



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

BROWN RANCH INC
247 GLENDALE RD
BELLEVUE ID 83313

RE: Expiration of Water Supply Bank Rental Agreement for water rights: 37-5, 37-363D, 37-496B, 37-496D, 37-497A, 37-497B, 37-833R, 37-20924, 37-22969

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 be 'RB' followed by a long horizontal stroke.

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:

Daniel P. Brown DANIEL P. BROWN PRES. 4-1-16
Signature of Renter Printed Name and Title* 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 Date 4/6/2016
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental Approved by IDWR Chris Weber Date 4-6-2016

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

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER NE¼SE¼SW¼ Sec. 12 Twp 01N Rge 18E BLAINE County

BENEFICIAL USE

IRRIGATION

SEASON OF USE

04/01 TO 11/01 for 37-496B and 37-497B

04/15 TO 10/31 for all other rights

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	
01N	18E	14							8.5			6.6	0.4						15.5
01N	18E	15				7.6					8.6			23.0	39.0	32.0	39.0	38.0	187.2

Total Acres: 202.7

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. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

11. 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.
12. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
13. These rights when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
14. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
15. The following rights held by Brown Ranch, Inc are diverted through the point(s) of diversion described above: 37-22220, 37-22222, 37-22224, 37-22226, 37-22228, 37-22219, 37-22221, 37-22223, 37-22225, 37-22227, 37-22833, and 37-22836.

CONDITIONS APPLICABLE TO RIGHT 37-833R

16. Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved water in the Rockwell By-Pass, as established by and subject to the provisions included within the Rockwell vs. Coffin decree issued on 29 July, 1949.
17. Rockwell By-Pass owners must maintain the by-pass for the entire length of the by-pass capable of carrying 17.36 cfs of water during the irrigation season.
18. The saved water shall be made available to the Rockwell By-Pass saved water right holders any time the Rockwell By-Pass is being used to deliver water to Broadford Slough right holders. The Rockwell saved water rights shall be curtailed when calls for senior water rights from the Broadford Slough cannot be delivered.

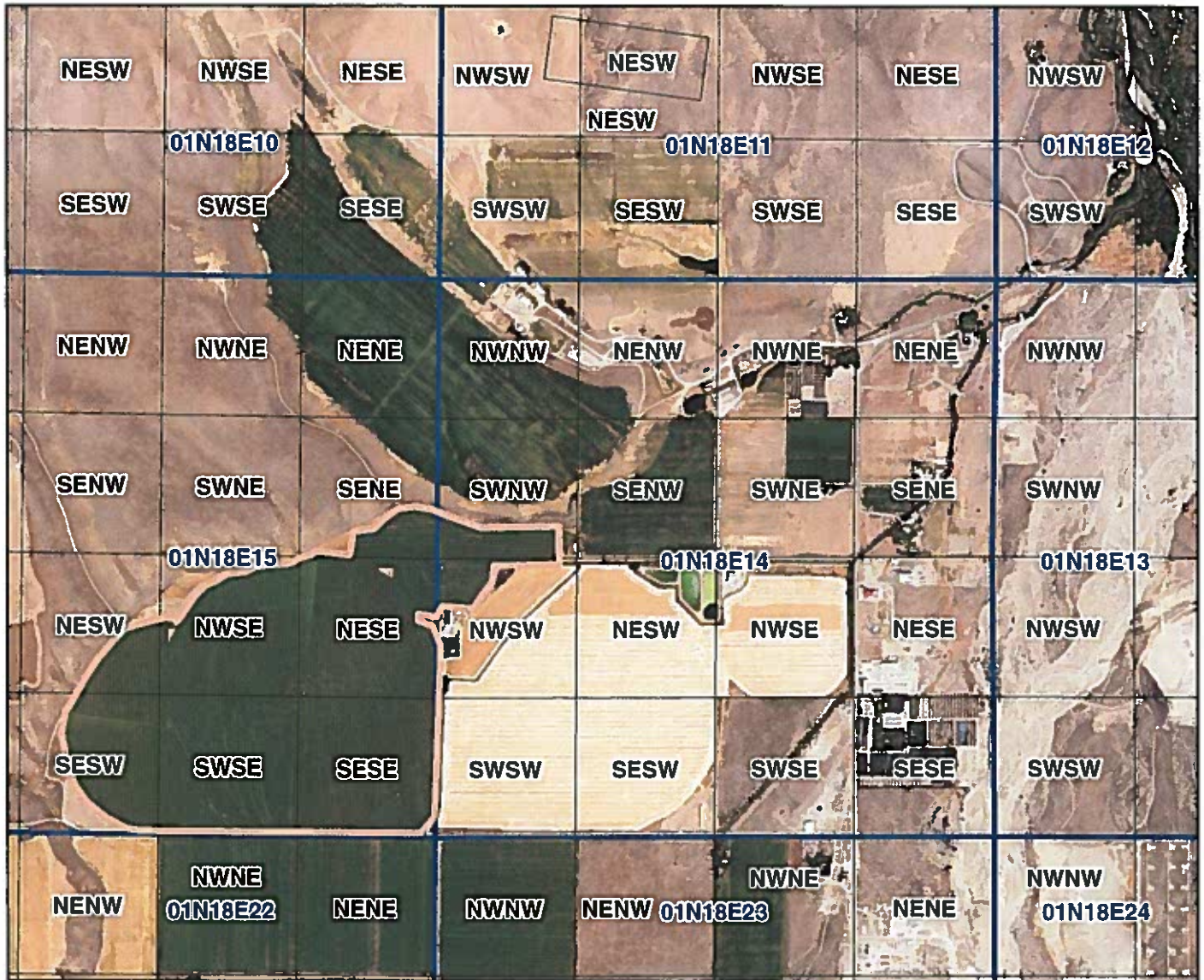
CONDITIONS APPLICABLE TO RIGHTS 37-496B and 37-497B

19. The period of use for the irrigation described in this approval may be extended to a beginning date of 04/01 and an ending date of 11/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the originating approval/SRBA partial decree date.

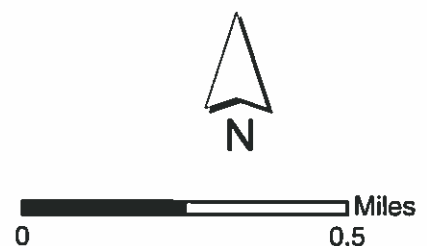
Idaho Water Resource Board
Water Supply Bank Rental Agreement

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



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

SEP 28 2015

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Brown Ranch, Inc.Is this application being submitted with a lease application as a lease/rental package? Yes ☐ No ☒

An *Application to Rent Water from the Board's Water Supply Bank* must be completed in accordance with the minimum requirement checklist below to be acceptable for processing by the Idaho Department of Water Resources (IDWR). 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.

Applications to rent water should be submitted well in advance of the desired start date for the use of water. Rental applications may be submitted as early as November 1 of the year prior to the intended use of rental water. Rental applications submitted more than one year in advance of the proposed start date for water use will not be accepted and will be returned to applicants. Rental applications will not be processed if they are received after the end of the rental season of use.

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

For additional instructions on completing a rental application, visit the Department's website at www.idwr.idaho.gov.

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

YES

☒ Completed *Application to Rent Water from the Board's 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 |
| 3E | ☐ | ☒ | Authorization from the owner/operator of the rental point(s) of diversion |
| 3G | ☒ | ☐ | Water modeling to account for the impacts of the rental request |
| 3J | ☒ | ☐ | Documents justifying a need to rent water for irrigation at a rate of flow greater than 0.02 cfs/acre |
| 3K | ☒ | ☐ | Authorization from the owner/operator of the property at the proposed rental place(s) of use |
| 4B | ☐ | ☒ | Explanation of how the rental water will sufficiently accomplish your rental purposes |
| 4C | ☒ | ☐ | Explanation of consumptive use amounts for water rights experiencing a change in nature of use |

Department Use Only – Proposed Water Right(s)

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Brown Ranch, INC.

Mailing Address 247 Glendale Road, Bellevue, Idaho 83313

Email Address danbrown@sunvalley.net Phone Number 1(208)720-1982

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 NA Professional Title NA

Organization NA Relationship to Applicant NA

Mailing Address NA

Email Address NA Phone Number NA

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 place of use is outlined with an obvious, bolded line. For irrigation purposes, note that the place of use outlined on your map cannot exceed the number of acres you are proposing to rent. Attach the map to this application and label it Attachment 2.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe the purpose of your rental request. Include any anticipated rates of water application, water use practices or number of stock (if any). If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of rental water required. Attach additional sheets if required and label it Attachment 3A:

B. Enter the desired and/or minimum necessary 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)	Acres (if applicable) (Acre)
5 CFS	358 AF	2 CFS	100 AF	AC

Sometimes water rights available for rent 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. Enter the proposed start date and latest possible start date for using rental water. Also provide the number of years you would like to rent water:

Proposed Start Date (month/day/year)	Latest Possible Start (month/day/year)	* Proposed Rental Duration (Max 5 Years)	** For multi-year rentals, indicate whether you desire to rent water for remaining years if a rental request cannot be approved for the first year?	
1/1/2015	7/1/2015	1 year	☐ Yes, approve rental for all remaining future years.	☒ No, return rental request if first year is unapprovable.

