

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 192

RECEIVED

NOV 08 2017

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

ALAN H ANDERSEN
488 RIVERSIDE DR
BURLEY, ID 83318

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)
45-7733	8/27/1979	GROUND WATER	0.330	128.00
Combined Rental Totals			0.330	128.00

Term of Rental: This rental shall take effect when all parties have signed it and shall continue in effect until December 31, 2021

Annual Rental Fee:

2017: \$2,176.00
2018 - 2021: \$2,560.00

The full fee for the rental of the above-described right(s) is \$2,176.00 per year for 2017 and \$2,560.00 per year for years 2018 - 2021. The rental fee includes an administrative fee of \$217.60 per year for 2017 and \$256.00 per year for years 2018 - 2021.

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.

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:

<u>Anderland LLC</u>	<u>Nov 4, 2017</u>
Signature of Renter	Date
<u>Alan H. Andersen</u>	
<u>Alan H. Andersen</u>	<u>President</u>
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 <u></u>	Date <u>11/13/2017</u>
BRIAN PATTON, Acting Administrator	
Idaho Water Resource Board	

Rental approved by IDWR <u></u>	Date <u>11-13-2017</u>
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WATER SUPPLY BANK RENTAL AGREEMENT No. 192

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSENW	Sec. 16, Twp 10S, Rge 25E,	CASSIA County
GROUND WATER	SWSENW	Sec. 16, Twp 10S, Rge 25E,	CASSIA County
GROUND WATER	SWSENW	Sec. 16, Twp 10S, Rge 25E,	CASSIA County
GROUND WATER	SWSENW	Sec. 16, Twp 10S, Rge 25E,	CASSIA County

Beneficial Use	Diversion Rate	Volume
COMMERCIAL	0.33 CFS	128.00 AF
STOCKWATER	0.33 CFS	128.00 AF

BENEFICIAL USE & SEASON OF USE

Water Right No.	From	To	Diversion Rate
45-7733	1/1	12/31	0.330 CFS

RENTERS PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	25E	16								X									X

RENTERS PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	25E	16								X									X

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement 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. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

9. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
10. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
11. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
12. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.



Idaho Water Resource Board
Water Supply Bank Rental Agreement

Effective until December 31, 2021

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



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



0  Miles
0.25

STATE OF IDAHO
WATER RESOURCE BOARD

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SEP 22 2017

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Alan H & Norma Andersen

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)

45-7733

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Alan H & Norma Anderen

Mailing Address <u>488 Riverside Dr</u>	<u>Burley</u>	ID	<u>83318</u>
Street	City	State	Zip Code
Email Address <u>andersenah@gmail.com</u>	Phone Number <u>208-221-7969</u>		

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☐ No ☒
 If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

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

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

The rental water under this application will provide for changes in the dairy operation to cover water use above the water rights currently used on the dairy. Based on measured flow meter data over the past 10 months our water use under new operating conditions are going to be higher than anticipated for the new barn start up 11/16.

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.33 CFS	128 AF	0.33 CFS	75 AF	AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
01/01/2017	12/31/2017	☐ 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 will be diverted from up to 5 existing groundwater wells for the dairy. The POU will be for the current dairy footprint. The POD description for all 5 existing wells are located within adjacent 10 ac tracts

- 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
10S25E16SWSENW	GW	45-13394, 45-13396
10S25E16NWSENW	GW	45-13394, 45-13396

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

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

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

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

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

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

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☒ Yes ☐ No ☐
If yes, justify the rate of flow and attach any supporting documents as **Attachment 3J**. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☒ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it **Attachment 3K**.

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:
45-13394, 45-13396

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)
45-7733	Comm, Stock	0.33	128			0.33	128	
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.33	128	
						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

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DEPARTMENT OF
WATER RESOURCES

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☒ No ☐
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

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

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

- D. Additional Information

DECLARATION

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

Anderland LLC
Anderland LLC
Signature of Applicant

Anderland LLC
Printed Name of Applicant

Sept 21, 2017
Date

Alan H. Andersen
Signature of Representative

Alan H. Andersen
Printed Name of Representative

Sept 21, 2017
Date

Mail to:

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☒ No ☐
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

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

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

- D. Additional Information

DECLARATION

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

Signature of Applicant

Printed Name of Applicant

Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

STATE OF IDAHO
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.

