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

TELEFORD LANDS
1450 W HWY 24
PAUL ID 83347

RE: NOTIFICATION OF WATER SUPPLY BANK LEASE EXPIRATION FOR WATER RIGHTS: 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 & 34-7092

Dear Lessor:

Idaho Department of Water Resources (Department) records show that all or a portion of the above referenced water right(s) were leased to the Water Supply Bank (Bank) through December 31, 2016. **This letter is notice that the right(s) are now considered released from the Bank.**

If you would like to renew the lease of these right(s) to the Bank, please complete a new Application to Sell or Lease a Water Right to the Water Supply Bank and remit the applicable filing fee. You can find new applications at the Department's website at www.idwr.idaho.gov.

A water right is not protected from forfeiture unless it is accepted into the Bank or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. The five-year period of nonuse related to forfeiture of a water right shall begin to accrue upon release of the right from the bank or shall continue to accrue if a period of nonuse occurred prior to the lease date of the right to the Bank.

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

Sincerely,

Remington Buyer
Water Supply Bank Coordinator

Enclosures:

WATER SUPPLY BANK LEASE CONTRACT

This Lease Contract ("**Lease**") is between the Idaho Water Resource Board ("**Board**") and

RECEIVED
MAR 18 2016
DEPARTMENT OF
WATER RESOURCES

Lessor: TELFORD LANDS LLC
1450 W HWY 24
PAUL ID 83347
(208)431-5957
telfordsunvalleyseed@gmail.com

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.

2. On December 21, 2015, the Lessor has filed an application to lease the water rights described below into the Water Supply Bank.

3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to the conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

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

Water Right	Priority Date	Source	Tributary	Leased Rate	Annual Leased Volume	Total Leased Acres
34-7179	4/6/1982	Ground Water	NA	0.34 cfs	154.4 af	NA
34-2330B	6/1/1977	Ground Water	NA	0.23 cfs	55.9 af	16.0 ac
34-7077	9/5/1974	Ground Water	NA	1.04 cfs	91.2 af	26.1 ac
34-7080B	9/23/1974	Ground Water	NA	0.69 cfs	130.4 af	37.3 ac
34-7092	1/14/1975	Ground Water	NA	1.56 cfs	289.5 af	82.7 ac
34-7121A	1/9/1976	Ground Water	NA	0.06 cfs	22.0 af	37.3 ac
34-7121B	1/9/1976	Ground Water	NA	0.49 cfs	144.1 af	41.2 ac
34-12376	6/1/1977	Ground Water	NA	0.16 cfs	39.9 af	11.4 ac
34-13840	4/6/1982	Ground Water	NA	0.16 cfs	32.4 af	9.3 ac
34-13842	12/17/1975	Ground Water	NA	0.06 cfs	25.6 af	18.2 ac
		Total Annual Combined Limit		**4.82 cfs**	**905.1 af**	**276.7 ac**

SUPPORT DATA
IN FILE # 34-618

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

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

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

   Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** The term of this lease shall be January 1, 2016 to December 31, 2016. This Lease shall bind the parties and take effect when both parties have signed it.

4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.

5. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

TELFORD LANDS LLC
1450 W HWY 24
PAUL ID 83347

By _____ Date 3-16-16

Printed Name Mike Telford Title managing member

IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By _____ Date 3/18/2016
Brian Patton, Acting Administrator
Idaho Water Resource Board

Lease approved by IDWR _____ Date 3-18-2016

ATTACHMENT A

WATER RIGHT NOS. 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842

WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

The water right or portion thereof leased to the bank is described as follows:

Lessor: **TELFORD LANDS LLC**
1450 W HWY 24
PAUL ID 83347
(208)431-5957

LOCATION OF POINT(S) OF DIVERSION for Rights 34-7080B, 34-7121A, 34-7077, 34-7179, 34-2330B, 34-7121B, 34-7092, 34-12376, 34-13840, 34-13842

