



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

SDRTR LLC
930 S ANDREASEN DR STE H
ESCONDIDO CA 92029

RE: Expiration of Water Supply Bank Rental Agreement for water rights: 37-2055

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,

A handwritten signature in black ink, appearing to read 'RB', followed by a horizontal line.

Remington Buyer
Water Supply Bank Coordinator

Enclosures:

RECEIVED

APR 12 2016

DEPARTMENT OF
WATER RESOURCES

This is to certify that: **SDRTR LLC**
930 S ANDEASEN DR STE H
ESCONDIDO CA 92029
208-736-8543

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	Rented Rate	Annual Rented Volume	Acre Limit	Total Rented Acres
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37-2055	7/24/1906	Warm Springs Cr	Big Wood River	0.10 cfs	17.5 af	NA	0.5 ac
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Annual Combined Rental Totals	0.10 cfs	17.5 af	NA	0.5 ac
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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: \$297.50

The fee for rental of the above-described water is \$297.50. Ten percent (\$29.75) will be retained by the Department to offset administrative costs, and the remainder will be paid to the lessor(s).

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.

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:

 _____ Signature of Renter	<u>YOGESH DABLA MANAGER</u> _____ Printed Name and Title*	<u>4/11/16.</u> _____ Date
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*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, Acting Administrator Idaho Water Resource Board	Date <u>4/12/2016</u> _____
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Rental Approved by IDWR  _____	Date <u>4-12-2016</u> _____
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

WARM SPRINGS CREEK NENE Sec. 30, Twp 04N, Rge 16E, BLAINE County

BENEFICIAL USE

Diversion Rate

Volume

IRRIGATION	0.02 CFS	1.8 AF
DIVERSION TO STORAGE	0.10 CFS	
AESTHETIC STORAGE		17.5 AF
RECREATION STORAGE		17.5 AF
Total:	0.10 CFS	17.5 AF

SEASON OF USE

05/01 to 10/31

RENTER'S PLACE OF USE:

IRRIGATION, RECREATION STORAGE, AESTHETIC STORAGE

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

Total Acres: 0.5

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.
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. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
11. The water rented under this agreement is appurtenant to irrigation of 5.0 acres.
12. Place of use is located in H.E.S. No. 389 and is also known as Lot 1B, Block 1 Warfield Hot Springs Subdivision.
13. Diversion to Storage, Recreation Storage and Aesthetic Storage are for the initial fill and evaporation for a lined pond that covers 0.52 acres.
14. 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.
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. 37.

STATE OF IDAHO
WATER RESOURCE BOARDRECEIVED
NOV 18 2015
DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: SDRTR LLC

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

Yes ☐ No ☒

If yes, specify companion water rights in Section 4

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

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

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

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

MINIMUM REQUIREMENT CHECKLIST

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

Yes

- ☒ Completed *Application to Rent Water from the Board's Water Supply Bank*
- ☒ Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank

Attachment N/A Yes

- 2 ☒ A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
- 3A ☐ ☒ Detailed information on a proposed use of rental water
- 3F ☐ ☒ Authorization from the owner/operator of the rental point(s) of diversion
- 3H ☒ ☐ Water modeling to account for the impacts of the rental request
- 3J ☐ ☒ Documents justifying a rate of flow greater than 0.02 cfs/acre
- 3K ☐ ☒ Authorization from the owner/operator of the property at the proposed rental place(s) of use
- 4B ☐ ☒ Explanation of how the rental water will sufficiently accomplish your rental purposes
- 4C ☐ ☒ Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

37-2055

STATE OF IDAHO
WATER RESOURCE BOARDRECEIVED
NOV 18 2015
DEPARTMENT OF
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Department Use Only – Proposed Water Right(s)

37-2055

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant SDRTR LLC c/o Anthony Robbins

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

Email Address _____ Phone Number _____

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

Representative Charles E. Brockway Professional Title P.E.

Organization Brockway Engineering PLLC Relationship to Applicant Consultant

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

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

2. MAP

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

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

Applicant seeks to rent 5.0 acres of 37-2055 for aesthetic and recreation uses at applicant's property. WSB rental will be used to fill a pond, provide water for water feature evaporation and irrigate 0.5 acres of trees around pond, throughout 2016.

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.10 CFS	17.5 AF	0.10 CFS	17.5 AF	5.0 AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
4/15/16	7/15/16	☒ 1	☐ 2	☐ 3	☐ 4	☐ 5	☒ Process application as soon as possible	☐ Return application to applicant

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

** Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):

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

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
(Pump) from Creek & meter	Warm Springs Creek	None.

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

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

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

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

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

- ☐ Irrigation _____ (number of acres) Duration: Subject to IDWR standard seasons of use
- ☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
- ☒ Other: Aesthetic, Recreation from: 4/15 (mm/dd) to: 12/31 (mm/dd)

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

N/A.

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

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

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via [IDWR's website](#).

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.** For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
37-2055	Irrigation	1.60		82.2		0.10	17.5	5.0
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.10	17.5	5.0
						CFS	AF	AC

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

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

N/A.

C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☒ No ☐

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

Yes, see #5D.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

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:

N/A.

