

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT NO. 143

RECEIVED

This is to certify that:

TELFORD LANDS LLC
1450 W HIGHWAY 24
PAUL ID 83347-8666

MAY 04 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)
34-618	9/1/1884	BIG LOST RIVER	0.42	63.4	18.1
34-13659	6/1/1889	BIG LOST RIVER	0.13	43.0	5.6
34-13661	6/1/1896	BIG LOST RIVER	0.13	43.0	5.6
Combined Limit Totals			0.13	43.0	5.6
34-7077	9/5/1974	GROUND WATER	1.04	91.3	26.1
34-7080B	9/23/1974	GROUND WATER	0.70	130.5	37.3
34-7092	1/14/1975	GROUND WATER	1.56	289.8	82.8
34-13842	12/17/1975	GROUND WATER	0.06	25.6	18.3
34-7121A	1/9/1976	GROUND WATER	0.06	22.0	37.3
34-7121B	1/9/1976	GROUND WATER	0.49	144.2	41.2
34-12376	6/1/1977	GROUND WATER	0.16	39.9	11.4
34-2330B	6/1/1977	GROUND WATER	0.23	55.9	16.0
34-13840	4/6/1982	GROUND WATER	0.16	32.4	9.3
34-7179	4/6/1982	GROUND WATER	0.36	154.5	276.7
Combined Limit Totals			4.82	914.2	276.7
Combined Rental Totals			5.05	967.5	276.7

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	\$1,644.75
2018:	\$1,935.00
2019:	\$1,935.00
2020:	\$1,935.00
2021:	\$1,935.00

The fee for rental of the above-described water rights is \$16,447.50 for 2017 and \$19,350.00 annually for years 2018-2021. Because you own the above referenced water right you are obligated to pay ten percent (\$1,644.75/\$1,935.00) to the Department for administrative costs only. An annual payment shall be received by the Department prior to January 1 each year 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. To terminate the agreement prior to the end of the rental period, written notice must be received by the Department at least 30 days prior to the rental fee due date.

Detailed water right conditions are attached.

SUPPORT DATA

IN FILE # 34-618

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT NO. 143

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:

Telford Lands LLC mm 4-24-17
Signature of Renter _____ Date _____
TEL FORD LANDS LLC
Mike TEL FORD mm _____
Printed Name _____ Title _____

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

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

By Brian Patton 5/5/2017
BRIAN PATTON, Acting Administrator Date _____
Idaho Water Resource Board

Rental approved by IDWR Ch. Webb 5-5-2017
_____ Date _____

WATER SUPPLY BANK RENTAL AGREEMENT NO. 143**WATER USE DETAILS****LOCATION OF POINT(S) OF DIVERSION****34-618, 34-13659 and 34-13661**

BIG LOST RIVER

SESE

Sec. 4, Twp 05N, Rge 26E, BUTTE County

34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842

GROUND WATER

NWNW

Sec. 21, Twp 05N, Rge 26E, BUTTE County

GROUND WATER

NWSE

Sec. 29, Twp 05N, Rge 26E, BUTTE County

GROUND WATER

SWNE

Sec. 32, Twp 05N, Rge 26E, BUTTE County

GROUND WATER

NWSE

Sec. 32, Twp 05N, Rge 26E, BUTTE County

GROUND WATER

L3 (NENW)

Sec. 5, Twp 04N, Rge 26E, BUTTE County

GROUND WATER

L2 (NWNE)

Sec. 4, Twp 04N, Rge 26E, BUTTE County

GROUND WATER

L2 (NWNE)

Sec. 4, Twp 04N, Rge 26E, BUTTE County

Beneficial Use

IRRIGATION

Diversion Rate

5.05 CFS

Volume

967.5 AF

BENEFICIAL USE & SEASON OF USE

Water Right No.	From	To	Diversion Rate
34-13840	4/1	10/31	0.16 CFS
34-618	5/1	10/15	0.42 CFS
34-7179	4/1	11/1	0.36 CFS
34-2330 B	4/1	10/31	0.23 CFS
34-7080 B	4/1	11/1	0.70 CFS
34-7121 B	4/1	11/1	0.49 CFS
34-7121 A	4/15	10/15	0.06 CFS
34-7092	4/15	10/15	1.56 CFS
34-7077	4/1	11/1	1.04 CFS
34-12376	4/1	10/31	0.16 CFS
34-13842	4/1	11/1	0.06 CFS
34-13659	5/1	10/15	0.13 CFS
34-13661	5/1	10/15	0.13 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	
03N	26E	15						30.0											30.0
03N	26E	16	30.2	30.0	31.0	31.0									31.0	31.2	31.1	31.2	246.7

