfer Tool and modeling results must be submitted with the rental application. ESPA modeling tools can be accessed and freely downloaded from IDWR's website by visiting: www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.

Ground water modeling may be required within GWMAs, CGWAs or other regulated administrative areas. Applicants who desire to rent water within an established GWMA, CGWA or other regulated administrative area should consult IDWR's website before submitting their application to review the current status of administrative orders related to regulated administrative areas. Consult www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated_areas.htm for information on GWMAs or CGWAs, visit <https://idwr.maps.arcgis.com/home/> to use mapping tools to find other regulated areas.

Applicants interested in renting water within a GWMA, CGWA or other regulated administrative areas should request water rights that have been leased into the Bank from within the same administrative area. Generally, the Bank will not permit a rental of water within a regulated administrative area if the leased water rights are not located within that same administrative area.

Scenario 2: A rental request proposes to divert water from a different but hydraulically connected water source.

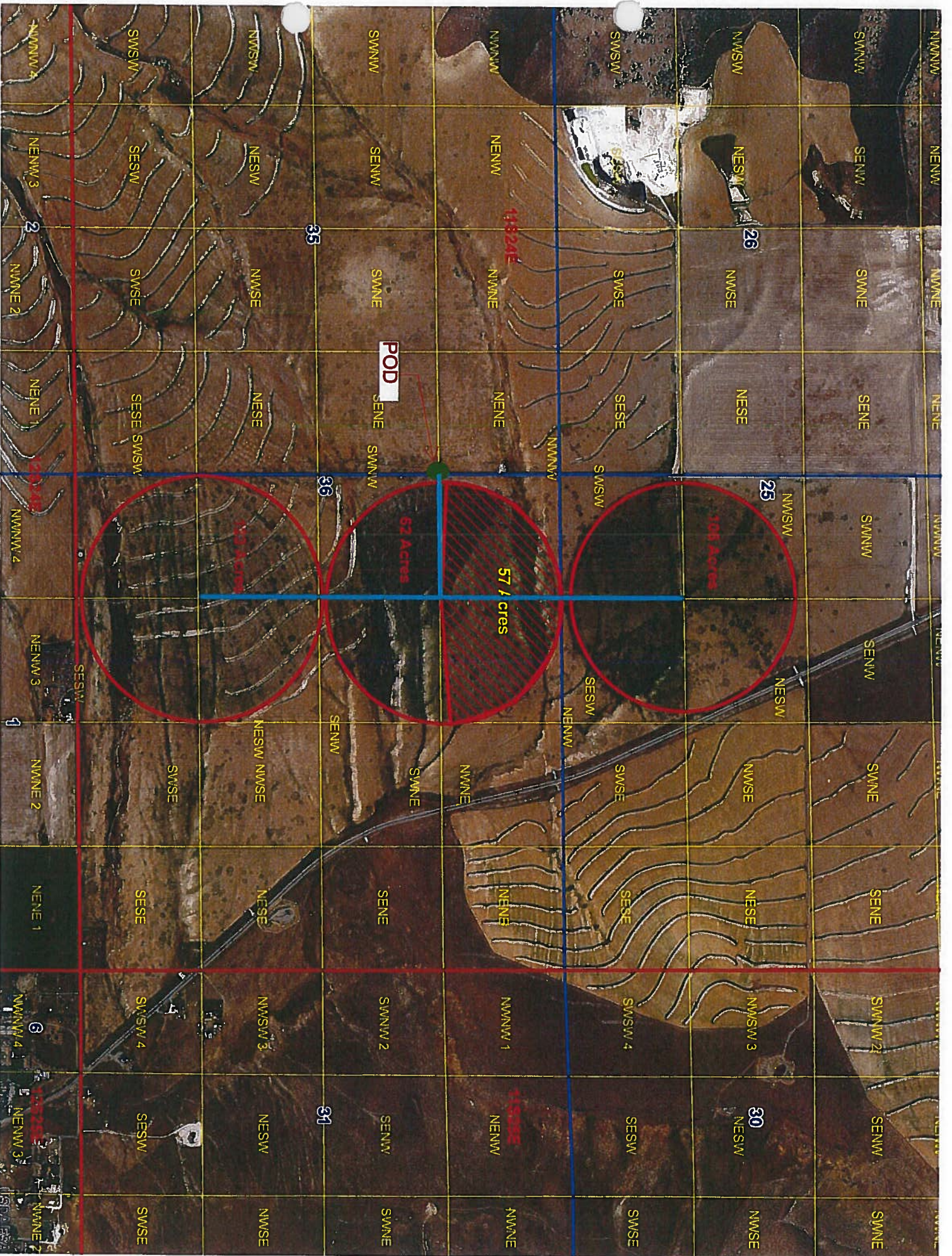
Modeling situations may include:

- A. Rental requests that propose to divert surface water rights via ground water POD(s) (wells); and
- B. Rental requests that propose to divert ground water from one aquifer when the right being rented authorizes the diversion of ground water from a hydraulically connected, tributary aquifer.

Rental requests that propose to divert surface water rights from ground water points of diversion may be considered if ground water modeling establishes that the surface and ground water resources are directly and immediately hydraulically connected. An acceptable hydraulic connection occurs when at least 50 percent of the total depletions from a well are detectable from the original water source within a 24 hour period. The existing (leased) POD and proposed (rental) POD must be proximate such that diversion and use of water from the proposed POD would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original POD.

Requests to rent ground water across tributary aquifer sources may be considered if ground water modeling is provided to demonstrate that two aquifers are hydraulically connected and the anticipated impacts of diverting ground water from one source through the other is modeled accordingly.

For more information about rental application requirements, contact IDWR at (208) 287-4800.





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

February 21, 2018

GEORGE KELLEY
PO BOX 25
ALBION ID 83311

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 45-13998 and 45-14000**

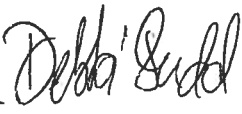
Dear Renter:

Please find enclosed a receipt in the amount of **\$3,616.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 180.8 acre-feet of water for irrigation of 45.2 acres during 2018. 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 \$3,254.40 of the rental fee will be paid to the lessor(s) and 10% or \$361.60 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 Sudd
Water Supply Bank

Enclosures: Receipt No. C104673
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Corey Skinner – IDWR Southern Regional Office
Brian Higgs – State Water District No. 140
Jonas Reagan – Barker Rosholt & Simpson

*Albert P. Barker
John A. Rosholt
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Scott A. Magnuson*



195 River Vista Place, Suite 204
Twin Falls, Idaho 83301-3029
(208) 733-0700 telephone
(208) 735-2444 facsimile

1010 W. Jefferson St., Suite 102
Post Office Box 2139
Boise, Idaho 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

RECEIVED

FEB 20 2018

DEPARTMENT OF
WATER RESOURCES

February 16, 2018

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

Re: *George Kelley Water Supply Bank Rental Agreement No. 215*

To Whom It May Concern,

Enclosed, please find the original signed Water Supply Bank Rental Agreement No. 215 signed by George Kelley. Also enclosed, please find check number 6280 in the amount of \$3616.00 for the associated fees.

Should you have any questions, please call our office at (208) 733-0700.