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

If yes, describe:

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

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒

If yes, describe the date and location of the NOV.

N/A.

- D. Additional Information

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

DECLARATION

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


Signature of Applicant

YOSHIN BASLA
Printed Name of Applicant

11/12/15
Date


Signature of Representative

Charles E. Brockway
Printed Name of Representative

11/17/2015
Date

Mail to:

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

T.04N R.16E SEC. 36 NENE

ZONING	SCHEDULE	MINIMUM LOT AREA	MINIMUM LOT WIDTH	MINIMUM LOT DEPTH
ZONE 1 - MANUFACTURING OF FINISH LANDSCAPE		1,500 SF		
	SQUARE FOOTAGE			
ZONE 2 - MATTER BEDROOM POOL AREA		180 SF		
	MINIMUM LOT AREA			
	INFINITE EDGE	21.5'		
ZONE 3 - BACKYARD SWIMMING POOL				
	MINIMUM LOT AREA			
	INFINITE EDGE	24'-0" (24')		
	MINIMUM LOT DEPTH			12W 15' (15' W) 20' (20' W) 30' (30' W) 40' (40' W) 50' (50' W) 60' (60' W) 70' (70' W) 80' (80' W) 90' (90' W) 100' (100' W) 110' (110' W) 120' (120' W) 130' (130' W) 140' (140' W) 150' (150' W) 160' (160' W) 170' (170' W) 180' (180' W) 190' (190' W) 200' (200' W) 210' (210' W) 220' (220' W) 230' (230' W) 240' (240' W) 250' (250' W) 260' (260' W) 270' (270' W) 280' (280' W) 290' (290' W) 300' (300' W) 310' (310' W) 320' (320' W) 330' (330' W) 340' (340' W) 350' (350' W) 360' (360' W) 370' (370' W) 380' (380' W) 390' (390' W) 400' (400' W) 410' (410' W) 420' (420' W) 430' (430' W) 440' (440' W) 450' (450' W) 460' (460' W) 470' (470' W) 480' (480' W) 490' (490' W) 500' (500' W) 510' (510' W) 520' (520' W) 530' (530' W) 540' (540' W) 550' (550' W) 560' (560' W) 570' (570' W) 580' (580' W) 590' (590' W) 600' (600' W) 610' (610' W) 620' (620' W) 630' (630' W) 640' (640' W) 650' (650' W) 660' (660' W) 670' (670' W) 680' (680' W) 690' (690' W) 700' (700' W) 710' (710' W) 720' (720' W) 730' (730' W) 740' (740' W) 750' (750' W) 760' (760' W) 770' (770' W) 780' (780' W) 790' (790' W) 800' (800' W) 810' (810' W) 820' (820' W) 830' (830' W) 840' (840' W) 850' (850' W) 860' (860' W) 870' (870' W) 880' (880' W) 890' (890' W) 900' (900' W) 910' (910' W) 920' (920' W) 930' (930' W) 940' (940' W) 950' (950' W) 960' (960' W) 970' (970' W) 980' (980' W) 990' (990' W) 1000' (1000' W) 1010' (1010' W) 1020' (1020' W) 1030' (1030' W) 1040' (1040' W) 1050' (1050' W) 1060' (1060' W) 1070' (1070' W) 1080' (1080' W) 1090' (1090' W) 1100' (1100' W) 1110' (1110' W) 1120' (1120' W) 1130' (1130' W) 1140' (1140' W) 1150' (1150' W) 1160' (1160' W) 1170' (1170' W) 1180' (1180' W) 1190' (1190' W) 1200' (1200' W) 1210' (1210' W) 1220' (1220' W) 1230' (1230' W) 1240' (1240' W) 1250' (1250' W) 1260' (1260' W) 1270' (1270' W) 1280' (1280' W) 1290' (1290' W) 1300' (1300' W) 1310' (1310' W) 1320' (1320' W) 1330' (1330' W) 1340' (1340' W) 1350' (1350' W) 1360' (1360' W) 1370' (1370' W) 1380' (1380' W) 1390' (1390' W) 1400' (1400' W) 1410' (1410' W) 1420' (1420' W) 1430' (1430' W) 1440' (1440' W) 1450' (1450' W) 1460' (1460' W) 1470' (1470' W) 1480' (1480' W) 1490' (1490' W) 1500' (1500' W) 1510' (1510' W) 1520' (1520' W) 1530' (1530' W) 1540' (1540' W) 1550' (1550' W) 1560' (1560' W) 1570' (1570' W) 1580' (1580' W) 1590' (1590' W) 1600' (1600' W) 1610' (1610' W) 1620' (1620' W) 1630' (1630' W) 1640' (1640' W) 1650' (1650' W) 1660' (1660' W) 1670' (1670' W) 1680' (1680' W) 1690' (1690' W) 1700' (1700' W) 1710' (1710' W) 1720' (1720' W) 1730' (1730' W) 1740' (1740' W) 1750' (1750' W) 1760' (1760' W) 1770' (1770' W) 1780' (1780' W) 1790' (1790' W) 1800' (1800' W) 1810' (1810' W) 1820' (1820' W) 1830' (1830' W) 1840' (1840' W) 1850' (1850' W) 1860' (1860' W) 1870' (1870' W) 1880' (1880' W) 1890' (1890' W) 1900' (1900' W) 1910' (1910' W) 1920' (1920' W) 1930' (1930' W) 1940' (1940' W) 1950' (1950' W) 1960' (1960' W) 1970' (1970' W) 1980' (1980' W) 1990' (1990' W) 2000' (2000' W) 2010' (2010' W) 2020' (2020' W) 2030' (2030' W) 2040' (2040' W) 2050' (2050' W) 2060' (2060' W) 2070' (2070' W) 2080' (2080' W) 2090' (2090' W) 2100' (2100' W) 2110' (2110' W) 2120' (2120' W) 2130' (2130' W) 2140' (2140' W) 2150' (2150' W) 2160' (2160' W) 2170' (2170' W) 2180' (2180' W) 2190' (2190' W) 2200' (2200' W) 2210' (2210' W) 2220' (2220' W) 2230' (2230' W) 2240' (2240' W) 2250' (2250' W) 2260' (2260' W) 2270' (2270' W) 2280' (2280' W) 2290' (2290' W) 2300' (2300' W) 2310' (2310' W) 2320' (2320' W) 2330' (2330' W) 2340' (2340' W) 2350' (2350' W) 2360' (2360' W) 2370' (2370' W) 2380' (2380' W) 2390' (2390' W) 2400' (2400' W) 2410' (2410' W) 2420' (2420' W) 2430' (2430' W) 2440' (2440' W) 2450' (2450' W) 2460' (2460' W) 2470' (2470' W) 2480' (2480' W) 2490' (2490' W) 2500' (2500' W) 2510' (2510' W) 2520' (2520' W) 2530' (2530' W) 2540' (2540' W) 2550' (2550' W) 2560' (2560' W) 2570' (2570' W) 2580' (2580' W) 2590' (2590' W) 2600' (2600' W) 2610' (2610' W) 2620' (2620' W) 2630' (2630' W) 2640' (2640' W) 2650' (2650' W) 2660' (2660' W) 2670' (2670' W) 2680' (2680' W) 2690' (2690' W) 2700' (2700' W) 2710' (2710' W) 2720' (2720' W) 2730' (2730' W) 2740' (2740' W) 2750' (2750' W) 2760' (2760' W) 2

