

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED WATER SUPPLY BANK RENTAL AGREEMENT No. 201

RECEIVED

JAN 16 2018

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

CASA DEL NORTE LP
11204 N BAR 21 DR
GLENN'S FERRY, ID 83623

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)
61-12291	12/2/1963	GROUND WATER	3.20	900.0	200.0	0.016	4.50
Combined Rental Totals			3.20	900.0	200.0	0.016	4.50

Term of Rental: This rental shall take effect when all parties have signed it and shall continue in effect until December 31, 2019

Annual Rental Fee:

2017: \$15,300.00
2018 - 2019: \$18,000.00

The full fee for the rental of the above-described right(s) is \$15,300.00 per year for 2017 and \$18,000.00 per year for years 2018 - 2019. The rental fee includes an administrative fee of \$1,530.00 per year for 2017 and \$1,800.00 per year for years 2018 - 2019.

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 [Click here to enter text.](#)

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	3.20	640.0	160.0	0.02	4.0
Combined Total	3.20	640.0	*160.0	0.02	4.0

*** The authorized water usage reflects a reduction from the water right elements rented, to account for a maximum diversion volume limit of 640 acre feet annually of irrigation of 160 acres.**

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED 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:

John B. McCallum
Signature of Renter

1/10/18
Date

John B. McCallum
Printed Name

Managing Member
Title

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

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

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

Date 1/17/2018

Rental approved by IDWR Ang Water

Date 1-17-2018

AMENDED WATER SUPPLY BANK RENTAL AGREEMENT No. 201

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec. 10, Twp 04S, Rge 09E,	ELMORE County
GROUND WATER	SENE	Sec. 3, Twp 04S, Rge 09E,	ELMORE County
GROUND WATER	SWNE	Sec. 10, Twp 04S, Rge 09E,	ELMORE County

Beneficial Use
IRRIGATION

Diversion Rate
3.20 CFS

Volume
640.0 AF

SEASON OF USE

Water Right No.	From	To
61-12291	03/01	11/01

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	
04S	09E	8									14.0	8.0	35.0	40.0		0.5	10.0		107.5
04S	09E	17		3.5			29.0	20.0											52.5

Total Acres: 160.0

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 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.
7. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. The period of use for the irrigation described in this approval may be extended to 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 after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 14, 2007.

AMENDED WATER SUPPLY BANK RENTAL AGREEMENT No. 201

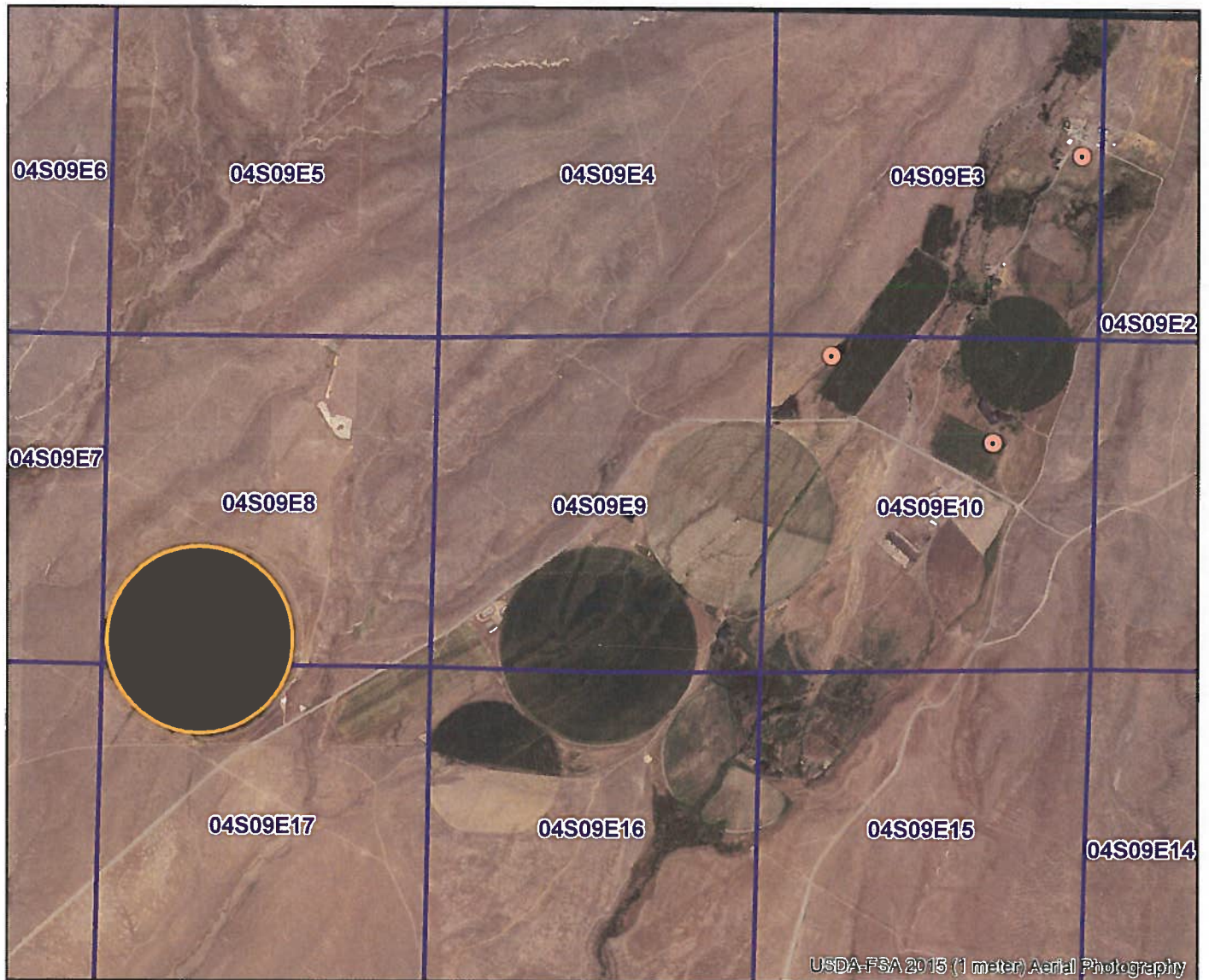
10. The following rights are diverted through point(s) of diversion described above: 61-2095A, 61-2095B, 61-2199A, 61-2199B, 61-2209A, 61-2209B, 61-11847, 61-11887A, 61-11887B, 61-11905 and 61-11907.
11. This rental agreement does not authorize the construction of a well.