SEP 22 2017

DEPARTMENT OF
WATER RESOURCES

A1 : X ✓ fx

ENHANCED GROUND-WATER RIGHTS TRANS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

Cells this color are set up for user entries

UPDATE DATES RUN MODEL GET OUTPUT

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

TRANSFER NO: Rental

YEAR: 1979

TRANSFER NAME: Anderson

SEASON: SUMMER

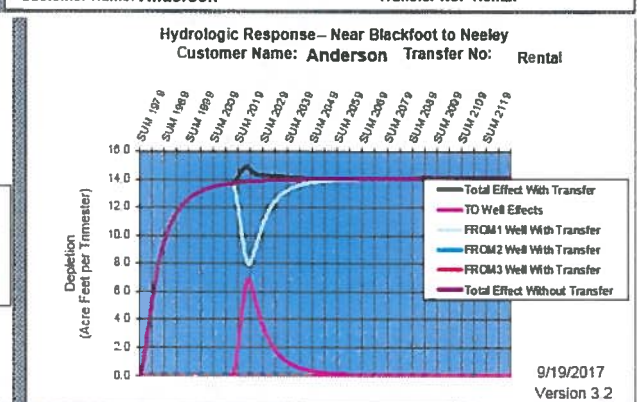
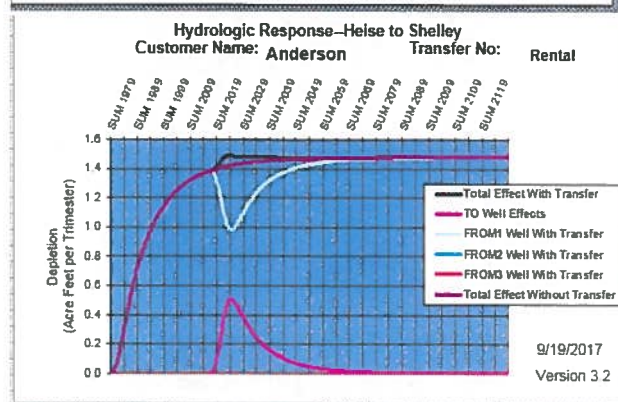
