

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT NO. 181

RECEIVED

AUG 30 2017

DEPARTMENT OF
WATER RESOURCES

This is to certify that:

SDRTR LLC
C/O ANTHONY ROBBINS 930 S
ANDREASEN DR STE H
ESCONDIDO, CA 92029

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)
37-2055	7/24/1906	WARM SPRINGS CREEK	0.10	17.5	5.0	0.020	3.50
Rental Totals			0.10	17.5	5.0	0.020	3.50

Term of Rental: This rental shall take effect when all parties have signed it and shall continue in effect until December 31, 2018

Annual Rental Fee:

2017: \$297.50
2018: \$350.00

The full fee for the rental of the above-described right(s) is \$297.50 per year for 2017 and \$350.00 for 2018. The rental fee includes an administrative fee of \$29.75 per year for 2017 and \$35.00 for 2018.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
AESTHETIC STORAGE		3.4			
DIVERSION TO STORAGE	0.10				
IRRIGATION	0.02	1.8	0.5	0.04	3.6
RECREATION STORAGE		3.4			
Combined Total	0.10	5.2	0.5		

** The authorized water usage reflects a reduction from the water right elements rented, to account for change in nature of use.*

Detailed water right conditions are attached.

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WATER SUPPLY BANK RENTAL AGREEMENT NO. 181

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:

_____ Signature of Renter	_____ Date
Yogesh Babla	Aug 25, 2017
_____ Printed Name	_____ Title
	Manager

*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, Acting Administrator Idaho Water Resource Board	Date _____ 8/30/2017
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Rental approved by IDWR _____ Chyler	Date _____ 8-30-2017
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WATER SUPPLY BANK RENTAL AGREEMENT NO. 181**WATER USE DETAILS****LOCATION OF POINT(S) OF DIVERSION**

WARM SPRINGS CREEK NENE Sec. 36, Twp 04N, Rge 16E, BLAINE County

Beneficial Use	Diversion Rate	Volume
AESTHETIC STORAGE		4.60 AF
DIVERSION TO STORAGE	0.10 CFS	
IRRIGATION	0.02 CFS	1.20 AF
RECREATION STORAGE		4.60 AF

BENEFICIAL USE & SEASON OF USE

Water Right No. From To
37-2055 5/1 10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	16E	36	0.5																0.5

Total Acres: 0.5

RENTERS PLACE OF USE: AESTHETIC & RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	16E	36	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.

WATER SUPPLY BANK RENTAL AGREEMENT NO. 181

8. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
9. Place of use is located in H.E.S. No. 389 and is also known as Lot 1B, Block 1 Warfield Hot Springs Subdivision.
10. The water rented under this agreement is appurtenant to irrigation of 5.0 acres.
11. The right holder shall install and maintain an impermeable liner in the pond to eliminate seepage losses.
12. The initial fill of this pond established by the storage of water under this rental shall not exceed a total capacity of 2.05 acre-feet or a total surface area of 0.52 acres.
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
14. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.



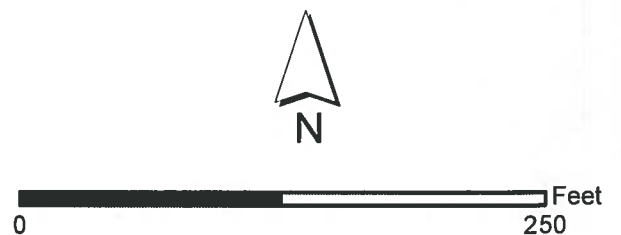
Idaho Water Resource Board
Water Supply Bank Rental Agreement No. 181

Effective until December 31, 2018

This map depicts the **rental place of use for irrigation** 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



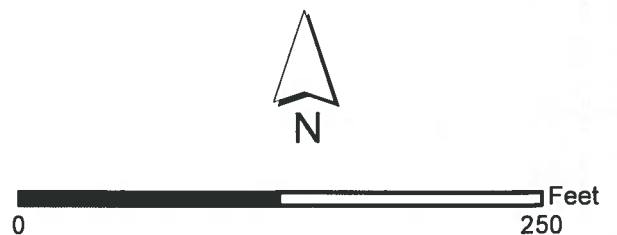
Idaho Water Resource Board
Water Supply Bank Rental Agreement No. 181