 ROCK & WATER, LLC
10024 N. Taryne St.
Hayden, ID 83854
877.292.6476
www.rockandwaterstudio.com

PRELIMINARY
NOT FOR
CONSTRUCTION

NAME _____
 STREET ADDRESS _____
 CITY, XT ZIP _____
 STATE _____

NAME _____
 STREET ADDRESS _____
 CITY, XT ZIP _____
 STATE _____

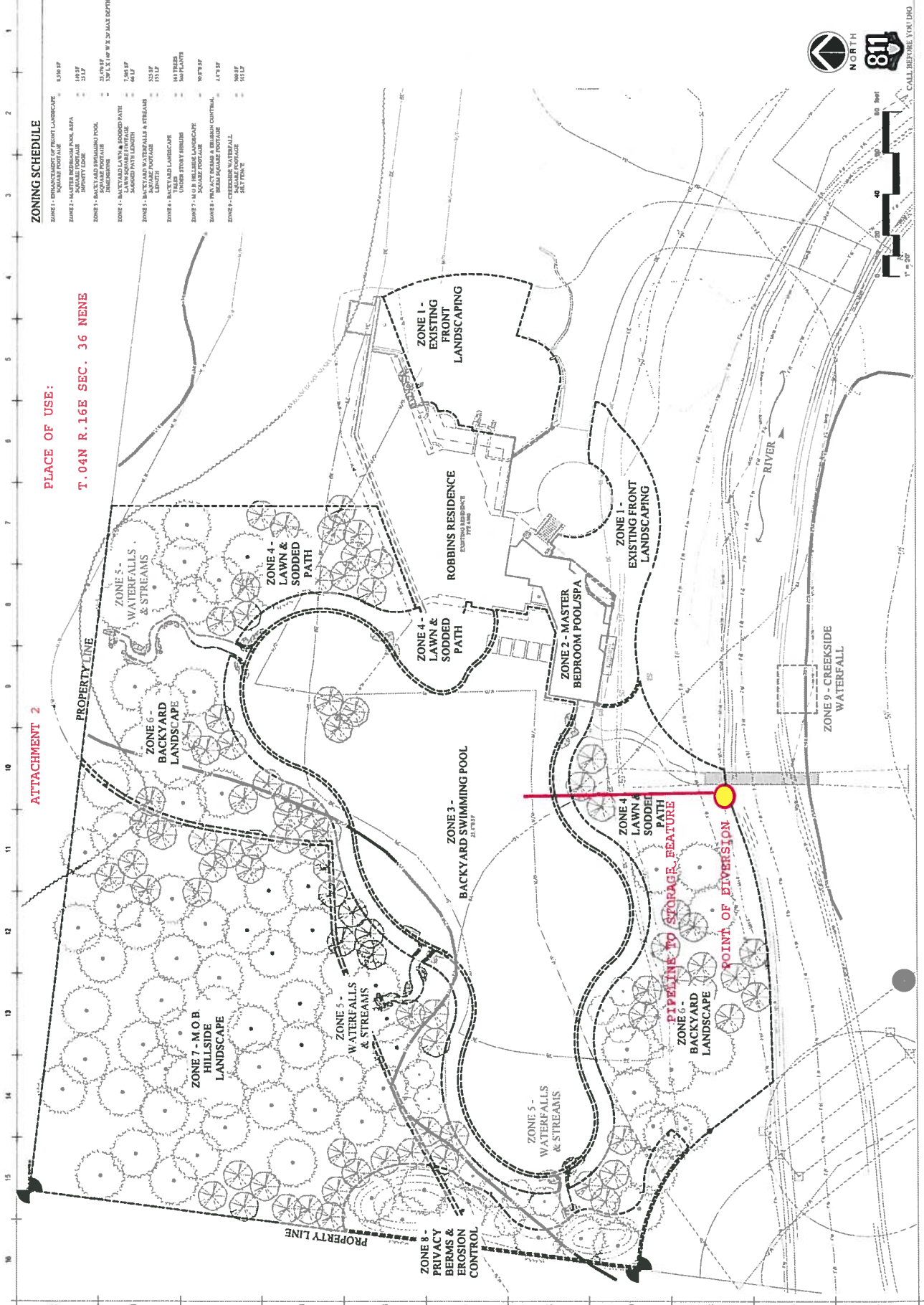
NAME _____
 PHONE _____
 E-MAIL _____
 ADDRESS _____
 CITY _____
 STATE _____
 ZIP _____