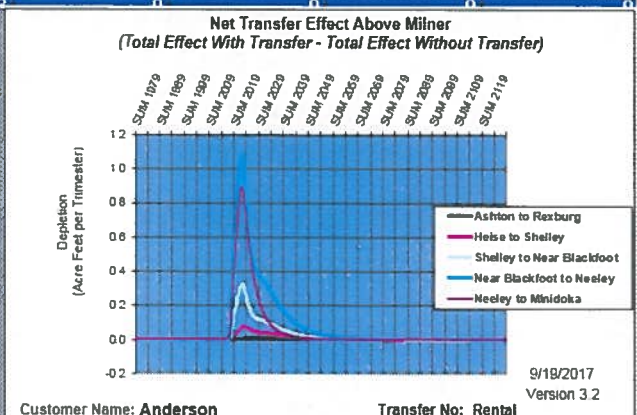
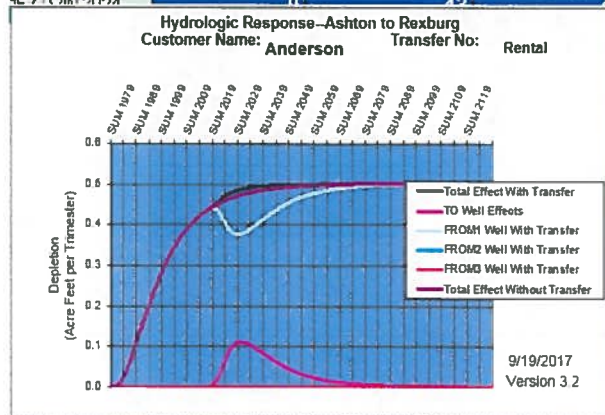
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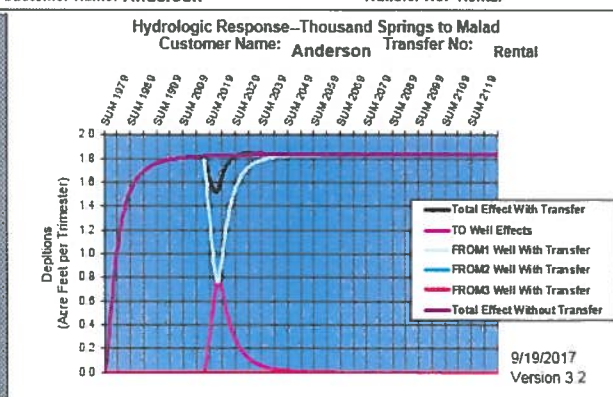
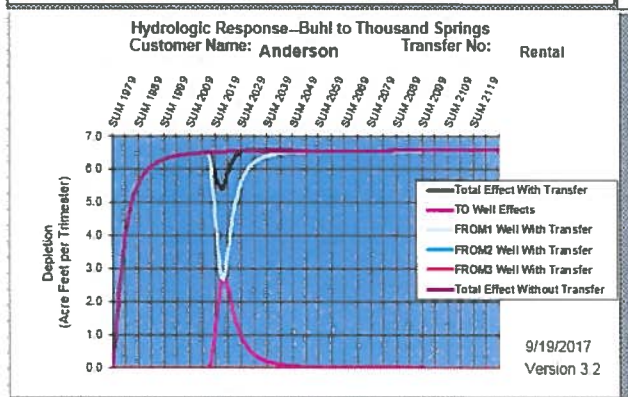
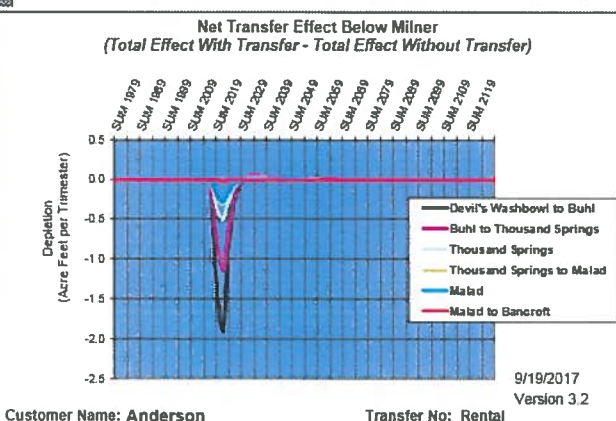
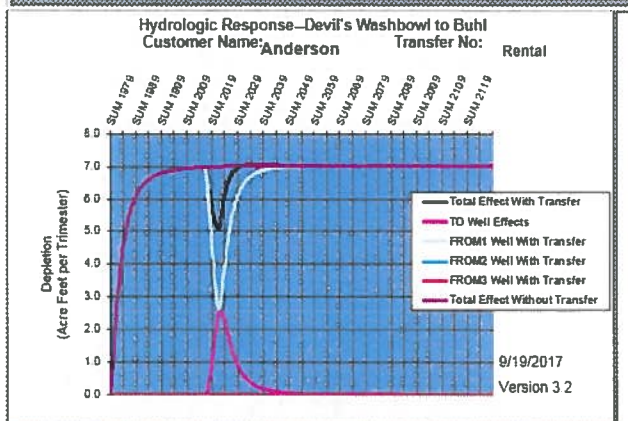
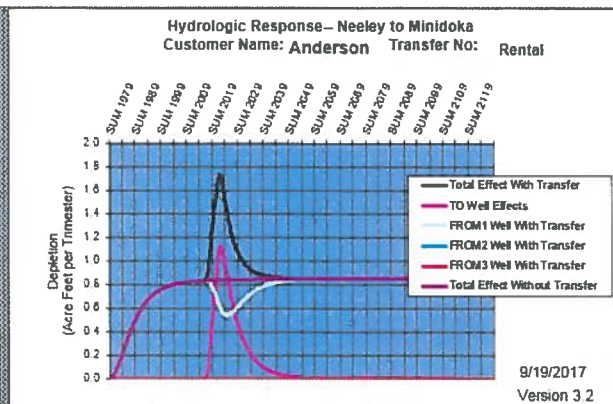
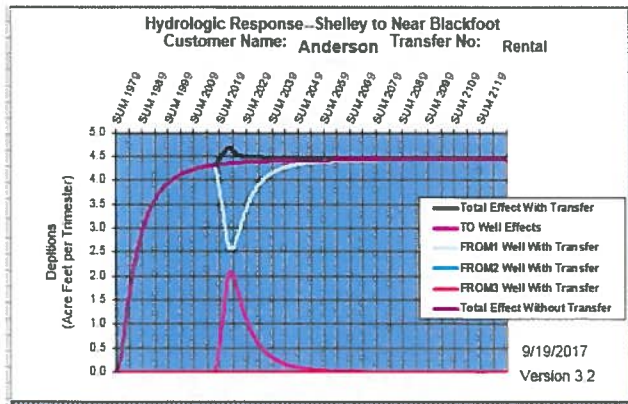
ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	90	89		
COLUMN	62	50		

