

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT NO. 157

This is to certify that:

LANCE FUNK
PO BOX 310
AMERICAN FALLS, ID 83211

RECEIVED

MAY 16 2017

DEPARTMENT OF
WATER RESOURCES

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
35-2391	12/20/1954	GROUND WATER	2.04	407.2	101.8	0.020	4.00
35-7789	2/16/1978	GROUND WATER	3.14	744.4	186.1	0.017	4.00
35-14056	12/23/1974	GROUND WATER	0.26	52.4	13.1	0.020	4.00
35-14058	4/1/1980	GROUND WATER	0.02	3.6	0.9	0.022	4.00
Combined Limit Totals			0.26			0.019	
Combined Rental Totals			5.44	1,207.6	301.9	0.018	4.00

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

Annual Rental Fee:

2017: \$2,909.72
2018 - 2019: \$3,423.20

The full fee for the rental of the above-described right(s) is \$2,909.72 for 2017 and \$3,423.20 per year for years 2018 - 2019. The rental fee includes an administrative fee of \$2,052.92 for 2017 and \$2,415.20 per year for years 2018 - 2019. Note that the renter is obligated to pay only the administrative fees associated with the water rights 35-7789, 35-2391.

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.

SUPPORT DATA
IN FILE # 35-2391

SCANNED
MAY 17 2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT NO. 157

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:

 5-10-17
Signature of Renter Date

Lorie Fink Owner
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  Date 5/16/2017
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR  Date 5-16-2017

WATER SUPPLY BANK RENTAL AGREEMENT NO. 157

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec. 34, Twp 06S, Rge 29E, POWER County

Beneficial Use
IRRIGATION

Diversion Rate
5.44 CFS

Volume
1207.6 AF

BENEFICIAL USE & SEASON OF USE

Water Right No.	From	To	Diversion Rate
35-7789	4/1	10/31	3.14 CFS
35-2391	4/1	10/31	2.04 CFS
35-14056	4/1	10/31	0.26 CFS
35-14058	4/1	10/31	0.02 CFS

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	
06S	29E	28			0.8	0.4									39.0	39.0	40.0	39.0	158.2
06S	29E	33	17.5	0.2		40.0									17.0				74.7
06S	29E	34						15.0	38.0			16.0							69.0

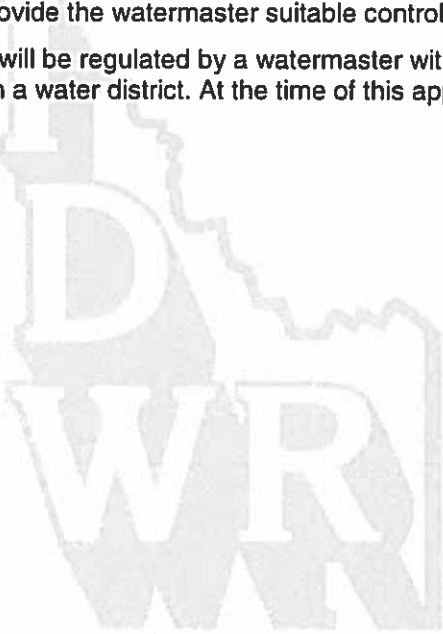
Total Acres: 301.9

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.

WATER SUPPLY BANK RENTAL AGREEMENT NO. 157

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. 35-14058 is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to section 42-1426, Idaho Code as between water rights decreed as enlargements pursuant to section 42-1426, Idaho Code, the earlier priority right is the superior right.
9. For this rental use of 35-14058 with right no. 35-14056 is limited to a total combined diversion rate of 0.26 CFS.
10. 35-14058 is based upon an enlargement of Right No. 35-14056 pursuant to Section 42-1426, Idaho Code.
11. This rental agreement does not authorize the construction of a well.
12. 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.
13. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.



Idaho Water Resource Board
Water Supply Bank Rental Agreement No. 157

Effective until December 31, 2019

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



○ Authorized Rental Point of Diversion

□ Authorized Rental Place of Use

□ Townships

□ PLS Sections

□ Quarter Quarters



0 Miles 0.5

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

FEB 14 2017

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Lance Funk

Is this application being submitted with a lease application as a lease/rental package?