Total Acres: 276.7

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

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

3. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
6. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date. This rental for mitigation by non-use may be ineffective if the mitigating water right is not in priority.
7. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
10. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
11. This rental agreement does not authorize the construction of a well.
12. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
13. This rental is contingent upon the renters filing an application for transfer. The rental may be terminated beyond 2017 if a transfer application is not filed.
14. 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. 34.
15. Rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 may only be rented for use as a supplemental right in conjunction with a primary surface water right.
16. Rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are delivered through the Moore Diversion and/or the Timberdome Canal.
17. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

CONDITION APPLICABLE TO RIGHT 34-618

18. The of use for irrigation described above may be extended in seasons of unusual period characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.

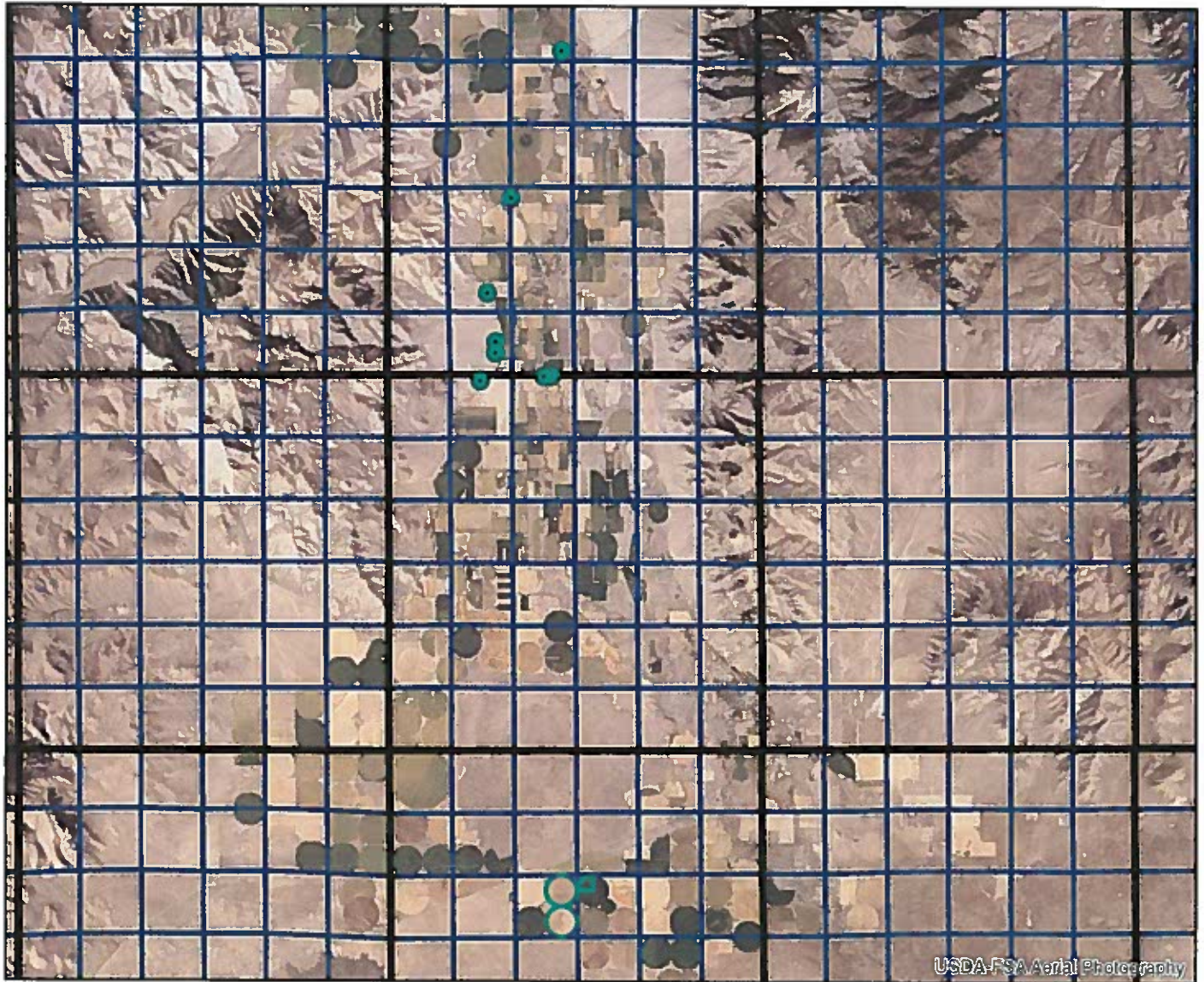
CONDITIONS APPLICABLE TO RIGHT 34-7092

19. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/15/2002.

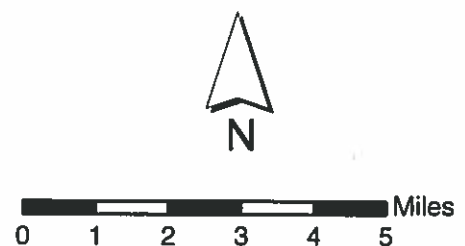
Idaho Water Resource Board
Water Supply Bank Rental Agreement No. 143

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



STATE OF IDAHO
WATER RESOURCE BOARD

**APPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK**

RECEIVED

DEC 13 2016

DEPARTMENT OF
WATER RESOURCESApplicant Name: Telford Lands 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)

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Telford Lands LLC

Mailing Address <u>1450 W. Hwy 24</u>	Paul	ID	83347
Street	City	State	Zip Code
Email Address <u>telfordsunvalleyseed@gmail.com</u>	Phone Number <u>(208) 431-5957</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 <u>Robert L. Harris</u>	Professional Title <u>Attorney</u>