Idaho Water Resource Board
Amended Water Supply Bank Rental Agreement No. 201

Effective until December 31, 2019

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



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

 Miles
0 0.25



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 201

RECEIVED

DEC 28 2017

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

CASA DEL NORTE LP
11204 N BAR 21 DR
GLENN'S FERRY, ID 83623

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Total Water Use Authorized Under Rental Agreement [Click here to enter text.](#)

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	3.200	640.00	160.00	0.020	4.00
Combined Total	3.200	640.00	160.00	0.020	4.00

*** The authorized water usage reflects a reduction from the water right elements rented, to account for a maximum diversion volume limit of 640 acre feet annually of irrigation of 160 acres.**

Detailed water right conditions are attached.

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:

John B. McCallum
Signature of Renter

12/26/17
Date

John B. McCallum
Printed Name

Managing Member
Title

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

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

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

1/2/2018
Date

Rental approved by IDWR *B. Webb*

1-2-2018
Date

SUPERCEDED

WATER SUPPLY BANK RENTAL AGREEMENT No. 201

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec. 10, Twp 04S, Rge 09E,	ELMORE County
GROUND WATER	SENE	Sec. 3, Twp 04S, Rge 09E,	ELMORE County
GROUND WATER	SWNE	Sec. 10, Twp 04S, Rge 09E,	ELMORE County

Beneficial Use
IRRIGATION

Diversion Rate
3.20 CFS

Volume
640.00 AF

SEASON OF USE

Water Right No.	From	To
61-12291	03/01	11/01

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	
04S	09E	8									14.0	8.0	35.0	40.0		0.5	10.0		107.5
04S	09E	17		3.5			29.0	20.0											52.5

Total Acres: 160.0

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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.
7. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. The period of use for the irrigation described in this approval may be extended to 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 after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 14, 2007.

10. The following rights are diverted through point(s) of diversion described above: 61-2095A, 61-2095B, 61-2199A, 61-2199B, 61-2209A, 61-2209B, 61-11847, 61-11887A, 61-11887B, 61-11905 and 61-11907.
11. This rental agreement does not authorize the construction of a well.

SUPERCEDED

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

RECEIVED

JUL 12 2017

DEPARTMENT OF
WATER RESOURCESApplicant Name: Casa Del Norte, LP

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)

849

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Casa Del Norte, LP

Mailing Address 11204 North Bar 21 Drive, Glens Ferry, ID 83623

Street

City

State

Zip Code

Email Address _____

Phone Number 208-366-7931

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 Lori Graves

Professional Title Water Rights Specialist

Organization SPF Water Engineering

Relationship to Applicant Consultant

Mailing Address 300 E Mallard Dr., Ste 350, Boise, ID 83706

Email Address lgraves@spfwater.com

Phone Number 208-383-4140

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**:

Provide ground water to allow irrigation from cold water wells while waiting for processing and approval of Transfer

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)
3.2 CFS	640 AF	3.0 CFS	560 AF	160 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?	
ASAP	ASAP	☐ 1	☐ 2	☐ 3	☐ 4	☒ 5	☒ Process application as soon as possible	☐ Return application to applicant

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

** Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):

Existing wells, pumps, pipe, pivot sprinkler

- 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
T4S R9E S3 SENE	Cold Ground Water	61-11847, 61-11907
T4S R9E S10 SWNE	Cold Ground Water	61-2095A&B, 61-2199A&B, 61-2209A&B, 61-
T4S R9E S10 NWNW	Cold Ground Water	11887A&B, 61-11905
		(WR overlaps same for S10 wells)

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 160 (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:
Surface water rights 61-2111 and 61-11885 and ground water right 61-301B allow irrigation of 215 acres that
partially overlap the proposed pivot area. Ground water under water right 61-301B is not sufficient for all 215 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**:

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:

Rented water 2014 - 2016. Application for Transfer 76824 has been filed proposing a permissible place of use (PPU) involving 24 surface and ground water rights. The 160 acres to receive banked water are part of the proposed PPU.

- 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:

See above ATTACHED

- 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.

John B. McCallum
Signature of Applicant

John B. McCallum
Printed Name of Applicant

7/10/17
Date

John B. McCallum
Signature of Representative

John B. McCallum
Printed Name of Representative

7/11/17
Date

Mail to:

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

COPY

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED**JUL 12 2017**

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Casa Del Norte, L.P.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☒ ☐ #10 Other. Please describe: Transfer amounts

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Casa Del Norte, L.P. Phone 208-366-7931
Mailing address 11204 North Bar 21 Drive, Glenns Ferry, ID 83623 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

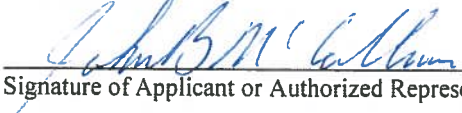
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative SPF Water Engineering, LLC Phone 208-383-4140
Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Email lgraves@spfwater.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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.


Signature of Applicant or Authorized Representative

John B. McCallan
Print Name and Title if applicable

7/13/17
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
1. Change place of use to reflect current irrigation. Authorized ground water and surface water proposed for transfer will be consolidated to pivot acres. 2. Add a 2nd point of diversion to water right 61-301B.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	61-301B	1.02/433	Irrigation	4/1 to 11/1	Ground Water
☒ ☐	61-2111	1.02/436.6	Irrigation	2/15 to 11/15	Cold Springs Creek
☒ ☐	61-11885	0.48	Irrigation	2/15 to 11/15	Cold Springs Creek
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.53 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 2.53 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it Attachment #5.

POD changes to Water Right 61-301B only

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
no			NW	NE	8	4S	9E	Elmore	Ground Water	Current POD
no		SE	SE	SE	9	4S	9E	Elmore	Ground Water	Proposed/Additional
										POD

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	9E	8									14	8	35	40		0.5	11		108.5
		17		3			29	19.5											51.5
Total Acres (for irrigation use)																			160

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Wells, headgate, ditches, pressurized irrigation system
Measuring devices and lockable controlling works have been installed.