GROUND WATER	NWNW	Sec. 21, Twp 05N, Rge 26E, BUTTE County
GROUND WATER	NWSE	Sec. 29, Twp 05N, Rge 26E, BUTTE County
GROUND WATER	SWNE	Sec. 32, Twp 05N, Rge 26E, BUTTE County
GROUND WATER	NWSE	Sec. 32, Twp 05N, Rge 26E, BUTTE County
GROUND WATER	L3 (NENW)	Sec. 5, Twp 04N, Rge 26E, BUTTE County
GROUND WATER	L2 (NWNE)	Sec. 4, Twp 04N, Rge 26E, BUTTE County
GROUND WATER	L2 (NWNE)	Sec. 4, Twp 04N, Rge 26E, BUTTE County

LOCATION OF POINT(S) OF DIVERSION for Right 34-618, 34-13659 and 34-13661

BIG LOST RIVER	SESE	Sec. 4, Twp 05N, Rge 26E, BUTTE County

Water Right	Beneficial Use	From		To	Diversion Rate	Volume
34-618	Irrigation	05/01	to	10/15	0.42 cfs	NA
34-7179	Irrigation	04/01	to	11/01	0.36 cfs	NA
34-2330B	Irrigation	04/01	to	10/31	0.23 cfs	55.9 af
34-7077	Irrigation	04/01	to	11/01	1.04 cfs	91.2 af
34-7080B	Irrigation	04/01	to	11/01	0.69 cfs	130.4 af
34-7092	Irrigation	04/15	to	10/15	1.56 cfs	289.5 af
34-7121A	Irrigation	04/15	to	10/15	0.06 cfs	22.0 af
34-7121B	Irrigation	04/01	to	11/01	0.49 cfs	144.1 af
34-12376	Irrigation	04/01	to	10/31	0.16 cfs	39.9 af
34-13840	Irrigation	04/01	to	10/31	0.16 cfs	32.4 af
34-13842	Irrigation	04/01	to	11/01	0.06 cfs	25.6 af
34-13659	Irrigation	05/01	to	10/15	0.13 cfs	NA
34-13661	Irrigation	05/01	to	10/15	0.13 cfs	NA
		Total:			**5.26 cfs**	**988.1 af**

PLACE OF USE TO BE IDLED UNDER THIS LEASE: 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	
04N	25E	36	8.9	7.4	7	8.4	5.7	5.5	5.2	5.5	6.2	6.2	6.9	7.3	8	7.7	7.1	7.4	110.4
04N	25E	35	8	7		7.8									6.9		6.4	7	43.1
03N	25E	12	6.9	8.3	6.6	8.9	6.2	9	8.3	9.7				1.4	6.6	7.4	3.9	3.8	87
03N	26E	17						7.8	1.4										9.2
03N	26E	18	1	11.9	4.8	0.4	2.3		0.8			5.8							27

Total Acres: 276.7

CONDITIONS APPLICABLE TO ALL LEASED WATER RIGHTS

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department, even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, nor does it improve the status of the right or accomplish the resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code §§ 42-248 and 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
    a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
    b. New lessor(s) of record will receive payment after the following rental season.
11. The water right(s) leased to the bank are subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. Use of water under this right is regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
13. When combined with all other rights, the leased rights shall provide not 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. Un-leased portions of rights 34-7179, 34-2330B, 34-7080B , 34-7121B, 34-7121A , 34-7092, 34-7077, 34-12376, 34-13840, 34-13842 are limited to irrigation of a combined total of 1,847.3 acres in a single irrigation season, a total combined diversion rate of 35.25 cfs, and a total combined annual diversion volume of 6,596.4 af.
15. The un-leased portions of rights 34-13659 and 34-13661 are limited to irrigation of a combined total of 37.4 acres in a single irrigation season, a total combined volume of 130.9.

16. The un-leased portion of rights 34-618 and the portion of ground water right 34-7179 associated with 34-618, when combined, shall not exceed a total annual maximum diversion volume of 423.1 af at the field headgate.

17. 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.

18. Rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are delivered through the Moore Diversion and/or the Timberdome Canal.

19. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the land authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

20. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

CONDITIONS APPLICABLE TO RIGHT(S) 34-618

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

CONDITIONS APPLICABLE TO RIGHT(S) 34-7092

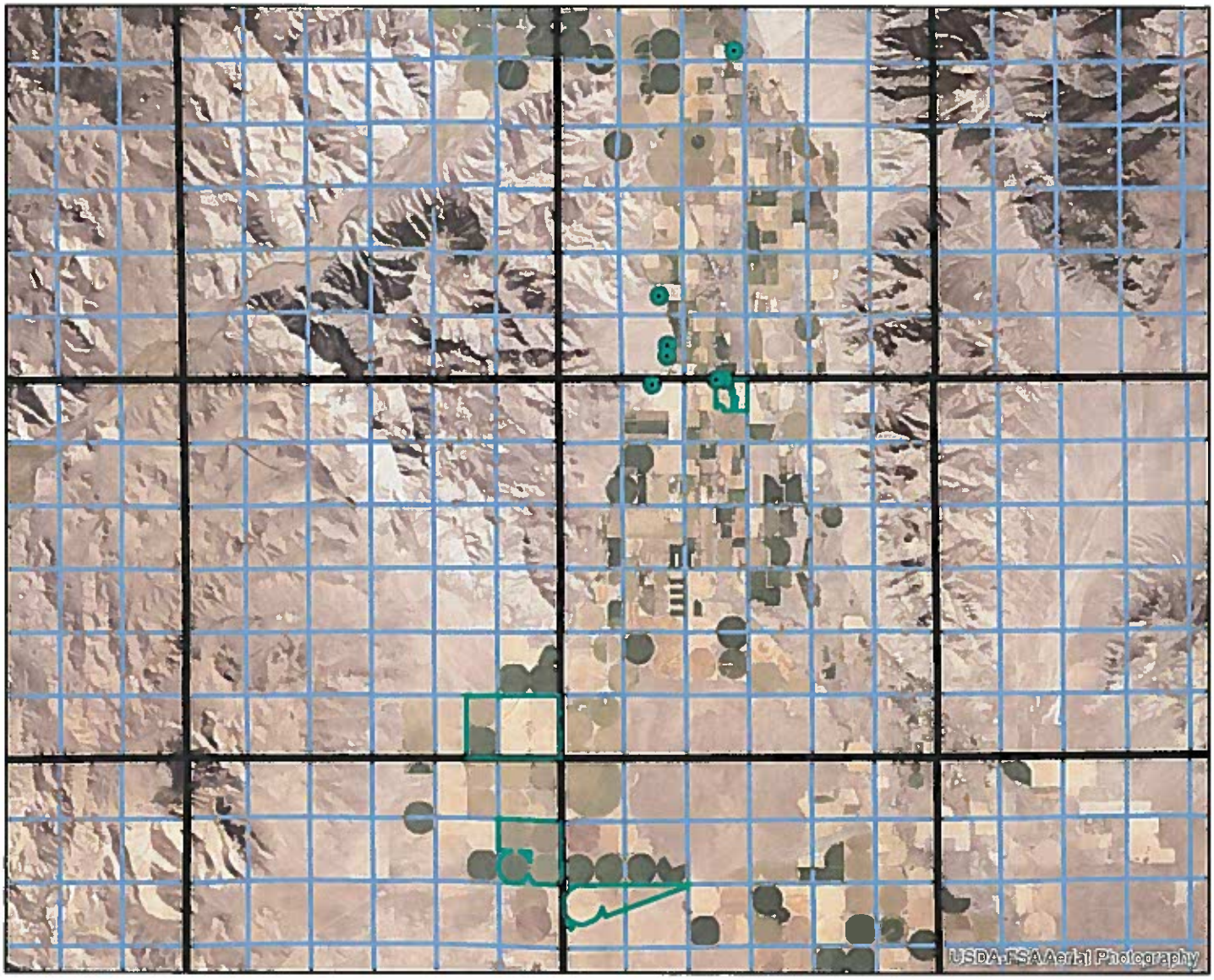
22. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate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

Idaho Water Resource Board

Water Supply Bank Lease

34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842
Effective until December 31, 2016

This map depicts the **place of use to be idled** pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



Approved Lease Point of Diversion
Approved Lease Place of Use
Townships
PLS Sections

N

0 6 Miles

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
DEC 21 2015
DEPARTMENT OF WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK

Designated Applicant Telford Lands LLC
(Select one owner – see item 1A on the application)

Water Right No. 34-7121A
(One water right per application)

Is this application being submitted with a rental application as a lease/rental package? Yes ☑ No ☐

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MIMUMUM REQUIREMENT CHECKLIST

All items must be checked as either *Attached* (Yes) or *Not Applicable* (N/A)

Yes	
☑	Completed *Application to Sell or Lease a Water Right to the Water Supply Bank.*
☑	Application filing fee of $250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is $500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
☑	Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment	N/A	Yes	
1A	☑	☐	Signatures and contact information for ***all owners*** of the water right to be leased or sold on this application.
1B	☑	☐	An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.
1C	☑	☐	*Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
1D	☐	☑	Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
2	☐	☑	Description of a water right portion offered to the Water Supply Bank.
3	☐	☑	A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.
4A	☐	☑	Written consent from irrigation district or water delivery company.
4G	☑	☐	Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.