Organization <u>Holden, Kidwell, Hahn & Crapo, P.L.L.C.</u>	Relationship to Applicant <u>Attorney</u>
Mailing Address <u>PO Box 50130, Idaho Falls, ID 83405</u>	
Email Address <u>rharris@holdenlegal.com</u>	Phone Number <u>(208) 523-0620</u>

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

Water will be used to supplement the current water rights used on the "Isom Farm" which authorize the irrigation of 1980 acres. No new acres will be irrigated under this rental.

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)
5.26 CFS	988.1 AF	CFS	AF	276.7 AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
1/1/2017	6/1/2017	☐ 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):

Wells and pumps into ditch system, and Moore Canal for Big Lost River water right, all under existing transport agreements. The ditch where the rental water will be diverted to the Isom Farm is owned by the Applicant.

- 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
SEE ATTACHED	SPREADSHEET	

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 276.7 (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:

Water rights already appurtenant to the place of use (WR Nos. 34-2459, 34-2460, 34-2461, 34-2462, 34-10925, 34-7037, and 34-7138). Existing rights at POU not enough, and shrink losses in canals are why H2O is required.

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)
	SEE ATTACHED	SPREAD	SHEET			SEE ATTA	CHED SPR	EADSHEET
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL			
						CFS	AF	AC

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

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

It will increase the current water right rate per acre at the place of use from .012 cfs to .015 cfs. This will aid with the overall irrigation of the property.

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:

The manager of the LLC will file a transfer within the next 30 days, a component of which will be changes allowing for the use of water requested under this rental (and companion) lease applications. Other issues may arise with other aspects of the transfer, which is why this application is also being submitted for 2017.

- 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

This lease/rental application was previously approved. See attached lease and rental documents for 2016 irrigation season.