- b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Acres will no longer be irrigated due to change in place of use.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
None

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-301B

Current Owner: CHARTER MOUNTAIN RANCH INC
Priority Date: 6/10/1955
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	1.02 CFS	433 AF
	<u>Total Diversion</u>	1.02 CFS	433 AF

Location of Point(s) of Diversion

GROUND WATER
ELMORE County NW1/4NE1/4 Sec. 8, Twp 04S, Rge 09E B.M.

Place of Use

IRRIGATION Within ELMORE County

T04S R09E S8	NWNE	2.40	T04S R09E S8	SWNE	25.00
T04S R09E S8	NESW	39.00	T04S R09E S8	NWSW	9.30
T04S R09E S8	SWSW	6.30	T04S R09E S8	SESW	39.00
T04S R09E S8	NWSE	27.00	T04S R09E S8	SWSE	23.00
T04S R09E S17	NENW	32.00	T04S R09E S17	NWNW	12.00

Total Acres: 215

Conditions of Approval:

1. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 215 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-2111 & 61-11885
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Decreed Date: 8/28/2002

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-2111

Current Owner: CHARTER MOUNTAIN RANCH INC
Priority Date: 7/5/1955
Origin: Water Right
Status: Active
Basis: Decreed

Source

COLD SPRINGS CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

02/15 to 11/15

Diversion Rate

1.02 CFS

Annual Volume

436.6 AF

Total Diversion

1.02 CFS

436.6 AF

Location of Point(s) of Diversion

COLD SPRINGS CREEK

NW1/4SW1/4NE1/4

Sec. 35,

Twp 03S,

Rge 09E B.M.

ELMORE County

Place of Use

IRRIGATION Within ELMORE County

T04S R09E S8	NWNE	2.40	T04S R09E S8	SWNE	25.00
T04S R09E S8	NESW	39.00	T04S R09E S8	NWSW	9.30
T04S R09E S8	SWSW	6.30	T04S R09E S8	SESW	39.00
T04S R09E S8	NWSE	27.00	T04S R09E S8	SWSE	23.00
T04S R09E S17	NENW	32.00	T04S R09E S17	NWNW	12.00

Total Acres: 215

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHT NO. 61-11885 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
5. USE OF THIS RIGHT WITH RIGHT NO. 61-11885 & 61-301B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 215 ACRES IN A SINGLE IRRIGATION SEASON.

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-11885

Current Owner: CHARTER MOUNTAIN RANCH INC
Priority Date: 7/5/1955
Origin: Water Right
Status: Active
Basis: Decreed

Source

COLD SPRINGS CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

02/15 to 11/15

Diversion Rate

0.48 CFS

Annual Volume

Total Diversion

0.48 CFS

Location of Point(s) of Diversion

COLD SPRINGS CREEK

NW1/4SW1/4NE1/4

Sec. 35, Twp 03S, Rge 09E B.M.

ELMORE County

Place of Use

IRRIGATION Within ELMORE County

T04S R09E S8	NWNE	2.40	T04S R09E S8	SWNE	25.00
T04S R09E S8	NESW	39.00	T04S R09E S8	NWSW	9.30
T04S R09E S8	SWSW	6.30	T04S R09E S8	SESW	39.00
T04S R09E S8	NWSE	27.00	T04S R09E S8	SWSE	23.00
T04S R09E S17	NENW	32.00	T04S R09E S17	NWNW	12.00

Total Acres: 215

Conditions of Approval:

1. RIGHT NO. 61-02111 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
2. USE OF THIS RIGHT WITH RIGHT NO. 61-02111 & 61-301B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 215 ACRES IN A SINGLE IRRIGATION SEASON.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Decreed Date: 9/11/2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a.**
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook or a sheet of stationery designed for writing.**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid _____ Date _____ Received by _____ Receipt # _____

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ & W-9 ☐ (originals to state office)

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

THORNTON BYRON LLP
1101 WEST RIVER STREET, SUITE 340
POST OFFICE BOX 7156
BOISE, ID 83707-1156
208/344-8600

Instrument # 345624
Elmore County, Idaho
10:01am May 02, 2003
For: THORNTON BYRON LLP
No. of Pages: 4 Fee: \$12.00
GAIL L. BEST, Recorder
Deputy: DLE

(SPACE ABOVE LINE FOR RECORDER'S USE)

BARGAIN AND SALE DEED

FOR VALUE RECEIVED, CHARTERS MOUNTAIN RANCH, INC., an Idaho corporation, which took title as CHARTER MOUNTAIN RANCH, INC., as Grantor, does hereby grant, bargain, sell and convey unto CASA DEL NORTE L.P., a Delaware limited partnership, whose current address is Rural Route 1, Box 451, Glens Ferry, Idaho 83623, as Grantee, all that certain real property located in Elmore County, Idaho, as more particularly described on Exhibit A attached hereto and made a part hereof by this reference.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument effective the first day of January, 2002.

GRANTOR:

CHARTERS MOUNTAIN RANCH, INC.
An Idaho Corporation

By: _____

JOHN B. MCCALLUM, President

RE-RECORDED

Instrument # 348664
Elmore County, Idaho
10:17am Jul 24, 2003
For: THORNTON BYRON LLP
No. of Pages: 4 Fee: \$12.00
GAIL L. BEST, Recorder
Deputy: DLE

STATE OF IDAHO)

ss.

COUNTY OF Elmore)

On this 29th day of April, 2003, before me, the undersigned Notary Public in and for said State, personally appeared JOHN B. MCCALLUM, known or identified to me to be the President of CHARTERS MOUNTAIN RANCH, INC., the within named Idaho corporation that executed the foregoing instrument, and the person whose name is subscribed to this instrument, and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Cheryl McCallister
NOTARY PUBLIC, State of Idaho
Residing at: Slavens Ferry
Commission expires: 9-24-06

EXHIBIT A

TRACT I-A:

Township 3 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 34: SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 35: Lot 4 and NW $\frac{1}{4}$ SW $\frac{1}{4}$

Township 4 South, Range 9 East, Boise, Meridian, Elmore County, Idaho

Section 2: Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 3: NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Less S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{2}$ NE $\frac{1}{4}$, and Lot 1, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and all of SE $\frac{1}{4}$, Less NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 9: E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 10: N $\frac{1}{2}$ NE $\frac{1}{4}$ S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, all of SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 15: N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 16: NE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 17: N $\frac{1}{2}$ N $\frac{1}{2}$

TRACT I-B:

Township 4 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 29: E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$

TRACT I-C:

Township 4 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 16: NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$

TRACT I-D:

Township 4 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 8: W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 3: S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

TRACT I-E:

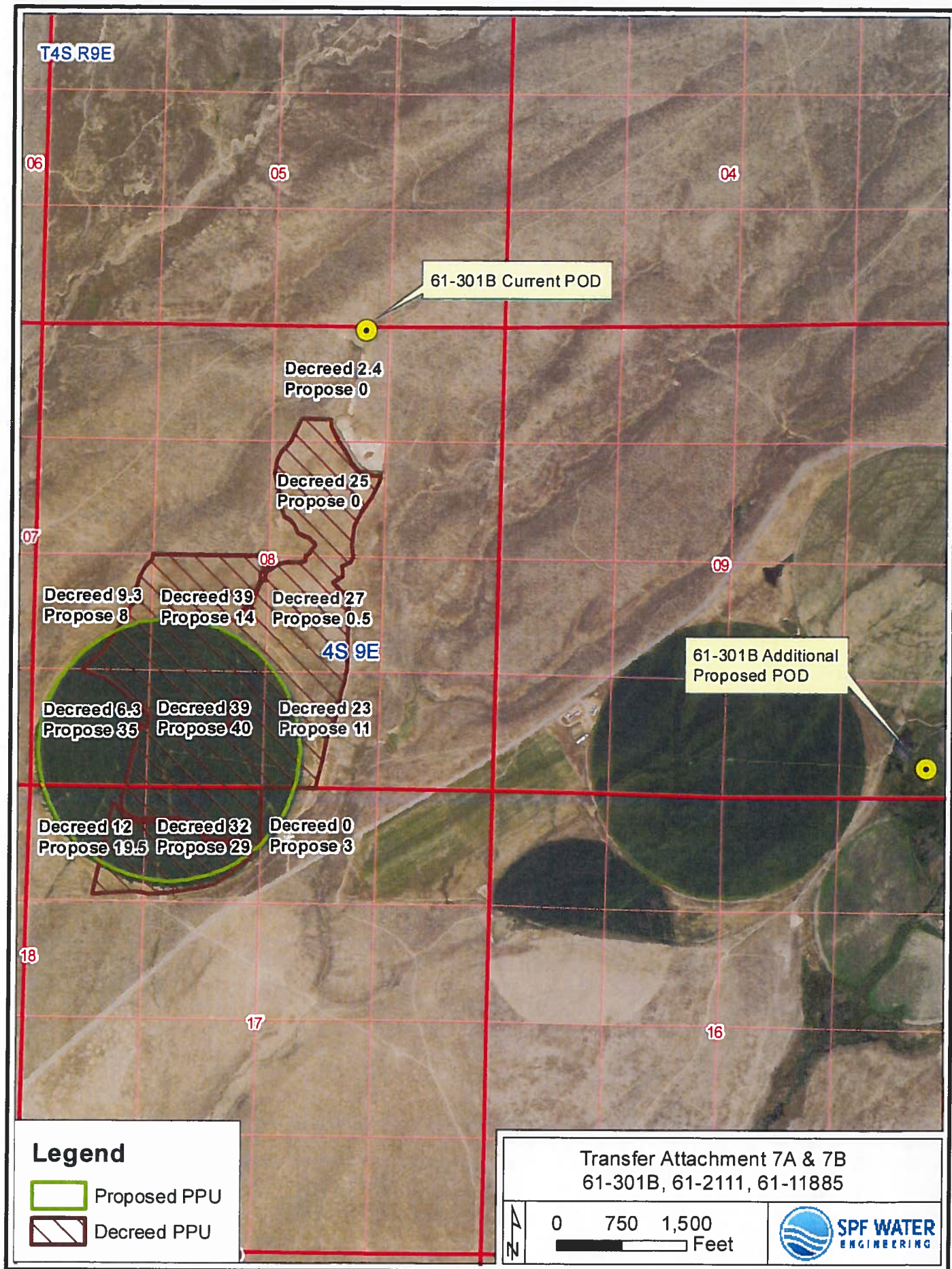
Township 4 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 3: NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 9: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 10: N $\frac{1}{2}$ NW $\frac{1}{4}$

Together with and including all grazing, water, mineral, ditch and other rights appurtenant thereto.



Transfer Attachment 10

Water Rights Proposed for Transfer to Bull Pasture Pivot

Bull Pasture Pvt (160 ac)	"From" Acres	"To" Acres	Total cfs	duty gpm/acre	duty cfs/acre
Ground Water					
61-301B	215	160	1.02	2.9	0.0064
Cold Springs Cr					
61-2111	215	160	1.02	2.9	0.0064
61-11885	215	160	0.48	1.3	0.0030
Total	215	160	2.52	7.1	0.0158



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

January 18, 2018

CASA DEL NORTE LP
11204 N BAR 21 DR
GLENN'S FERRY ID 83623

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 61-12291**

Dear Renter:

Please find enclosed a copy of a fully executed Amended Water Supply Bank Rental Agreement in connection with the rental of 900.0 acre-feet of water for irrigation of 160.0 acres during 2017 and 2018. The rental fee for 2017 and 2018 was previously paid under receipt No. C104467. This Rental Agreement corrects the section listed for the years authorized in the previous rental agreement dated January 2, 2018.

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

Sincerely,


for Water Supply Bank

Enclosure: Rental Agreement (copy)

c: Angie Grimm – IDWR Western Regional Office
Nick Miller - Water District # 161
Lori Graves– SPF Water Engineering



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

January 9, 2019

CASA DEL NORTE LP
11204 N BAR 21 DR
GLENN'S FERRY ID 83623

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 61-12291**

*****TIME SENSITIVE RESPONSE REQUIRED*****

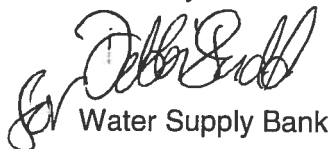
Dear Applicant:

The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed an Amended Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original amended agreement the Department will also sign the original amended agreement and return an executed copy to you. Execution of the amended agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the amended agreement.

A rental fee of \$15,300.00 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 900.0 acre-feet for 2017 and \$18,000.00 based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 900.0 for 2018. An annual payment shall be received by the Department prior to the execution of this amended agreement and prior to January 1 in all subsequent years for the duration of the rental period. The amended 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 amended 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. A payment of \$33,300.00 was received on December 28, 2017 and no further payment is required for 2017 and 2018.