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
21 SUM 1979	0	43	43	0	0	0	0
22 WIN 1979	0	43	43	0	0	0	0
23 SPR 1980	0	43	43	0	0	0	0
24 SUM 1980	0	43	43	0	0	0	0
25 WIN 1980	0	43	43	0	0	0	0
26 SPR 1981	0	43	43	0	0	0	0
27 SUM 1981	0	43	43	0	0	0	0
28 WIN 1981	0	43	43	0	0	0	0
29 SPR 1982	0	43	43	0	0	0	0
30 SUM 1982	0	43	43	0	0	0	0
31 WIN 1982	0	43	43	0	0	0	0
32 SPR 1983	0	43	43	0	0	0	0
33 SUM 1983	0	43	43	0	0	0	0
34 WIN 1983	0	43	43	0	0	0	0
35 SPR 1984	0	43	43	0	0	0	0
36 SUM 1984	0	43	43	0	0	0	0
37 WIN 1984	0	43	43	0	0	0	0
38 SPR 1985	0	43	43	0	0	0	0

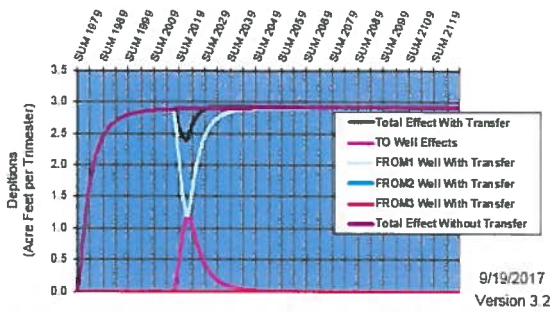
128	SPR 2015	0	43	43	0	0	0	0
129	SUM 2015	0	43	43	0	0	0	0
130	WIN 2015	0	43	43	0	0	0	0
131	SPR 2016	0	43	43	0	0	0	0
132	SUM 2016	0	43	43	0	0	0	0
133	WIN 2016	0	43	43	0	0	0	0
134	SPR 2017	43	0	43	0	0	0	0
135	SUM 2017	43	0	43	0	0	0	0
136	WIN 2017	43	0	43	0	0	0	0
137	SPR 2018	43	0	43	0	0	0	0
138	SUM 2018	43	0	43	0	0	0	0
139	WIN 2018	43	0	43	0	0	0	0
140	SPR 2019	43	0	43	0	0	0	0
141	SUM 2019	43	0	43	0	0	0	0
142	WIN 2019	43	0	43	0	0	0	0
143	SPR 2020	43	0	43	0	0	0	0
144	SUM 2020	43	0	43	0	0	0	0
145	WIN 2020	43	0	43	0	0	0	0
146	SPR 2021	43	0	43	0	0	0	0
147	SUM 2021	43	0	43	0	0	0	0
148	WIN 2021	43	0	43	0	0	0	0
149	SPR 2022	0	43	43	0	0	0	0
150	SUM 2022	0	43	43	0	0	0	0
151	WIN 2022	0	43	43	0	0	0	0
152	SPR 2023	0	43	43	0	0	0	0
153	SUM 2023	0	43	43	0	0	0	0
154	WIN 2023	0	43	43	0	0	0	0
155	SPR 2024	0	43	43	0	0	0	0
156	SUM 2024	0	43	43	0	0	0	0
157	WIN 2024	0	43	43	0	0	0	0