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.
** Subject to the availability of rentable water. A multi-year rental that cannot begin during the first year requested may be approved for some or all remaining years, depending on availability. Rental requests will be returned if no water is available to rent in the first and/or subsequent years of the rental request.

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

- D. Refer to the map you created in item 2 and specify the location of the point(s) of diversion (POD) from which rental water is proposed to be diverted:

Water Source	TWP	RGE	SEC	¼	¼	¼	County	Other water rights for the same purpose diverted from this POD
Big Wood River	1N	18E	12	NW	SE	SW	Blaine	Refer to question 3M

The entry in this grid must match the map from item 2 on the application.

- E. Do you own and/or possess the authority to divert water from the above POD(s)? Yes ☒ No ☐
If no, provide documentation from the owner/operator confirming your authorization to use the POD(s) and label it Attachment 3E.
- F. Do any POD(s) identified in Question 3D 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.
- G. Has water modeling been provided with your rental request? Yes ☐ No ☒
If yes, include as Attachment 3G. Otherwise please explain why modeling was not provided:

Rental applications that require modeling will be returned if modeling is not provided.

- H. Specify the proposed beneficial use: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Municipal
☐ Groundwater Recharge ☐ Mining ☐ Stockwater ☐ Other: _____
- I. Refer to the map you created in item 2 and specify below the places you propose to use water. If for irrigation, specify the number of acres to be irrigated per ¼ ¼ tract. Otherwise indicate usage by marking the ¼ ¼ tracts with the first letter of your proposed use identified above:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
1N	18E	15				8					8.2			25	40	33	40	40	194.2	
1N	18E	14							8.3		32	40	39	34		33			186.3	
1N	18E	22	39	39															78	
1N	18E	23						38	37										75	
The entry in this grid must match the map from item 2 on the application.																			Total Acres (for irrigation)	533.5

- J. For irrigation uses, do you propose a water diversion rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☒
If yes, explain the justification for this rate of flow and attach any supporting documents as Attachment 3J:

- 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. Describe your water distribution system and how water will be delivered from the POD(s) to the proposed POU(s):
Water is delivered from the POD to POU first via the Glendale Canal . Water is diverted from the Glendale Canal via a pump station from which it is delivered to various sprinkler systems on the ranch.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

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

37-22219, 37-22221, 37-22223, 37-22225, 37-22227. Water is also supplied through Bellevue City sewage treatment plant to the east pivot. Additional rental water is needed when other water rights are shut off by priority

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the water rights you are requesting to rent. Otherwise continue to Section 5 of this application form.

Please note: Diversion rates and volumes to be rented from a leased water right must be proportionate to the per acre diversion rates and per acre volume limits of the water right leased to the Bank. Applicants should query a water right's rental availability by reviewing active lease and rental documents, searchable via IDWR's website, to ensure all elements of a water right remain available in sufficient quantity to satisfy a rental request.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany the 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 with combined limits, applicants should request to rent against the combined limit diversion rate, volume or acre limits.

Elements of Water Rights Leased to the Bank (Contract Details)								Leased totals minus water actively engaged in rental agreement equals rental availability	Rental Request		
Water Right Number	Nature of Use	Water Source	Rate (CFS)	Volume (AF)	Acres (AC)	Start (year)	End (year)		Rate (CFS)	Vol. (AF)	Acres (AC)
37-5	irrigation	Big Wood River	1.16		58	2016	2021		1.16		58
37-833R	irrigation	Big Wood River	1.0	175	50	2016	2021		1.0	175	50
37-496D	irrigation	Big Wood River	1.82		30	2016	2021		1.82		30
37-496F	irrigation	Big Wood River	.59	28	8	2016	2021		.59	28	8
37-496B	Irrigation	Big Wood River	.6		30	2014	2018		.6		30
37-22897	irrigation	Big Wood River	.15		14.8	2014	2018		.15		14.8
37-577CB	irrigation	Big Wood River	.1		4.1	2015	2019		.1		4.1
37-20924	irrigation	Big Wood River	.27		30.6	2016	2021		.27		30.6
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre that have been leased to the Water Supply Bank								TOTAL			
									CFS	AF	AC

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

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

If water has unusually low rate per acre we do not wish to rent it.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- C. Does your rental request propose to change the nature of use for any water right(s) being requested? 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, as well as the new consumptive use amount for your proposed beneficial use. Attach a separate page if space is insufficient and label it Attachment 4C:

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.

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.

Dan Brown
Signature of Applicant

Dan Brown
Printed Name of Applicant

9/23/2015
Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

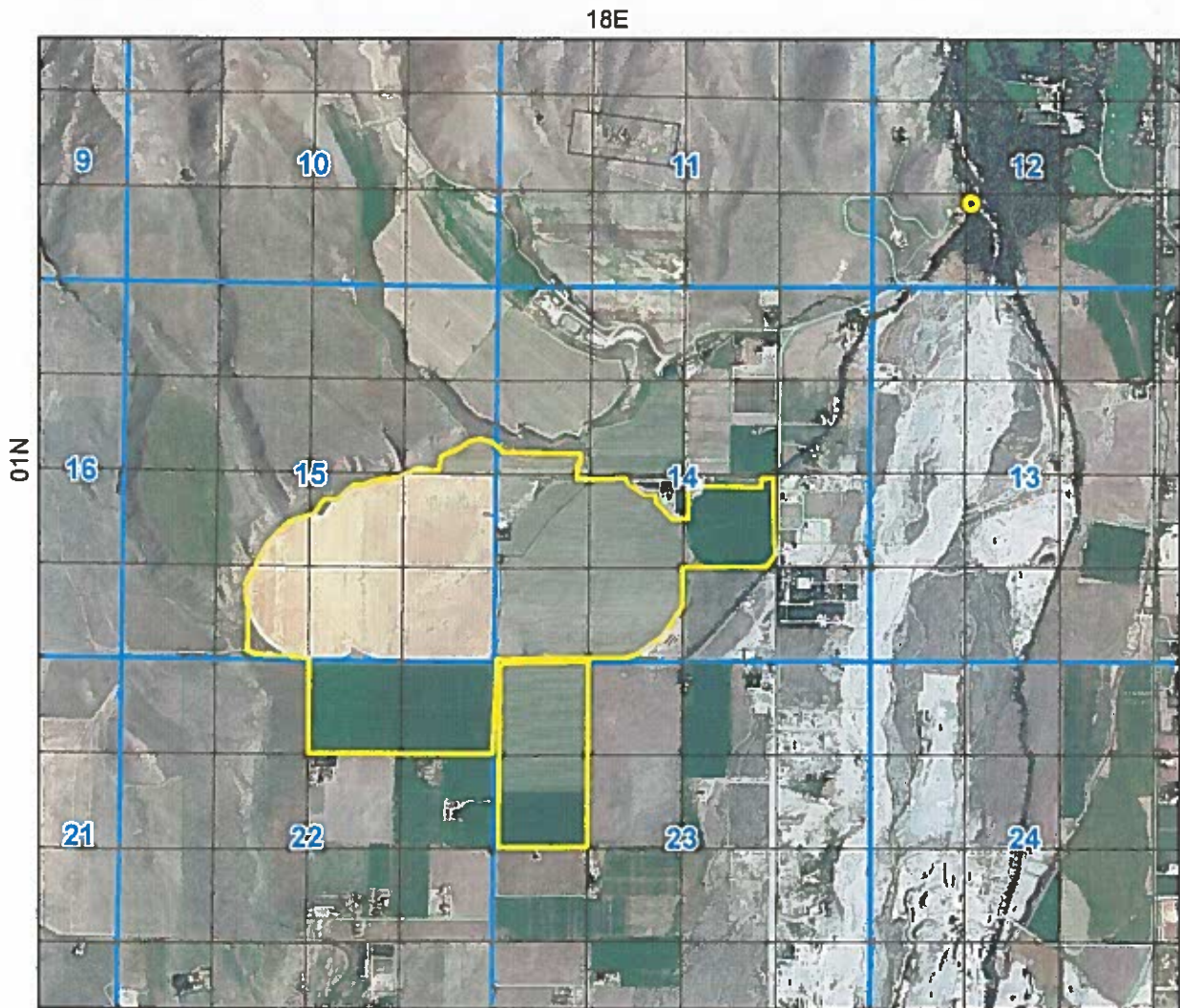
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

State of Idaho
Department of Water Resources

Adjudication Recommendation 37-22219

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.3 0.6 1.2 Miles





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 7, 2016

BROWN RANCH INC
247 GLENDALE RD
BELLEVUE ID 83313

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK WATER RIGHT NOS. 37-5, 37-363D, 37-496B, 37-496D, 37-497A, 37-497B, 37-833R, 37-20924, 37-20926, and 37-22969

Dear Renter:

Please find enclosed a receipt in the amount of \$11,796.30 and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 693.9 acre-feet of water for irrigation of 202.7 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 \$10,616.67 of the rental fee will be paid to the lessor(s) and 10% or \$1,179.63 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

Enclosures: Receipt No. C101796
Rental Agreement (copy)

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



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 28, 2016

BROWN RANCH INC
247 GLENDALE RD
BELLEVUE ID 83313

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 37-5, 37-363D, 37-496B, 37-496D, 37-497A, 37-497B,
37-833R, 37-20924, 37-20926, and 37-22969**

*****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 \$11,796.30 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 693.9 acre-feet.