Effective until December 31, 2018

This map depicts the rental place of use for Aesthetic and Recreational Storage 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



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

RECEIVED

APR 17 2017

DEPARTMENT OF
WATER RESOURCESApplicant Name: SDRTR LLC

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)

37-2055

120

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant SDRTR LLC c/o Anthony Robbins

Mailing Address 930 S Andreasen Dr. STE H Escondido CA 92029
Street City State Zip Code

Email Address _____ Phone Number _____

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 Charles E. Brockway Professional Title P.E.

Organization Brockway Engineering PLLC Relationship to Applicant Consultant

Mailing Address 2016 Washington St. North Suite #4 Twin Falls, ID 83301

Email Address charles.e.brockway@brockwayeng.com Phone Number 208-736-8543

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

Applicant seeks to rent 5.0 acres of 37-2055 for aesthetic and recreation uses at applicant's property. WSB rental will be used to fill a pond, provide water for water feature evaporation and irrigate 0.5 acres of trees around pond, throughout 2017 and 2018.

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)
0.10 CFS	17.5 AF	0.10 CFS	17.5 AF	5.0 AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
5/15/17	7/15/17	☐ 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):

Applicant will divert proposed rental portion of 37-2055 from Warm Springs Creek on applicants property and will be conveyed to the water feature.

- 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
(Pump) from Creek & meter	Warm Springs Creek	None.

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 5.0 (number of acres) Duration: Subject to IDWR standard seasons of use
☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
☒ Other: Aesthetic, Recreation from: 5/1 (mm/dd) to: 12/31 (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.

N/A.

- 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:

None. Applicant seeks rental to fill proposed new 2 acre foot aesthetic and water feature, provide water for evaporative loss and irrigate 0.5 acres of trees around pond.

**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)
37-2055	Irrigation	1.60		82.2		0.10	17.5	5.0
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.10	17.5	5.0
						CFS	AF	AC

**Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.*

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

N/A.

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**:

Yes, see #5D.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

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JUL 17 2017

DEPARTMENT OF
WATER RESOURCES

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:
Water right 37-2055 was rented during 2016 for the same purposes. Negotiations are on-going to secure ownership of a portion of the right.

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

If yes, describe:

Yes ☒ No ☐

Applicant is actively looking to permanently transfer a water right(s) to the property for the uses listed above.

- 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.

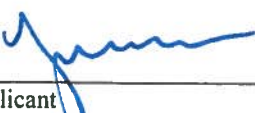
N/A.

- D. Additional Information

8.2 AF of consumptive use sought under rental ((Pdef) of grass pasture =500mm or 1.64'/ac.) is larger than the volume required to fill water feature, account for evaporation and irrigate 0.5 acres of trees, (4.56 AF total CU = 2.05 AF fill + 1.31 AF evap + 1.2 AF of ET for trees), no expansion of the water right results from proposed rental.

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

YOGESH BABLA
Printed Name of Applicant

7/11/17
Date


Signature of Representative

Charles E. Brockway
Printed Name of Representative

4/14/2017
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:
Water right 37-2055 was rented during 2016 for the same purposes. Negotiations are on-going to secure ownership of a portion of the right.
- 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:
Applicant is actively looking to permanently transfer a water right(s) to the property for the uses listed above.
- 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.
N/A.
- D. Additional Information
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Signature of Applicant

Printed Name of Applicant

Date

Charles E. Brockway

Charles E. Brockway

4/14/2017

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.