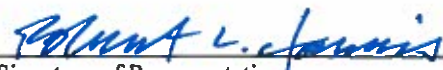
DECLARATION

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

Robert L. Harris
Printed Name of Representative

December 7, 2016
Date

Mail to:

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

Attorney Robert Lynn Harris Search - Individual Attorney (as of 11/22/16)

Robert Lynn Harris

Address: PO Box 50130

Idaho Falls, ID 83405

Firm: Holden, Kidwell, Hahn & Crapo, PLLC

Phone: (208) 523-0620

Phone Ext:

Fax: (208) 523-9518

E-Mail Address: rharris@holdenlegal.com

Website Address: www.holdenlegal.com

ISB Membership Number: 7018

Admittance Date: Sep/30/2004

Status: Active

Address Change Form

The information above is based on the Idaho State Bar records as of the date of the online Address Change Form or send an email to the Licensing Department if attorney's information is incorrect. Questions on attorney status and good standing call 334-4500.

Current Status Definitions

Contact the Bar Counsel's Office at (208) 334-4500 to request a disciplinary action.

Information on former members of the Idaho State Bar is limited to names going back to approximately 1994. Records on former members from before 1994 are in the Department for more information on former members.

P.O. Box 895 Boise Idaho 83701 ph:(208) 334-4500 fax:(208) 334-4515

RENTAL proposed Points of Diversion	Comments
NWSESE, 5N, 26E, Sec. 4	This POD is the <u>same</u> surface water POD as the companion lease application water rights. Surface water diversion (diversion of surface water at this point will stay the same--water will go from the end of the delivery system over to the former Isom farm.
L2(NENWNE) 4N, 26E, Sec.4 (Dad's Place Well) L3 (NENENW), 4N, 26E, Sec. 5 (Niederer well) SWNWNW, 5N, 26E, Sec. 21 (Burnett Well) SENWSE, 5N, 26E, Sec. 29 (Babcock Well) SESWNE, 5N, 26E, Sec. 32 (N. McAfee Well) SENWSE, 5N, 26E, Sec. 32 (S. McAfee Well) L2(NWNWNE) 4N, 26E, Sec.4 (River 2 Well)	These PODs are the <u>same</u> as the PODs in the companion lease application water rights. Water will still be diverted from these wells, but will go to supplement already irrigated acres on Telford's other farm (the former Isom farm) through the end of the delivery system over to the former Isom farm.

TELFORD RENTAL PLACE OF USE	
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TOTAL IRRIGATED ACRES	1980
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WATER BANK AMOUNTS

[illegible]

Abstract

The enclosed will include the 2-4-4 and the portion of 2-7-10 and enclosed also portion of the preliminary order supporting the prior request.