Please send a check for \$11,796.30 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 \$10,616.67 of the rental fee will be paid to the lessor(s) and 10% or \$1,179.63 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

Edl, Michele

From: Kevin Lakey [watermanager@cableone.net]
Sent: Thursday, March 17, 2016 8:52 AM
To: Edl, Michele
Cc: Merritt, Allen
Subject: RE: Brown Ranch rental 2016

Michele,
It looks good to me. I have no concerns.

Kevin Lakey
Water District 37

From: Edl, Michele [<mailto:Michele.Edl@idwr.idaho.gov>]
Sent: Wednesday, March 16, 2016 1:48 PM
To: Kevin Lakey
Cc: Merritt, Allen
Subject: Brown Ranch rental 2016

Kevin, Allen,
I have completed my review of the 2016 rental for Brown Ranch Inc. Approval of the rental will authorize irrigation 202 ish acres for the 2016 season only. The package of rights is limited to one year by the lease expirations. The rental package exhausts the value of the rights. They all have priorities senior to March 1884.

Most of the water is coming from quite a way upstream. I created the rental POU shape based on conversations and an email exchange with Mr. Dan Brown.

I have attached a copy of my review memo and a jpg showing the rental and lease POUs. When you get a minute, please let me know if you have any concerns about this rental.

Thanks.
Michele Edl
208-287-4946

Edl, Michele

From: Merritt, Allen
Sent: Wednesday, March 16, 2016 1:59 PM
To: Edl, Michele
Subject: RE: Brown Ranch rental 2016

I do not have any issue.

From: Edl, Michele
Sent: Wednesday, March 16, 2016 1:48 PM
To: Kevin Lakey
Cc: Merritt, Allen
Subject: Brown Ranch rental 2016

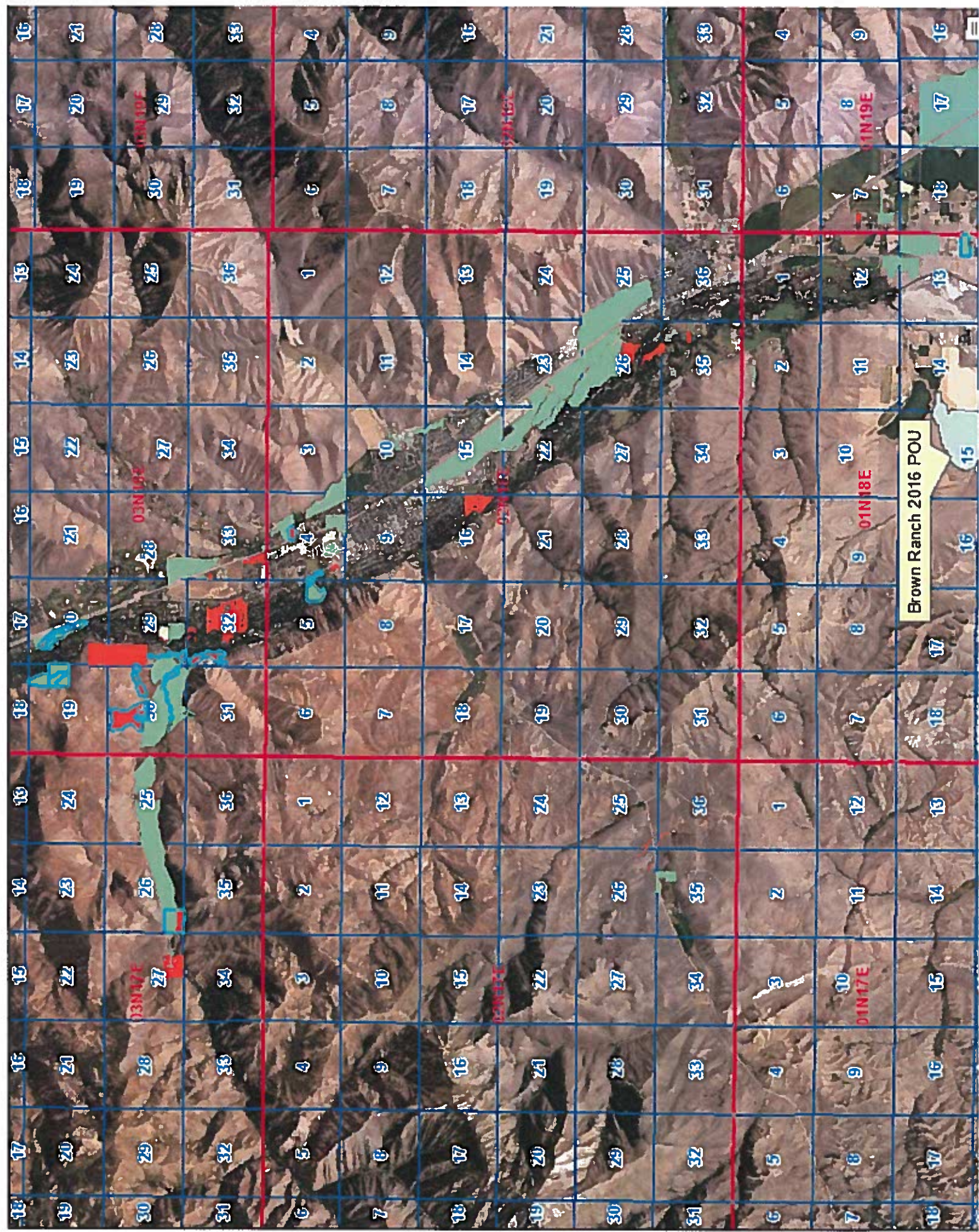
Kevin, Allen,

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I have attached a copy of my review memo and a jpg showing the rental and lease POUs. When you get a minute, please let me know if you have any concerns about this rental.

Thanks.
Michele Edl
208-287-4946



MEMORANDUM

To: Right(s) 37- and 37-
From: Michele Edl
Date: March 15, 2016
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: An application to rent water from the Water Supply Bank was received on September 28, 2015 from Brown Ranch, Inc. The application proposes to rent 100-358 AF for irrigation of 533.5 acres for the 2016 season.

Brown Ranch, Inc. is owner of a portfolio of water rights. However, according to the B37 Watermaster the most senior of the Brown Ranch rights is typically cut off either the first or the second week in July. So in essence, this application is for rental water with priority dates senior to March 1884.

AUTHORITY TO FILE: Brown Ranch, Inc. is listed with ISOS as #C25994 and Daniel P. Brown is listed as a registered agent. Mr. Dan Brown signed the application.

According to available Blaine County taxlot information the proposed rental point-of-diversion is the headgate of the Glendale Canal. That POD appears to be located on property owned by Swiftsure Ranch Therapeutic Equestrian Center, Inc.

The proposed POD is also the authorized POD for many rights including the following water rights which are held by Brown Ranch, LLC: 37-22220, 37-22222, 37-22224, 37-22226, 37-22228, 37-22219, 37-22221, 37-22223, 37-22225, 37-22227, 37-22833, and 37-22836.

Blaine County taxlot information is silent about the ownership of most of the POU. Only a portion of the acreage is showing as owned by Brown Ranch Inc. I suspect that the taxlot data is being updated and I assumed that the traditional 533.5-acre place-of-use is still owned by Brown Ranch, Inc.

WATER RIGHT VALIDITY:

Right 37-5 was decreed in the SRBA on June 29, 2010. It has been continuously leased to the WSB since February 23, 2011. The most recent contract extends the lease until December 31, 2020. No apparent irrigation has occurred at the authorized place-of-use. Forfeiture is not a concern at this time.

Right 37-833R was decreed in the SRBA on May 13, 2009. The decree has unique notes to describe the priority. In times of scarcity this right is senior to most B37 rights. Right 37-833R has been continuously leased to the bank since February 23, 2011. The most recent contract extends the lease until December 31, 2020. No apparent irrigation has occurred at the authorized place-of-use. Forfeiture is not a concern at this time.

Right 37 363D was decreed in the SRBA on March 30, 2011. The entire right was enrolled in the WSB shortly thereafter. No apparent irrigation has occurred at the authorized place-of-use. Forfeiture is not a concern at this time. The current lease contract expires December 31, 2016.

Rights 37-496D and 37-497A were decreed in the SRBA on April 20, 2011. They were enrolled in the WSB shortly thereafter. Forfeiture is not a concern at this time. Sufficient acres appear to have been idled at the authorized place-of-use. The current lease contract expires December 31, 2016.

