



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 6, 2017

MARC FOSTER
3018 W 1700 S
ABERDEEN ID 83210

RE: Expiration of Water Supply Bank Rental Agreement for water rights: 35-2924, 35-7415, 35-13340, 35-13362

Renter,

This letter is to inform you that your rental agreement(s) to rent the above listed water rights from the Water Supply Bank (Bank) expired at the end of 2016.

Once the rental agreement concludes, any diversion or use of water under the rental agreement will no longer be authorized and, if occurring, may be subject to an enforcement action.

If you wish to rent water in the future, please download a rental application from: <http://idwr.idaho.gov>. You may submit rental applications on November 1 of the year prior to the intended use of rental water. **YOU ARE ENCOURAGED TO FILE AN APPLICATION AT LEAST 3 MONTHS PRIOR TO THE DATE YOU DESIRE TO USE RENTAL WATER.**

If you have any questions about this matter, please contact me at (208) 287-4918.

Sincerely,

Remington Buyer
Water Supply Bank Coordinator

Enclosures:

DEPARTMENT OF
WATER RESOURCES

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

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:

Marc Foster
Signature of Renter

Marc Foster, Partner
Printed Name and Title*

4-25-2016
Date

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
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 5/2/2016

Rental Approved by IDWR Ch. West

Date 5-2-2016

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

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NE¼NE¼ Sec. 27 Twp 05S Rge 30E BINGHAM County

BENEFICIAL USE

IRRIGATION

SEASON OF USE

04/01 TO 10/31

RENTER'S PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	30E	27	25.3	29.3															54.6

Total Acres: 54.6

CONDITIONS APPLICABLE TO ALL RENTED WATER RIGHTS

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 does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
5. 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.
Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. 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.
7. 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.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. The right holder shall install and maintain acceptable measuring device at the authorized point of diversion in accordance with Department specifications.
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. The renter shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
12. This rental agreement does not authorize the construction of a well.
13. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
14. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
15. 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.
16. The following rights are diverted through point(s) of diversion described above: 35-14444, 35-8370A and 35-2758A.



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
-  Quarter Quarters



0  Miles
0.1

AMENDEDSTATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

MAR 07 2016

DEPARTMENT OF
WATER RESOURCES

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)
35-2924	S, Ind	1.11	241	NA		0.59	115.5 125.5	28.9
35-13340	Irrigation	0.47	88.8	25		0.31	57.4	14.3
35-13362	Irrigation	0.5	11.2	25		0.02	5.4	1.4
35-7415	Irrigation	0.72	156	39		0.18	40	10.0
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	1.08	218.30 228.3	54.6
						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:

Proposed rental of 4 ft/acre from stock and industrial water right.

Trimester 1 2 Trimester
 Annual April:

Total Reach Depletion Impacts

AFIT:	0.0	0.0	0.0	0.00	0.1	0.1	0.2	0.1	0.0	0.0	0.0
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One-Way Analysis of Independent Transfers

Transfer 1:

Foster Rental 2016

WR No.	Div. Rate (CFS)	Can. Vol (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol AFA/ AFT	Model Note
Transfer 1: Proposed Steady State Impacts following Transfer							
Transfer: Worst Case Transient State Impacts following Transfer							

100.0%		Pre-BS	218.4 AFA	54.8 Acres							
100.0%		Post-BS	218.4 AFA	54.8 Acres							
Impact by Reach (AF/Trimester)											
Ashion to Reuburg	Hesse to Shelby	Shelby to N. Black R.	N. Black R. to Neeley	Neeley to Minnesota	Dev. Wtd. To Buhl	Buhl to 1000 Spr	1000 Spr to 1000 Spr to Metrol	Metrol to Metrol	Metrol to Bancroft		
0.88	41.70	8.73	23.15	0.13	0.43	0.48	0.22	0.14	0.12	0.01	0.01
0.88	41.70	8.73	23.15	0.13	0.43	0.48	0.21	0.14	0.12	0.01	0.01
0.88	41.70	8.73	23.15	0.13	0.43	0.48	0.22	0.14	0.12	0.01	0.01
0.88	41.70	8.73	23.15	0.21	0.57	0.67	0.30	0.18	0.16	0.01	0.01