Double 4 Architecture
 1430 Country House Blvd., Ste. 500
 Bismarck, ND 58103
 Tel: 701-254-1714
 www.d4architect.com
 LANDSCAPE ARCHITECT
 10004 139th St.
 Minneapolis, MN 55434
 Tel: 771.330.4479
 mlandscap@msn.com

ROBINS RESIDENCE
WARFIELD HOT SPRINGS
BLAINE COUNTY, ID
EXHIBIT C

ROBBINS
RESIDENCE

3. STREET ADDRESS	
NO.	AD CTR 101
UNIT	3RD FLOOR
CITY	ALBUQUERQUE
STATE	NEW MEXICO
WITH CURRENT INTERNATIONAL LICENSE FOR THE ALBUQUERQUE AIRPORT (FEDERAL AVIATION ADMINISTRATION) 1200 EAST 17TH AVENUE, SUITE 100 ALBUQUERQUE, NEW MEXICO 87102	
2017 MAY 15 10:00 AM (SEE COMMENTS)	





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 14, 2016

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

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

Dear Renter:

Please find enclosed a receipt in the amount of **\$297.50** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 17.5 acre-feet of water for diversion to storage, aesthetic storage, recreation storage, and irrigation of 0.5 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 \$267.75 of the rental fee will be paid to the lessor(s) and 10% or \$29.75 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4910.

Sincerely,

for Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosures: Receipt No. C101832
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Allen Merritt – IDWR Southern Regional Office
Kevin Lakey – State Water District No. 37
Charles E Brockway – Brockway Engineering



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER

Governor

March 30, 2016

GARY SPACKMAN

Director

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

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

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

Dear Applicant:

The Department of Water Resources (Department) acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, together with the rental fee described below, the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

A rental fee of \$297.50 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 17.5 acre-feet.

Please send a check for \$297.50 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. Pursuant to the Water Supply Bank Rules, 90% or \$267.75 of the rental fee will be paid to the lessor(s) and 10% or \$29.75 will be retained by the Department to offset administrative costs.

This rental will cover the proposal addressed in the application for the 2016 season. However, the Department has concerns of future coverage of the irrigation component of this rental. It will be necessary for you to acquire a permanent water right (as proposed in on question 5 section B of the rental application) to ensure that the additional acreage irrigated does not enlarge your current water right (37-8388).

If you have any questions, please contact me at (208) 287-4910.

Sincerely,

Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure

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

Newbry, Ashley

From: Peppersack, Jeff
Sent: Tuesday, March 22, 2016 8:55 AM
To: Merritt, Allen; Newbry, Ashley
Subject: RE: WSB Rental Proposal: SDRTR 37-2055 (Warm Springs Creek)

Looks ok generally – I don't remember the specifics of our discussion with Brockway. In my quick review, looks like irrigation right will be used for pond fill. Since the timing of irrigation differs from pond fill, can we spread out the pond fill somewhat to address that?

Jeff

From: Merritt, Allen
Sent: Monday, March 21, 2016 11:52 AM
To: Newbry, Ashley; Peppersack, Jeff
Subject: FW: WSB Rental Proposal: SDRTR 37-2055 (Warm Springs Creek)

This concept was discussed with Brockway Sr. and Jeff Peppersack a couple of months ago. At that time the proposal involved using a domestic well but the intent seems to have changed on the rental application and they now intend to make some sort of permanent filing. I do not have any issue with it unless Jeff has an issue.