Yes ☒ No ☐

If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

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

Department Use Only – Proposed Water Right(s)

35-2391 35-14056

35-7789 35-14058

450

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Lance Funk

Mailing Address P.O. Box 310 American Falls, Idaho 83211

Street

City

State

Zip Code

Email Address _____

Phone Number 208-226-5551

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

Representative Greg Sullivan

Professional Title Engineer

Organization Brockway Engineering

Relationship to Applicant Consultant

Mailing Address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301

Email Address greg.sullivan@brockwayeng.com

Phone Number 208-736-8543

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

Rented water is for the purpose of irrigation. No existing water rights currently at proposed place of use.

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)
6.04 CFS	1211.6 AF	6.04 CFS	1211.6 AF	302.9 AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
4/1/2017	7/1/2017	☐ 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):

Existing well. Mainlines and pivot will be installed this spring.

- 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
06S 29E Sec 34 NWNW	Ground Water	35-14082, 35-14085, 35-14090 and 35-14093

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

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

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

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:
None

**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 acre volume limits of the water right should review all water right lease available to satisfy a rental request. Water rights identified below must Rental requests for water rights provided with the rental request. rate, volume or acre limits. Combined		35-2391 Rate? 35-7789 - Rate?			the per acre diversion rates and per completing this section, applicants which elements of a water right are site. ould accompany this rental request. anion lease applications are not consistent with combined diversion s.				
Water Right Elements		Water Supply Bank Rental Request							
Water Right Number (leave blank if sub-total of combined limits)	Nature	Diversion (CFS)	Volume (AF)	Acres (AC)					
35-2391	Irrig	2.75	407.2	101.8					
35-7789	Irrig	3.74	748.4	187.1					
35-14056	Irrigation	0.26	56.0	14.0					
35-14058	Irrigation	0.02	3.7	14.0					
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					right elements involved in active water right elements available for rent	TOTAL	6.04 CFS	1211.6 AF	302.9 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:

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:
In the future when a permanent ground water right can be secured.

- 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.