Steady State Analysis		Mitigation Check 1 - >10% of Historical	-0.2%	0.0%	0.0%	0.0%	0.0%	-0.1%	-0.1%	-0.1%	-0.1%	-0.1%
		Mitigation Check 2: > 2 AFIT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
		Mitigation Check 3 - >10% of Total	1.2%	54.8%	11.3%	36.3%	0.2%	0.6%	0.3%	0.2%	0.2%	0.0%
		Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
		Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Transient State Analysis		Mitigation Check 1 - >10% of Historical	-0.2%	0.0%	0.0%	0.0%	83.3%	33.8%	38.2%	37.3%	36.9%	31.2%
		Mitigation Check 2: > 2 AFIT	0.0	0.0	0.0	0.0	0.07	0.14	0.2	0.1	0.0	0.0
		Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
		Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.07	0.14	0.2	0.1	0.0	0.0

Transfer 2:

WR No.	Div. Rate (CFS)	Can. Vol (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol AFA/ AFT	Model Note
Transfer 2: Proposed Steady State Impacts following Transfer							
Transfer 1: Worst Case Transient State Impacts following Transfer							

0.0%		Pre-BS	0.0 AFA	0.0 Acres							
0.0%		Post-BS	0.0 AFA	0.0 Acres	0.0 Acres						
Impact by Reach (AFIT/Trimester)											
Ashion to Reiburg	Hesse to Shelby	Shelby to N. Black R.	N. Black R. to Neeley	Neeley to Minnesota	Dev. Wtd. To Buhl	Buhl to 1000 Spr	1000 Spr to 1000 Spr	1000 Spr to Metrol	Metrol to Metrol	Metrol to Bancroft	
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Steady State Analysis		Mitigation Check 1 - >10% of Historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
		Mitigation Check 2: > 2 AFIT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
		Mitigation Check 3 - >10% of Total	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
		Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
		Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Transient State Analysis		Mitigation Check 1 - >10% of Historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
		Mitigation Check 2: > 2 AFIT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
		Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
		Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

AMENDED

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	B2	61	B1	79		125.5
COLUMN	103	104	135	123		57.4
						5.4
						40.0

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1950	0.0	0.0	0.0	19.1	19.1	0.0	0.0
SUM 1950	0.0	0.0	0.0	19.1	19.1	0.0	0.0
WIN 1950	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1951	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1951	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1951	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1952	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1952	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1952	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1953	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1953	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1953	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1954	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1954	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1954	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1955	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1955	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1955	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1956	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1956	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1956	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1957	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1957	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1957	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1958	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1958	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1958	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1959	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1959	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1959	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1960	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1960	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1960	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1961	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1961	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1961	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1962	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1962	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1962	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1963	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1963	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1963	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1964	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1964	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1964	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1965	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1965	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1965	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1966	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1966	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1966	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1967	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1967	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1967	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1968	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1968	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1968	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1969	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SUM 1969	0.0	0.0	0.0	20.9	20.9	0.0	0.0
WIN 1969	0.0	0.0	0.0	20.9	20.9	0.0	0.0
SPR 1970	0.0	41.8	41.8	20.9	20.9	0.0	0.0
SUM 1970	0.0	41.8	41.8	20.9	20.9	0.0	0.0
WIN 1970	0.0	41.8	41.8	20.9	20.9	0.0	0.0