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

Sincerely,



Water Supply Bank

Enclosure

c: Lori Graves – SPF Water Engineering

Webster, Clay

From: Webster, Clay
Sent: Thursday, January 04, 2018 10:50 AM
To: 'Lori Graves'
Cc: Judd, Debbi; Buyer, Remington
Subject: FW: Water Supply Bank Rental Agreement Casa Del Norte LP 61-12291

Lori,

I have taken a look at this lease and found that the lease is good through 2019. Therefore the rental is only allowable through 2019. We will be sending amended lease contracts for signature to clarify the errors. Sorry for the confusion.

Clay

From: Judd, Debbi
Sent: Thursday, January 04, 2018 8:10 AM
To: Webster, Clay <Clay.Webster@idwr.idaho.gov>
Subject: FW: Water Supply Bank Rental Agreement Casa Del Norte LP 61-12291

From: Lori Graves [<mailto:LGraves@spfwater.com>]
Sent: Thursday, January 04, 2018 7:40 AM
To: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>
Subject: RE: Water Supply Bank Rental Agreement Casa Del Norte LP 61-12291

What about 2020? The contract is good through 2020. Shouldn't it read \$18,000 per year for years 2018 – 2020?

From: Judd, Debbi [<mailto:Debbi.Judd@idwr.idaho.gov>]
Sent: Wednesday, January 03, 2018 3:58 PM
To: Lori Graves <LGraves@spfwater.com>
Subject: RE: Water Supply Bank Rental Agreement Casa Del Norte LP 61-12291

Lori,

Sorry for the delayed reply. The explanatory paragraph of fees is correct... "The full fee for the rental of the above-described right is \$15,300.00 per year for 2017 and \$18,000.00 per year for years 2018-2019...." Above that paragraph where it says: **Annual Rental Fee:** 2017-2018: \$15,300.00 is wrong. 2018 should have been taken off and it should only read 2017. The system sometimes puts that in and if it does, we take it out. We missed it this time. I apologize for the confusion.

Debbi

From: Lori Graves [<mailto:LGraves@spfwater.com>]
Sent: Wednesday, January 03, 2018 1:25 PM
To: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>
Subject: RE: Water Supply Bank Rental Agreement Casa Del Norte LP 61-12291

Debbi,

Should the contract say "The full fee for the rental of the above-described right(s) is \$15,300.00 per year for 2017 and \$18,000 per year for years 2018 – 2020.", rather than years 2018 – 2019 as currently listed on the contract?

From: Judd, Debbi [<mailto:Debbi.Judd@idwr.idaho.gov>]
Sent: Wednesday, January 03, 2018 12:36 PM
To: Lori Graves <LGraves@spfwater.com>
Subject: RE: Water Supply Bank Rental Agreement Casa Del Norte LP 61-12291

Hi Lori,

Yes, the rental agreement covers 2017 through 2020. The letter addresses the payment, which paid for 2017 and 2018.

Debbi

From: Lori Graves [<mailto:LGraves@spfwater.com>]
Sent: Wednesday, January 03, 2018 11:53 AM
To: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>
Subject: RE: Water Supply Bank Rental Agreement Casa Del Norte LP 61-12291

Debbi,

Is Casa Del Norte covered through 2019 or 2020???

From: Judd, Debbi [<mailto:Debbi.Judd@idwr.idaho.gov>]
Sent: Wednesday, January 03, 2018 10:34 AM
To: Grimm, Angie <Angie.Grimm@idwr.idaho.gov>; Miller, Nick <Nick.Miller@idwr.idaho.gov>; Lori Graves <LGraves@spfwater.com>
Subject: Water Supply Bank Rental Agreement Casa Del Norte LP 61-12291

Debbi Judd
Technical Records Specialist
debbi.judd@idwr.idaho.gov

Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise, ID 83720-0098
208-287-4920
www.idwr.idaho.gov



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

January 4, 2018

CASA DEL NORTE LP
11204 N BAR 21 DR
GLENN'S FERRY ID 83623

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 61-12291**

Dear Renter:

Please find enclosed a receipt in the amount of **\$33,300.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 900.00 acre-feet of water for irrigation of 160.0 acres during 2017 and 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 \$29,970.00 of the rental fee will be paid to the lessor(s) and 10% or \$3,330.00 will be retained by the Department to offset administrative costs.

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

Sincerely,


for Water Supply Bank

Enclosures: Receipt No. C104467
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Angie Grimm – IDWR Western Regional Office
Nick Miller – State Water District No. 161
Lori Graves – SPF Water Engineering



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

December 22, 2017

CASA DEL NORTE LP
11204 N BAR 21 DR
GLENN'S FERRY ID 83623

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 61-12291**

*****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 \$15,300.00 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 900.0 acre-feet for 2017 and \$18,000.00 based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 900.0 for 2018. 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 \$33,300.00, the combined total for years 2017 and 2018, 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 \$29,970.00 of the rental fee will be paid to the lessor(s) and 10% or \$3,330.00 will be retained by the Department to offset administrative costs.

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

Sincerely,


Debbie Gidd
For Water Supply Bank

Enclosure

c: IDWR Front Desk
Lori Graves – SPF Water Engineering

Memorandum

To: Water Rights 61-12291, 61-2111, 61-11885 and 61-301B

From: Remington Buyer

Date: 12/18/2017

Re: Water Supply Bank Rental Application 849 for Agreement 201

Purpose/Narrative: This rental request has been submitted by Lori Graves of SPF Engineering, on behalf of John McCallum, of Casa del Norte, L.P., which is seeking a Water Supply Bank rental to authorize irrigation of 160 acres, through diversion of ground water from three different wells, all located within Township 04S, Range 09E, on lands owned by Casa del Norte, in Elmore County.

Casa del Norte holds title to water rights that overlap (and partially authorize) irrigation of a significant number of the 160 center-pivot acres proposed to be covered under this rental. The appurtenant water rights (61-301B, 61-2111 and 61-11885) authorize irrigation through diversion and gravity fed delivery of water from Cold Springs Creek and from a low-temperature geothermal aquifer. It seems that the surface water rights overlapping the rental place of use (61-2111 and 61-11885) do not provide sufficient year-round flows to sufficiently irrigate the 160 acres under center pivot, and diversions of low-temp ground water is declining, which is why the applicant is seeking an additional water source to accomplish irrigation of the 160 acre field on their property.