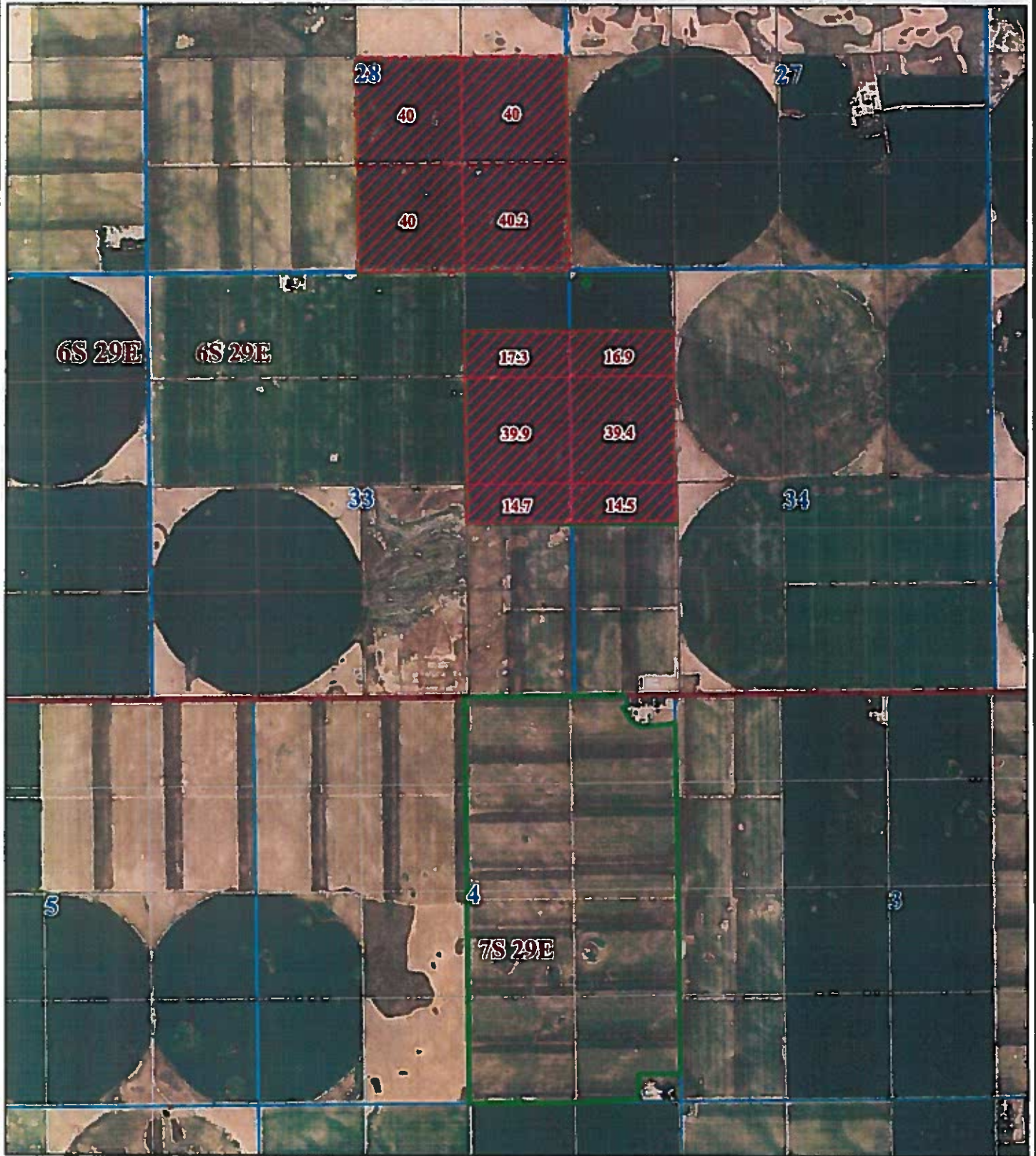

Signature of Applicant

2-7-17 LANCE FUNK 2-7-17
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



0 0.125 0.25 0.5 Miles

FUNK, LANCE - BURGEMEISTER
302.9 ACRE WATER BANK RENTAL 2017-2018
NAIP 2015 AERIAL

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 2/7/2017

Legend
BURGEMEISTER WELLS
Burgemeister Project



CONTRACT OF AGREEMENT

To Whom It May Concern,

Knudsen Poor Farms Inc. and Lance Funk have in place a long term farm lease agreement or contract for property owned by Knudsen Poor Farms Inc. The contract includes the property, water rights and water distribution systems pertaining to water rights 35-2391 and 35-7777.

Lance Funk has agreed to pay the annual farm contract payment for 2017-2020. No additional fees are required by Knudsen Poor Farms Inc. of Lance Funk for 2017 from the Idaho Water Supply Bank.

Therefore, the rental payment of the 90% of the rental fees for water rights 35-2391 and 35-7777 for the year 2017-2020 have been paid in full.

Lance Funk will pay the Idaho Water Supply Bank the 2017 10% rental fee when the rental agreement is signed and submitted to IDWR. Lance Funk will pay the 10% rental fee for the 2017-2020 irrigation seasons.

Knudsen Poor Farms Inc.:

Date:

Lance Funk

Date:

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

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

TRANSFER NO:

YEAR: 1950
SEASON: SPRING

TRANSFER NAME:

ENTER CELL LOCATIONS:

	TO CELL	FROM1 CELL	FROM2 CELL	FROM3 CELL
ROW	84	92	92	71
COLUMN	94	99	99	130

187.1 748.4

14 56.0

101.8 407.2

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Protected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1969	0.0	0.0	0.0	18.7	18.7	0.0	0.0
SPR 1970	0.0	0.0	0.0	18.7	18.7	0.0	0.0
SUM 1970	0.0	0.0	0.0	18.7	18.7	0.0	0.0
WIN 1970	0.0	0.0	0.0	18.7	18.7	0.0	0.0

[illegible]

C:\Users\gsullivan.BROCKWAY\Desktop\ESPA Model 3.2\Burgermister 302.0 2017

[illegible]

C:\Users\gaullivan.BROCKWAY\Desktop\ESPA Model 3.2\Burgermister 302.0 2017



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

May 17, 2017

LANCE FUNK
PO BOX 310
AMERICAN FALLS ID 83211

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 35-2391, 35-7789, 35-14056, and 35-14058**