From: Newbry, Ashley
Sent: Monday, March 21, 2016 7:51 AM
To: Merritt, Allen; watermanager@cableone.net
Cc: watermstr@cableone.net; Webster, Clay
Subject: WSB Rental Proposal: SDRTR 37-2055 (Warm Springs Creek)

Gentlemen,

Please see the attached Rental proposal, and let me know if you have questions/concerns. Please respond by March 30, 2016.

Thank you,

Ashley Newbry

Associate Engineer
Idaho Dept. of Water Resources
State Office
322 E. Front Street
PO Box 83720
Boise, ID 83720-0098
208.287.4800 X 4846

Newbry, Ashley

From: Kevin Lakey [watermanager@cableone.net]
Sent: Monday, March 21, 2016 2:43 PM
To: Newbry, Ashley
Subject: RE: WSB Rental Proposal: SDRTR 37-2055 (Warm Springs Creek)

I have no concerns with this application.

Kevin Lakey
Water District 37

From: Newbry, Ashley [<mailto:Ashley.Newbry@idwr.idaho.gov>]
Sent: Monday, March 21, 2016 7:51 AM
To: Merritt, Allen; watermanager@cableone.net
Cc: watermstr@cableone.net; Webster, Clay
Subject: WSB Rental Proposal: SDRTR 37-2055 (Warm Springs Creek)

Gentlemen,

Please see the attached Rental proposal, and let me know if you have questions/concerns. Please respond by March 30, 2016.

Thank you,

Ashley Newbry

Associate Engineer
Idaho Dept. of Water Resources
State Office
322 E. Front Street
PO Box 83720
Boise, ID 83720-0098
208.287.4800 X 4846

MEMORANDUM

To: Water Right(s) 37-2055 (proposed)

From: A. Newbry

Date: 3/17/2016

Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank
(Revised memo following supervisory review.)

PURPOSE/NARRATIVE:

This rental application was submitted to the Department on November 18, 2015 by Brockway Engineering, on behalf of SDRTR LLC. The application proposes a partial change in nature-of-use, requesting to rent a portion of 37-2055 for irrigation, pond fill, and pond losses.

AUTHORITY TO FILE:

The current manager of SDRTR LLC on file at the Idaho Secretary of State is Yogesh Babla. He acquired the company from Anthony Robbins on November 18, 2018 as date-stamped by the Idaho SOS office. Before acquiring the company, he signed this WSB rental application on behalf of SDRTR LLC on November 12, 2015. IDWR received this application on November 18, 2018 as well. Because of the file dates, Mr. Babla *may not have had the authority to file the rental application* when it was signed; he acquired that authority on November 18, 2015. IDWR has since been able to obtain Anthony Robbins signature on the application. Ownership of the parcel is noted as "SDRTR LLC c/o Lynette Gholizadeh."

WATER RIGHT VALIDITY:

A portion of right 37-2055 (Warm Springs Creek; Irrigation; 82.2 Acres) is proposed to be rented. Based on a review of historical imagery, it appears that the lessor has been complying with their contract. The place of use associated with 37-2055 appears to be idled. This right is in a 2014 to 2018 WSB lease contract.

INJURY TO OTHER WATER RIGHTS:

Because proposed rental intends to move the diversion upstream, but the review unit determined that execution of this rental will not cause injury to rights with POD's on Warm Springs Creek between the lease location and the proposed rental location.

The following surface water rights have POD's on Warm Springs Creek on the reach in question:

- 37-892 and 37-891A (Upper Wood River Water Users Assn Inc for Irrigation) and
 - Per Clay's lease memo, Watermaster Kevin Lakey did not take issue with the lease of 37-2055 and 37-11445, even though they overlap with rights 37-892 and 37-891A. He mentioned that the Upper Wood River Water Users Assn Inc rights haven't been delivered here in at least 10 years.
- 37-13560, 37-13563, 37-16907, 37-19980 (Forest Service for Stockwater, full length of Warm Springs Creek)

A second concern might be the nature of use of this application. The applicant proposes to break ground and install a new pond. This parcel has springs and fronts Warm Springs Creek.

Supervisory review determined that ground water will not interact with the new pond because the pond is proposed to be lined and the springs are located on the opposite side of the house from the pond. In addition, supervisory review found an approximate elevation difference of 20 to 40 vertical feet between the top of the proposed pond and Warm Springs Creek.

ENLARGEMENT OF USE: Enlargement concerns can arise when moving surface water; moving water where the river is a losing reach to a gaining reach. For the purposes of this one-year rental agreement, IDWR may assume that Warm Springs Creek is neither gaining nor losing. USGS paper "Stream Seepage and Groundwater Levels, Wood River Valley, South-Central Idaho, 2012-13" by Bartolino states, "The Warm Springs Creek reach [...] had little or no measurable streamflow gain or loss during all three seepage runs, and all were indeterminate because measurement uncertainty exceeded the rather slight measured seepage."