Thank you,

Jessica Nielsen
Assistant for Travis L. Thompson

Enclosures

TLT/jn



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

February 12, 2018

GEORGE KELLEY
PO BOX 25
ALBION ID 83311

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 45-13998 and 45-14000

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 \$3,616.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 180.8 acre-feet. An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for \$3,616.00 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 \$3,254.40 of the rental fee will be paid to the lessor(s) and 10% or \$361.60 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 Budd
Water Supply Bank

Enclosure

c: IDWR Front Desk
Jonas Reagan – Barker Rosholt & Simpson LLP

Water Supply Bank Rental Agreement #215

To: Rights: 45-13998 and 45-14000
From: Sandra Thiel
Date: February 8, 2018
Re: Review & Analysis of George Kelley's Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: On December 27, 2017, Jonas Regan submitted a rental application to the Bank on behalf of George Kelley. Mr. Kelley wished to irrigate three pivots in T11S R24E Sections 25 and 36 in Cassia county. Rights 45-4084 and 45-4236 supply water for 57 acres. Existing rental of right 45-2746 covers another 98 acres. This rental includes rights 45-13998 and 45-14000 and will supply water for another 45.2 acres.

The proposed point-of-diversion is an existing well that supplies water for rights 45-4084 and 45-4236. That well is identified in WMIS as A0016835. Mr. Kelley has rented these rights for the past three years.

I spoke with Mr. Regan on two occasions, the second being February 8, about the place of use withing the three pivots. The existing rental place of use appears to cover the top have of the southern most pivot. However, Mr. Regan said that there was not enough water last year for the NESW. As a result, this rental will include a portion of that quarter quarter and the are under the pivot in the SESW.

AUTHORITY TO FILE: According to the 2017 Cassia County parcel data, George Bill Kelley owns the proposed place-of-use. Mr. George Kelley signed the application.

WATER RIGHT VALIDITY: In 2006, Transfer 72692 split 45-13998 from 45-7047A and 45-14000 from 45-7221A. Both parent rights were for irrigation. The split rights were for commercial uses for a dairy. A review of the imagery at the place of use shows no evidence that was dairy was ever constructed. The rights were leased into the bank in 2010.

The parent pre-transfer irrigation rights provided 0.02 cfs per acre and 4 acre feet. The number of acres allowed for irrigation for this rental was determined using the standard headgate requirement of 4 af/a and the volume on the right. However, this translates into a rate of 0.03 cfs per acre. The rental will include a condition limiting them to 0.02 cfs per acre. The 0.02 cfs per acre is the currently rate for the rights in the existing system. The current lease is through December 2022.

INJURY TO OTHER WATER RIGHTS: No injury is apparent. The proposed rights fall within the Eastern Snake Plain Aquifer. The rental point of diversion is outside the ESPA model area boundary. The model used a cell nearest to the proposed point of diversion.

ENLARGEMENT OF USE: No enlargement is evident through the rental.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The rental right is subject to Water District # 140. Southern region responded with no comments. The water master did not respond.

Thiel, Sandra

From: Skinner, Corey
Sent: Friday, February 02, 2018 3:30 PM
To: Thiel, Sandra
Subject: RE: George Kelley rental of rights 45-13998 and 45-14000

If it is a renewal of something we have done before, and only the POU is changing, then I have no concerns.

From: Thiel, Sandra
Sent: Friday, February 02, 2018 3:29 PM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: RE: George Kelley rental of rights 45-13998 and 45-14000

I believe this is the same as years before. Maybe a slightly different place of use, southern pivot not northern.
Thanks for your help.

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov

From: Skinner, Corey
Sent: Friday, February 02, 2018 3:24 PM
To: Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>
Subject: RE: George Kelley rental of rights 45-13998 and 45-14000

Is this a continuation of his same rental from previous years, or is this something new?

From: Thiel, Sandra
Sent: Friday, February 02, 2018 3:01 PM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: George Kelley rental of rights 45-13998 and 45-14000

Hello, The attached documents provide information about a water supply bank rental. Please let me know if you have any comments or concerns.

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov

Field, Christine

From: Jonas Reagan <jreagan@idahowaters.com>
Sent: Tuesday, January 02, 2018 3:32 PM
To: Buyer, Remington
Cc: Field, Christine
Subject: RE: Rental Data Needed

Hello Remington,

Sorry for the confusion. Mr. Kelley wishes to irrigate a total number of 193 acres. The maximum desired rate is 3.86 CFS, or 0.2 CFS/AC, with no minimum as my client wishes to irrigate as many acres as he can with whatever water is available. The total volume of water required is 4.0 AF/AC. Thank you for your help and let me know if I need to provide any further information.

