



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](http://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: Expiration of Water Supply Bank Rental Agreement 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

Renter,

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

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

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

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

Sincerely,

Remington Buyer  
Water Supply Bank Coordinator

Enclosures:

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT **RECEIVED**

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

**MAR 18 2016**  
**DEPARTMENT OF**  
**WATER RESOURCES**

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

**Summary of Water Rights or Portions Rented from the Bank**

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

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

| 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                 |
| <b>Total Annual Combined Limit</b> |               |                |           | <b>0.13 cfs</b> | <b>19.6 af</b>       | <b>5.60 ac</b>     |

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

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

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

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

Detailed water right conditions are attached.

**SUPPORT DATA**  
**IN FILE # 34-618**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**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:

      Mike F. Hard      Managing member      B-16-16  
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       Date 3/18/2016  
BRIAN PATTON, Acting Administrator  
Idaho Water Resource Board

Rental Approved by IDWR       Date 3-18-2016



6. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
7. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
8. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
9. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
10. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
11. This rental agreement does not authorize the construction of a well.
12. **The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.**
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
14. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
15. Rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 may only be rented for use as a supplemental right in conjunction with a primary surface water right.
16. Rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are delivered through the Moore Diversion and/or the Timberdome Canal.
17. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the land authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
18. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

**CONDITION APPLICABLE TO RIGHT 34-618**

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

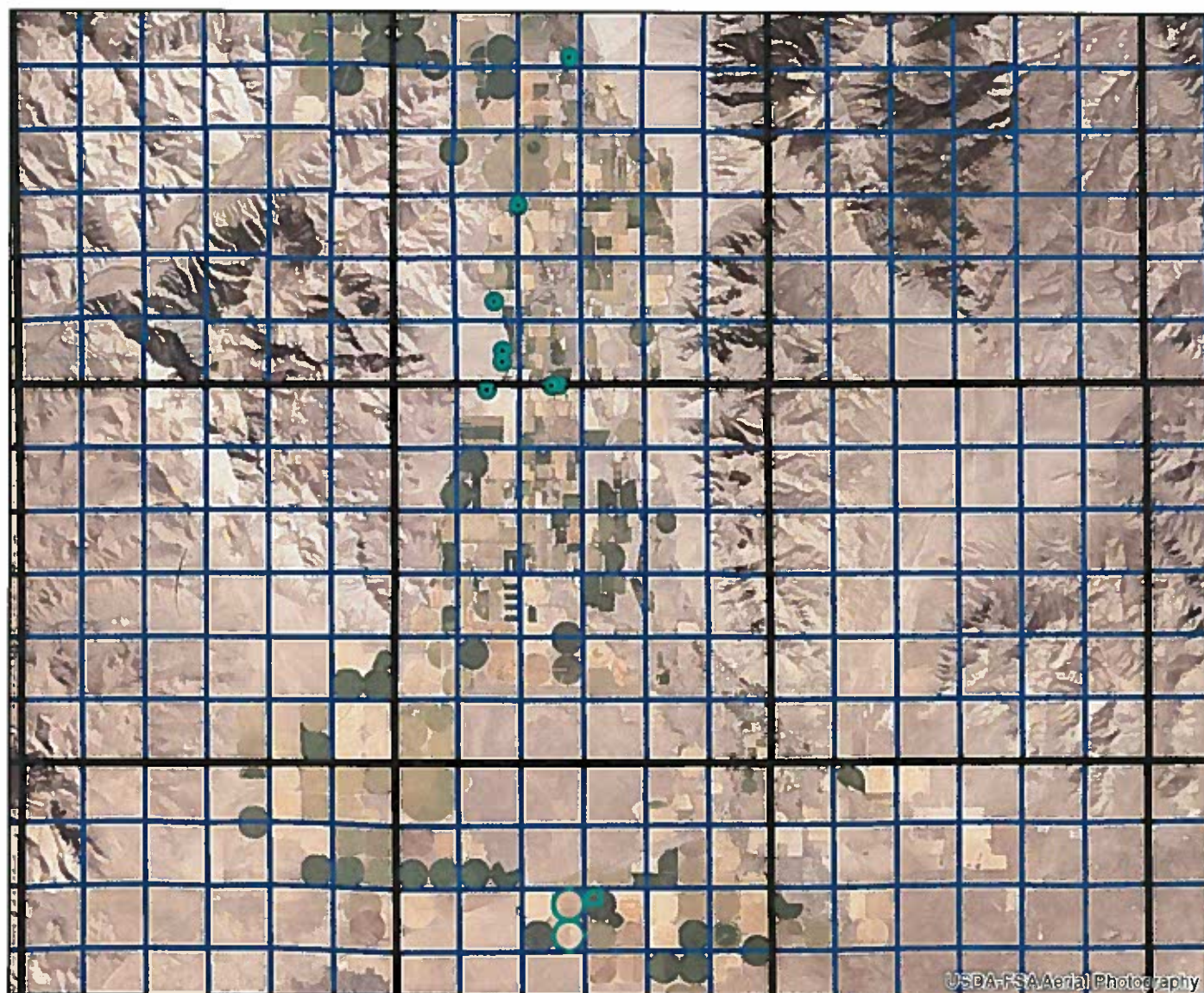
**CONDITIONS APPLICABLE TO RIGHT 34-7092**