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

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

Overlaps:

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

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

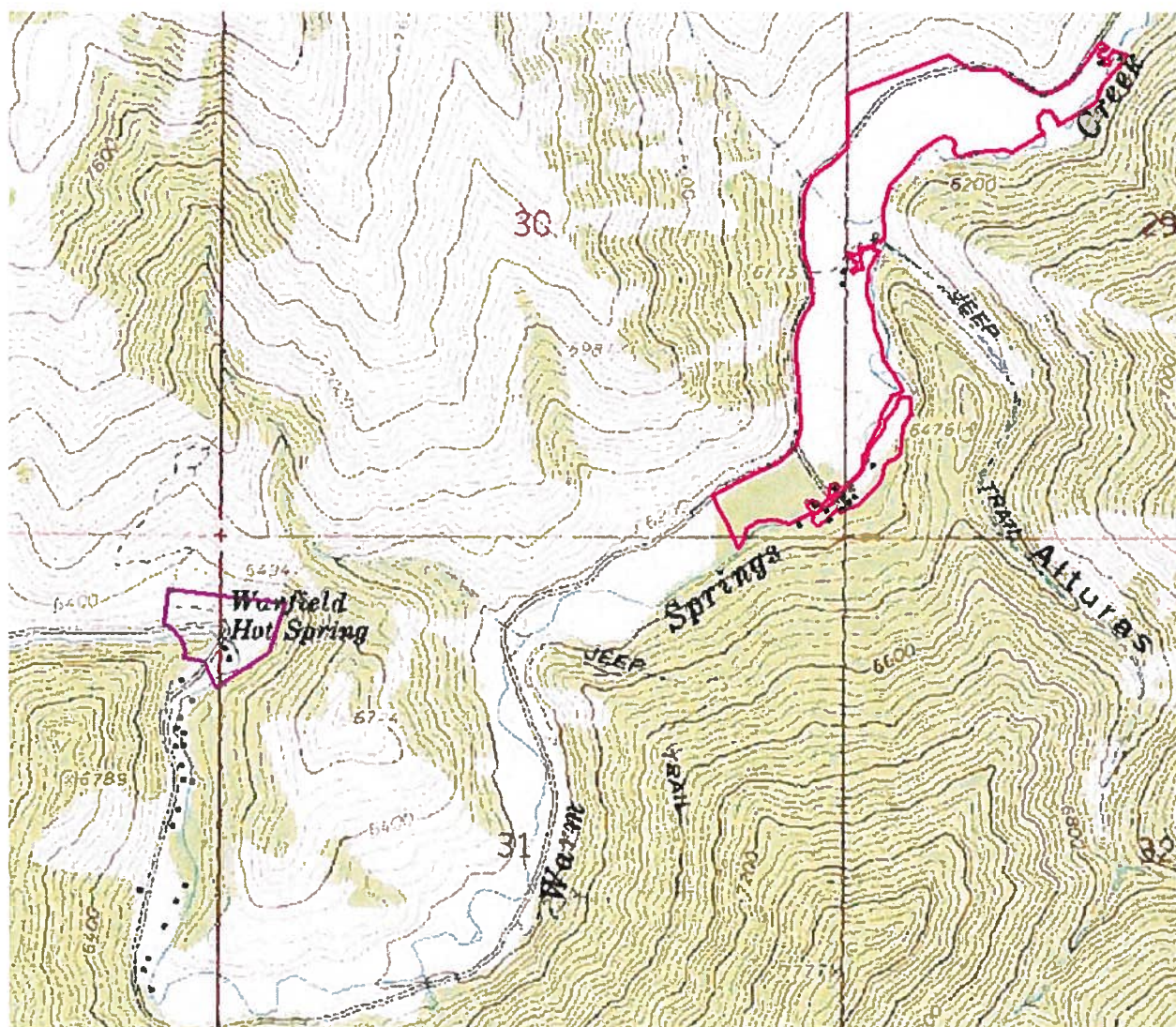
LOCAL PUBLIC INTEREST:

Review staff has no information to suggest this application is inconsistent with the local public interest. The rental place of use *may* be controversial because minimum stream flows exist for the Big Wood River. Warm Springs Creek does not have its own MSF water right, but it is tributary to the Big Wood River.

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is subject to Water District # 37.

WATER MASTER HAS NOT YET BEEN CONTACTED.



Newbry, Ashley

From: Keen, Shelley
Sent: Tuesday, March 15, 2016 5:28 PM
To: Newbry, Ashley
Cc: Palmer, Cherie
Subject: RE: SDRTR Injury Question

Ashley,

I agree on all points. Thanks for taking the initiative on this one.

Shelley

From: Newbry, Ashley
Sent: Tuesday, March 15, 2016 12:32 PM
To: Keen, Shelley
Cc: Palmer, Cherie
Subject: RE: SDRTR Injury Question

Shelley,

Cherie is out of the office today and tomorrow, so I took the opportunity to review the linked USGS report below: "Stream Seepage and Groundwater Levels, Wood River Valley, South-Central Idaho, 2012-2013." On page 12, Bartolino states "The Warm Springs Creek reach (T07-T08) had little or no measurable streamflow gain or loss during all three seepage runs, and all were indeterminate because measurement uncertainty exceeded the rather slight measured seepage." The measured gain/loss was so slight that it wasn't able to be confirmed.

For the purposes of this analysis (WSB rental application), I propose the *assumption* that Warm Springs Creek is neither gaining nor losing. Therefore, we *may* wish to consider the conclusion derived from item no. 4 acceptable for this one-year rental: "The impact of moving the 0.1 cfs diversion 1.75 miles upstream from the Sun Valley Long Term Ventures diversion to the SDRTR diversion will not injure any junior or senior water rights diverting from Warm Springs Creek."