Dear Renter:

Please find enclosed a receipt in the amount of **\$2,909.72** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 1,207.6 acre-feet of water for irrigation of 301.9 acres 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 \$856.80 of the rental fee will be paid to the lessor(s) and 10% or \$2,052.92 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. C103562
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office/Water District 120
Greg Sullivan – Brockway Engineering
Aberdeen/American Falls GWD
Bingham GWD



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 8, 2017

LANCE FUNK
PO BOX 310
AMERICAN FALLS ID 83211

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 35-2391, 35-7789, 35-14056, and 35-14058

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 \$2,909.72 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 1,207.6 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 \$2,909.72 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. The full fee for the rental of the above-described right(s) is \$2,909.72 for 2017 and \$3,423.20 per year for years 2018 - 2019. The rental fee includes an administrative fee of \$2,052.92 for 2017 and \$2,415.20 per year for years 2018 - 2019. Note that the renter is obligated to pay only the administrative fees associated with the water rights 35-7789, 35-2391.

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

Sincerely,

Water Supply Bank

Enclosure

c: IDWR Front Desk
Greg Sullivan-Brockway Engineering PLLC

Webster, Clay

From: Cefalo, James
Sent: Tuesday, April 25, 2017 12:05 PM
To: Webster, Clay
Subject: RE: Regional and Watermaster comment on WSB Rental application 455 for Funk

Clay,

I don't have any concerns with the proposed WSB rental.

James

From: Webster, Clay
Sent: Tuesday, April 25, 2017 11:59 AM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: Regional and Watermaster comment on WSB Rental application 455 for Funk

James,

We are currently processing this rental application. Do you have any concerns? Thanks.

Clay

MEMORANDUM FOR APPLICATION # 455

To: Water Rights 35-2391, 35-7789, 35-14056 and 34-14058

From: Clay Webster

Date: 4/25/2017

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

PURPOSE/NARRATIVE: The department received this application from Brockway Engineering for Lance Funk on 2/14/2017. The application proposes to rent 6.04 cfs and 1211.6 af to irrigate 302.9 acres located in the SE Quarter of Sec 28, the NE Quarter of Sec 33, and the NW Quarter of Sec 34 Twp 06S Rng 29E. This is a repeat of rentals done in the past. The application was for 2017 through 2020. However, some of the rights are only leased through 2019. The lease can only be approved through 2019. After further review, 35-7789 was short 1/2 acre for this rental. They will get 5.44 cfs and 1207.6 af to irrigate 301.9 acres.

AUTHORITY TO FILE: This application was signed by Lance Funk. Both the place of use and the point of diversion is located on property owned by Lance Funk according to taxlot records.

WATER RIGHT VALIDITY: 35-2391 is being leased into the WSB entirely from 2017 through 2020. This rental is proposing to use 2.04 cfs and 407.2 af for 101.8 acres of this rental. 35-7789 was entirely leased into the bank from 2016 thru 2019. This right was leased to the bank and the applicant then petitioned for shares from the Aberdeen Springfield canal company to irrigate the POU. This rental proposes to rent 3.74 cfs and 748.4 af for 187.1 acres of this rental. 35-14056 and 35-14058 were leased entirely into the WSB from 2016 through 2019. No forfeiture concerns are noted.

INJURY TO OTHER WATER RIGHTS: ESPA modeling was provided by the consultant. The modeling provided by the consultant was through 2020. However, 35-7789, 35-14056 and 35-14058 are only leased to the bank through 2019. Although they used the wrong priority dates for 35-2391 and 35-14058. I ran the modeling with the dates and using the consumptive volume as allowed in the Use of ESPA Modeling Tools for WSB Rentals in the ESPA and verified that mitigation is not required.

ENLARGEMENT OF USE: These rights all provide about 0.02 cfs and 4.0 af per acre. No enlargement concerns are noted.

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 # 120.