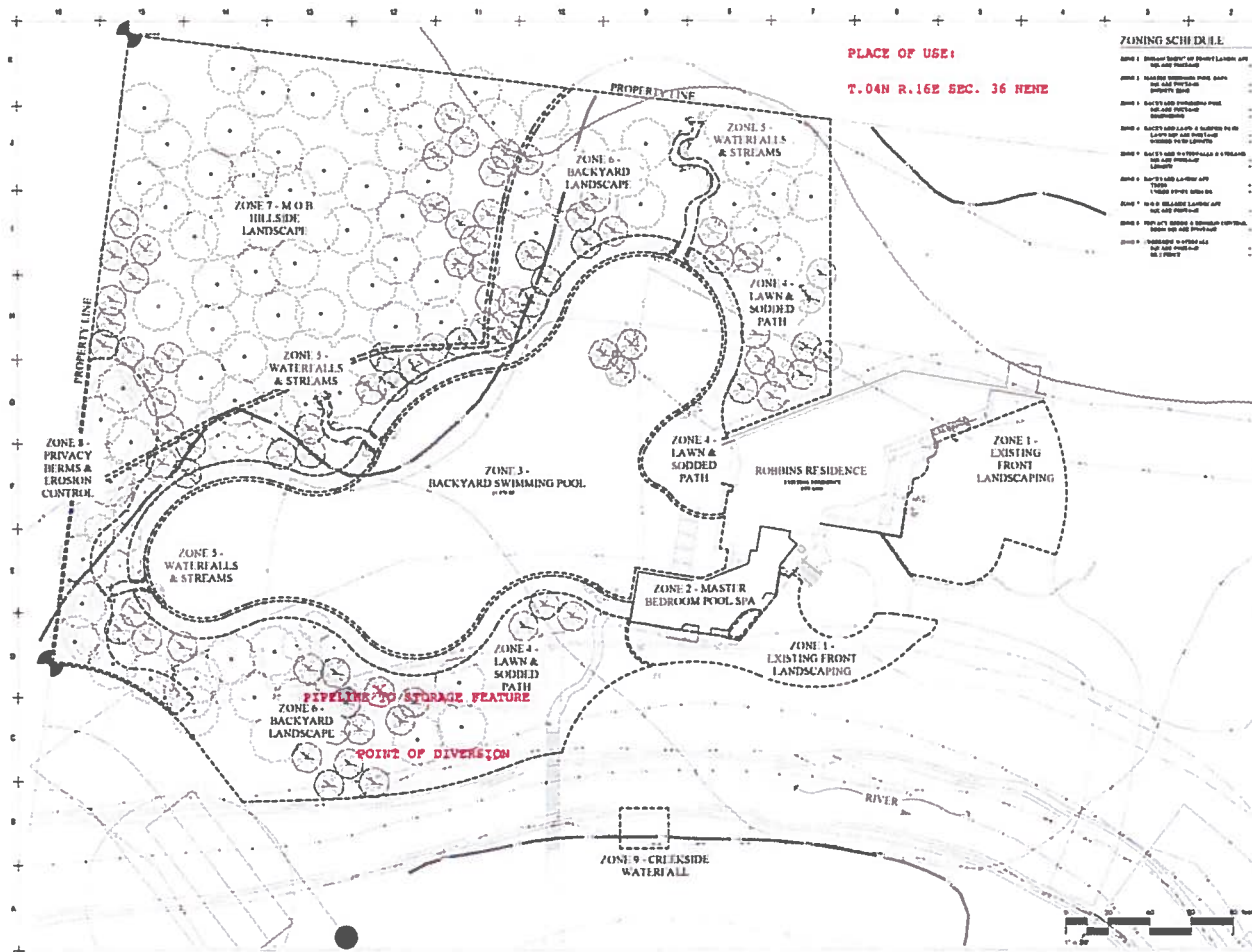
Modeling situations may include:

- 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.