Rights 37-496B and 37-497B were decreed in the SRBA on May 2, 2011. Portions were enrolled in the WSB in 2013. Forfeiture is not a concern at this time. The owner has an active request to rent water with priority senior to 1884 for 14 acres in the 2016 season. Only 1 acre's-worth of water is rented from the WSB at this time.

Rights 37-20924 and 37-20926. were decreed in the SRBA on September 24, 2010. Portions were enrolled in the WSB in 2015. Forfeiture is not a concern at this time. Sufficient acres have been idled at the authorized place-of-use. The current lease contract expires December 31, 2020.

Right 37-22969 was decreed in the SRBA on August 30, 2011. Portions of the right were enrolled in the WSB in January 2016. Forfeiture is not a concern at this time. Sufficient acres have been idled at the authorized place-of-use. The current lease contract expires December 31, 2016.

Water is available to partially fill the rental request by Brown Ranch. I conferred with the applicant to fine tune the place-of-use and the list of water rights. Approval of the rental to Brown Ranch, Inc. will fully commit the leased portions of all the above rights for the 2016 season

INJURY TO OTHER WATER RIGHTS: Brown Ranch Inc has irrigated with surface water provided through the Water Supply Bank for many previous seasons without any reported problems. No injury is apparent.

ENLARGEMENT OF USE: The rental application proposed the entire farm (533.5 acres) as the place-of-use for the rental. The application states that Brown Ranch, Inc. needs to rent water in order to fill the mid to late season irrigation demand. Enlargement is possible.

I requested additional information from the B37 WM and the applicant. The water rented from the WSB must be dedicated to certain acres. I explained that limitation to the applicant and to the watermaster on march 14

The portfolio of water currently used by Brown Ranch, Inc. includes land application of wastewater from the City of Bellevue. See attached Municipal Reuse Permit LA-000112-02. Although that water is thin on the ground, it has no priority date and is not controlled by the watermaster. The land application permit is in effect through 2016, and is dedicated to two fields which total 135 acres. I believe that those fields should be excluded from the rental place-of-use. The applicant may use his own water rights to supplement the deficiencies in the wastewater reuse.

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 # 37. Comment has been solicited from the Watermaster and Southern Region. Neither were opposed to this rental.

A. Permit Certificate

**MUNICIPAL
REUSE PERMIT
LA-000112-02**

The City of Bellevue LOCATED AT 115 E Pine Street, Bellevue, ID 83313 IS HEREBY AUTHORIZED TO CONSTRUCT, INSTALL, AND OPERATE A REUSE SYSTEM IN ACCORDANCE WITH THE RECYCLED WATER RULES (IDAPA 58.01.17), WASTEWATER RULES (IDAPA 58.01.16), THE GROUND WATER QUALITY RULE (IDAPA 58.01.11), AND ACCOMPANYING PERMIT, APPENDICES, AND REFERENCE DOCUMENTS. THIS PERMIT IS EFFECTIVE FROM THE DATE OF SIGNATURE AND EXPIRES ON JUNE 29, 2016.

 6-29-11
Bill Allred
Regional Administrator

Date:

**DEPARTMENT OF ENVIRONMENTAL QUALITY
1363 Fillmore
Twin Falls, ID 83301
(208) 736-2190
(208) 736-2194 fax**

POSTING ON SITE RECOMMENDED

B. Permit Contents, Appendices, and Reference Documents

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A. Permit Certificate	1
B. Permit Contents, Appendices and Attachments	2
C. Abbreviations, Definitions	3
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Appendices

1. Environmental Monitoring Serial Numbers
2. Site Map

References

1. Plan of Operation (Operation and Maintenance Manual)

The Sections, Appendices, and Reference Documents listed on this page are all elements of Reuse Permit LA-000112-02 and are enforceable as such. This permit does not relieve the City of Bellevue, hereafter referred to as the permittee, from responsibility for compliance with other applicable federal, state or local laws, rules, standards or ordinances.

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C. Abbreviations, Definitions

Ac-in	Acre-inch. The volume of water or reuse water to cover 1 acre of land to a depth of 1 inch. Equal to 27,154 gallons (often estimated as 27,200 gallons).
BMP(s)	Best Management Practice(s)
CFU	Colony Forming Units
COD	Chemical Oxygen Demand
DEQ or the Department	Idaho Department of Environmental Quality
Director	Director of the Idaho Department of Environmental Quality, or the Directors Designee, i.e. Regional Administrator
ET	Evapotranspiration – Loss of water from the soil and vegetation by evaporation and by plant uptake (transpiration)
ft	Foot or feet
GS	Growing Season
GW	Ground Water
GWQR	IDAPA 58.01.11 “Ground Water Quality Rule”
Guidance	Guidance for Reclamation and Reuse of Municipal and Industrial Wastewater
HLR_g	Growing Season Hydraulic Loading Rate. Includes any combination of reuse water and supplemental irrigation water applied to land application hydraulic management units during the growing season. The HLR _g limit is specified in Section F. Permit Limits and Conditions.
HLR_{ngs}	Non-Growing Season Hydraulic Loading Rate. Includes any combination of reuse water and supplemental irrigation water applied to each hydraulic management unit during the non-growing season. If applicable, the HLR _{ngs} limit is specified in Section F. Permit Limits and Conditions.
HMU	Hydraulic Management Unit (Serial Number designation is MU)
IWR	Irrigation Water Requirement – Any combination of reuse water and supplemental irrigation water applied at rates commensurate to the moisture requirements of the crop: $IWR = P_{def} / E_i$ Where: P_{def} = Precipitation deficit (crop specific) E_i = irrigation system efficiency.
IDAPA	Idaho Administrative Procedures Act
LG	Lagoon
lb/ac-day	Pounds (of constituent) per acre per day
MG	Million Gallons (1 MG = 36.827 acre-inches)
MGA	Million Gallons Annually (per reporting year)
NGS	Non-Growing Season

C. Abbreviations, Definitions

NVDS	Non-Volatile Dissolved Solids (Total Dissolved Solids less Volatile Dissolved Solids)
O&M Manual	Operation and Maintenance Manual, also referred to as the Plan of Operation
QAPP	Quality Assurance Program Plan
RCO	Responsible Charge Operator
RI	Rapid Infiltration
SAR	Sodium Adsorption Ratio
SI	Supplemental Irrigation
Soil AWC	Soil Available Water Holding Capacity - the plant-available water storage capability of a soil to a depth at which plant roots can utilize the stored moisture (typically 60 inches or root limiting layer).
SMU	Soil Monitoring Unit (Serial Number designation is SU)
SR	Slow Rate
SRCO	Substitute Responsible Charge Operator
SW	Surface Water
TDS	Total Dissolved Solids also referred to as Total Filterable Residue
TDIS	Total Dissolved Inorganic Solids – The summation of chemical concentration results in mg/L for the following common ions: calcium, magnesium, potassium, sodium, chloride, sulfate, and 0.6 times alkalinity (alkalinity expressed as calcium carbonate). Nitrate, Silica and fluoride should be included if present in significant quantities (i.e. > 5 mg/L each).
TMDL	Total Maximum Daily Load – The sum of the individual waste-load allocations (WLAs) for point sources, Load Allocations (LAs) for non-point sources, and natural background. Such load shall be established at a level necessary to implement the applicable water quality standards with seasonal variations and a margin of safety that takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality.
Total Nitrogen	Total Nitrogen is defined as the sum of all forms of nitrogen present in a sample. Total Nitrogen is determined by adding the values of the Total Kjeldahl Nitrogen (TKN), Nitrate-N and Nitrite-N laboratory results.
Typical Crop Uptake	Typical Crop Uptake is defined as the median constituent crop uptake from the three (3) most recent years the crop has been grown. Typical Crop Uptake is determined for each hydraulic management unit. For new crops having less than three years of on-site crop uptake data, regional crop yield data and typical nutrient content values, or other values approved by DEQ may be used.
USGS	United States Geological Survey
Reporting Year	The reporting year begins with the non-growing season and extends through the growing season of the following year, typically November 01 – October 31.
WW	Wastewater

D. Facility Information

Legal Name of Permittee	City of Bellevue
Type of Reuse water	Municipal (Class C)
Method of Treatment	Pre-screening, bioselectors, membrane bioreactor (MBR), chlorine disinfection
Facility Location	Treatment plant and reuse areas are approximately 4 miles southwest of Bellevue, Idaho
Legal Location	Township 1N, Range 18E, Section 14
County	Blaine
USGS Quad	Bellevue
Soils on Site	Little Wood very gravelly loam, 0 to 2 percent slopes Little Wood gravelly loam, 0 to 2 percent slopes Adamson loam, 0 to 2 percent slopes
Depth to Ground Water	20 – 100 feet
Beneficial Uses of Ground Water	Domestic drinking water, agriculture
Nearest Surface Water	Big Wood River (~1000 ft)
Beneficial Uses of Surface Water	Cold water aquatic life Primary and secondary recreation Agricultural irrigation
Responsible Official Mailing Address	Mr. Christopher Koch, Mayor City of Bellevue P.O. Box 825 Bellevue, Idaho 83313
Phone / Fax	(208) 788-2128 / (208) 788-2092

E. Compliance Schedule for Required Activities

The *Activities* in the following table shall be completed on or before the *Completion Date* unless modified by the Department in writing.