AMENDED

SPR 1971	0.0	41.8	41.8	20.9	20.9	0.0	0.0
SUM 1971	0.0	41.8	41.8	20.9	20.9	0.0	0.0
WIN 1971	0.0	41.8	41.8	20.9	20.9	0.0	0.0
SPR 1972	0.0	41.8	41.8	20.9	20.9	0.0	0.0
SUM 1972	0.0	41.8	41.8	20.9	20.9	0.0	0.0
WIN 1972	0.0	41.8	41.8	20.9	20.9	0.0	0.0
SPR 1973	0.0	41.8	41.8	20.9	20.9	0.0	0.0
SUM 1973	0.0	41.8	41.8	20.9	20.9	0.0	0.0
WIN 1973	0.0	41.8	41.8	20.9	20.9	0.0	0.0
SPR 1974	0.0	41.8	41.8	20.9	20.9	0.0	0.0
SUM 1974	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1974	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1975	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1975	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1975	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1976	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1976	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1976	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1977	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1977	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1977	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1978	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1978	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1978	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1979	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1979	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1979	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1980	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1980	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1980	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1981	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1981	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1981	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1982	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1982	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1982	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1983	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1983	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1983	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1984	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1984	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1984	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1985	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1985	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1985	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1986	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1986	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1986	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1987	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1987	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1987	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1988	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1988	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1988	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1989	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1989	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1989	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1990	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1990	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1990	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1991	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1991	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1991	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1992	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1992	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1992	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1993	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1993	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1993	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1994	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1994	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1994	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1995	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1995	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1995	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1996	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1996	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1996	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1997	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1997	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1997	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1998	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1998	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1998	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 1999	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 1999	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 1999	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 2000	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 2000	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 2000	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 2001	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 2001	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 2001	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 2002	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 2002	0.0	41.8	41.8	20.9	20.9	13.3	13.3
WIN 2002	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SPR 2003	0.0	41.8	41.8	20.9	20.9	13.3	13.3
SUM 2003	0.0	41.8	41.8	20.9	20.9	13.3	13.3

C:\Users\gaullivan.BROCKWAY\Desktop\ESPA Model 3.2\Foster Farms Rental 2016

[illegible]

STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED

FEB 11 2015

DEPARTMENT OF
WATER RESOURCES

Applicant Name: Marc Foster

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)

35-2924

35-13362

35-13340

35-7415

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Marc Foster

Mailing Address 3018 W 1700 S Aberdeen, ID 83210

Street

City

State

Zip Code

Email Address _____ Phone Number 208-397-5232

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:
Irrigation of undeveloped farm ground.

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)
1.09 CFS	228.5 AF	1.09 CFS	228.5 AF	54.6 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?	
4/1/2016	6/1/2016	☒	☐	☐	☐	☐	☒ Process application as soon as possible	☐ Return application to applicant
		1	2	3	4	5		

* 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 and additional mainlines will be installed.

- 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
05S 30E 27 NWNW	Ground Water	35-8370A and 35-2758A

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 54.6 (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 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					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)
35-2924	S, Ind	1.11	241	NA	0.59	128.5	29.6
35-13340	Irrigation	0.47	88.8	25	0.50	91.4	22.8
35-13362	Irrigation	0.5	11.2	25	0.04	8.6	2.2
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	1.09	228.5
					CFS	AF	AC

Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent

SUPERCEDED

**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:

Proposed rental of 4 ft/acre from stock and industrial water right.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

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

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

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

- D. Additional Information
None

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.

Marc Foster
Signature of Applicant

Marc Foster
Printed Name of Applicant

1-30-16
Date

Signature of Representative

Printed Name of Representative

Date

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

Transfer 1: 1 2 (Transfer)
Annul

Total Reach Depletion Impacts

AFIT: 0.0 0.0 0.0 -0.01 0.1 0.1 0.2 0.1 0.0 0.0 0.0

One-Way Analysis of Independent Transfers

Transfer 1:

Feeder Rental 2010

WR No.	Div. Rate	Con. Vol.	No. of Ir.	Priority	POD	Dedicated Vol.	Model
(CFB)	(AFA)	(AFA)	Acres	Date	Location	AFA/ AFT	Node

Transfer 1: Proposed Steady State Impacts following Transfer

Transfer: Worst Case Transient State Impacts following Transfer

100.0% Pre-88 218.4 AFA 54.5 Acres
100.0% Post-88 218.4 AFA 54.5 Acres

Impact by Reach (AF/Transfer)

Ashlin to	Hesse to	Shelley to	Nr Black To	Nesley to	Dev. Wtd. To	Built to	1000 Spr	1000 Spr to	Mated	Mated to
Rainburg	Shelley	Nr Black	Nesley	Minneapolis	Buhl	1000 Spr	Mated	Barncroft		

0.86	42.57	0.03	22.17	0.13	0.41	0.46	0.21	0.13	0.12	0.01
0.86	42.57	0.02	22.16	0.13	0.41	0.46	0.21	0.13	0.12	0.01
0.86	42.57	0.03	22.17	0.13	0.41	0.46	0.21	0.13	0.12	0.01
0.86	42.57	0.02	22.16	0.16	0.50	0.80	0.26	0.16	0.14	0.01