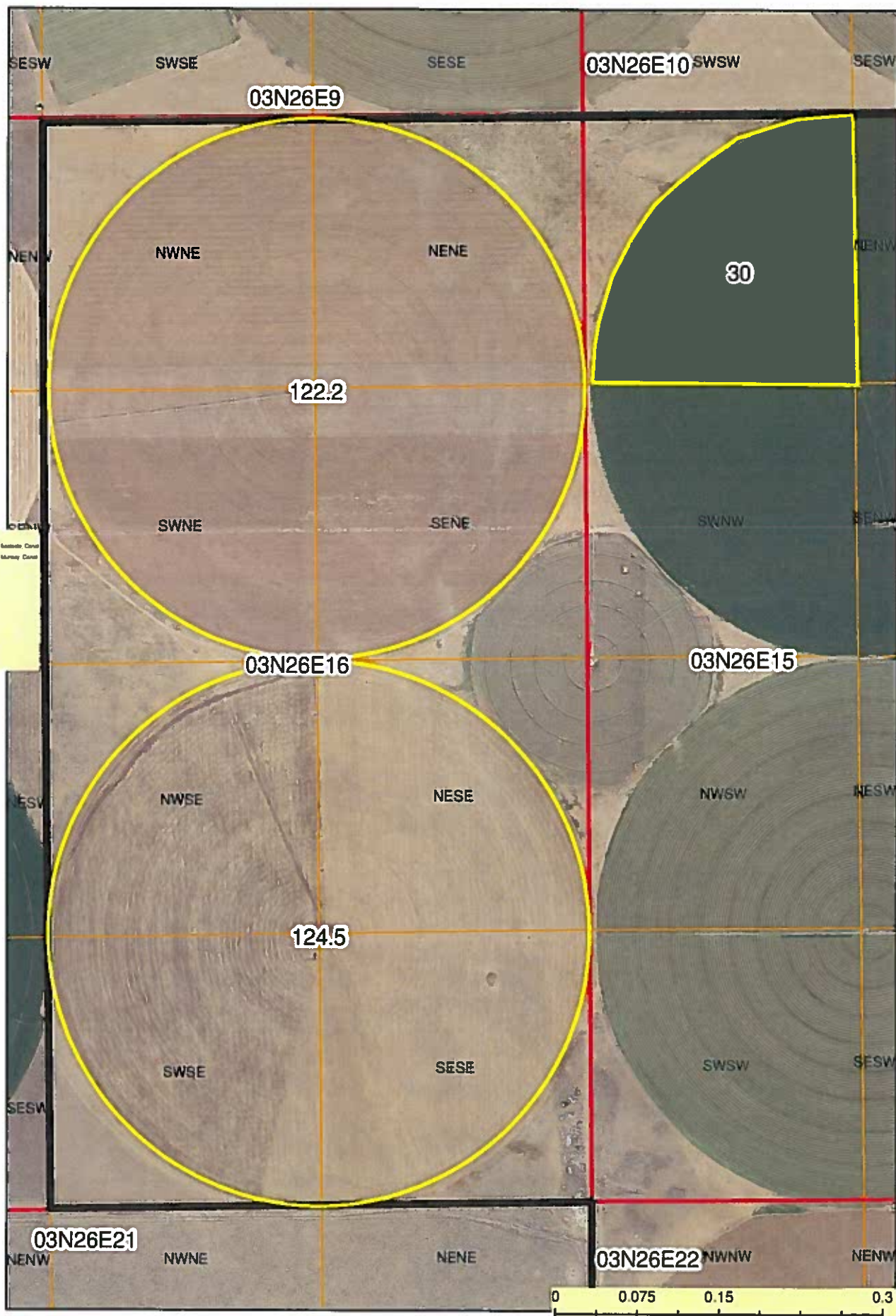
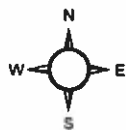
TELFORD LANDS LLC WATER RIGHTS FOR WATER SUPPLY BANK LEASE

Twin		Room	Size	QOQ	QOQ	Q	Access	Water Rights																	
4N	25E	36	NE	NE	NE	NE	8.9	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	NW	NW	NE	NE	7.4	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	SW	SW	NE	NE	7	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	SE	SE	NE	NE	8.4	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	NE	NE	NW	NW	5.7	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	NW	NW	NW	NW	5.5	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	SW	SW	NW	NW	5.2	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	SE	SE	NW	NW	5.5	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	NE	NE	SW	SW	6.2	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	NW	NW	SW	SW	6.2	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	SE	SE	SW	SW	6.9	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	SE	SE	SW	SW	7.3	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	NE	NE	SE	SE	8	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	NW	NW	SE	SE	7.7	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	SW	SW	SE	SE	7.1	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	36	SE	SE	SE	SE	7.4	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	35	NE	NE	NE	NE	8	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	35	NW	NW	NE	NE	7	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	35	SE	SE	NE	NE	7.8	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	35	SE	SE	NE	NE	6.9	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	35	SW	SW	SE	SE	6.4	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
4N	25E	35	SE	SE	SE	SE	7	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	NE	NE	NE	NE	6.9	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	NW	NW	NE	NE	8.3	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	NW	NW	NE	NE	8.3	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	SE	SE	NE	NE	6.6	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	SE	SE	NE	NE	8.9	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	NE	NE	NW	NW	6.2	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	NE	NE	NW	NW	9	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	SW	SW	NW	NW	8.3	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	SE	SE	NW	NW	9.7	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	SE	SE	SW	SW	1.4	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	NE	NE	SE	SE	6.6	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	NE	NE	SE	SE	7.4	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	NW	NW	SE	SE	3.9	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	25E	12	SE	SE	SE	SE	3.8	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	26E	17	NW	NW	NW	NW	7.8	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	26E	17	SW	SW	NW	NW	1.4	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	26E	18	NE	NE	NE	NE	1	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	26E	18	NW	NW	NE	NE	11.9	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	26E	18	SW	SW	NE	NE	4.8	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	26E	18	SE	SE	NE	NE	0.4	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	26E	18	NE	NE	NW	NW	2.3	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	26E	18	SW	SW	NW	NW	0.8	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	26E	18	NW	NW	SW	SW	5.1	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
3N	26E	18	NE	NE	NW	NW	0.7	34-23308	34-7077	34-70808	34-7092	34-71218	34-71218	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661					
Total								276.7																	