Department Use Only

Fee Amount $ 500.00	Received By: dj	Date Received: 12-21-15	Receipt # C101335
W-9 received? Yes ☐ No ☑	(Route W-9 to Fiscal)	Name on W-9:	

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant Telford Lands LLC

Mailing Address 1450 W. Hwy 24 (Street) Paul (City) ID (State) 83347 (Zip Code)

Email Address telfordsunvalleyseed@gmail.com Phone Number (208) 431-5957

☑ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☐ No ☑
If no, complete the form and attach to this application (Attachment 1B).

C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☑ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☑ No ☐
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative Robert L. Harris Organization Holden, Kidwell, Hahn & Crapo, P.L.L.C.

Professional Title Attorney Email Address rharris@holdenlegal.com

Mailing Address PO Box 50130, Idaho Falls, ID 83405 Phone Number (208) 523-0620

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☑ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☐ The full water right is being offered to the Bank.

OR

☑ A part of the water right is being offered to the Bank.
If a portion of the water right is being offered, **complete Attachment 2**.

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled 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 idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☑ No ☐
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

B. Please provide a description of the current water diversion and delivery system.
Nothing will change from current diversion practices into Moore Canal. Water is only used differently at the tail end of this system from Applicant's pond into Applicant's ditch that crosses over to the Isom Farm.

C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. All water rights associated with the place of use are: 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842.

D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☑ No ☐
Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of $500.

E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☑
If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased. _____

F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. This water right portion was leased and rented last year combined with all other stacked water rights for a total of 5.26 cfs through the Idaho Water Supply Bank.

G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☑
If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed. _____

H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?
If yes, describe. Yes ☐ No ☑

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☑?

If lease, specify the years when the use of water will be suspended: 2016 (Year) to 2021 (Year) (maximum lease period 5 calendar years).

B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

Current rental rate.

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

Signature of Designated Applicant	Printed Name	Date
Robert L. Harris	Robert L. Harris	December 15, 2015
Signature of Authorized Representative	Printed Name	Date

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

Attorney Roster Search - Individual Attorney Result (as of 11/14/14)

Robert Lynn Harris

Address. PO Box 50130
Idaho Falls, ID 83405
Firm. Holden, Kidwell, Hahn & Crapo, PLLC

Phone. (208) 523-0620 Ext.
FAX. (208) 523-9518

E-Mail Address rharris@holdenlegal.com
Website Address: www.holdenlegal com

ISB Membership Number: 7018
Admittance Date: Sep/30/2004
Status. Active

Address Change Form

The information above is based on the Idaho State Bar records as of the date listed above. To send us an update on your own listing, please use the online Address Change Form or send an email to the Licensing Department. Please notify the Licensing Department if you find that another attorney's information is incorrect. Questions on attorney status and good standing should also be directed to the Licensing Department at (208) 334-4500.

Current Status Definitions

Contact the Bar Counsel's Office at (208) 334-4500 to request a disciplinary history on an attorney

Information on former members of the Idaho State Bar is limited to name, admission date and status The online records include former members going back to approximately 1994. Records on former members from before 1994 are not available online Please contact the Licensing Department for more information on former members

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

1E

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1.