Steady State Analysis

Mitigation Check 1 - >10% of Historical	-0.2%	0.0%	0.0%	0.0%	-0.1%	-0.1%	-0.1%	-0.1%	-0.1%	-0.1%
Mitigation Check 2 - >2 AFIT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total	1.1%	96.8%	11.8%	29.1%	0.3%	0.5%	0.5%	0.3%	0.2%	0.0%
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - >10% of Historical	-0.2%	0.0%	0.0%	0.0%	46.7%	21.6%	29.6%	27.3%	26.2%	21.1%
Mitigation Check 2 - >2 AFIT	0.0	0.0	0.0	0.0	0.05	0.10	0.1	0.1	0.0	0.0
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.05	0.10	0.1	0.1	0.0	0.0

Second Mile

Transfer 2:

WR No.	Div. Rate	Con. Vol.	No. of Ir.	Priority	POD	Dedicated Vol.	Model
(CFB)	(AFA)	(AFA)	Acres	Date	Location	AFA/ AFT	Node

Transfer: Proposed Steady State Impacts following Transfer

Transfer 1: Worst Case Transient State Impacts following Transfer

100.0% Pre-88 180.0 AFA 40.0 Acres
100.0% Post-88 180.0 AFA 40.0 Acres

Impact by Reach (AF/Transfer)

Ashlin to	Hesse to	Shelley to	Nr Black To	Nesley to	Dev. Wtd. To	Built to	1000 Spr	1000 Spr to	Mated	Mated to
Rainburg	Shelley	Nr Black	Nesley	Minneapolis	Buhl	1000 Spr	Mated	Barncroft		

0.60	6.79	6.70	16.65	0.10	0.31	0.35	0.15	0.10	0.08	0.01
0.60	6.79	6.69	16.64	0.10	0.31	0.35	0.15	0.10	0.08	0.01
0.60	6.79	6.70	16.65	0.10	0.31	0.35	0.15	0.10	0.08	0.01
0.60	6.79	6.69	16.64	0.10	0.31	0.37	0.16	0.10	0.08	0.01

Steady State Analysis

Mitigation Check 1 - >10% of Historical	-0.2%	0.0%	0.0%	0.0%	-0.1%	-0.1%	-0.1%	-0.1%	-0.1%	-0.1%
Mitigation Check 2 - >2 AFIT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total	1.9%	21.3%	21.6%	52.3%	0.3%	1.0%	1.1%	0.5%	0.3%	0.0%
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - >10% of Historical	-0.2%	0.0%	0.0%	0.0%	-0.1%	3.0%	7.9%	8.4%	5.3%	1.3%
Mitigation Check 2 - >2 AFIT	0.0	0.0	0.0	0.00	0.00	0.01	0.0	0.0	0.0	0.0
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.00	0.00	0.01	0.0	0.0	0.0	0.0

SUPERCEDED

run out one way analysis. If reach depletions go up, it is a debit. If they go down, it is a credit. Sum all debits, only where mitigation is required (dark yellow), and all credits (light yellow). Mitigation is required for the full amount of the summed values if greater than zero.

Transient state analysis represents mitigation requirements for the worst or maximum time step in the model run.

[illegible]

Evaluation of transient state mitigation requirement is not comprehensive across all time steps. Instead this evaluation finds the maximum stream depletion following the start of the transfer and looks at depletion amounts from that time step. In many instances this depletion is greater than the depletion associated with the steady state condition or final time step. This evaluation is merely an indicator of whether transient depletions must be considered, not an indicator of all transient impacts.

[illegible]

Set Aside 1 (Non-Use/Dedication):

WR No.	Div. Rate (CFS)	Com. Vol. (AFA)	No. of Int. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
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Non-Use: Proposed Steady State Impacts following Change

Non-Use 1: Worst Case Transient State Impacts following Change

Source: www.irs.gov

[illegible]

Steady State Summary of Modified Stream Depletions Following Transfer(s)

[illegible][illegible]

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

YEAR
SEASON

1950

SPRING

TRANSFER NO:

TRANSFER NAME:

1

2

3

4

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL		
ROW	82	61	81			128.5
COLUMN	103	164	135			91.4
						8.6