Basin	Sequence	Suffix	Priority Date	Diversion Rate	Volume	Acre Limit	App 455	Rentled Rate	Rentled Vol	Rentled acres	Rate per acre	Vol per acre
35	2391		12/20/1954	3.440	688.0	172.0		2.04	407.2	101.8	0.020	4
35	7789		2/16/1978	3.950	936.0	234.0		3.14	744.4	186.1	0.017	4
35	14056		12/23/1974	4.170	834.8	208.7		0.26	52.4	13.1	0.020	4
35	14058		4/1/1980	0.280	59.2	14.8		0.02	3.6	0.9	0.019	4
								6.04	1207.6	301.9	0.020	4
35	14056		12/23/1974	4.170	834.8	208.7		0.26	52.4	13.1		
35	14058		4/1/1980	0.280	59.2	14.8		0.02	3.6	0.9		
Totals				4.450	894.0	223.5		0.28	56	14		
Limits				4.170				0.26			0.019	4

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:

Funk app 455

YEAR

1954

TRANSFER NAME:

Rental 2017

SEASON

WINTER

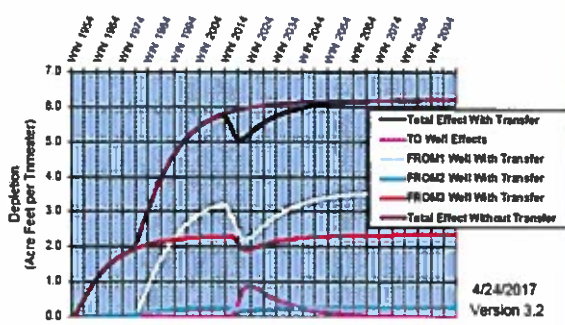
CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	84	92	92	70
COLUMN	94	99	99	130

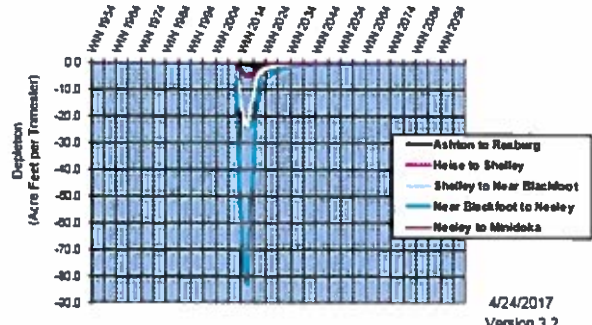
TRIMESTER	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
OF	Projected Use	With Transfer	Without Transfer	With Transfer	Without Transfer	With Transfer	Without Transfer
ACTIVITY	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER
21 WIN 1954	0	0	0	0	0	102	102
22 SPR 1955	0	0	0	0	0	102	102
88 SUM 1977	0	0	0	14	14	102	102
89 WIN 1977	0	0	0	14	14	102	102
90 SPR 1978	0	188	188	14	14	102	102
92 SUM 1978	0	188	188	14	14	102	102
93 WIN 1978	0	188	188	14	14	102	102
94 SPR 1979	0	188	188	14	14	102	102
95 SUM 1979	0	188	188	14	14	102	102
193 SPR 2012	0	188	188	14	14	102	102
194 SUM 2012	0	188	188	14	14	102	102
195 WIN 2012	0	188	188	14	14	102	102
196 SPR 2013	0	0	188	0	14	102	102
197 SUM 2013	0	0	188	0	14	102	102
198 WIN 2013	0	0	188	0	14	102	102
199 SPR 2014	0	0	188	0	14	102	102
200 SUM 2014	0	0	188	0	14	102	102
201 WIN 2014	0	0	188	0	14	102	102
202 SPR 2015	0	0	188	0	14	102	102
203 SUM 2015	0	0	188	0	14	102	102
204 WIN 2015	0	0	188	0	14	102	102
205 SPR 2016	0	0	188	0	14	102	102
206 SUM 2016	0	0	188	0	14	102	102
207 WIN 2016	0	0	188	0	14	102	102
208 SPR 2017	303	0	188	0	14	0	102
209 SUM 2017	303	0	188	0	14	0	102
210 WIN 2017	303	0	188	0	14	0	102
211 SPR 2018	303	0	188	0	14	0	102
212 SUM 2018	303	0	188	0	14	0	102
213 WIN 2018	303	0	188	0	14	0	102
214 SPR 2019	303	0	188	0	14	0	102
215 SUM 2019	303	0	188	0	14	0	102
216 WIN 2019	303	0	188	0	14	0	102
217 SPR 2020	0	188	188	14	14	102	102
218 SUM 2020	0	188	188	14	14	102	102
219 WIN 2020	0	188	188	14	14	102	102
220 SPR 2021	0	188	188	14	14	102	102