Water Right Number	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
34-7121A	Irrigation	.06	22.0	37.3
	Total Amounts:	.06	22.0	37.3

2. Source of water Ground water tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
4N	26E	4	2	NE	NW	NE	BUTTE
		4	2	NW	NW	NE	BUTTE
		5	3	NE	NE	NW	BUTTE
5N	26E	21		SW	NW	NW	BUTTE
		29		SE	NW	SE	BUTTE
		32		SE	SW	NE	BUTTE
		32		SE	NW	SE	BUTTE

TELFORD LANDS LLC WATER RIGHTS

ORIGINAL WATER RIGHT AMOUNTS

Water Right No.	Basis	Priority Date	Source	Beneficial Use	Point of Diversion	Individual Diversion Rate Limitation (cfs)	Combined Diversion Rate Limitation (cfs)	Individual Volume Limitation (AFA)	Combined Volume Limitation (AFA)	Individual Acre Limitation	Total Place of Use
34-618	Partial Decree	Sept. 1, 1884	Big Lost River	Irrigation	NWSESE, 5N, 26E, Sec. 4	3.2	3.37	n/a	488.5	139	2124
34-7179 (portion)	Partial Decree	Apr. 6, 1982	Ground Water	Irrigation	L2(NENWNE) 4N, 26E, Sec.4 (Dad's Place Well) L3 (NENENW), 4N, 26E, Sec. 5 (Niederer well) SWNWNW, 5N, 26E, Sec. 21 (Burnett Well) SENWSE, 5N, 26E, Sec. 29 (Babcock Well) SESWNE, 5N, 26E, Sec. 32 (N. McAfee Well) SENWSE, 5N, 26E, Sec. 32 (S. McAfee Well) L2(NWNWNE) 4N, 26E, Sec.4 (Filver 2 Well)	0.17		n/a			
34-7179 (portion)	Partial Decree	Apr. 6, 1982	Ground Water	Irrigation		2.61	37.03	1186.5	8947.5	none	
34-23308	Partial Decree	June 1, 1977	Ground Water	Irrigation		1.75		429		122.5	
34-7077	Partial Decree	Sept. 5, 1974	Ground Water	Irrigation		6		700		200	
34-70609	Partial Decree	Sept. 23, 1974	Ground Water	Irrigation		5.33		1001		286	
34-7092	Partial Decree	Jan. 14, 1975	Ground Water	Irrigation		12		2222.5		635	
34-7121A	Partial Decree	Jan. 9, 1975	Ground Water	Irrigation		0.46		169		286	
34-7121B	Partial Decree	Jan. 9, 1975	Ground Water	Irrigation		3.74		1105		316	
34-12376	Partial Decree	June 1, 1977	Ground Water	Irrigation		1.25		306.3		87.5	
34-13640	Partial Decree	Apr. 6, 1982	Ground Water	Irrigation		1.28		248.5		71	
34-13642	Partial Decree	Dec. 17, 1975	Ground Water	Irrigation		0.46		199.2		140	
34-13659	Partial Decree	June 1, 1969	Big Lost River	Irrigation	NWSESE, 5N, 26E, Sec. 4	0.97	None	None	150.5	43	
34-13661	Partial Decree	June 1, 1969	Big Lost River	Irrigation	NWSESE, 5N, 26E, Sec. 4	1	None	None			
				TOTALS		42.2	40.4	7564	7584.5	2326	2124