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected 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	30.5	30.5	0.0	0.0
SUM 1950	0.0	0.0	0.0	30.5	30.5	0.0	0.0
WIN 1950	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1951	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1951	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1951	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1952	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1952	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1952	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1953	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1953	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1953	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1954	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1954	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1954	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1955	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1955	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1955	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1956	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1956	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1956	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1957	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1957	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1957	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1958	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1958	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1958	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1959	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1959	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1959	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1960	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1960	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1960	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1961	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1961	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1961	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1962	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1962	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1962	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1963	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1963	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1963	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1964	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1964	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1964	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1965	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1965	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1965	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1966	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1966	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1966	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1967	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1967	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1967	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1968	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1968	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1968	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SPR 1969	0.0	0.0	0.0	33.3	33.3	0.0	0.0
SUM 1969	0.0	0.0	0.0	33.3	33.3	0.0	0.0
WIN 1969	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 1970	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 1970	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 1970	0.0	42.8	42.8	33.3	33.3	0.0	0.0

[illegible]

WIN 2003	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2004	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2004	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2004	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2005	0.0	42.8	42.8	0.0	33.3	0.0	0.0
SUM 2005	0.0	42.8	42.8	0.0	33.3	0.0	0.0
WIN 2005	0.0	42.8	42.8	0.0	33.3	0.0	0.0
SPR 2006	0.0	42.8	42.8	0.0	33.3	0.0	0.0
SUM 2006	0.0	42.8	42.8	0.0	33.3	0.0	0.0
WIN 2006	0.0	42.8	42.8	0.0	33.3	0.0	0.0
SPR 2007	0.0	42.8	42.8	0.0	33.3	0.0	0.0
SUM 2007	0.0	42.8	42.8	0.0	33.3	0.0	0.0
WIN 2007	0.0	42.8	42.8	0.0	33.3	0.0	0.0
SPR 2008	0.0	42.8	42.8	0.0	33.3	0.0	0.0
SUM 2008	0.0	42.8	42.8	0.0	33.3	0.0	0.0
WIN 2008	0.0	42.8	42.8	0.0	33.3	0.0	0.0
SPR 2009	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SUM 2009	0.0	0.0	42.8	0.0	33.3	0.0	0.0
WIN 2009	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SPR 2010	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SUM 2010	0.0	0.0	42.8	0.0	33.3	0.0	0.0
WIN 2010	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SPR 2011	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SUM 2011	0.0	0.0	42.8	0.0	33.3	0.0	0.0
WIN 2011	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SPR 2012	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SUM 2012	0.0	0.0	42.8	0.0	33.3	0.0	0.0
WIN 2012	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SPR 2013	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SUM 2013	0.0	0.0	42.8	0.0	33.3	0.0	0.0
WIN 2013	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SPR 2014	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SUM 2014	0.0	0.0	42.8	0.0	33.3	0.0	0.0
WIN 2014	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SPR 2015	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SUM 2015	0.0	0.0	42.8	0.0	33.3	0.0	0.0
WIN 2015	0.0	0.0	42.8	0.0	33.3	0.0	0.0
SPR 2016	78.2	0.0	42.8	0.0	33.3	0.0	0.0
SUM 2016	78.2	0.0	42.8	0.0	33.3	0.0	0.0
WIN 2016	78.2	0.0	42.8	0.0	33.3	0.0	0.0
SPR 2017	0.0	0.0	42.8	33.3	33.3	0.0	0.0
SUM 2017	0.0	0.0	42.8	33.3	33.3	0.0	0.0
WIN 2017	0.0	0.0	42.8	33.3	33.3	0.0	0.0
SPR 2018	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2018	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2018	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2019	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2019	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2019	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2020	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2020	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2020	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2021	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2021	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2021	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2022	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2022	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2022	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2023	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2023	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2023	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2024	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2024	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2024	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2025	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2025	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2025	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2026	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2026	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2026	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2027	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2027	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2027	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2028	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2028	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2028	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2029	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2029	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2029	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2030	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2030	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2030	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2031	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2031	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2031	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2032	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2032	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2032	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2033	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2033	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2033	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2034	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2034	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2034	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2035	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SUM 2035	0.0	42.8	42.8	33.3	33.3	0.0	0.0
WIN 2035	0.0	42.8	42.8	33.3	33.3	0.0	0.0
SPR 2036	0.0	42.8	42.8	33.3	33.3	0.0	0.0