Hydrologic Response--Ashton to Rexburg
Customer Name: Rental 2017 Transfer No: Funk



4/24/2017
Version 3.2

Net Transfer Effect Above Milner
(Total Effect With Transfer - Total Effect Without Transfer)

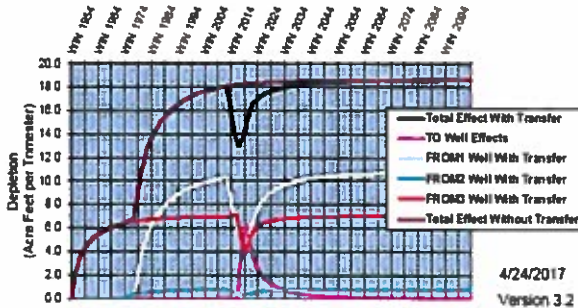


4/24/2017
Version 3.2

Customer Name: Rental 2017

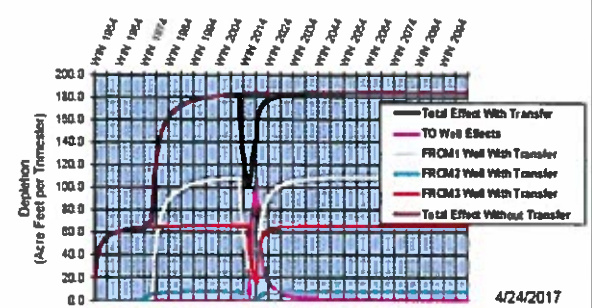
Transfer No: Funk

Hydrologic Response--Heise to Shelley
Customer Name: Rental 2017 Transfer No: Funk



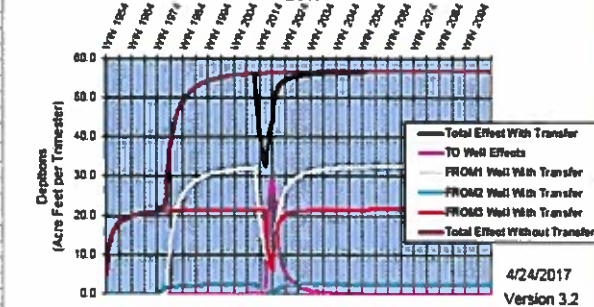
4/24/2017
Version 3.2

Hydrologic Response--Near Blackfoot to Neeley
Customer Name: Rental Transfer No: Funk



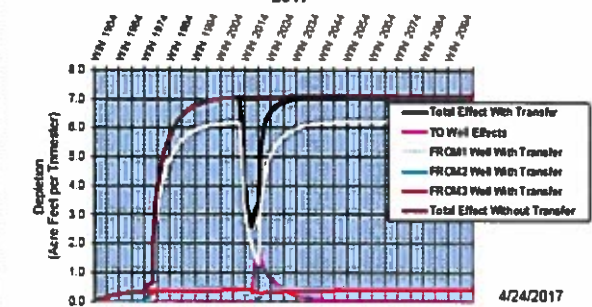
4/24/2017
Version 3.2

Hydrologic Response--Shelley to Near Blackfoot
Customer Name: Rental 2017 Transfer No: Funk



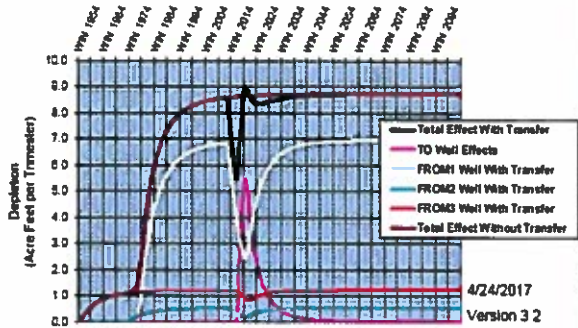
4/24/2017
Version 3.2

Hydrologic Response--Neeley to Minidoka
Customer Name: Rental 2017 Transfer No: Funk