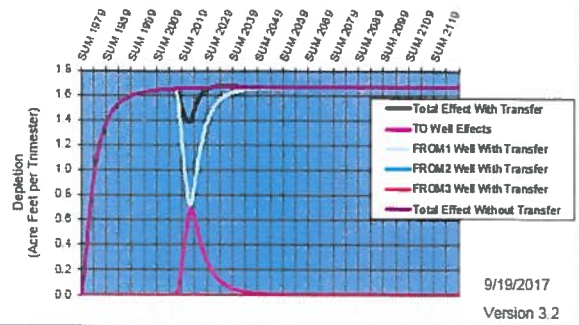
Hydrologic Response--Thousand Springs

Customer Name: Anderson Transfer No: Rental



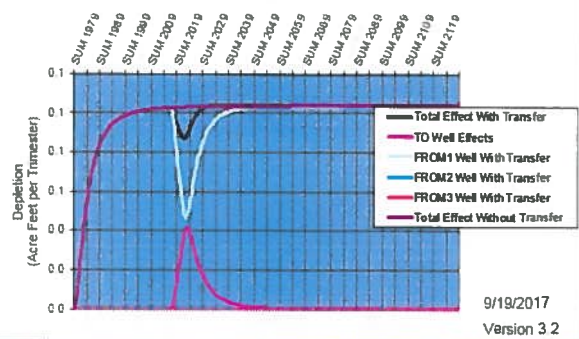
Hydrologic Response-- Malad

Customer Name: Anderson Transfer No: Rental

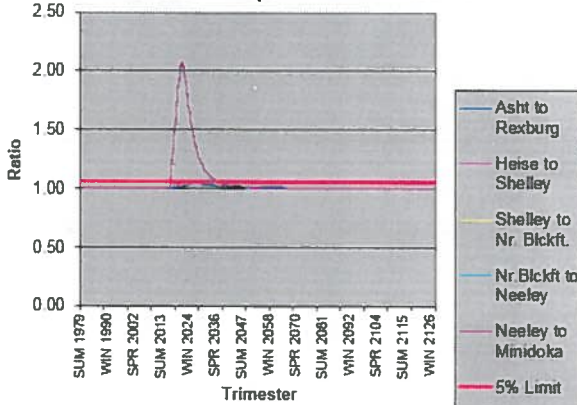


Hydrologic Response-- Malad to Bancroft

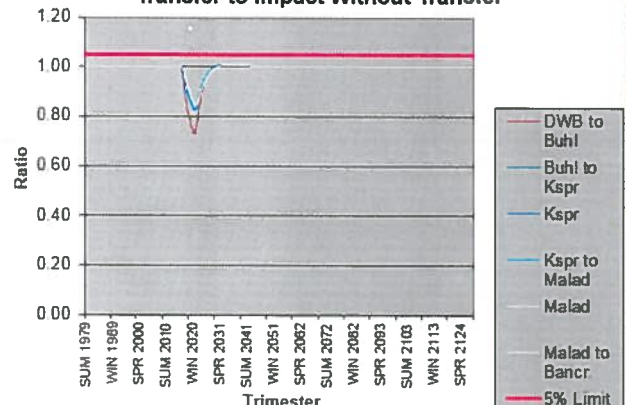
Customer Name: Anderson Transfer No: Rental



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



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



Mitigation Analysis Period

Trimester

One-Way Analysis of Independent Transfers

New Water Right (GModelo):

WR No	Gr. Rate (CFS)	Com. Vol. (AF/A)	Is a offer	Priority	POD Location	Dedicated Vol. (AF/A)	Model Node
777	275.6	68.9	1/1/1960	85286-3	275.6 91.9	SP062075	
777	275.6	68.9	1/1/1960	85286-3	275.6 91.9	SP068866	
777	275.6	68.9	1/1/1960	85286-3	275.6 91.9	SP062075	
777	275.6	68.9	1/1/1960	85286-3	275.6 91.9	SP068866	

Impact by Reach (AF/Trimester)

Asht to Rexburg	Heise to Shelley	Shelley to Nr. Bickft.	Nr. Bickft to Neeley	Neeley to Minidoka	Dev. Vht. To Buhl	Buhl to Kspr	Kspr to Malad	Malad to Bancroft
0.51	1.49	4.45	14.12	0.85	7.04	6.59	2.82	1.84
0.51	1.49	4.45	14.12	0.85	7.04	6.59	2.82	1.84
0.51	1.49	4.45	14.12	0.85	7.04	6.59	2.82	1.84
0.51	1.49	4.45	14.12	0.85	7.04	6.59	2.82	1.84