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

Idaho Water Resource Board  
**Water Supply Bank Rental Agreement**

Effective until December 31, 2016

This map depicts the rental **place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



-  Authorized Rental Point of Diversion
-  Authorized Rental Place of Use
-  Townships
-  PLS Sections



0 1 2 3 4 5 Miles

DEC 21 2015

DEPARTMENT OF  
WATER RESOURCESAPPLICATION TO RENT WATER  
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Telford Lands LLC

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

Yes ☒ No ☐

If yes, specify companion water rights in Section 4

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

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

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

For additional instructions on completing a rental application, visit the Bank's website at [http://idwr.idaho.gov/water\\_supply\\_bank](http://idwr.idaho.gov/water_supply_bank).

## MINIMUM REQUIREMENT CHECKLIST

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

|            |                                     | Yes                                 |                                                                                                                                                              |
|------------|-------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |                                     | <input checked="" type="checkbox"/> | Completed <i>Application to Rent Water from the Board's Water Supply Bank</i>                                                                                |
|            |                                     | <input checked="" type="checkbox"/> | Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank                                                          |
| Attachment | N/A                                 | Yes                                 |                                                                                                                                                              |
| 2          | <input checked="" type="checkbox"/> |                                     | 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         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Detailed information on a proposed use of rental water                                                                                                       |
| 3F         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Authorization from the owner/operator of the rental point(s) of diversion                                                                                    |
| 3H         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Water modeling to account for the impacts of the rental request                                                                                              |
| 3J         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Documents justifying a rate of flow greater than 0.02 cfs/acre                                                                                               |
| 3K         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Authorization from the owner/operator of the property at the proposed rental place(s) of use                                                                 |
| 4B         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Explanation of how the rental water will sufficiently accomplish your rental purposes                                                                        |
| 4C         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Explanation of consumptive use amounts for water rights experiencing a change in nature of use                                                               |

Department Use Only – Proposed Water Right(s)

**STATE OF IDAHO  
WATER RESOURCE BOARD**

**Application to Rent Water (Continued)**

**1. CONTACT INFORMATION**

A. Applicant Telford Lands LLC

|                                                     |              |                       |          |
|-----------------------------------------------------|--------------|-----------------------|----------|
| Mailing Address <u>1450 W. Hwy 24</u>               | Paul         | ID                    | 83347    |
| Street                                              | City         | State                 | Zip Code |
| Email Address <u>telfordsunvalleyseed@gmail.com</u> | Phone Number | <u>(208) 431-5957</u> |          |

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

|                                                                 |                                           |
|-----------------------------------------------------------------|-------------------------------------------|
| Representative <u>Robert L. Harris</u>                          | Professional Title <u>Attorney</u>        |
| Organization <u>Holden, Kidwell, Hahn &amp; Crapo, P.L.L.C.</u> | Relationship to Applicant <u>Attorney</u> |
| Mailing Address <u>PO Box 50130, Idaho Falls, ID 83405</u>      |                                           |
| Email Address <u>rharris@holdenlegal.com</u>                    | Phone Number <u>(208) 523-0620</u>        |