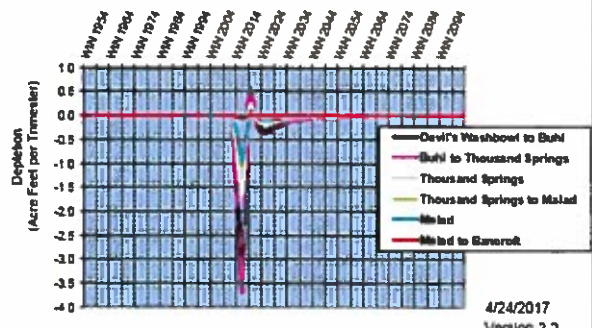
4/24/2017
Version 3.2

Hydrologic Response--Devil's Washbowl to Buhl
Customer Name: Rental 2017 Transfer No: Funk



4/24/2017
Version 3.2

Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)

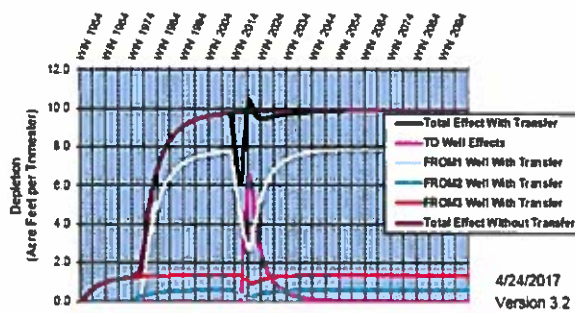


4/24/2017
Version 3.2

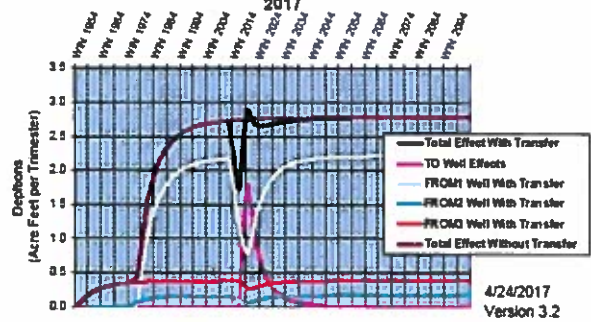
Customer Name: Rental 2017

Transfer No: Funk

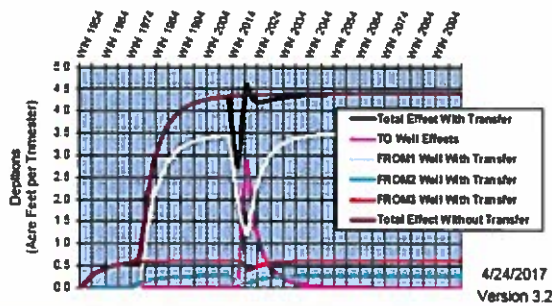
Hydrologic Response--Buhl to Thousand Springs
Customer Name: Rental 2017 Transfer No: Funk



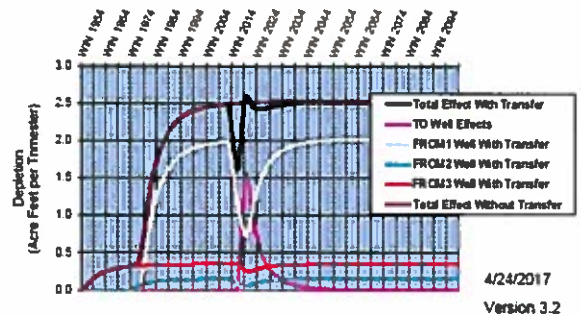
Hydrologic Response--Thousand Springs to Malad
Customer Name: Rental 2017 Transfer No: Funk



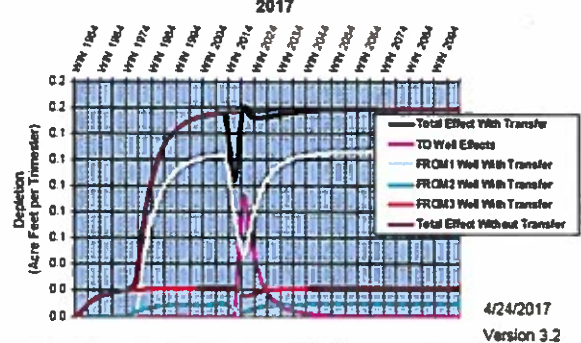
Hydrologic Response--Thousand Springs
Customer Name: Rental 2017 Transfer No: Funk