0 105 210 420 Feet

FOSTER FAMILY FARM
WATER BANK RENATL 2016
NAIP 2015 AERIAL

Legend
● POD
□ WSB Rental
□ WSB Sections
□ WSB Adesc



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 4, 2016

MARC FOSTER
PO BOX 844
ABERDEEN ID 83210

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 35-2924, 35-7415, 35-13340, and 35-13362**

Dear Renter:

Please find enclosed a receipt in the amount of **\$3,711.10** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 218.3 acre-feet of water for irrigation of 54.6 acres during 2016. 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 \$3,339.99 of the rental fee will be paid to the lessor(s) and 10% or \$371.11 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4946.

Sincerely,

for Michele Edl
Sr. Water Resource Agent

Enclosures: Receipt No. C101949
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office/Water District # 120
Greg Sullivan – 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

April 21, 2016

MARC FOSTER
PO BOX 844
ABERDEEN ID 83210

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 35-2924, 35-7415, 35-13340 and 35-13362**

*****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 \$3,711.10 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 218.3 acre-feet.

Please send a check for \$3,711.10 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 \$3,339.99 of the rental fee will be paid to the lessor(s) and 10% or \$371.11 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4946.

Sincerely,

 Michele Edl
Sr. Water Resource Agent

Enclosure

c: IDWR Front Desk
Greg Sullivan-Brockway Engineering PLLC

resent to
PO box 844
Aberdeen ID
4-20-16
83210

RECEIVED

APR 19 2016

DEPARTMENT OF
WATER RESOURCES

MARC FOSTER
3018 W 1700 S
ABERDEEN ID 83210

NIXIE 832103009-1N 700 04/13/16

RETURN TO SENDER
NO SUCH STREET
UNABLE TO FORWARD
RETURN TO SENDER





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" OTTIE
Governor

GARY SPACKMAN
Director

April 11, 2016

MARC FOSTER
3018 W 1700 S
ABERDEEN ID 83210

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 35-2924, 35-7415, 35-13340 and 35-13362**

*****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 \$3,711.10 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 218.3 acre-feet.

Please send a check for \$3,711.10 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 \$3,339.99 of the rental fee will be paid to the lessor(s) and 10% or \$371.11 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4946.

Sincerely,

for Michele Edl
Sr. Water Resource Agent

Enclosure

c: IDWR Front Desk
Greg Sullivan-Brockway Engineering PLLC

Edl, Michele

From: Cefalo, James
Sent: Tuesday, April 05, 2016 8:37 AM
To: Edl, Michele
Subject: RE: Marc Foster WSB rental for 2016

Michele,

Your review looks good to me. I don't have any concerns or comments.

James

From: Edl, Michele
Sent: Monday, April 04, 2016 5:04 PM
To: Cefalo, James
Subject: Marc Foster WSB rental for 2016

James,

I have completed my review of the proposed 2016 Water Supply Bank rental for Marc Foster (Lava Rock Ranch LLC). Mr. Foster intends to use WSB to break out new ground between two of his existing fields. I'm guessing that Mr. Foster made no commitments to reduce his use of ground water this year.

The rental water was modeled from available B35 leased rights and the modeling showed no mitigation is needed. I have attached a copy of my review memo and a PDF illustration of the rental POU.

When you get a minute, please let me know if you have any concerns about this rental.