PLACE OF USE:
T.04N R.16E SEC. 36 NENE

ZONING SCHEDULE

ZONE 1 - EXISTING FRONT LANDSCAPING	1.00 SF
ZONE 2 - MASTER BEDROOM POOL SPA	1.00 SF
ZONE 3 - BACKYARD SWIMMING POOL	1.00 SF
ZONE 4 - LAWN & SODDED PATH	1.00 SF
ZONE 5 - WATERFALLS & STREAMS	1.00 SF
ZONE 6 - BACKYARD LANDSCAPE	1.00 SF
ZONE 7 - MOR HILLSIDE LANDSCAPE	1.00 SF
ZONE 8 - PRIVACY HERMS & LUSKIN CONTROL	1.00 SF
ZONE 9 - CREEKSIDE WATERFALL	1.00 SF

ROBBINS RESIDENCE
WATFIELD HOT SPRINGS
BLAINE COUNTY, ID

EXHIBIT C

ROBBINS RESIDENCE
WATFIELD HOT SPRINGS
BLAINE COUNTY, ID

ROBBINS RESIDENCE



SCALE: 1" = 100'



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

August 31, 2017

SDRTR LLC
C/O ANTHONY ROBBINS
930 S ANDREASEN DR STE H
ESCONDIDO CA 92029

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 37-2055**

Dear Renter:

Please find enclosed receipts in the amounts of **\$297.50** and **\$350.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 17.5 acre-feet of water for aesthetic and recreation storage and irrigation of 0.5 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 \$267.75 for 2017 and \$315.00 for 2018 of the rental fee will be paid to the lessor(s) and 10% or \$29.75 for 2017 and \$35.00 for 2018 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 Nos. C103991 & C103992
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Corey Skinner – IDWR Southern Regional Office
Kevin Lakey – State Water District No. 37
Charles E Brockway – Brockway Engineering
Galena GWD

RECEIVED
AUG 30 2017
DEPARTMENT OF
WATER RESOURCES

August 29, 2017

Debbi Judd
Technical Records Specialist
Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise, ID 83720-0098
208-287-4920

Dear Debbi,

Enclosed are the original signed documents that you requested regarding Water Supply Bank Rental Agreement 37-2055.

Please send me a copy of the executed agreement.
6160 Cornerstone Court East, Suite 200
San Diego, CA 92121

Please contact me if you need anything else.
Tiffany.Frost@TonyRobbins.com

Thank you,

Tiffany Frost



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

August 15, 2017

SDRTR LLC
C/O ANTHONY ROBBINS
930 S ANDREASEN DR STE H
ESCONDIDO CA 92029

**RE: REQUEST FOR RETURN OF SIGNED RENTAL AGREEMENT AND PAYMENT FOR
WATER RIGHT 37-2055**

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

Dear Applicant:

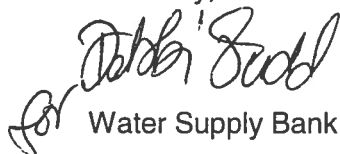
The Department of Water Resources ("Department") mailed a **Water Supply Bank Rental Agreement ("Agreement")** for your review and signature on July 27, 2017. The signed agreement and rental fee has not been returned to the Department.

Please sign the rental agreement and return it with the rental payment in the amount of \$297.50 within ten (10) days of this letter to complete processing. Diversion and use of the water right is not authorized under the proposed agreement until it has been signed by both the renter and the Department. Any use associated with your proposed rental request before it has been executed is considered unauthorized and, if occurring, will be subject to any necessary enforcement action.

If the signed rental agreement and fee is not received by the department within the 10-day period, the rental application will be returned, and the proposed rental right made available for other rental applicants. You can reapply to rent water from the Bank again in the future by submitting a new rental application form that will be processed in turn with other pending applications.

If you have questions regarding this matter, please contact this office at 287-4800.