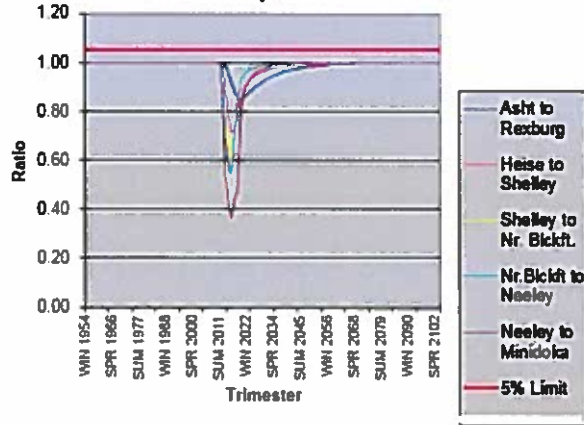
Hydrologic Response--Malad
Customer Name: Rental Transfer No: Funk



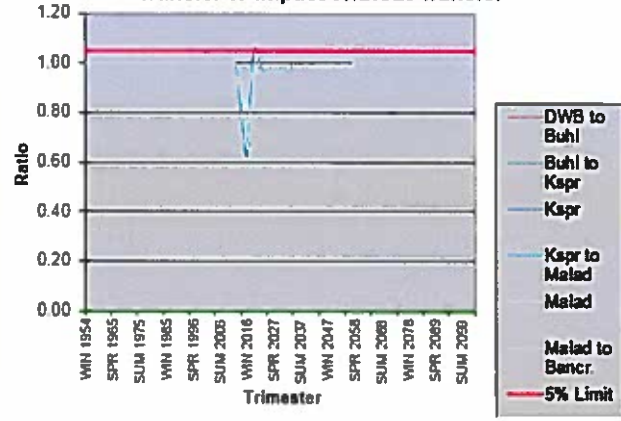
Hydrologic Response--Malad to Bancroft
Customer Name: Rental Transfer No: Funk



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



Migration Analysis Period

Transfer

One-Way Analysis of Independent Transfers

New Water Right (QModel):

WR No	Dr Rate (CFS)	Can Vel (cfs)	No of yr Active	Priority Date	POO Location	Dedicated Vol A/F/A/ A/P	Model Name
Transfer 1: Proposed Steady State Impacts following Transfer							
Transfer 1: Worst Case Transient State Impacts following Transfer							
0	0	0	0	1/1/1900	0	0	0
0	0	0	0	1/1/1900	0	0	SP042006

Impact by Reach (A/P/Transfer)

Asht to Rexburg	Heise to Shelley	Shelley to Nr. Bickft	Nr. Bickft To Heisey	Heisey to Minidoka	Dev Vol To Buhl	Buhl to Kapr	Kapr to Malad	Malad to Bancr
0.20	18.63	36.79	194.48	7.1	6.78	9.93	4.41	2.78
0.20	18.63	36.79	194.47	7.1	6.74	9.93	4.41	2.78
0.20	18.63	36.79	194.48	7.1	6.78	9.93	4.41	2.78
0.20	18.63	36.79	194.47	7.1	6.74	9.93	4.41	2.78

Steady State Analysis

Migration Check 1 - >10% of historical	-0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Migration Check 2 - >2 A/P/T	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Migration Check 3 - >10% of Total	2.1%	6.2%	18.8%	61.1%	2.4%	2.9%	3.3%	1.5%	0.9%
Migration Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO
Migration 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

Migration Check 1 - >10% of historical	-0.1%	0.0%	0.0%	0.0%	0.0%	3.2%	4.8%	4.4%	2.4%
Migration Check 2 - >2 A/P/T	0.0	0.0	0.0	0.0	0.0	0.3	0.5	0.2	0.1
Migration Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO
Migration Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.3	0.5	0.2	0.1

Not Used

Not Used for Migration