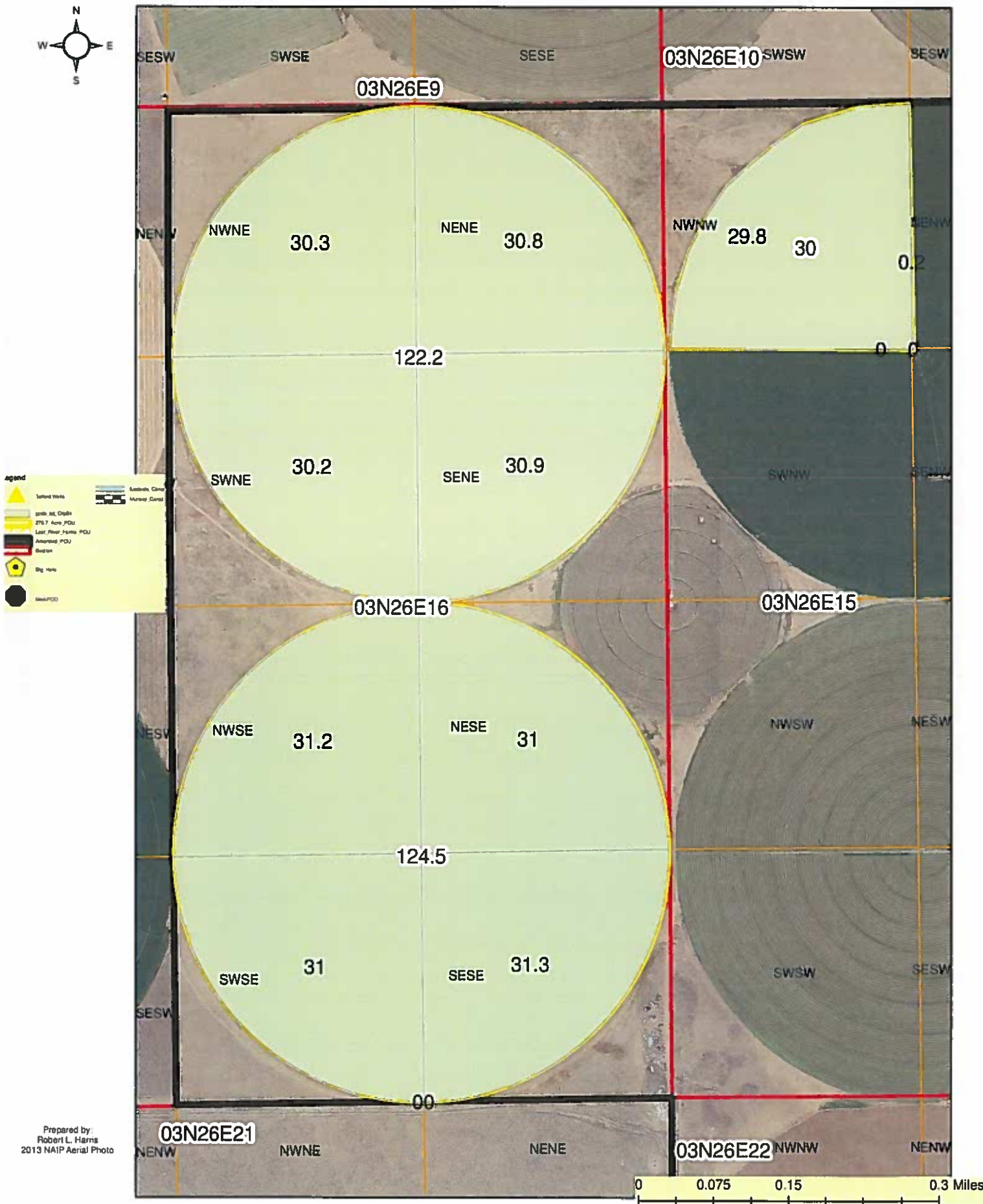
ATTACHMENT 2

GIS Map

TELFORD LANDS, LLC WATER BANK



TELFORD LANDS, LLC WATER BANK



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

This is to certify that: **TELFORD LANDS LLC**
1450 W HWY 24
PAUL ID 83347
(208)431-5957
telfordsunvalleyseed@gmail.com