Sincerely,


for Water Supply Bank

c: Charles E Brockway – Brockway 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

July 27, 2017

SDRTR LLC
C/O ANTHONY ROBBINS
930 S ANDREASEN DR STE H
ESCONDIDO CA 92029

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 37-2055**

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

Dear Applicant:

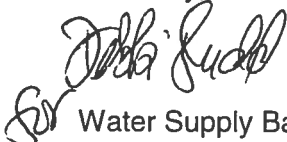
The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, together with the rental fee described below, 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 \$297.50 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 17.5 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 \$297.50 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 \$267.75 of the rental fee will be paid to the lessor(s) and 10% or \$29.75 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

Enclosure

c: IDWR Front Desk
Charles E Brockway - Brockway Engineering PLLC

Webster, Clay

From: Kevin Lakey <watermanager@cableone.net>
Sent: Monday, July 24, 2017 8:00 AM
To: Webster, Clay; Skinner, Corey
Subject: RE: Regional and Watermaster Comments WSB Rental Application for SDRTR LLC 37-2055

Clay,
I have no concerns with this application.

Kevin Lakey

From: Webster, Clay [mailto:Clay.Webster@idwr.idaho.gov]
Sent: Friday, July 21, 2017 11:24 AM
To: Skinner, Corey; Kevin Lakey
Subject: Regional and Watermaster Comments WSB Rental Application for SDRTR LLC 37-2055

Corey and Kevin,

We are currently processing this application. They had a rental last year for this use and were unable to accomplish the work. They have requested a two year rental. Do you have any concerns? Thanks.

Clay

MEMORANDUM ON RENTAL APPLICATION 830

To: Water Right 37-2055

From: Clay Webster

Date: 7/21/2017

Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE:

The Department received this application from Brockway Engineering on behalf of SDRTR LLC on April 17, 2017. The application proposes a partial change in nature-of-use, requesting to rent a portion of 37-2055 for irrigation, pond fill, and pond losses. They will rent 0.10 cfs and 17.5 af which equates to 5.0 acres worth of the requested right for the initial fill of a pond which will have evap. and seepage losses provided through their domestic and recreation portions of WR 37-8388. This rental was approved in 2016 for one year. However, the applicant was unable to break ground to build the pond in 2016. They have requested this rental for the duration of the leased right, which is two years.

The application states that the applicant is negotiating to purchase a portion of 37-2055 to provide a permanent solution for this property.

AUTHORITY TO FILE:

This application was not signed by the applicant. A signature was requested and received from the consultant on 7/17/2017. The application was signed by Yogesh Babla. He is listed as the current manager of SDRTR LLC on file at the Idaho Secretary of State. He acquired the company through a merger from Anthony Robbins on November 18, 2015 as date-stamped by the Idaho SOS office.

WATER RIGHT VALIDITY:

A *portion* of right 37-2055 (Warm Springs Creek, irrigation) is proposed to be rented. A review of historical imagery shows that this right is being idled according to the lease contract. This right is in a 2014 to 2018 WSB lease contract.

INJURY TO OTHER WATER RIGHTS:

The applicant proposes to break ground and install a new pond. This parcel has springs and fronts Warm Springs Creek. In the previous rental application for the same use. Supervisory review determined that ground water would not interact with the new pond because the pond is proposed to be lined and the springs are located on the opposite side of the house from the pond. In addition, supervisory review found an approximate elevation difference of 20 to 40 vertical feet between the top of the proposed pond and Warm Springs Creek.

ENLARGEMENT OF USE: Enlargement concerns can arise when moving surface water; moving water where the river is a losing reach to a gaining reach. For the purposes of this one-year rental agreement, IDWR may assume that Warm Springs Creek is neither gaining nor losing. USGS paper "Stream Seepage and Groundwater Levels, Wood River Valley, South-Central Idaho, 2012-13" by Bartolino states, "The Warm Springs Creek reach [...] had little or no

measurable streamflow gain or loss during all three seepage runs, and all were indeterminate because measurement uncertainty exceeded the rather slight measured seepage."

In addition, the original rental application proposed a season of use 4/15 to 12/31, but Right 37-2055 has a season of use 05/01 to 10/31. The applicant has agreed to revise their proposed start of use to May 1 or later.

This proposal is for a one-time fill. The applicant proposes to utilize their domestic portion of 37-8388 in future years for: "top-off" any evaporative losses from the pond, irrigate ½ acre, and in-home use.