Compliance Activity Number Completion Date	Compliance Activity Description
CA-112-01 Six (6) Months after Permit Issuance	An updated Plan of Operation (Operation and Maintenance Manual or O&M Manual) for the reuse facilities, incorporating the requirements of this permit, shall be submitted to DEQ for review and approval. The Plan of Operation shall be designed for use as an operator guide for actual day-to-day operations to meet permit requirements and shall include daily sampling and monitoring requirements to assess the adequacy of wastewater treatment facility operation. The Plan of Operation shall contain at a minimum all of the information in the latest revision of the Plan of Operation Checklist. The Plan of Operation shall also include the following: 1) Runoff Management Plan for control and mitigation of site runoff. This plan shall include administrative procedures and practices to avoid producing runoff from the site; and 2) Quality Assurance Project Plan (QAPP) for monitoring required in this permit. The plan shall cover field activities; laboratory analytical methods and other activities; data verification and validation; data storage, retrieval and assessment; and monitoring program evaluation and improvement. 3) Odor Management Plan for wastewater treatment systems and reuse facilities. The plan shall include specific design considerations, operations and maintenance procedures, and management practices to be employed to minimize the potential for or limit odors. The plan shall also include procedures to respond to an odor incident, if one occurs, and include notification procedures.
CA-112-02 Twelve (12) Months after permit issuance	The permittee shall submit for DEQ review and approval a RI Basin Loading Report. The report is to include analysis of past impacts to groundwater from loading of the RI basins as well as a forecast of projected impacts from future treated effluent. In the analysis of these impacts, the facility would be requested to address basin sizing and flow volumes as well as discuss whether the current groundwater monitoring network is adequate to accurately predict downgradient impacts from high loads to the RI basins. This report should include recommendations based on the results of the analysis and a schedule of implementation for proposed modifications.

E. Compliance Schedule for Required Activities

Compliance Activity Number Completion Date	Compliance Activity Description
CA-112-03 Eight (8) Months after Permit Issuance to submit the Seepage Testing Plan Complete seepage testing of all required structures by April 15, 2012	Submit a seepage testing plan that defines the approach and testing procedures to conduct seepage testing in accordance with methods approved by DEQ on all wastewater treatment and storage lagoons at this site. Upon DEQ approval of the plan, conduct the seepage testing of the structures in the approved plan and submit test results to DEQ. The seepage performance standard must meet the Operating Standard as required in IDAPA 58.01.16.493.03b, "Wastewater Rules." If a properly tested lagoon leaks at a rate higher than the Operating Standard, then the permittee must meet the requirements for Lagoons Leaking Above the Allowable Amount as found in IDAPA 58.01.16.493.04. Additionally, for all wastewater treatment and storage lagoons modifications repair or other situations that could change the permeability of the liner will require seepage testing prior to returning the lagoon to service.
CA-112-04 With Each Annual Report	The permittee is requested to submit with each annual report under this permit a Crop Tissue Monitoring Results Summary that discusses all crop tissue analysis results and calculates the crop nutrient uptake for nitrogen and phosphorus during the previous growing season. Once the permittee has three years worth of data, a nitrogen loading limit of "150% of Typical Crop Uptake" will be in effect.
CA-112-05 One hundred eighty (180) days prior to permit expiration	Submit an application package to DEQ for permit renewal.

F. Permit Limits and Conditions

Category	Permit Limits and Conditions																																																						
Type of Reuse Water	Municipal (Class C)																																																						
Application Site Area	SR Irrigation systems: 135 acres RI basins: 1.27 acres (3 basins)																																																						
Application Season	GS: May 1 through September 30 (153 days) Overlap ¹ : October 1 through 31 (31 days) NGS: November 1 through April 30 (181 days)																																																						
Reuse water Loading	GS+Overlap: Reuse water to be applied to irrigated pivots Overlap+NGS: Reuse water to be applied to RI basins																																																						
SR field HLR (GS, includes reuse water and supplemental irrigation water, if used)	HLR shall be substantially equal to the IWR throughout the growing season. No reuse water is to be applied to the fields during the NGS. <table><tr><th></th><th colspan="3">Alfalfa – less frequent cuttings</th><th colspan="2">Spring Grain - irrigated</th></tr><tr><th></th><th>Inches*</th><th>MG (Field 1)</th><th>MG (Field 2)</th><th>Inches*</th><th>MG (Field 2)</th></tr><tr><td>May</td><td>4.04</td><td>12.05</td><td>2.74</td><td>1.97</td><td>1.34</td></tr><tr><td>June</td><td>8.25</td><td>24.65</td><td>5.60</td><td>6.24</td><td>4.23</td></tr><tr><td>July</td><td>7.40</td><td>22.12</td><td>5.03</td><td>11.49</td><td>7.80</td></tr><tr><td>August</td><td>8.41</td><td>25.13</td><td>5.71</td><td>8.30</td><td>5.63</td></tr><tr><td>September</td><td>3.50</td><td>10.44</td><td>2.37</td><td>1.54</td><td>1.05</td></tr><tr><td>October</td><td>1.33</td><td>3.99</td><td>0.91</td><td>---</td><td>---</td></tr><tr><td>Total</td><td>32.94</td><td>98.38</td><td>22.36</td><td>29.54</td><td>20.05</td></tr></table> *Based on ET data from http://www.kimberly.uidaho.edu/ETIdaho/stninfo.php?station=103942, assuming 75% sprinkler efficiency.		Alfalfa – less frequent cuttings			Spring Grain - irrigated			Inches*	MG (Field 1)	MG (Field 2)	Inches*	MG (Field 2)	May	4.04	12.05	2.74	1.97	1.34	June	8.25	24.65	5.60	6.24	4.23	July	7.40	22.12	5.03	11.49	7.80	August	8.41	25.13	5.71	8.30	5.63	September	3.50	10.44	2.37	1.54	1.05	October	1.33	3.99	0.91	---	---	Total	32.94	98.38	22.36	29.54	20.05
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October	1.33	3.99	0.91	---	---																																																		
Total	32.94	98.38	22.36	29.54	20.05																																																		
RI basin HLR (NGS, reuse water only)	63 MG (unless modified by CA-112-02)																																																						
Livestock Grazing	No grazing allowed without approved Grazing Management Plan.																																																						
Ground Water Quality	Reuse water activities conducted under this permit shall not cause a violation of the GWQR.																																																						
Maximum Nitrogen Loading Rate, pounds/acre-year, each SR HMU (includes applied fertilizers, if used)	204 lbs/acre (until completion of CA-112-04) 150% of Typical Crop Uptake (thereafter)																																																						

GS ends when reuse water is diverted to RI basins in October.

F. Permit Limits and Conditions

Category	Permit Limits and Conditions
Buffer Zones	All buffer zones must comply with local zoning ordinances, at minimum. Other minimum buffer zones are as follows: • 300 ft from SR fields to inhabited dwellings • 50 ft from RI basins to inhabited dwellings • 0 ft from all reuse sites to areas accessible by the public • 100 ft from all reuse sites to permanent and intermittent surface water • 25 feet from all reuse sites to irrigation ditches and canals • 500 feet from all reuse sites to private water supply wells¹ • 1000 feet from all reuse sites to public water supply wells¹ • Berms and other BMPs shall be used to protect the well head of on-site wells. 1) These buffer zone distances shall be maintained unless a Department-approved well location acceptability analysis indicates an alternative buffer zone is acceptable
Disinfection Requirement	The median number of total coliform organisms shall not exceed 23 colony forming units (CFU) per 100 milliliters (CFU/100 mL), as determined from the results of the last five (5) days for which the analyses have been completed. In addition the number of total coliform organisms shall not exceed 230 CFU per 100 milliliters in any confirmed sample.
Fencing and Posting	Signs shall be posted around the perimeter of the buffer zones of the reuse sites which read 'Warning: Recycled Water –Do Not Enter' or equivalent in both English and Spanish.
Runoff Control	Upon approval of the Runoff Management Plan by DEQ, required as part of the Plan of Operation in Section E CA-105-01 of this permit, the permittee shall implement the plan.
Allowable Crops	Crops grown for direct human consumption (those crops that are not processed prior to consumption) are not allowed.
Construction Plans	Prior to construction or modification of all reuse water facilities associated with the land application system or expansion, detailed plans and specifications shall be submitted for review and approval by DEQ. Within 30 days of completion of construction, the permittee shall submit as-built plans for DEQ review and approval.
Sludge Application	A Sludge (Biosolids) Disposal Plan must be submitted to and approved by DEQ prior to any land application of waste solids from the lagoons to meet the requirements of part 650 of IDAPA 58.01.16, "Wastewater Rules." Additionally biosolids must be used in ways that meet all regulations, including federal and state laws and local ordinances.