MAR 18 2016
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	Priority Date	Source	Tributary	Leased Rate	Annual Leased Volume	Total Leased Acres
34-618	9/1/1884	Big Lost River	Sinks	0.42 cfs	NA	18.1 ac
34-7179	4/6/1982	Ground Water	NA	0.02 cfs	NA	18.1 ac
Total Annual Combined Limit				0.44 cfs	63.4 af	18.1 ac

Water Right	Priority Date	Source	Tributary	Leased Rate	Annual Leased Volume	Total Leased Acres
34-7179	4/6/1982	Ground Water	NA	0.34 cfs	154.4 af	NA
34-2330B	6/1/1977	Ground Water	NA	0.23 cfs	55.9 af	16.0 ac
34-7077	9/5/1974	Ground Water	NA	1.04 cfs	91.2 af	25.0 ac
34-7080B	9/23/1974	Ground Water	NA	0.69 cfs	130.4 af	37.3 ac
34-7092	1/14/1975	Ground Water	NA	1.56 cfs	289.5 af	82.7 ac
34-7121A	1/9/1976	Ground Water	NA	0.06 cfs	22.0 af	37.3 ac
34-7121B	1/9/1976	Ground Water	NA	0.49 cfs	144.1 af	41.2 ac
34-12376	6/1/1977	Ground Water	NA	0.16 cfs	39.9 af	11.4 ac
34-13840	4/6/1982	Ground Water	NA	0.16 cfs	32.4 af	9.3 ac
34-13842	12/17/1975	Ground Water	NA	0.06 cfs	25.6 af	18.2 af
Total Annual Combined Limit				4.82 cfs	905.1 af	276.7 ac

Water Right	Priority Date	Source	Tributary	Leased Rate	Annual Leased Volume	Total Leased Acres
34-13659	6/1/1889	Big Lost River	Sinks	0.13 cfs	NA	NA
34-13661	6/1/1896	Big Lost River	Sinks	0.13 cfs	NA	NA
Total Annual Combined Limit				0.13 cfs	19.6 af	5.60 ac

Annual Combined Lease Totals **5.26 cfs 988.1 af 276.7 ac**

Term of Rental: This rental is in effect from the day the Idaho Water Resource Board signs the rental agreement and shall be in effect until December 31, 2016.

Rental Fee: **\$1,679.77**

The fee for rental of the above-described water is \$16,797.70. Because you own the above referenced water rights you are obligated to pay ten percent (\$1,679.77) to the Department for administrative costs only. No rental fees will be refunded once the fee is collected and the start date for a Rental Agreement has passed.

Detailed water right conditions are attached.

SUPPORT DATA

IN FILE # 34-618

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Mike F. O. Mangin Printed Name and Title Mike F. O. Mangin Date 3-16-16

Signature of Renter _____ Printed Name and Title* _____ Date _____

***Please provide title of signatory 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 Date 3/18/2016
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental Approved by IDWR Ch. 428 Date 3-19-2014

WATER USE DETAILS

6. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
7. 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.
8. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
9. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
10. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
11. This rental agreement does not authorize the construction of a well.
12. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
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 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. 34.
15. Rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 may only be rented for use as a supplemental right in conjunction with a primary surface water right.
16. Rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are delivered through the Moore Diversion and/or the Timberdome Canal.
17. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the land authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
18. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

CONDITION APPLICABLE TO RIGHT 34-618

19. The of use for irrigation described above may be extended in seasons of unusual period characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.

CONDITIONS APPLICABLE TO RIGHT 34-7092

20. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/15/2002.

Idaho Water Resource Board
Water Supply Bank Rental Agreement

Effective until December 31, 2016

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



0 1 2 3 4 5 Miles