Thanks.
Michele Edl
208-287-4946

Water Right No.	Rented Vol (AF)	Lessor Fee (90%)	Administrative Fee (10%)	Total Fee @ \$17 (2016)	Rental Amounts				
					Rate	Acres			
35-2924	115.5	\$1,767.15	\$196.35	\$1,963.50	0.53	28.90			
35-13340	57.4	\$878.22	\$97.58	\$975.80	0.31	14.30			
35-13362	5.4	\$82.62	\$9.18	\$91.80	0.02	1.40			
35-7415	40.0	\$612.00	\$68.00	\$680.00	0.18	10.00			
Total	218.3	\$3,339.99	\$371.11	\$3,711.10	1.02	54.60			
calculated by									
Michele Edl									
35-7224	rate	volume	acre	af/ac	cfs/ac	timester vol	comment		
le	1.11	241	60.3	4.00	0.018		established by CP for this WR in 2014		
available	1.11	241	60.3	4.00	0.018				
Foster Rental corex	0.53	115.5	28.9	4.00	0.018	38.50	reductions ok'd by consultant on 4/1/2016 by phone call		
remaining	0.58	125.5	31.4						
35-13340	rate	volume	acre	af/ac	cfs/ac		combined limit		
leased	0.47	88.8	25.0	3.55	0.019				
C Carter	0.05	8.8	2.2	4.00	0.023		rented thru 12/31/2017		
available	0.42	80	22.8	3.51	0.018				
Foster Rental	0.31	57.4	14.3	4.01	0.022	19.13			
remaining	0.11	22.6	8.5						
35-13362	rate	volume	acre	af/ac	cfs/ac		expansion right		
leased	0.05	11.2	25.0	0.45	0.002				
C Carter	0.01	1.2	0.3	4.00	0.033		rented thru 12/31/2017		
available	0.04	10	24.7	0.40	0.002				
Foster Rental	0.02	5.4	1.4	3.86	0.014	1.80			
remaining	0.02	4.6	23.3						
35-7415	rate	volume	acre	af/ac	cfs/ac				
leased	0.72	156.0	39.0	4.00	0.018				
L&L Funk	0.31	66.4	16.6	4.00	0.019		rented thru 12/31/2016		
Foster Rental	0.18	40	10	4.00	0.018	13.33			
remaining	0.23	26.4	6.6						
Total Foster 2016	1.02	218.30	54.60			72.77	checkcalcs		
		72.76666667							

MEMORANDUM

To: Right(s) 35-2924, 35-13340, 35-13362 and 35-7415

From: Michele Edl

Date: April 4, 2016

Re: Review & Analysis of Marc Foster's Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: On February 11, 2016, Greg Sullivan (Engineer, Brockway Engineering PLLC) submitted a WSB rental application on behalf of Marc Foster. The application proposed to rent portions of three water rights but the rental availability of those rights was less than Mr. Foster requested.

An amended application was received on March 7, 2016 which listed additional water rights and provided a matching ESPA modeling run. The amended rental application proposes to rent portions of 35-2924, 35-13340, 35-13362 and 35-7415 to irrigate 54.6 acres of new ground in the NE of sec 27, Twp 5S, Rge 30E. The application requested a rental agreement with a 1-year duration.

AUTHORITY TO FILE: According to available Bingham County taxlot information, the proposed place-of-use is property owned by Lava Rock Ranch LLC. Lava Rock Ranch, LLC is listed with IDSOS as #W80693. Marc Foster is listed as a member and he signed the application.

The proposed rental point-of-diversion is a well located within the Lava Rock Ranch property. It is one of two authorized PODs for rights: 35-14444, 35-8370A and 35-2758A.

WATER RIGHT VALIDITY:

Right 35-7415 was leased to the WSB but was also largely committed to rentals for Lance and Lisa Funk through 2017. On March 31, 2016, I conferred with Greg Sullivan who is consultant for the Funks and for Marc Foster. He determined that the Funk's NVPR field no longer needed to lease the 22.4 acre portion of 35-7415, as that field is now covered by Permit 35-14243.

The rental fee had not been paid for the 2016 season which simplified the financial arrangements. Mr. Sullivan sent a letter via email and traditional mail, requesting that the 22.4-acre NVPR rental be canceled. The cancellation request was acknowledged and a letter notice was mailed to the Funks and to Greg Sullivan on April 4, 2016.

With termination of the rental agreement dedicated to the Funks NVPR field, sufficient water was available to satisfy Marc Foster's rental request.

Rights 35-13340 and 35-13362 were accepted into the WSB for an indefinite period beginning April 2004. During the 2015 season the owners of the rights were contacted and they agreed to extend the term of the leases for three (3) more years; or through 2017.

Right 35-2924 is fully leased to the bank until December 31, 2019 and not currently rented. The right is for industrial use and was decreed with rate and volume only. In a September 22, 2014 memo to the water right file, Cherie Palmer associated 60.3 acres with the leased rate and volume.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

The consultant provided ESPA modeling of this water rental package using the current modeling utility, (Modified_Etransfer_V3_1.xls). The modeling run showed that no mitigation is required. The successful modeling run was based on higher, but disproportionate volumes listed on the amended application. I did not re-run the model using the smaller volumes. Instead I assumed that a run based on smaller volumes would also not require mitigation.