F. Permit Limits and Conditions

Category	Permit Limits and Conditions
Odor Management	The reuse facilities and other operations associated with the facility shall not create a public health hazard or nuisance conditions including odors. These facilities shall be managed in accordance with a DEQ-approved Odor Management Plan which is part of the Plan of Operation, see Section E CA-112-01. In the event that nuisance odors occur, and are verified by DEQ, the Plan shall be revised as necessary to eliminate or minimize the recurrence of nuisance odors.

G. Monitoring Requirements

The Permittee is allowed to apply reuse water and treat it on a land application site as prescribed in the table below and in accordance with all other applicable permit conditions and schedules.

- 1) Appropriate analytical methods, as given in the *Idaho Guidance for Reclamation and Reuse of Municipal and Industrial Wastewater*, or as approved by the Idaho Department of Environmental Quality (hereinafter referred to as DEQ), shall be employed. A description of approved sample collection methods, appropriate analytical methods and companion QA/QC protocol shall be included in the facility's Quality Assurance Project Plan (QAPP), which shall be part of the Operation and Maintenance Manual (see Compliance Activity CA-112-01).
- 2) The permittee shall monitor and measure parameters as stated in the Facility Monitoring Table in this section.
- 3) Samples shall be collected at times and locations that represent typical environmental and process parameters being monitored.
- 4) Unless otherwise agreed to in writing by DEQ, data collected and submitted shall include, but not be limited to, the parameters and frequencies in the Facility Monitoring Table on the following pages. Monitoring is required at the frequency shown in the table below if reuse water is applied anytime during the time period shown.
- 5) Ten (10) soil sample locations shall be selected for each SMU. Two (2) soil samples shall be collected at each sample location, one at 0-12 inches, and one at 12-24 inches, or refusal. The soil samples collected at each depth shall be composited to yield two (2) samples for analysis for each SMU.
- 6) Ground Water Monitoring Procedure: Ground water monitoring wells shall be purged a minimum of three casing volumes and/or until field measurements for pH, specific conductance and temperature meet the following conditions: two successive temperature values measured at least five minutes apart are within one degree Celsius of each other, pH values for two successive measurements measured at least five minutes apart are within 0.2 units of each other, and two successive specific conductance values measured at least five minutes apart are within 10% of each other. This procedure will determine when the wells are suitable for sampling for constituents required by the permit. Other procedures, such as low flow sampling, may be considered by DEQ for approval. The static water level shall be measured prior to pumping or sampling for ground water.
- 7) Annual reporting of monitoring requirements is described in Section H, Standard Reporting Requirements.
- 8) Monitoring locations are defined in Appendix I, "Environmental Monitoring Serial Numbers".

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G. Monitoring Requirements

Facility Monitoring Table

Frequency	Monitoring Point	Description/Type of Monitoring	Parameters
Weekly (when irrigating SR fields)	Discharge point of reuse water to SR fields (WW-011201)	Grab sample	Total coliform (CFU/100 mL)
Monthly (when irrigating SR fields)	Discharge point of reuse water to SR fields (WW-011201)	Grab Sample	TKN Nitrite + Nitrate-Nitrogen Total Phosphorus
Monthly (when irrigating SR fields)	SI water to SR fields	Grab Sample	TKN Nitrite + Nitrate-Nitrogen Total Phosphorus
Monthly (when applying to RI basins)	Discharge point of reuse water to RI basins (WW-011201)	Grab Sample	TKN Nitrite + Nitrate-Nitrogen Total Phosphorus COD TSS Total coliform (CFU/100 mL)
Annually (April)	All SMUs	Composite soil samples, see note 5	Nitrate-nitrogen Ammonia-nitrogen pH Plant available phosphorus (use Olsen Method for soils with pH 6.5 or greater, use Bray Method if soil pH is less than 6.5)
Annually (May)	All GW monitoring locations	Grab Sample, see note 6	Depth to GW Ground water elevation Total nitrogen Chloride Ammonia-nitrogen pH
Annually (each harvest)	All HMUs	Plant tissue sampling	Total nitrogen, Total phosphorus, Ash, Moisture content
Annually	Annual Report	Loading Calculations (SR fields)	Total nitrogen (lbs/acre) Phosphorus (lbs/acre) Reuse water applied (MGA and in/acre) SI water applied (MGA and in/acre) Fertilizer applied (lbs/acre)
		Nutrient Concentrations (RI basins)	Total nitrogen (mg/L) Phosphorus (mg/L) COD (mg/L) TSS (mg/L)

G. Monitoring Requirements

Frequency	Monitoring Point	Description/Type of Monitoring	Parameters
Annually	Annual Report	Reuse water applied to each RI basin	MG Date of first dose in October
		Crop information (each SR field)	Crop type Number of cuttings Crop yield (tons/acre, dry basis)
		Crop Nutrient Uptake calculations from plant tissue analysis or standard tables	Nitrogen uptake (lbs/acre) Phosphorus uptake (lbs/acre)
	All supplemental irrigation directly connected to the reuse water distribution system	Backflow testing	Document the testing of all backflow prevention devices for all supplemental irrigation directly connected to the reuse water distribution system(s). Report the testing date(s) and result of the test (pass or fail). If any test failed, report the date of repair or replacement of backflow prevention device, and if the repaired/replaced device is operating correctly.
	All flow measurement locations	Flow measurement calibration for all flows	Document the flow measurement calibration of all flow meters and pumps used directly or indirectly to measure all reuse water and supplemental irrigation water to each HMU. Calibration is to be performed according to the manufacturer's recommendation or every two (2) years, whichever is more frequent.

H. Standard Reporting Requirements

- 1.) The Permittee shall submit an Annual Reuse Water Treatment Site Performance Report ("Annual Report") prepared by a competent environmental professional no later than January 31 of each year, which shall cover the previous reporting year. The Annual Report shall include an interpretive discussion of monitoring data (ground water, soils, hydraulic loading, reuse water etc.) with particular respect to environmental impacts by the facility.
- 2.) The annual report shall contain the results of the required monitoring as described in *Section G. Monitoring Requirements*. If the permittee monitors any parameter more frequently than required by this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the annual report.
- 3.) The annual report shall be submitted to the Engineering Manager in the following Regional DEQ Office:

Twin Falls Regional Office
1363 Fillmore St.
Twin Falls, ID 83301
208-736-2190
- 4.) Notice of completion of any work described in *Section E. Compliance Schedule for Required Activities* shall be submitted to the Department within 30 days of activity completion. The status of all other work described in Section E shall be submitted with the Annual Report.
- 5.) All laboratory reports containing the sample results for monitoring required by *Section G. Monitoring Requirements* of this permit shall be submitted with the Annual Report.

I. Standard Permit Conditions: Procedures and Reporting

1. The permittee shall at all times properly maintain and operate all structures, systems, and equipment for treatment, operational controls and monitoring, which are installed or used by the permittee to comply with all conditions of the permit or the Reuse Rules, in conformance with a DEQ approved, current Plan of Operations (Operations and Maintenance Manual) which describes in detail the operation, maintenance, and management of the reuse water treatment system. This Plan of Operations shall be updated as necessary to reflect current operations.
2. Reuse water(s) or recharge waters applied to the land surface must be restricted to the premises of the application site. Reuse water discharges to surface water that require a permit under the Clean Water Act must be authorized by the U.S. Environmental Protection Agency.
3. Reuse water must not create a public health hazard or nuisance condition as stated in IDAPA 58.01.16.600.03. In order to prevent public health hazards and nuisance conditions the permittee shall:
 - a. Apply reuse water as evenly as practicable to the treatment area;
 - b. Prevent organic solids (contained in the reuse water) from accumulating on the ground surface to the point where the solids putrefy or support vectors or insects; and
 - c. Prevent reuse water from ponding in the fields to the point where the ponded reuse water putrefies or supports vectors or insects.
4. The permittee shall:
 - a. Manage the reuse water treatment site as an agronomic operation where vegetative cover is grown and harvested or grazed to utilize the nutrients and minerals in the reuse water, and,
 - b. Not hydraulically overload any particular areas of the reuse water treatment site.
5. All waste solids, including dredgings and sludges, shall be utilized or disposed in a manner which will prevent their entry, or the entry of contaminated drainage or leachate therefrom, into the waters of the state such that health hazards and nuisance conditions are not created; and to prevent impacts on designated beneficial uses of the ground water and surface water. The permittee's management of waste solids shall be governed by the terms of the DEQ approved Waste Solids Management Plan, which upon approval shall be an enforceable portion of this permit.
6. If the permittee intends to continue operation of the permitted facility after the expiration of an existing permit, the permittee shall apply for a new permit at least six months prior to the expiration date of the existing permit in accordance with the Reuse Rules.
7. The permittee shall allow the Director of the Idaho Department of Environmental Quality or the Director's designee (hereinafter referred to as Director), consistent with Title 39, Chapter 1, Idaho Code, to:
 - a. Enter the permitted facility,
 - b. Inspect any records that must be kept under the conditions of the permit.
 - c. Inspect any facility, equipment, practice, or operation permitted or required by the permit.
 - d. Sample or monitor for the purpose of assuring permit compliance, any substance or any parameter at the facility.
8. The permittee shall report to the Director under the circumstances and in the manner specified in this section:
 - a. In writing thirty (30) days before any planned physical alteration or addition to the permitted facility or activity if that alteration or addition would result in any significant change in information that was submitted during the permit application process.
 - b. In writing thirty (30) days before any anticipated change which would result in non-compliance with any permit condition or these regulations.
 - c. Orally within twenty-four (24) hours from the time the permittee became aware of any non-compliance which may endanger the public health or the environment at telephone numbers provided in the permit by the Director (see below)