This decision should not prejudice the Department from making a different choice in future years, especially upon availability of additional research regarding the Big Wood River drainage. Furthermore, the applicant and its representative should be notified of their responsibility to cite sources, such as the one we have considered above, with data which support any scientific conclusions (assumptions) associated with their proposal.

Respectfully,

Ashley Newbry

Associate Engineer
Idaho Dept. of Water Resources
State Office
322 E. Front Street
PO Box 83720
Boise, ID 83720-0098
208.287.4800 X 4846

From: Keen, Shelley
Sent: Monday, March 14, 2016 6:19 PM
To: Palmer, Cherie

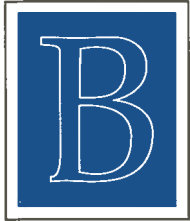
Cc: Newbry, Ashley
Subject: SDRTR Injury Question

Cherie,

Can you or Ashley take a look at this report (<http://pubs.usgs.gov/sir/2014/5151/pdf/sir2014-5151.pdf>) to see if it has anything about Warm Springs Creek that would help us evaluate whether injury will occur by moving the POD? For example, is the reach gaining or losing, and how might that impact our evaluation?

Thanks.

Shelley



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 11 2016

DEPARTMENT OF
WATER RESOURCES

March 9, 2016

Mr. Shelley Keen
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Re: SDRTR, LLC Water Supply Bank Application for Rental

Dear Shelly:

Thank you for the e-mail response to my inquiry relative to the SDRTR, LLC application.

➤ The pond area including pump back streams is now planned at 22,773 square feet (0.523 ac), and the entire pond will be lined with an EPDM liner with reinforced shotcrete over it, then 4-6 inches of river rock cobble on the top of that.

➤ The planned maximum area of irrigation of trees and landscaping adjacent to the pond and residence is 39,731 square feet (0.91 acres), all irrigated with drip irrigation. It is estimated that the drip irrigation zones on the trees will require a total discharge of 10 gpm. The estimated annual consumptive use of the trees is 2.26 af/a (Allen and Robison, ET Idaho Hailey Ranger Station) at full growth and assumed full canopy cover. It is estimated that the full 0.91 acres will be irrigated during the establishment period of 1-3 years and then reduced to 5,000 square feet (.11 acres) which will be permanently irrigated. Maximum annual consumptive use for the trees is therefore 2.26×0.91 or 1.49 af/a. If an irrigation component is required then a clarification of the application would be acceptable if an amendment to the application is not required.

➤ I recognize that the season of use of water right 37-2055 is from May 15 to October 31. The applicant is prepared to begin construction on approximately April 15 and would be ready to begin filling the pond by pumping from Warm Springs Creek with a portable pump sometime between May 1 and May 15. I have confirmed that the owner will wait until May 15 to begin filling.

➤ I see no reason for subordinating water right 37-2055 to any water rights. There are no irrigation water rights diverting from Warm Springs

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Creek upstream of Sun Valley Long Term Ventures, the owner of 37-2055 (IDWR water rights database). The impact of moving the 0.1 cfs diversion 1.75 miles upstream from the Sun Valley Long Term Ventures diversion to the SDRTR diversion will not injure any junior or senior water rights diverting from Warm Springs Creek. After the pond is filled, the only diversion requirement for the 2016 season will be for evaporation, 2414 gpd average or 1.68 gpm maximum, and irrigation of the trees (10gpm or 5938 gpd).

The full requested discharge of 44.88 gpm from Warm Springs Creek will likely be utilized during the first fill of the pond.

➤ The requested water bank rental is anticipated to be utilized for the 2016 season to supply the first fill volume, mitigation for evaporation from the pond, and irrigation of new trees and landscaping associated with the pond development. It is planned to utilize the existing domestic well for the 2017 season and future years. Table 1 shows the expected diversion from Warm Springs Creek for 2017 and later to be provided from the existing domestic well.

Component	Daily Volume gpd
Pond Evap (max)	2,414
Tree Irrigation (max)	5,938
Turf Irrigation (0.5 ac max)	3,439
In-House Use	500
Total	12,291

➤ Under Idaho Code 42-11a, the domestic well is authorized to provide up to 13,000 gpd for any purpose associated with the residence and up to 0.5 acres of irrigation.

Sincerely,



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

Cc: Jonathan Kersey, Rock & Water

Keen, Shelley

From: Keen, Shelley
Sent: Friday, March 04, 2016 4:34 PM
To: charles.e.brockway@brockwayeng.com
Subject: SDRTR Rental Application

Chuck,

Sorry I missed your call this morning. I called back this afternoon, but it was too late in the day to catch you.