Authority to File: John McCallum has signed the rental application on behalf of Casa del Norte. Casa del Norte is a registered business in Idaho, which is represented by ARD Trading Inc. John McCallum is a director of ARD Trading Inc. No concerns about authority to file the application.

Water Right Validity/Forfeiture Evaluation: Water right 61-12291 is leased to the Bank 2017 through 2019. No concerns about the validity of water right 61-12291. This rental review has not considered the recent or historic use (and thereby the validity) of the three water rights appurtenant and overlapping with the rental place of use.

Injury Evaluation/Rentability: Water right 61-12291 authorizes irrigation and industrial uses at a location immediately west of the City of Mountain Home, approximately 20 miles west of the rental location. The source of water for water right 61-12291 is the same source from which water will be diverted via the three wells proposed for the rental (Source = Mountain Home Plateau ground water). No concerns about injury to the source.

Enlargement of Use/Rentability: The place of use for this rental is a 160 acre center-pivot field that significantly overlaps the 215 acre place of use authorized to be irrigated under water rights 61-301B, 61-2111 and 61-11885). The maximum use of water under rights 61-301B, 61-2111 and 61-11885 provides for a combined, additive diversion rate of 0.012 cfs/ac and 4.0 afa/ac, as follows:

Water Right	Diversion Rate	Diversion Vol.	Acres	Rate/Acre	Vol/Acre
61-2111	1.02 cfs	436.6 af	215.0 ac	0.005 cfs/ac	2.03 af/ac
61-11885	0.48 cfs	Not Stated	215.0 ac	0.002 cfs/ac	Not Stated
61-301B	1.02 cfs	433.0 af	215.0 ac	0.005 cfs/ac	2.01 af/ac
Combined Limit	2.52 cfs	896.6 af	215.0 ac	0.012 cfs/ac	4.04 af/ac

Avoiding an enlargement in irrigation water use on acres to which the above three water rights are appurtenant may require restricting Casa del Norte's water right rentals to the calculated maximum diversion rate of 0.012 cfs/ac. However, previous Water Supply Bank rental authorizations for the 160-acre Casa del Norte center pivot (proposed to be irrigated under rental application 849) established a maximum diversion rate and volume duty of water as 0.02 cfs/ac and 4.0 afa/ac. This may not be inappropriate, in that water rights 61-2111, 11885 and 301B authorize irrigation of approximately 100 additional acres outside the place of use boundaries specified for rental 849. If Casa del Norte fully diverted water under rights 61-2111, 11885 and 301B on the 100 acres outside the place of use for rental application 849, they could achieve a diversion rate of 0.02 cfs/ac on those acres, concurrent with their irrigation of the 160 acre pivot through diversion and use of ground water authorized under the rental. Thus, for the purposes of this rental review, it is proposed that a maximum 0.02 cfs/ac and 4.0 afa/ac diversion rate and volume duty be established for this rental.

Finally, the irrigation duty of water for the right being rented (61-12291) is 0.02 cfs/acre and 4.5 afa/ac. Thus, Casa del Norte will need to rent 720 af of water from water right 61-12291, however their rental authorization will be limited to 640 afa/ac.

Local Public Interest: Concurrent with rental application 849, Casa del Norte has proposed to add a point of diversion to water right 61-301B, via Transfer 81800. This transfer has been protested. However, per correspondence with the applicant, and through discussions with IDWR Water Allocation Bureau staff, it has been established that the source of rental water is a different water source than low-temperature geothermal aquifer that is the water source associated with protested Transfer 81800. As such, the Department is prepared to allow rental application 849 to proceed while the issues particular to Transfer 81800 are resolved through a separate and distinct IDWR administrative process.

Beneficial Use/Conservation of Water Resources: The maximum diversion rate and volume of water associated with rental application 849 shall be 0.02 cfs/ac and 4.0 afa/ac, which is consistent with the conservation of water resources and irrigation practices in Idaho.

Department/Watermaster Comments: This rental being within Elmore County, comments are being requested from Nick Miller, Regional Manager for IDWR's Western Region office and Watermaster for Water District 161. However, in light of the protested matter associated with Transfer 81800, it is not anticipated that comments will be received from Mr. Miller.

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

Buyer, Remington

From: Keen, Shelley
Sent: Friday, November 24, 2017 1:46 PM
To: Buyer, Remington; Webster, Clay; Skaggs, Pam
Cc: Miller, Nick
Subject: RE: WSB Rental 849 - Casa Del Norte

Remington,

I think it is always wise to be cautious about approving a rental that appears to mimic a protested application for permit or transfer application. Doing so may cause IDWR to appear as though it has prejudged the protested matter. In this case, Nick and I discussed the nature of the proposed rental extensively. We ultimately decided that the proposed rental's source is so different from the transfer application that the rental's potential impacts are clearly not the subject of the protest against the transfer application. Similar rentals have been approved for Casa Del Norte in the past without complaint. Therefore, unless there are other issues, we think the rental can be approved for 2017 through 2021. As stated in Water Supply Bank Rule 30.01, any water right holder affected by the rental may "petition the Director pursuant to Section 42-1766, Idaho Code, to revoke or modify the rental approval upon a showing of injury."

If you'd like to talk it over some more, let's meet next week.

Shelley

From: Buyer, Remington
Sent: Wednesday, November 22, 2017 10:55 AM
To: Keen, Shelley <Shelley.Keen@idwr.idaho.gov>; Webster, Clay <Clay.Webster@idwr.idaho.gov>; Skaggs, Pam <Pam.Skaggs@idwr.idaho.gov>
Subject: RE: WSB Rental 849 - Casa Del Norte

Thanks for the guidance Shelley. We can delay taking further action on the rental to allow time for Nick to converse with Charlie Honsinger.

From: Keen, Shelley
Sent: Wednesday, November 22, 2017 10:32 AM
To: Buyer, Remington <Remington.Buyer@idwr.idaho.gov>; Webster, Clay <Clay.Webster@idwr.idaho.gov>; Skaggs, Pam <Pam.Skaggs@idwr.idaho.gov>
Subject: RE: WSB Rental 849 - Casa Del Norte

Remington,

I saw that Nick has a prehearing conference scheduled for December 15 to discuss the transfer and protest with the parties. I called Nick to ask if he would raise the issue of the rental application as well. Nick thought he could, or he might even just call Charlie Honsinger, the protestant's attorney, before then. However, Nick won't be back in the office until Friday. I'll touch bases with him again then.