*Jonas Reagan
Barker Rosholt & Simpson LLP
163 2nd Avenue West
P.O. Box 63
Twin Falls, Idaho 83303-0063
Office: (208) 735-2229
Fax: (208) 735-2444*

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From: Buyer, Remington [mailto:Remington.Buyer@idwr.idaho.gov]
Sent: Tuesday, January 02, 2018 11:42 AM
To: Jonas Reagan <jreagan@idahowaters.com>
Cc: Field, Christine <Christine.Field@idwr.idaho.gov>
Subject: RE: Rental Data Needed

Hi Jonas,

Based on the information you have provided in the recent rental application, the Department is uncertain as to what Mr. Kelley's irrigation requirements are for 2018. The Department will need Mr. Kelley to confirm what his ground water pumping diversion rate requirements are for this new rental request.

Mr. Kelley holds title to irrigation water rights 45-4084 and 45-2326 which allow for maximum diversions as follows:

Water Rights 45-4084 & 45-4236

WRs	rate	vol	acres	rate/ac	vol/ac
45-4084	0.54	108	27	0.020	4.0
45-2326	0.6	120	30	0.020	4.0
combined	1.14	228	57	0.020	4.0

Looking at [Rental Agreement No. 168](#), it appears that Mr. Kelley operates a pivot irrigation system that can provide a ground water diversion rate of 600 gallons per minute, or 1.34 cubic feet per second. Agreement 168 runs through 2021 and authorizes Mr. Kelley to divert ground water under right 45-2746, to irrigate up to 98 acres with the same diversion rate per acre as Mr. Kelley's water rights:

Rental Agreement No. 108

WRs	rate	vol	acres	rate/ac	vol/ac
45-2746	1.96	781.4	196	0.010	4.0
45-2746	1.96	392	98	0.020	4.0

As outlined above, Mr. Kelley can presently irrigate a maximum of 155 acres with a diversion rate of 0.02 cfs/acre and a duty of water of 4.0 afa/acre:

Irrigation Authorizations

Sum	3.1	620	155	0.020	4.0
-----	-----	-----	-----	-------	-----

If the above irrigation authorizations are insufficient for Mr. Kelley's purposes during 2018, please confirm what optimal diversion rate per acre is desired and/or what minimum diversion rate per acre (cfs/ac) is required to satisfy Mr. Kelley's irrigation rental purposes for 2018. Looking at past information, it appears Mr. Kelley desires to irrigate a maximum of 348 acres. If Mr. Kelley requires/desires a diversion rate and duty of water of 0.02 cfs/acre and 4.0 afa/acre, his additional rental needs for 2018 may be:

rate	vol	acres	rate/ac	vol/ac
3.86	772	193	0.020	4.0

Please confirm the following:

- The number of acres Mr. Kelley desires to irrigate during 2018,
- The maximum desired and minimum required ground water diversion rate that Mr. Kelley will utilize to operate his irrigation system for the number of acres he desires to irrigate during 2018,
- The total volume of water required for 2018 by Mr. Kelley, which can be represented as a volume/acre/year, for the number of acres Mr. Kelley intends to irrigate during 2018.

Please provide an answer to the above three questions so that we may continue processing Mr. Kelley's 2018 rental request. We will hold the rental application for 30 days to allow you to provide this information.