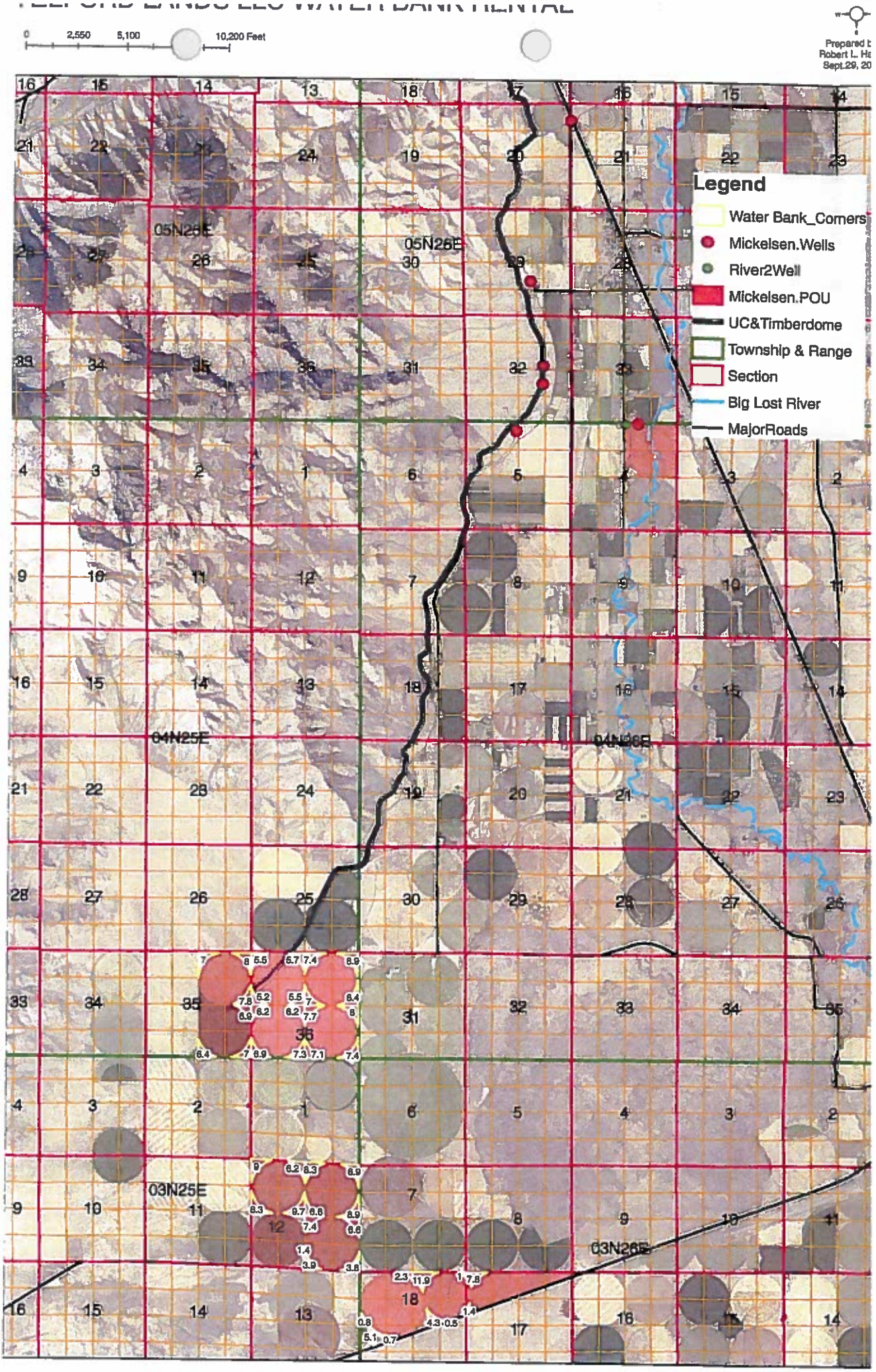
THE TOTAL ACRES LEASES IS 276.7 ACRES. AS A RATIO, 276.7/2124 = .1303% OF THE TOTAL ACRES LEASED. THIS IS THE RATIO USED TO CALCULATE THE WATER BANK DIVERSION, VOLUME, AND ACREAGE AMOUNTS. | 0.13027

The diversion rate limitations for 34-618 and the portion of 34-7179 was calculated after review of the preliminary order appoving the prior transfer.