If the transfer protestant has no issues with the cold water rental, then it could be approved, unless there are other issues.

Shelley

From: Buyer, Remington

Sent: Tuesday, November 21, 2017 3:50 PM

To: Webster, Clay <Clay.Webster@idwr.idaho.gov>; Keen, Shelley <Shelley.Keen@idwr.idaho.gov>; Skaggs, Pam <Pam.Skaggs@idwr.idaho.gov>

Subject: WSB Rental 849 - Casa Del Norte

Clay, Pam, Shelley,

Earlier this year, Casa del Norte submitted simultaneously to IDWR a transfer and rental request, seeking authorizations to irrigate 160 acres under a center pivot, using ground water, in an area north of Glens Ferry. The intended irrigation usage is the same for both the rental and transfer proposal, however the rental and transfer propose water diversions from different water sources. Specifically, the transfer proposes adding a second warm-water geothermal point of diversion to water right 61-301B (which already authorizes diversions from a warm water aquifer) whereas the rental seeks an authorization to divert cold water from a shallow or non-geothermal aquifer.

Because the rental and transfer appeared to be equivalent, and because the transfer was initiated (and subsequently protested), I issued a letter (see attached) to Casa del Norte asking them for the following information:

- Acknowledgement that the transfer protestant does not protest the rental,
- Confirmation that the points of diversion proposed in the rental and transfer were different points of diversion (and different water sources), and
- Confirmation as to whether irrigation would be fully accomplished using rental water, or whether partial irrigation might occur via decreed water rights already appurtenant to the rental place of use.

I recently received a response back from Casa del Norte, via SPF Engineering. As to the first request, CDN has not sought nor received approval from the transfer protestant (Double Anchor Ranch), authorizing the rental. CDN did confirm that the PODs on the rental and transfer are different water sources, and they affirmed that, if a rental is possible, they would intend to partially irrigate under water rights appurtenant to the rental place of use if water is available from relevant sources (ie. if a rental can be approved for Casa del Norte, it should be sufficient to authorize full irrigation under the rental, but conditioned to limit diversion rates and volume duties, in the event that partial irrigation is possible under appurtenant water rights).

The question before us is whether to deny and return the rental request, or whether it should be considered. I believe we are in agreeance that the rental should be returned, but I wanted to put this before you three one final time before I draft a denial letter for CDN. Please let me know if you do not support denying and returning the rental, or if you would like to discuss this rental request further.

Thanks,

Remington
287-4918



SPF WATER
ENGINEERING

November 15, 2017

RECEIVED

NOV 16 2017

DEPARTMENT OF
WATER RESOURCES

Remington Buyer
IDWR State Office
PO Box 83720
Boise, ID 83720-0098

Subject: Water Supply Bank Rental Application 849

Dear Remington,

On behalf of Casa Del Norte, this letter is in response to your letter dated November 1, 2017 requesting additional information to support Water Supply Bank Rental Application No. 849. As you outlined in your letter, applicants have a pending transfer application that proposes changing and consolidating water rights to fully cover the place of use listed on Rental Application No. 849. Currently, the subject water rights only cover a portion of this area. They were decreed based on a gravity irrigation system that has since been upgraded to a more efficient pivot irrigation system. Once the transfer application is approved, rental water will no longer be necessary.

To provide you with some background, all of the subject lands were included in a permissible place of use (PPU) proposed under Transfer 78272. The transfer was filed in 2007 to reflect changes to the existing irrigation system involving all of the ranch water rights. Diversion of additional water and/or irrigation of additional acres was not proposed. After seven years waiting for approval, Casa Del Norte withdrew the transfer application and submitted simplified transfer applications in hopes of expediting Department processing. Unfortunately, any water right changes applicants propose in this area are protested by Double Anchor Ranch, thereby preventing Department processing and approval. Consequently, while applicant is actively seeking water right coverage for the subject pivot area, they have secured ground water from the Idaho Water Supply Bank irrigation seasons beginning in 2014. The rental approvals allow diversion of irrigation water from three existing cold water wells located on Casa Del Norte property.

To allow further review of Rental Application No. 849, responses to the three inquiries listed in your letter are provided below:

1. As expressed in the attached letter from Teresa McCallum dated November 15, 2017, Double Anchor Ranches have protested Transfer No. 81800 and have filed complaints with the Department against the applicant in the past. Consent from Double Anchor Ranches for rental of water proposed on Rental Application 849 is highly unlikely.

2. Yes, only cold ground water is being sought via Rental Application No. 849. The ground water proposed under Transfer No. 81800 is diverted from a deeper, geothermal aquifer, which is generally not available for rental.
3. When available, appurtenant surface water from Cold Springs Creek will continue to be used. The well production authorized under water right 63-301B has decreased over time, which explains why another existing geothermal well has been proposed on the transfer application as a 2nd ground water point of diversion. Upon approval of Rental Application 849, any available geothermal water authorized under water right 63-301B will be diverted and used on lands currently authorized for irrigation that are not located under the pivot footprint proposed for rental water use.

In summary, applicants have diligently worked at securing approvals for irrigation of the proposed pivot area with existing water rights. Installation of the pivot irrigation system has provided for more efficient irrigation, thereby conserving limited water resources. The use of rental water has allowed the applicant to plant and harvest crops that contribute to the local agriculture economy while permanent water right coverage is sought.

Sincerely,



Lori Graves
Water Rights Specialist

Cc: Casa Del Norte

SPF file number: 162.0010

Casa Del Norte, LP
11204 N. Bar 21 Dr
Glenns Ferry, Idaho 83623

November 15, 2017

Ms. Lori Graves
SPF Water Engineering
300 E. Mallard Dr.
Suite 350
Boise, Idaho 83706

Re: Water Bank Rental Application 849

Dear Lori;

I received the attached letter from Water Resources regarding our application for rental water. I am at a loss as to how to respond. Double Anchor has always filed complaints on everything we do, whether it is land development applications with the county, water right transfers or applications, this has been going on for years to the point of harassment. We need the rental water until the transfer is approved. I would estimate based on our past experience 2-3 years.