Steady State Analysis

Mitigation Check 1 - >10% of historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Check 2 - >2 AF/T	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total	1.2%	3.6%	10.7%	34.0%	2.6%	16.2%	7.6%	4.4%	0.2%
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - >10% of historical	0.0%	0.7%	5.1%	2.7%	104.2%	0.3%	0.4%	0.4%	0.3%
Mitigation Check 2 - >2 AF/T	0.0	0.0	0.2	0.8	0.9	0.0	0.0	0.0	0.0
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.2	0.8	0.9	0.0	0.0	0.0	0.0

Not Used



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 14, 2017

ALAN H ANDERSEN
488 RIVERSIDE DR
BURLEY ID 83318

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 45-7733**

Dear Renter:

Please find enclosed a receipt in the amount of **\$2,176.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 128.00 acre-feet of water for commercial and stockwater use during 2017. 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 \$1,958.40 of the rental fee will be paid to the lessor(s) and 10% or \$217.60 will be retained by the Department to offset administrative costs.

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

Sincerely,


for Water Supply Bank

Enclosures: Receipt No. C104304
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Corey Skinner – IDWR Southern Regional Office
Brian Higgs – State Water District No. 140



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 2, 2017

ALAN H ANDERSEN
488 RIVERSIDE DR
BURLEY ID 83318

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 45-7733**

*****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. Please note that the Application to Rent Water was not signed. I have also enclosed the signature page of that application. Please sign the signature page of the application and return it with the signed Rental Agreement and rental payment.

A rental fee of \$2,176.00 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 128.0 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 \$2,176.00 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 \$1,958.40 of the rental fee will be paid to the lessor(s) and 10% or \$217.60 will be retained by the Department to offset administrative costs.

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

Sincerely,

Water Supply Bank

Enclosures

c: IDWR Front Desk

Memorandum

To: Water Rights 45-13394, 45-13396 and 45-7733

From: Remington Buyer

Date: October 31, 2017

Re: Water Supply Bank Rental Application 833

Purpose/Narrative: Applicant is owner of a dairy in Cassia County which has recently been renovated, and is now pumping ground water at a rate that is expected to result in an exceedance of their annual diversion volume limit authorized under their water rights (106 afa; 45-13394 and 45-13396). The purpose of this rental is to administratively authorize annual diversion volumes at the dairy in excess of 106 afa. The actual annual diversion volume required for 2017 is unclear, however it is anticipated that in years 2018 through 2021 it may be as high as 232 afa, which would require a rental of 126afa (see email from Corbin Knowles dated October 3, 2017).

Authority to File: Land where dairy is located is owned by Anderland LLC, of which Alan Anderson, the applicant for this rental (and owner of the water rights appurtenant to the dairy land) is listed as Manager. No concerns about authority to file. Applicant has not signed the application and will be requested to do so prior to execution of a rental agreement.

Water Right Validity/Forfeiture Evaluation: Water right 45-7733 has recently been leased to the Bank, no concerns about its validity. WMIS record (No. 401676) confirms diversions in recent years under appurtenant water rights 35-13394 and 35-13396. No concerns about their validity.

Injury Evaluation/Rentability: ESPA modeling provided with the rental indicates transfer standards will not be exceeded and no injuries are anticipated through this rental. There is a note in the water right backfile from Water District #140 watermaster Brian Higgs, in which it is suggested that water right 45-7733 might have been proposed for inclusion in a mitigation plan by Southwest Irrigation District. However, question 4H on the lease application asks whether the water right is involved in a mitigation plan and the applicant answered no. Also, no comments were received by Brian Higgs.

Enlargement of Use/Rentability: The water rights being rented are stock water/commercial in nature, which is the same as the intended rental purpose. Enlargement in use is not anticipated.

Local Public Interest: Staff has no information to suggest the rental is contrary to local public interests.

Beneficial Use/Conservation of Water Resources: The amount of water required in excess of 106 afa is likely to be as much as 126 afa. Water right 45-7733 authorizes up to 128 afa, and this is the amount that has been requested on the rental application, and this will be the amount authorized for the rental.

Department/Watermaster Comments: Rental is located within the boundaries of Water District 140 – Oakley Valley Area and IDWR Southern Region. Comments were requested from Water District 140 Watermaster Brian Higgs and IDWR Southern Region Staff Corey Skinner. No comments were received.

Water Supply Bank Evaluation: This rental is approvable for years 2017-2021.