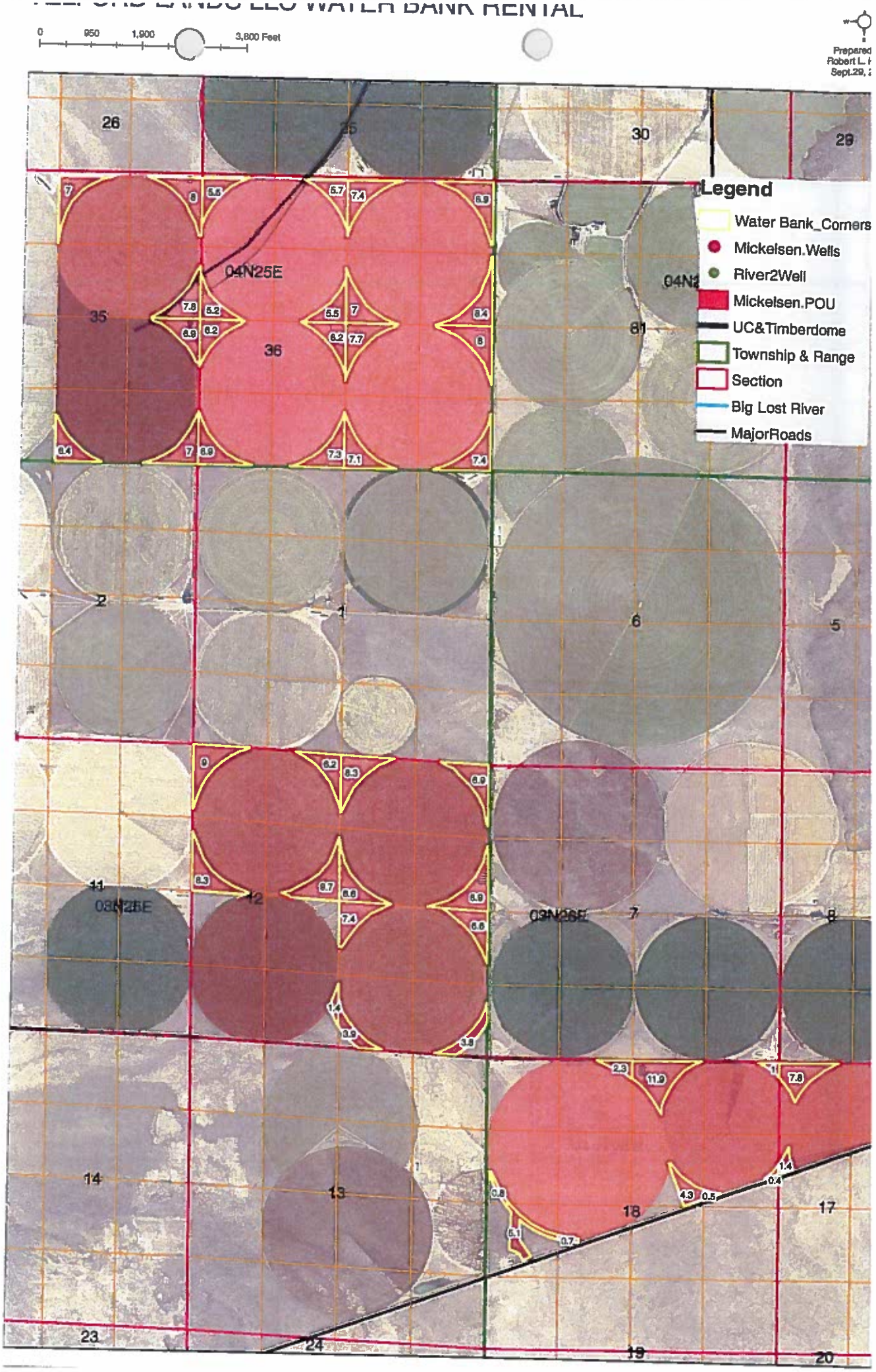
WATER BANK AMOUNTS

Water Right No.	Individual Diversion Rate Limitation (cfs) .1303% of TOTAL	Combined Diversion Rate Limitation (cfs) .1303% of TOTAL	Individual Volume Limitation (AFA) .1303% of TOTAL	Combined Volume Limitation (AFA) .1303% of TOTAL	Individual Acre Limitation .1303% of TOTAL	Total Place of Use .1303% of TOTAL
34-618	0.42	0.44	n/a	63.38	18.11	276.70
34-7179 (portion)	0.02		n/a			
34-7179 (portion)	0.34	4.82	154.44	905.07	none	
34-23308	0.23		55.89		15.95	
34-7077	1.04		91.19		26.06	
34-70609	0.69		130.40		37.26	
34-7092	1.56		289.53		82.72	
34-7121A	0.06		22.02		37.26	
34-7121B	0.49		144.06		41.17	
34-12376	0.16		39.90		11.40	
34-13640	0.16		32.37		9.25	
34-13642	0.06		25.96		18.24	
34-13659	0.13	None	None	19.61	5.60	
34-13661	0.13	None	None			
TOTALS	5.50	5.26	985.39	968.06	303.02	276.70

ATTACHMENT 3
Map Showing Acres Dried Up



0
2,550
5,100
10,200 Feet
Prepared b
Robert L. Ha
Sept.29, 20
Legend
Water Bank_Corners
Mickelsen.Wells
River2Well
Mickelsen.POU
UC&Timberdome
Township & Range
Section
Big Lost River
MajorRoads
05N26E
04N25E
04N26E
03N25E
03N26E