DEQ Regional Office: see Permit Certificate Page
Emergency 24 Hour Number: 1-800-632-8000

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I. Standard Permit Conditions: Procedures and Reporting

- d. In writing as soon as possible but within five (5) days of the date the permittee knows or should know of any non-compliance unless extended by the DEQ. This report shall contain:
 - i. A description of the non-compliance and its cause;
 - ii. The period of non-compliance including to the extent possible, times and dates and, if the non-compliance has not been corrected, the anticipated time it is expected to continue; and
 - iii. Steps taken or planned to reduce or eliminate reoccurrence of the non-compliance.
 - e. In writing as soon as possible after the permittee becomes aware of relevant facts not submitted or incorrect information submitted, in a permit application or any report to the Director. Those facts or the correct information shall be included as a part of this report.
9. The permittee shall take all necessary actions to prevent or eliminate any adverse impact on the public health or the environment resulting from permit noncompliance.
10. The permittee shall determine (on an on-going basis) if any noxious weed problems relate to the permitted sites. If problems are present, coordinate with the Idaho Department of Agriculture or the local County authority regarding their requirements for noxious weed control. Also address these control operations in an update to the Operations and Maintenance Manual.

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J. Standard Permit Conditions: Modifications, Violation, and Revocation

1. The permittee shall furnish to the Director within reasonable time, any information including copies of records, which may be requested by the Director to determine whether cause exists for modifying, revoking, re-issuing, or terminating the permit, or to determine compliance with the permit or these regulations.
2. Both minor and major modifications may be made to this permit as stated in IDAPA 58.01.17.700 with respect to any conditions stated in this permit upon review and approval of the DEQ.
3. Whenever a facility expansion, production increase or process modification is anticipated which will result in a change in the character of pollutants to be discharged or which will result in a new or increased discharge that will exceed the conditions of this permit, or if it is determined by the DEQ that the terms or conditions of the permit must be modified in order to adequately protect the public health or environment, a request for either major or minor modifications must be submitted together with the reports as described in Section I. *Standard Reporting Requirements*, and plans and specifications for the proposed changes. No such facility expansion, production increase or process modification shall be made until plans have been reviewed and approved by the DEQ and a new permit or permit modification has been issued.
4. Permits shall be transferable to a new owner or operator provided that the permittee notifies the Director by requesting a minor modification of the permit before the date of transfer.
5. Any person violating any provision of the Recycled Water Rules, or any permit or order issued thereunder shall be liable for a civil penalty not to exceed ten thousand dollars (\$10,000) or one thousand dollars (\$1,000) for each day of a continuing violation, whichever is greater. In addition, pursuant to Title 39, Chapter 1, Idaho Code, any willful or negligent violation may constitute a misdemeanor.
6. The Director may revoke a permit if the permittee violates any permit condition or the *Recycled Water Rules*.
7. Except in cases of emergency, the Director shall issue a written notice of intent to revoke to the permittee prior to final revocation. Revocation shall become final within thirty-five (35) days of receipt of the notice by the permittee, unless within that time the permittee request an administrative hearing in writing to the Board of Environmental Quality pursuant to the Rules of Administrative Procedures contained in IDAPA 58.01.23.
8. If, pursuant to Idaho Code 67-5247, the Director finds the public health, safety or welfare requires emergency action, the Director shall incorporate findings in support of such action in a written notice of emergency revocation issued to the permittee. Emergency revocation shall be effective upon receipt by the permittee. Thereafter, if requested by the permittee in writing, a revocation hearing before the Board of Environmental Quality shall be provided. Such hearings shall be conducted in accordance with the Rules of Administrative Procedures contained in IDAPA 58.01.23.
9. The provisions of this permit are severable and if a provision or its application is declared invalid or unenforceable for any reason, that declaration will not affect the validity or enforceability of the remaining provisions.
10. The permittee shall notify the DEQ at least six (6) months prior to permanently removing any permitted reuse facility from service, including any treatment, storage, or other facilities or equipment associated with the reuse site. Prior to commencing closure activities, the permittee shall: a) participate in a pre-site closure meeting with the DEQ; b) develop a site closure plan that identifies specific closure, site characterization, or cleanup tasks with scheduled task completion dates in accordance with agreements made at the pre-site closure meeting; and c) submit the completed site closure plan to the DEQ for review and approval within forty-five (45) days of the pre-site closure meeting. The permittee must complete the DEQ approved site closure plan.

Appendix 1 Environmental Monitoring Serial Numbers

Hydraulic Management Units

Serial Number	Description	Previous Acres	Current Acres	Status
MU-011201	RI Basin 1	0.48	---	Inactive
MU-011202	RI Basin 2	0.96	0.56	Active
MU-011203	RI Basin 3	0.48	0.31	Active
MU-011204	RI Basin 4	0.96	0.40	Active
MU-011205	SR Field 1	110	110	Active
MU-011206	SR Field 2	25	25	Active

Reuse Water Sampling Points

Serial Number	Description / Location	Status
WW-011201	Effluent prior to RI basin or SR field	Active
WW-011202	Influent prior to treatment plant	Inactive

Ground Water Monitoring Points

Serial Number	Description	Gradient
GW-011201	MW A (Offsite along Glendale Rd)	Up
GW-011202	MW B (Between Field 2 and Cell A)	Mid
GW-011203	MW C (Between Fields 1 and 2)	Mid

Lagoons

Serial Number	Description
LG-011201	Cell A
LG-011202	Cell B
LG-011203	Cell C

Appendix 1
Environmental Monitoring Serial Numbers
Soil Monitoring Units

Serial Number	Description	Associated HMU
SU-011201	SR Field 1	MU-011205
SU-011202	SR Field 2	MU-011206

Appendix 2 Site Map

Site Maps

- a) Figure 1. City of Bellevue/WWTP Vicinity Map
- b) Figure 2. City of Bellevue Site Map