ENLARGEMENT OF USE: No enlargement is anticipated.

Both the lease and the rental locations have the same standard season-of-use and combined limits on rights 35-13340 and 35-13362 will be carried on the rental agreement.

The rental rate and volume requested from WR 35-2924 were disproportionate to the leased elements of the right which were established in 2014. I discussed the necessary changes with the consultant, and reduced the rental rate and volume to be proportionate to the acres requested.

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 rented right(s) are subject to Water District #120. Comment will be solicited from the Watermaster and Eastern Region.



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

March 4, 2016

MARC FOSTER
3018 W 1700 S
ABERDEEN ID 83210

RE: Water Supply Bank Rental Request

Dear Mr. Foster,

The Idaho Department of Water Resources (IDWR) conducted a cursory review of your application to rent water from the Water Supply Bank (Bank) for the 2016 season.

Your rental application, as proposed, cannot be processed at this time. The point of this letter is to notify you of the deficiencies and give you the opportunity to complete your application.

Your rental request cannot be processed for the following reasons:

- Water rights 35-13340 and 35-13362 are not fully available for rental as portions of those rights have already been committed to other renters. You must find replacement water rights to cover 9.3 acres if you would like to retain a rental for 54.6 acres.

I will place your application on hold while you submit your additional information. Please provide the required information within 14 days.

If sufficient information per this letter is not received within 14 days, your application will not be processed and will be returned to you.

Please contact me if you have questions regarding this matter at (208) 287-4944.

Sincerely,

Water Rights Supervisor
Water Allocation Bureau

cc: Greg Sullivan-Brockway Engineering; sent via email

No. W 80693	Due no later than Jan 31, 2016 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. LAVA ROCK RANCH, LLC BRUCE FOSTER 55E CENTRAL PO BOX844 ABERDEEN ID 83210		BRUCE FOSTER 2084 S. 2900 W ABERDEEN ID 83210			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	MARC FOSTER	3018 W 1700 S	ABERDEEN	ID	USA	83210
MANAGER	BRUCE FOSTER	2084 S 2900 W	ABERDEEN	ID	USA	83210
5. Organized Under the Laws of: ID W 80693		6. Annual Report must be signed.* Signature: Bruce Foster Name (type or print): Bruce Foster Date: 02/25/2016 Title: Owner				
Processed 02/25/2016		* Electronically provided signatures are accepted as original signatures.				

RECEIVED

MAR 07 2016

DEPARTMENT OF
WATER RESOURCES



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

March 4, 2016

Cherie Palmer
Idaho Water Supply Bank
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Marc Foster Rental 2016

Dear Mrs. Palmer:

Due to your letter dated March 4, 2016 regarding a deficiency of available water to rent. An amendment for Marc Foster's rental of 54.6 acres of irrigation water for 2016 is proposed. It is proposed to rent the 54.6 acres from water rights 35-7415, 35-2924, 35-13340 and 35-13362.

ESPA model analysis indicates that no mitigation will be required due to this transfer.

A new page 4 of the rental application is being submitted at this time.

Please copy our office on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S., Engineer

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

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

Cc: Marc Foster
Enc: Page 4 of the Rental Application, ESPA Model Analysis

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

FEB 11 2016

DEPARTMENT OF
WATER RESOURCES

February 9, 2016

Cherie Palmer
Idaho Water Supply Bank
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Marc Foster Rental 2016

Dear Mrs. Palmer:

Marc Foster desires to rent 54.6 acres of irrigation water for 2016. It is proposed to rent the 54.6 acres from water rights 35-2924, 35-13340 and 35-13362.

There is an existing well that will be used as a point of diversion and new mainlines and wheel lines will be used to deliver the water.

ESPA model analysis indicates that no mitigation will be required due to this transfer.

Please copy our office on all correspondence regarding this application. Thank you for your assistance and if you have questions or comments, please don't hesitate to call.

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

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

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Marc Foster

Enc: Rental Application, ESPA Model Analysis, Aerial Maps

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506