Feel free to call me if you have any questions,

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

From: Jonas Reagan [<mailto:jreagan@idahowaters.com>]

Sent: Tuesday, January 02, 2018 8:23 AM

To: Field, Christine <Christine.Field@idwr.idaho.gov>

Subject: RE: Rental Data Needed

Dear Christine,

Thanks for notifying me of the need to supplement the application. I have attached the application with the desired start date under section 3C of 4/15/18 and a latest possible start date of 5/15/18. As for Section 3B, we have never had to fill out those requirements in previous applications. Mr. Kelley would like as much of the requested 291 acres covered as possible. Ideally, Mr. Kelley would like to cover the 291 acres with the maximum flow and volume allowed under the law, but recognizes the likelihood of that occurring. We do not have a preferred or minimum flow as Mr. Kelley would just like as much water as the Water Bank has available to cover the 291 acres. If there is anything else I can do please let me know.

Happy New Year,
Jonas

*Jonas Reagan
Barker Rosholt & Simpson LLP
163 2nd Avenue West
P.O. Box 63
Twin Falls, Idaho 83303-0063
Office: (208) 735-2229
Fax: (208) 735-2444*

CONFIDENTIALITY NOTICE: This e-mail and its attachments are confidential and may be privileged. If you believe this e-mail has been sent to you in error, please notify the sender immediately and delete this email. Do not deliver, distribute or copy this transmission.

From: Field, Christine [<mailto:Christine.Field@idwr.idaho.gov>]
Sent: Friday, December 29, 2017 10:35 AM
To: Jonas Reagan <jreagan@idahowaters.com>
Subject: Rental Data Needed

Dear Jonas,

I am writing to you regarding the Rental Application that was submitted by you on behalf of George Kelley.

On page 2 of the Rental Application more data is needed before we can begin processing Mr. Kelley's rental application.

Page under line item 3, section B and C need to be filled out.

Section B.

Desired Rate (CFS)	Desired Volume (AF)	Minimum Rate (CFS)	Minimum Volume (AF)
--------------------	---------------------	--------------------	---------------------

Section C.

Desired Start Date	Latest Possible Start Date
--------------------	----------------------------

The application is attached for your review, please complete the Sections outlined above on Page 2 of the application.

Return completed application to me at your earliest convenience.

Regards,

*Christine Field
Water Supply Bank Support*

*Albert P. Barker
John A. Rosholt
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Scott A. Magnuson
Jonas A. Reagan*



1010 W. Jefferson, Suite 102
Post Office Box 2139
Boise, Idaho 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

163 Second Avenue West
Post Office Box 63
Twin Falls, Idaho 83303-0063
(208) 733-0700 telephone
(208) 735-2444 facsimile

December 26, 2017

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

RECEIVED

DEC 27 2017

DEPARTMENT OF
WATER RESOURCES

Re: *George Kelley Application to Rent Water from the Board's Water Supply Bank*

To Whom It May Concern,

Enclosed, please find the original signed Application to Rent Water from the Board's Water Supply Bank.

Should you have any questions, please call Jonas Reagan at (208) 733-0700.

Barker, Rosholt & Simpson, LLP
Thank you,


Jonas Reagan

Enclosures

JR/jn

*Albert P. Barker
John A. Rosholt
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Scott A. Magnuson
Jonas A. Reagan*



1010 W. Jefferson, Suite 102
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Boise, Idaho 83701-2139
(208) 336-0700 telephone
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brs@idahowaters.com

163 Second Avenue West
Post Office Box 63
Twin Falls, Idaho 83303-0063
(208) 733-0700 telephone
(208) 735-2444 facsimile

December 26, 2017

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

RECEIVED

DEC 27 2017

DEPARTMENT OF
WATER RESOURCES

Re: *George Kelley Application to Rent Water from the Board's Water Supply Bank*

To Whom It May Concern,

It is our understanding that there are several water rights currently available to rent that have different expiration dates. We would prefer to rent each available water right for the longest period of time possible. If the Department prefers to make several rental agreements, so each agreement has only one expiration date, that would be agreeable to us.

Should you have any questions, please call Jonas Reagan at (208) 733-0700.

Barker, Rosholt & Simpson, LLP
Thank you,



Jonas Reagan

Enclosures

JR/jn