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Appendix 2 Site Map

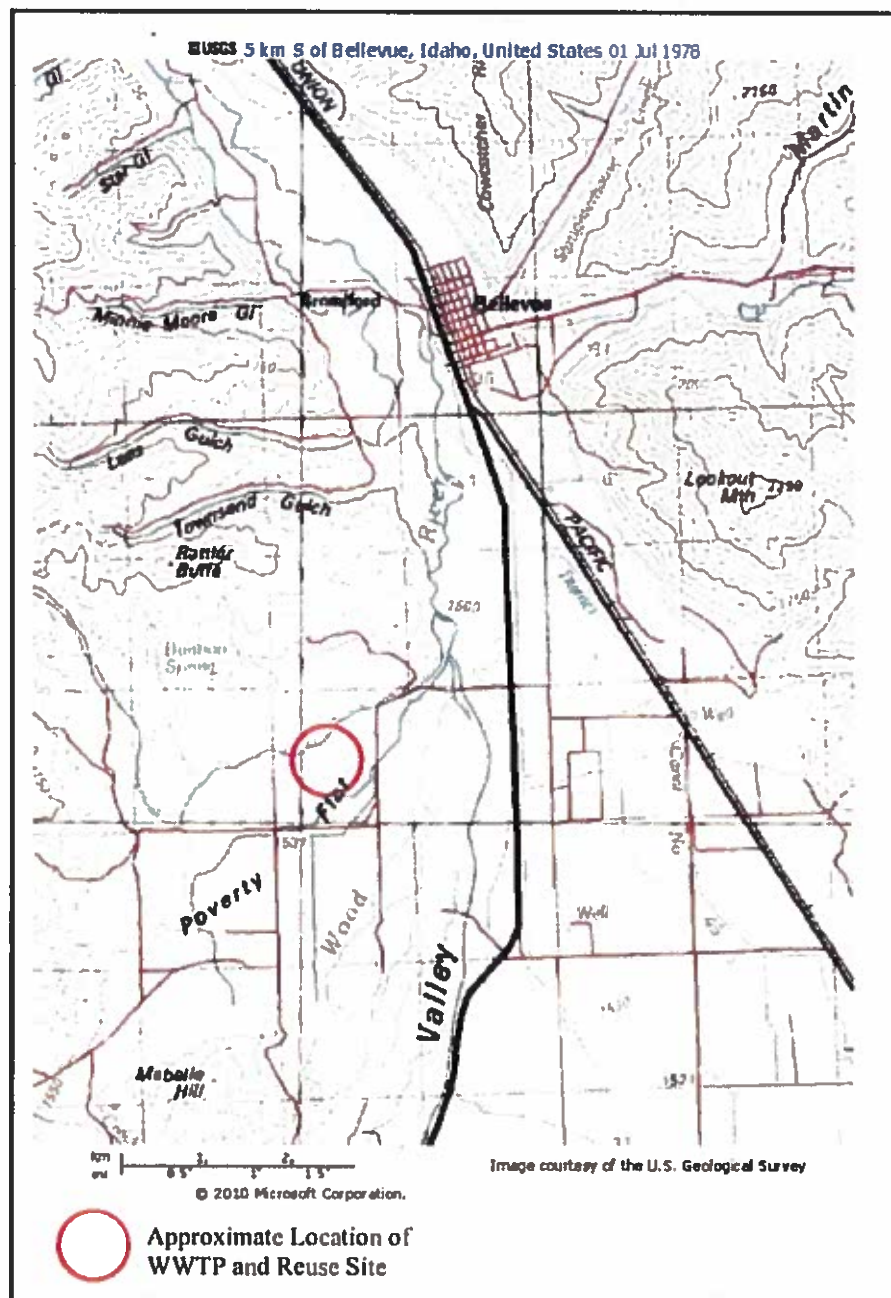


Figure 1. City of Bellevue/WWTP Vicinity Map

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Appendix 2 Site Map

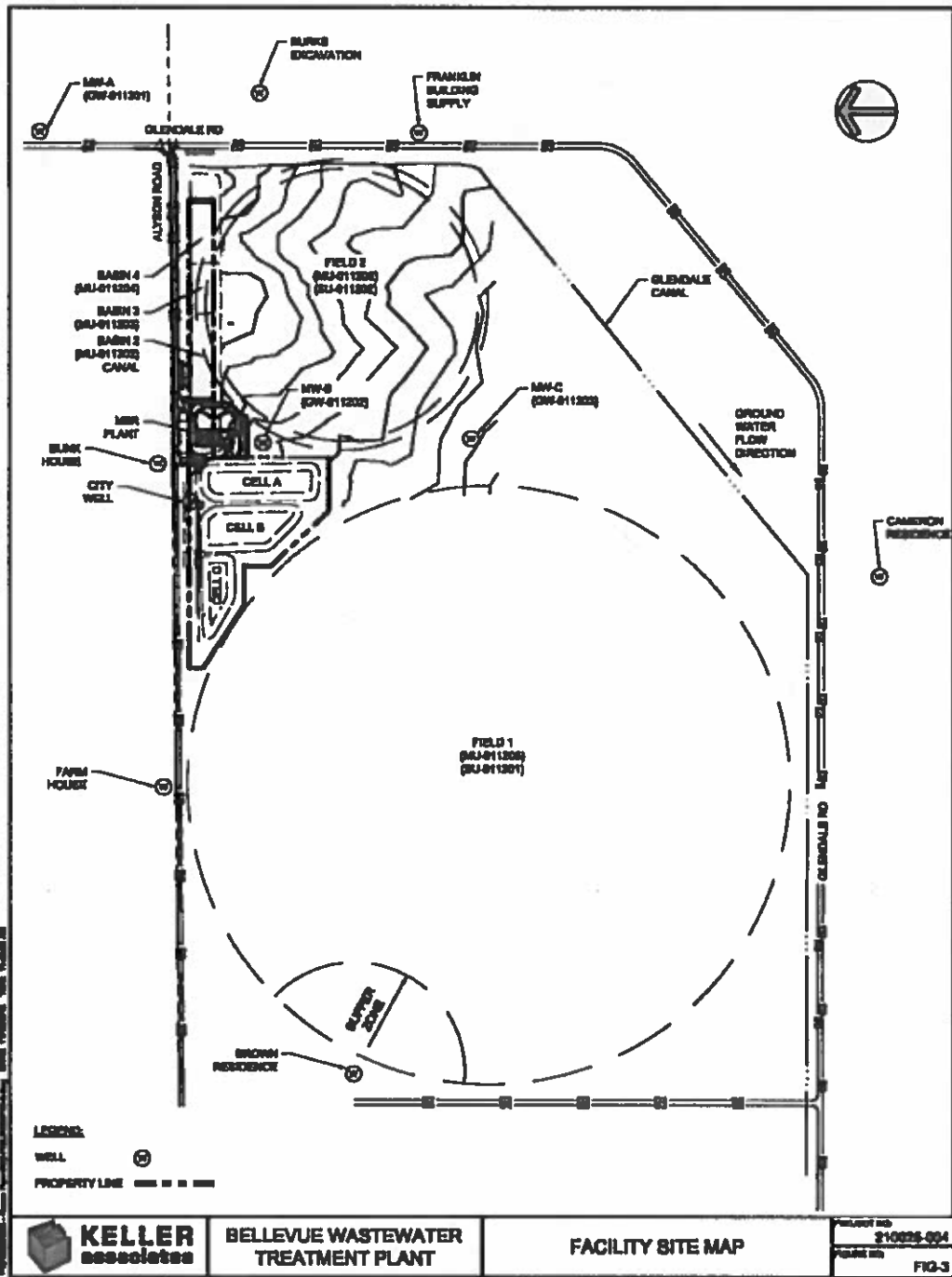


Figure 2. City of Bellevue Site Map



IDAHO SECRETARY OF STATE Viewing Business Entity

Lawrence Denney, Secretary of State

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for BROWN RANCH, INC.](#)]
[[Monitor BROWN RANCH, INC. business filings](#)]

BROWN RANCH, INC.

247 GLENDALE ROAD
BELLEVUE, ID 83313

Type of Business: CORPORATION, GENERAL BUSINESS

Status: GOODSTANDING 05 May 1952

State of Origin: IDAHO

Date of 05 May 1952

Origination/Authorization:

Current Registered Agent: DANIEL P. BROWN
247 GLENDALE ROAD
BELLEVUE, ID 83313

**Organizational ID / Filing
Number:** C25994

**Number of Authorized Stock 1
Shares:**

Date of Last Annual Report: 02 May 2015

Annual Report Due: May 2016

Original Filing:

[[Help Me Print/View TIFF](#)]

Filed 05 May 1952 INCORPORATION

Amendments:

[[Help Me Print/View TIFF](#)]

Amendment Filed 07 Oct 1980 OTHER - APPT OF RA

Amendment Filed 08 Jul 2004 NAME
CHANGED TO
BROWN RANCH,
INC.

[View Image \(PDF format\)](#)

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Annual Reports:

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Report for year 2015 ANNUAL REPORT

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Report for year 2014 ANNUAL REPORT

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Report for year 2013 ANNUAL REPORT

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Report for year 2012 ANNUAL REPORT

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Report for year 2011 ANNUAL REPORT

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Report for year 2010 ANNUAL
REPORT

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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

October 5, 2015

BROWN RANCH INC
247 GLENDALE RD
BELLEVUE ID 83313

RE: APPLICATION(S) TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Applicant:

The Idaho Department of Water Resources (Department) acknowledges receipt of your application(s) to rent water from the Water Supply Bank (Bank).

The Department will accept applications proposed for the next calendar season on November 1 of the prior year. Your application is proposing water use during the 2016 season; therefore, the Department will begin processing your application after November 1, 2015.

Applications received after November 1, 2015, will be processed in the order received at the Department. The likelihood of successfully acquiring a rental through the Bank is greatly improved by applying early during the processing period before the proposed season of use begins.

Note that filing a rental application does not authorize diversion and use of water. It is unlawful to use water without a valid water right or an approved Bank rental agreement. **You are not authorized to divert any water for the purposes described in your application until you have paid the rental fee and you and the Department have both signed and executed a rental agreement.**

You can check the status of your rental application by reviewing the Department's processing spreadsheet, accessible from the Bank's website at:

http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterSupply/ws_default.htm

Sincerely,

Sandra Thiel
Sr. Water Resource Agent

RECEIVED

SEP 28 2015

DEPARTMENT OF
WATER RESOURCES

Brown Ranch, Inc.
247 Glendale Road
Bellevue, Idaho 83313

September 22, 2015

RE: Idaho State Water Bank Application

To Whom It May Concern:

Please refer to the additional information as addendum to our application:

3K.) Ownership

1.) The land where the point of diversion is located is owned by:

Sagebrush Equine Training Center, Inc.
114 Calypso Lane
Bellevue, Idaho 83313
(208)578-9111

The point of diversion is the head-gate for the Glendale Canal. We currently own water rights with authorization to divert at/from the Glendale Canal.

Of the 5 cfs of water we are looking to rent, the more senior priority is obviously our first choice, but we do not know how these water rights might be paired with other rights. We realize that some of the rights we applied for have lease end dates of 12/31/2015. In the event these rights are leased to the Water Supply Bank for 2016 we wish to apply for their use in 2016. Your help is greatly appreciated.

Respectfully,



Dan Brown
Brown Ranch