During the early afternoon I reviewed the SDRTR application with Cherie and Ashley. In general, we think the rental concept is feasible with a little more information and/or some adjustments to the following items:

- Because you haven't requested a volume to cover seepage losses, we're assuming the new pond will be lined? Is this correct? If so, can you give us a few details about the liner design?
- It appears the trees will be irrigated using a drip system. Is this right? We still consider drip irrigation to be irrigation, not some other use. Therefore, we want to include an irrigation component on the rental. Can you confirm the irrigated area for us? This change will be considered a clarification, not an amendment that requires moving the application to the end of the line.
- Right 37-2055 has a season of use of 5/1 to 10/31. You've asked for water from 4/15 to 12/31. To prevent enlargement and injury, the rental will have to be limited to 5/1 to 10/31. Will this work for your client? If not, we'll need a comprehensive analysis showing how the season of use change will have no impact on other rights, including the filling of Magic Reservoir.
- The current point of diversion for Right 37-2055 is 1.75 miles downstream from the SDRTR location. As a general rule, moving a point of diversion upstream on a gaining reach injures upstream juniors. How do you want to address the potential for injury? I think you could evaluate water district regulation of the upstream junior rights and possibly show there won't be any injury, or maybe Warm Springs Creek is not substantially gaining in the 1.75-mile reach, or perhaps your client could agree to subordinate to upstream juniors.
- The rental is proposed for only one year. Do you have plans in place for 2017 and beyond? It doesn't seem like the exempt use from the domestic well would be sufficient to provide indoor use, irrigate the lawn, and top off the pond in the summer. And what about the trees?

We can work on preparing the rental agreement as soon as we get satisfactory answers to these questions.

If you want to talk it over, I should be in the office all day Monday.

Regards,

Shelley

Shelley Keen
Idaho Department of Water Resources
Shelley.Keen@idwr.idaho.gov
208-287-4947

Palmer, Cherie

From: Charles E. Brockway [charles.e.brockway@brockwayeng.com]
Sent: Wednesday, December 02, 2015 10:12 AM
To: Palmer, Cherie
Cc: 'Jonathan Kersey'
Subject: RE: SDRTR LLC-Rental Application Question-RESPONSE REQUIRED
Attachments: State of Idaho Water Application 2015.pdf

Cherie: Attached is the water bank rental application for SDRTR LLC signed by Anthony Robbins as you requested. The water right proposed to be rented is in the Water Bank and you are correct in that the authorized period of use is 5/31 through 10/31. The project designers are anxious to construct and fill the pond as early as possible in 2016 and I do not believe that beginning to fill at the authorized discharge rate of 0.10 cfs (44.8 gpm) on 4/15 and diverting for 16 days could injure any one. The current place of use of water right 37-2055 is 1.75 miles downstream from the SDRTR property so utilization of part of that right for a one-time fill of 3.1 acre feet prior to the irrigation season would not be injurious. There are no valid water rights authorizing diversion from Warm Springs creek in the reach between the SDRTR property and the water right POU, nor are there any water rights upstream of the SDRTR property. After the pond is full, the water use for the 2016 season from this rental will consist only of evaporation from the pond and irrigation of ½ acre of trees or about 4.49 gpm.

I hope this explains the water use plan and answers your questions about the rental. Please let me know if you have further questions.

Chuck

Charles E. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Palmer, Cherie [<mailto:Cherie.Palmer@idwr.idaho.gov>]
Sent: Monday, November 30, 2015 2:05 PM
To: charles.e.brockway@brockwayeng.com
Subject: SDRTR LLC-Rental Application Question-RESPONSE REQUIRED

Charles,

Thank you for submitting a rental application on behalf of SDRTR LLC. I have conducted a cursory review of the rental application and noticed that Anthony Robbins did not sign the rental application. According to the Idaho Secretary of State Anthony Robbins is the only authorized agent of SDRTR LLC. Therefore, Mr. Robbins has to either sign the rental application himself or provide authorization for anyone else to sign the rental application.

Also, I am curious about a few things regarding the water right you selected to rent. First, the water right is downstream of your rental applicant's proposed place of use. Also the authorized season for 37-2055 is 5/31 thru 10/31 but you are requesting water beginning 4/15 thru 12/31. Please explain how these two factors will not cause an injury to other users and submit that information within 30 days.

Please submit the required signature or authorization within 14 days to make your application complete. You can scan it and email it to me or you can send it in the mail. If the required information is not submitted in a timely manner, your application may be returned to you without being processed. Let me know if you have any questions regarding this matter.

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:

N/A.

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

If yes, describe:

Yes ☒ No ☐

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

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV?

Yes ☐ No ☒

If yes, describe the date and location of the NOV.

N/A.

- D. Additional Information

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

DECLARATION

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

Signature of Applicant

Printed Name of Applicant

Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
NOV 18 2015
DEPARTMENT OF
WATER RESOURCES

November 16th 2015

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

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

Dear Clay,

Attached is a water supply bank rental application filed by Brockway Engineering on behalf of SDRTR LLC which proposes to rent 5.0 acres of 37-2055 for aesthetic and recreation uses on the applicant's property for 2016. The applicant proposes to fill a water feature on the property and irrigate 0.5 acres of trees with the rented water. The consumptive use under the proposed rental portion of 37-2055 will allow for the proposed rental uses, please see question 5D on the application for further clarification. All of 37-2055 is currently leased to the Water Supply Bank.

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

CHARLES E.
BROCKWAY,
Ph.D., P.E.

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

Regards,


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

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

Cc: SDRTR LLC

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506