Overlaps:

The proposed rental POU is currently covered by Right 37-8388 (source: Warfield Hot Spring) for domestic, recreation, and heating uses. The lease contract is for Right 37-2055 and 37-1445 for a total of 82.2 acres. Because each of these rights has its own acre limit and its own diversion rate and those are additive to the combined limit, there will not be an enlargement associated with renting only 37-2055.

Two more rights overlap with the lease POU, Right 37-891A and 37-892. These two rights are held by Upper Wood River Water Users Assn Inc. This reach of the river is included in the Association's service area. During the processing of last year's rental application, the Watermaster commented that the Association's rights haven't been diverted off of Warm Springs Creek in approximately 10 years.

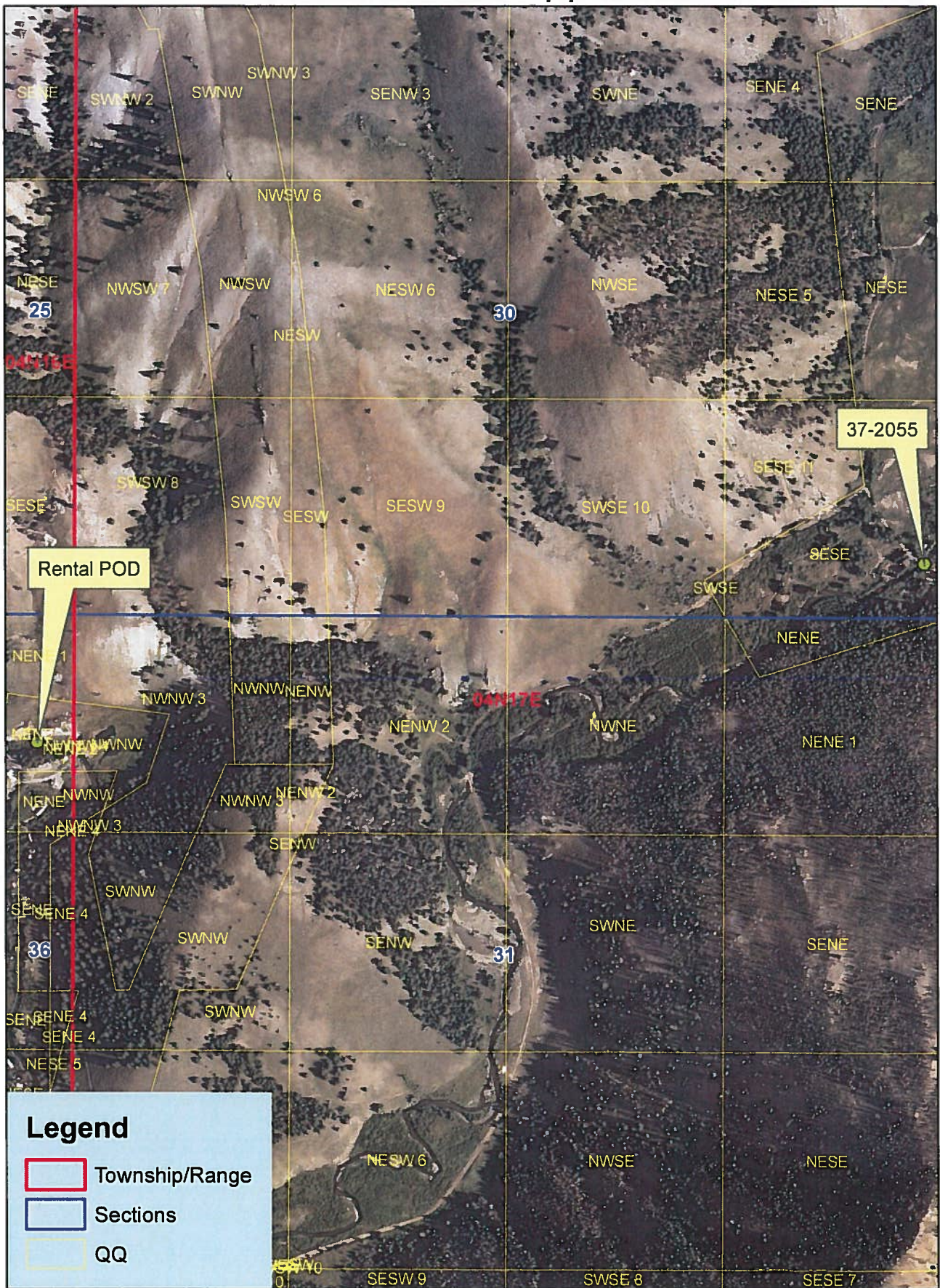
LOCAL PUBLIC INTEREST:

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

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is subject to Water District # 37. Comments have been requested from the region and the watermaster.

SDRTR LLC Rental Application 830





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

June 20, 2017

SDRTR LLC
C/O ANTHONY ROBBINS
930 S ANDREASEN DR STE H
ESCONDIDO CA 92029

**RE: ADDITIONAL INFORMATION REQUEST FOR PROCESSING APPLICATION TO RENT
WATER FROM THE WATER SUPPLY BANK**

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

Dear Applicant:

The Department of Water Resources ("Department") acknowledges receipt of your Application to Rent Water from the Water Supply Bank ("Bank"). A preliminary review of your application has been completed and it has been determined that additional information is required to proceed with processing.

Please provide the following information within 14 days of the date of this letter or the application will be returned:

- Applicant signature is required on page 5 of Rental Application

The Department will continue processing your application once you have submitted the requested information. If you have questions regarding this matter, please contact me at 287-4800.

Sincerely,

for Clay Webster
Water Resource Agent Sr.
WSB Process Point of Contact

Encl: Page 5 of Rental Application

Field, Christine

From: Field, Christine
Sent: Tuesday, June 20, 2017 2:02 PM
To: charles.e.brockway@brockwayeng.com
Subject: Signature Needed
Attachments: Rental Application SDRTR Letter 2017.pdf

Dear Charles,

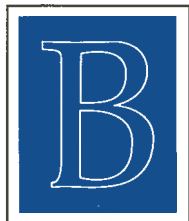
The ID Dept. of Water Resources has received the Rental Application from Brockway Engineering for the Rental Applicant SDRTR LLC to rent W/R 37-2055 for 2017 and 2018 seasons.

Please have the Applicant sign Page 5 of the Rental Application. We need the Applicant's signature on the application before we move forward with processing this rental.

The rental application along with a Letter to the Applicant is attached.

Regards,

Christine Field
WSB Support



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

APR 17 2017

DEPARTMENT OF
WATER RESOURCES

April 14, 2017

Remington Buyer
Idaho Department of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720

Re: Water Supply Bank Rental Applications for SDRTR LLC- Water Right
37-2055 for 2017 and 2018.

Dear Remington,

Attached is a water supply bank rental application filed by Brockway Engineering on behalf of SDRTR, LLC which proposes to continue to rent 5.0 acres of 37-2055 for aesthetic and recreation uses on the applicant's property on Warm Springs Creek in Blaine County. The applicant proposes to fill a water feature on the property and irrigate 0.5 acres of trees with the rented water. Water was rented from the Water Supply Bank for the 2016 year but it was not possible to build the pond during 2016 so the water from Warm Springs Creek was not utilized. The consumptive use under the proposed rental portion of 37-2055 will allow for the proposed rental uses, please see question 5D on the application for further clarification. All of 37-2055 is currently leased to the Water Supply Bank.

Please copy our office on all correspondence regarding this water supply bank rental application. Thank you for your assistance on this matter and if you have questions or comments, please don't hesitate to give me a call.

Regards,


Charles E. Brockway, P.E. Ph.D.

Enc: (1) Water Supply Bank Rental Application and Rental POU Map.

Cc: SDRTR LLC-Attention Fred Ogram- Rock and Water International

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506