0
950
1,900
3,800 Feet
Prepared
Robert L. H
Sept.29, 2
Legend
Water Bank_Corners
Mickelsen.Wells
River2Well
Mickelsen.POU
UC&Timberdome
Township & Range
Section
Big Lost River
MajorRoads
04N25E
03N26E
26
25
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36
81
2
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19
20

TELFORD LANDS LLC WATER RIGHTS FOR WATER SUPPLY BANK LEASE

Twn	Rng	Sec	QQQ	QQ	Q	Acres	Water Rights												
4N	25E	36	NE	NE	NE	8.9	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NW	NW	NE	7.4	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SW	SW	NE	7	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SE	SE	NE	8.4	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NE	NE	NW	5.7	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NW	NW	NW	5.5	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SW	SW	NW	5.2	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SE	SE	NW	5.5	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NE	NE	SW	6.2	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NW	NW	SW	6.2	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SW	SW	SW	6.9	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SE	SE	SW	7.3	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NE	NE	SE	8	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NW	NW	SE	7.7	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SW	SW	SE	7.1	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SE	SE	SE	7.4	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	35	NE	NE	NE	8	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	35	NW	NW	NE	7	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	35	SE	SE	NE	7.8	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	35	NE	NE	SE	6.9	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	35	SW	SW	SE	6.4	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	35	SE	SE	SE	7	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	NE	NE	NE	6.9	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	NW	NW	NE	8.3	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	SW	SW	NE	6.6	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	SE	SE	NE	8.9	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	NE	NE	NW	6.2	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	NW	NW	NW	9	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	SW	SW	NW	8.3	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	SE	SE	NW	9.7	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	SE	SE	SW	1.4	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	NE	NE	SE	6.6	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	NW	NW	SE	7.4	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	SW	SW	SE	3.9	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	SE	SE	SE	3.8	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	26E	17	NW	NW	NW	7.8	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	26E	17	SW	SW	NW	1.4	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	26E	18	NE	NE	NE	1	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	26E	18	NW	NW	NE	11.9	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	26E	18	SW	SW	NE	4.8	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	26E	18	SE	SE	NE	0.4	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	26E	18	NE	NE	NW	2.3	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	26E	18	SW	SW	NW	0.8	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	26E	18	NW	NW	SW	5.1	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	26E	18	NE	NW	SW	0.7	34-2330B	34-7077	34-7080B	34-7092	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
					Total	276.7													

April 7, 2015

To: Idaho Department of Water Resources

From: Big Lost River Irrigation District

Subject: Telford Lands LLC Water Bank Consent: Water Right Nos. 34-13659 and 34-13661.

4-17-2015

The Big Lost River Irrigation District ("BLRID") is the owner and operator of the Moore Diversion ~~and Westside Canal~~. Telford Lands LLC owns Water Right Nos. 34-618, 34-13659, and 34-13661 (the "Water Rights"), which authorize diversion of water from the Big Lost River, and has a valid transport agreement for these water rights to be delivered through the Moore Diversion and ~~Westside Canal~~. It is our understanding that Telford Lands LLC has submitted water bank applications to allow a stacked portion the Water Rights as well as a stacked portion of ground water rights allocated to approximately 276 acres of pivot corners to be used on lands that the water right acres are not currently appurtenant to. The use of water on different acres will not require any changes to how the Water Rights will be diverted and conveyed through the BLRID system, and therefore, will not have an impact on water deliveries through our system. The water bank lease and rental were previously in place, and we understand that the current applications are to continue what was done previously. BLRID has no objection to Telford Lands LLC's water bank applications, and I have the authority on behalf of BLRID provide this consent.

Printed Name: Joel S. Anderson

STATE OF IDAHO)
CUSTER) ss.
COUNTY OF ~~BUTTE~~)

On this 7th day of April, 2015, before me, a Notary Public for said County and State, personally appeared Mike Telford, known or identified to me, to be the person whose name is subscribed to the within instrument as the _____ of the Big Lost River Irrigation District, and acknowledged to me that he executed the same on behalf of said district.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

CONNIE S. DOERR
Notary Public
State of Idaho

Connie Doerr
Notary Public
Residing at Mackay ID
My commission expires 12-17-2018