Buyer, Remington

From: Corbin Knowles <corbinknowles@cableone.net>
Sent: Tuesday, October 03, 2017 9:51 AM
To: Buyer, Remington
Cc: Alan Andersen; Ben Andersen
Subject: Re: Water Supply Bank Rental Application 883

Remington

I visited with Alan and helped put together the water use estimates for the dairy under rental application 883. See below for response to your questions related to this application. These numbers are based on research conducted by the USDA about Idaho's dairy water use in response to one of the Rangen water calls about 5 years ago.

The dairy for 2017 has been growing in cow numbers each month with the new barn completion in 2016. For the remainder of 2017 cow number will continue to increase and it is anticipated the dairy will need about 30 acre feet of water above the water rights of 106 acre feet.

For 2018, we anticipate the dairy will need water for up to 3000 milking cows, an average of 2500 replacement heifers and other stock.

Below are the estimated water use calculations for the dairy 2018-2021.

Milking cows- 3000 head x 54 gal/cow/day/yr= 182 af/ann
Replacement heifers and stock water 2500 head x 18 gal/cow/day/yr= 50 af/ann

Total water use needs for 2018-2021 are projected at 232 AF/ann. Please contact me if you have questions.

Thanks

Corbin

Oct 2, 2017, at 1:16 PM, Buyer, Remington <Remington.Buyer@idwr.idaho.gov> wrote:

Corbin,

FYI, copy of an email sent today to Mr. Andersen (and a follow up to my call to him/voicemail left on your phone).

Hope all is well with you,

Remington
287-4918

From: Buyer, Remington
Sent: Monday, October 02, 2017 1:15 PM
To: 'andersenah@gmail.com' <andersenah@gmail.com>
Subject: Water Supply Bank Rental Application 883

Mr. Andersen,

I have reviewed your request to rent commercial/stock water right 45-7733 for use within your dairy, which is currently serviced by water rights 45-13394 and 45-13396. I understand it is anticipated that operations at your dairy will likely result in an annual diversion volume in excess of 106 acre feet, which is the maximum authorized diversion volume authorized under your two water rights. Water right 45-7733 can provide an additional 128 af, with a maximum diversion rate of 0.33 cfs, to authorize diversions at your dairy in excess of 106 acre feet. The maximum annual diversion volume could be 234 af (106 af + 128 af). I am contacting you to determine the foreseeable actual diversion volumes required for your dairy.

The letter provided with your rental application indicates that for the first 10 months of 2017, the dairy has been averaging a monthly diversion volume of 10.5 acre feet. Thus, an annual diversion volume might be estimated as 126 af (10.5 af/month * 12 months) which would necessitate a rental for you of 20 af (126 af minus 106 af). Is this correct, or do you require a rental of more than 20 af annually? What is the anticipated maximum diversion volume at the dairy for 2017? Do you anticipate that this will be the same annual maximum diversion volume at the dairy during 2018 through 2021?

Please provide answers to the above within thirty days (**deadline: Friday November 3rd, 2017**) so that review of your rental request can be finalized.

Thank you,

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

Buyer, Remington

From: Buyer, Remington
Sent: Monday, October 02, 2017 12:53 PM
To: Skinner, Corey; brian@waterwellconsultants.com
Subject: Basin 45 WD 140 Water Supply Bank Rental
Attachments: WSB Rental map.pdf; Review Memo.docx; Draft Rental Agreement.docx

Corey, Brian,

The Department recently received a Water Supply Bank rental request for 2017-2021 from Andersen Dairy, in Cassia County. The Dairy is owned by Alan and Norma Andersen and stock water/commercial diversions of ground water are authorized under water rights 45-13394 and 45-13396. Following upgrades to the dairy facility, it is anticipated that ground water diversions at the dairy will exceed the authorized annual diversion volume of 106 af. As such, the dairy has requested to rent stock water/commercial water right 45-7733 to cover any exceedances for this year, through to 2021.

I am contacting the applicant to determine whether a specific diversion volume is anticipated/known at this time. Water right 45-7733 can provide for an additional 128 af of water, which would more than double the Andersen Dairy's annual diversion volume limits.

This rental being subject to IDWR Southern Region and Water District 140 administration, please advise if you too have any additional questions, comments or concerns about the rental. Draft rental agreement, memo and map are attached for review.