By not having the water from the bank during the interim we will suffer major losses to the tune \$100,000.'s of dollars. This is on a alfalfa field that will die, loss of income, wasted planting, and loss of use of equipment and land. And for what, the ability to use our existing water rights, just in a different footprint. The protest is unfounded but it takes time, in the case of Double Anchor it seems to take years.

Please contact Mr. Buyer and see if there is anything we can do to change his mind.

Thank you,


Teresa McCallum



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

November 1, 2017

**JOHN MCCALLUM
CASA DEL NORTE
11204 NORTH BAR 21 DRIVE
GLENN'S FERRY ID 83623**

RE: Water Supply Bank Rental Application 849

Dear Sir,

On July 12, 2017, the Department received from you an application to rent water from the Water Supply Bank (Rental Application No. 849) along with an Application for Transfer (No. 81800). It appears that the intended purpose of both the rental and transfer application is the same: an approval is sought from IDWR to authorize irrigation of a 160 acre field in Sections 08 and 17 of Township 04S, Range 09E, using ground water diverted from wells in sections 03, 09 and 10 of the same Township and Range. The 160 acre field is partially covered by irrigation ground water right 61-301B, which authorizes ground water diversions in Section 08 of Township 04S, Range 09E, along with surface water diversions from Cold Springs Creek, in Section 35 of Township 03S, Range 09E.

To avoid duplications in work assignments and efforts amongst IDWR's limited human resources, the Department typically does not process Water Supply Bank rental application where the intent of a rental is equivalent to the intent of an active Transfer application. Because processing of Transfer Application 81800 has already commenced, the Department is considering returning to you Water Supply Bank rental application No. 849. However, because Transfer No. 81800 has been protested, the Department may still review your rental application, provided certain conditions can be satisfied. Specifically, in order to further continue our review of Rental Application 849, confirmation of the following is required:

- Confirmation that the protestant to Transfer No. 81800 (Double Anchor Ranches) consents and does not object to your temporary rental of water via Water Rental Application No. 849;
- Confirmation that it is only the three wells in Sections 03 and 10, and not the well in Section 09 (associated with Transfer No. 81800) that is being sought via Rental Application No. 849;
- Confirmation as to whether any part of the 160 acres that can be irrigated under water rights 61-301B, 61-2111 and/or 61-11885, will in fact be irrigated from authorized water sources via points of diversion associated with the three water rights 61-301B, 61-2111 and/or 61-11885, or, whether no diversions are intended under water rights 61-301B, 61-2111 and/or 61-11885, and total irrigation of the 160 acres is intended to be accomplished via the diversions of ground water from the three points of diversion requested on the rental.

If these three items can be clarified and necessary consents can be obtained, the Department may proceed with a review of your rental application. As such, please provide the above to us within thirty (30) days (deadline: December 1, 2017). If the above is not timely received, the Department will return to you rental application No. 849.

If you have any questions about this matter, you can reach me at 208-287-4918, or by email at remington.buyer@idwr.idaho.gov.

A handwritten signature in black ink, consisting of a stylized 'R' followed by a horizontal line extending to the right.

Remington Buyer
Water Supply Bank Coordinator

Cc: IDWR Western Regional Office
IDWR Compliance Bureau
Lori Graves, SPF Water Engineering

Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		No. L 5066		Due no later than Aug 31, 2017 Annual Report Form		2. Registered Agent and Address (NO PO BOX) GREGORY A. BYRON THORNTON BYRON LLP 3101 W MAIN ST STE 200 BOISE ID 83702	
NO FILING FEE IF RECEIVED BY DUE DATE		CASA DEL NORTE L.P. PO BOX 71156 BOISE ID 83707-1156		1. Mailing Address (correct in this box if needed.)		3. New Registered Agent Signature:*	
Office Held GENERAL PARTNER		Name A&D TRADING INC		Street or PO Address 11204 N. BAR 21 DRIVE		City GLENN'S FERRY	
		State ID		Country USA		Postal Code 83623	
5. Organized Under the Laws of: ID L 5066		Signature: Gregory A. Byron Name (type or print): Gregory A. Byron		Date: 07/25/2017 Title: Registered Agent			
Processed 07/25/2017							
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		No. C 150573		Due no later than Aug 31, 2017 Annual Report Form		2. Registered Agent and Address (NO PO BOX) GREGORY A. BYRON 3101 W MAIN STE 200 BOISE ID 83702	
NO FILING FEE IF RECEIVED BY DUE DATE		A&D TRADING, INC. PO BOX 71156 BOISE ID 83707-1156		1. Mailing Address (correct in this box if needed.)		3. New Registered Agent Signature:*	
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional). Office Held DIRECTOR DIRECTOR DIRECTOR PRESIDENT		Name JOHN B. MCCALLUM TERESA M. MCCALLUM TERESA M. MCCALLUM JOHN B. MCCALLUM		Street or PO Address 11204 N. BAR 21 DRIVE 11204 N. BAR 21 DRIVE 11204 N. BAR 21 DRIVE 11204 N. BAR 21 DRIVE		City GLENN'S FERRY GLENN'S FERRY GLENN'S FERRY GLENN'S FERRY	
		State ID ID ID ID		Country USA USA USA USA		Postal Code 83623 83623 83623 83623	
5. Organized Under the Laws of: ID C 150573		Signature: Gregory A. Byron Name (type or print): Gregory A. Byron		Date: 07/25/2017 Title: Registered Agent			
Processed 07/25/2017							



SPF WATER
ENGINEERING

RECEIVED

JUL 12 2017

DEPARTMENT OF
WATER RESOURCES

July 12, 2017

Jean Hersley
IDWR State Office
PO Box 83720
Boise, ID 83720-0098

Subject: Casa Del Norte Water Bank Rental Application

Dear Jean,

Enclosed on behalf of Casa Del Norte is Water Bank Application for rental of ground water to allow irrigation of 160 acres (aka the Bull Pasture) at the applicant's Cold Spring Ranch. As we discussed on the telephone, applicants have rented water for this pivot area in the past and have been waiting for their annual rental bill from the Department, which was not sent because their rental term had expired. The enclosed application requests rental for up to five additional years, with the hope adequate private ground water will be made appurtenant before then.

Please let me know if there are any questions. Thanks Jean.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: John and Theresa McCallum

SPF file number: 162.0010