Thanks,

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

Buyer, Remington

From: Buyer, Remington
Sent: Monday, October 02, 2017 1:15 PM
To: 'andersenah@gmail.com'
Subject: Water Supply Bank Rental Application 883

Mr. Andersen,

I have reviewed your request to rent commercial/stock water right 45-7733 for use within your dairy, which is currently serviced by water rights 45-13394 and 45-13396. I understand it is anticipated that operations at your dairy will likely result in an annual diversion volume in excess of 106 acre feet, which is the maximum authorized diversion volume authorized under your two water rights. Water right 45-7733 can provide an additional 128 af, with a maximum diversion rate of 0.33 cfs, to authorize diversions at your dairy in excess of 106 acre feet. The maximum annual diversion volume could be 234 af (106 af + 128 af). I am contacting you to determine the foreseeable actual diversion volumes required for your dairy.

The letter provided with your rental application indicates that for the first 10 months of 2017, the dairy has been averaging a monthly diversion volume of 10.5 acre feet. Thus, an annual diversion volume might be estimated as 126 af (10.5 af/month * 12 months) which would necessitate a rental for you of 20 af (126 af minus 106 af). Is this correct, or do you require a rental of more than 20 af annually? What is the anticipated maximum diversion volume at the dairy for 2017? Do you anticipate that this will be the same annual maximum diversion volume at the dairy during 2018 through 2021?

Please provide answers to the above within thirty days (**deadline: Friday November 3rd, 2017**) so that review of your rental request can be finalized.

Thank you,

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

No. W 35532		Due no later than Dec 31, 2016		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Annual Report Form 1. Mailing Address: Correct in this box if needed. ANDERLAND, LLC NORMA J ANDERSEN 488 RIVERSIDE DR BURLEY ID 83318		ALAN H ANDERSON 488 RIVERSIDE DR BURLEY ID 83318-8331			
				3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.							
Office Held	Name	Street or PO Address	City	State	Country	Postal Code	
MANAGER	ALAN H ANDERSON	488 RIVERSIDE DR	BURLEY	ID	USA	83318	
MEMBER	NORMA J ANDERSEN	488 RIVERSIDE DR	BURLEY	ID	USA	83318	
5. Organized Under the Laws of: ID W 35532		6. Annual Report must be signed.* Signature: Norma Andersen Name (type or print): Norma Andersen			Date: 10/27/2016 Title: Memeber		
Processed 10/27/2016		* Electronically provided signatures are accepted as original signatures.					

RECEIVED

SEP 22 2017

DEPARTMENT OF
WATER RESOURCES

To: Idaho Department of Water Resources C/O Clay Webster
From: Alan Andersen
Date: 9/20/2017

RE: Andersen Dairy Water Right Rental 45-7733

Andersen Dairy is located in Cassia County at 10S 25E section 16 SENW. The dairy is authorized under water rights 45-13394 and 45-13396 for commercial and stock water use of up to 106 acre feet of annual use with a rate of flow under the rights of 0.52 cfs. In 2016 the dairy underwent a large construction project to replace an existing milk barn and add freestall pens for their dairy herd. Up until these changes the dairy's water use was approximately 50-60 acre feet of use per year or about half the allotted amounts under the water rights listed above.

The new dairy barn was completed in the fall of 2017 and brought on line in November of 2016. IDWR approved flow meters were installed in the new facilities and water use has been recorded for the past 10 months. To date the calculated water use is approximately 10.5 acre feet per month with the new barn and dairy operations. The dairy is still working out the operational functions and water use needs of the new barn and based on the calculated water use appears that it will be in excess of the 106 acre foot volume limits under the rights.

The water supply bank rental application attached is for a 5 year rental to help cover the changes that have occurred at the dairy. This rental would include covering the overages at the dairy for the 2017 and the four years in the future. This additional water will provided the dairy the ability to work through the finer details of water use for the dairy and the ability to optimize the new barn efficiency as the herd numbers fluctuate up and down. The application is for a specific water right 45-7733 owned by Wards Dairy in 11S25E section 15 NENE. This right is for 0.33 cfs rate of flow and 128 acre feet of use for both commercial and stock water.

The ESPA model was used to determine impacts to the surrounding water rights and was found to have little to no impact from the proposed rental. These findings are included in the application as requested by IDWR.

For questions related to this application please contact Alan Andersen at 208-221-7969.

Clay,
Korbin Knowles has helped me with this application.
Please reply to andersenah@gmail.com
e h
to let me know you have recieved it.
Thanks, Alan

Andersen Rental App