**2. MAP**

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

**3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER**

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

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

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

| Desired Rate<br>(Cubic Feet/Second) | Desired Volume<br>(Acre-Foot) | Minimum Rate*<br>(Cubic Feet/Second) | Minimum Volume*<br>(Acre-Foot) | Desired Acres<br>(if applicable) |
|-------------------------------------|-------------------------------|--------------------------------------|--------------------------------|----------------------------------|
| 5.26 CFS                            | 988.1 AF                      | CFS                                  | AF                             | 276.7 AC                         |

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

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

| Desired Start Date<br>(month/day/year) | Latest Possible Start Date<br>(month/day/year) | *Mark Desired Rental Duration<br>(Calendar Years) |                            |                            |                            |                                       | **Applicant's preference if rental application cannot be processed prior to the latest possible start? |                                                          |
|----------------------------------------|------------------------------------------------|---------------------------------------------------|----------------------------|----------------------------|----------------------------|---------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| 1/1/2016                               | 6/1/2016                                       | <input type="checkbox"/> 1                        | <input type="checkbox"/> 2 | <input type="checkbox"/> 3 | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 5 | <input checked="" type="checkbox"/> Process application as soon as possible                            | <input type="checkbox"/> Return application to applicant |

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

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

**STATE OF IDAHO  
WATER RESOURCE BOARD**

**Application to Rent Water (Continued)**

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

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

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

| POD Description | Water Source | Other Water Rights Diverted from this POD |
|-----------------|--------------|-------------------------------------------|
| SEE ATTACHED    | SPREADSHEET  |                                           |
|                 |              |                                           |
|                 |              |                                           |
|                 |              |                                           |

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

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☒

If yes, include documented consent as **Attachment 3F**.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☒ No ☐

*Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.*

- H. Has water modeling been provided with your rental request? Yes ☐ N/A ☒

If yes, label modeling Attachment 3 H.

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

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

- ☒ Irrigation 276.7 (number of acres) Duration: Subject to IDWR standard seasons of use
- ☐ Commercial from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)
- ☐ Stockwater from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)
- ☐ Industrial from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)
- ☐ Other: \_\_\_\_\_ from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☒

If yes, justify the rate of flow and attach any supporting documents as **Attachment 3J**. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☒ No ☐

If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it **Attachment 3K**.

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

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

STATE OF IDAHO  
WATER RESOURCE BOARD

**Application to Rent Water (Continued)**

**4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS**

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

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

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

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

| Water Right Elements Leased to Water Supply Bank                                                                                                                                  |               |                      |             |            | Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent | Water Supply Bank Rental Request |             |            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------|-------------|------------|--------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-------------|------------|
| Water Right Number<br>(leave blank if sub-total of combined limits)                                                                                                               | Nature of Use | Diversion Rate (CFS) | Volume (AF) | Acres (AC) |                                                                                                                                | Diversion Rate (CFS)             | Volume (AF) | Acres (AC) |
|                                                                                                                                                                                   | SEE ATTACHED  | SPREAD               | SHEET       |            |                                                                                                                                | SEE ATTA                         | CHED SPR    | EADSHEET   |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                |                                  |             |            |
| Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank |               |                      |             |            | TOTAL                                                                                                                          |                                  |             |            |
|                                                                                                                                                                                   |               |                      |             |            |                                                                                                                                | CFS                              | AF          | AC         |

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

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

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

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

Yes ☐ No ☒

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

STATE OF IDAHO  
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

The manager of the LLC continues to work through estate planning discussions, and does not want a permanent transfer to interfere with that process. Also, the manager is involved with current discussion/actions to improve conveyance loss issues, so it is possible that it will not be necessary to perform a transfer or further WB filings.

- 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:

Yes ☐ No ☒

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

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

- D. Additional Information

This lease/rental application was previously approved. See attached lease and rental documents for 2015 irrigation season.

DECLARATION

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

Signature of Applicant

Printed Name of Applicant

Date



Robert L. Harris

December 15, 2015

Signature of Representative

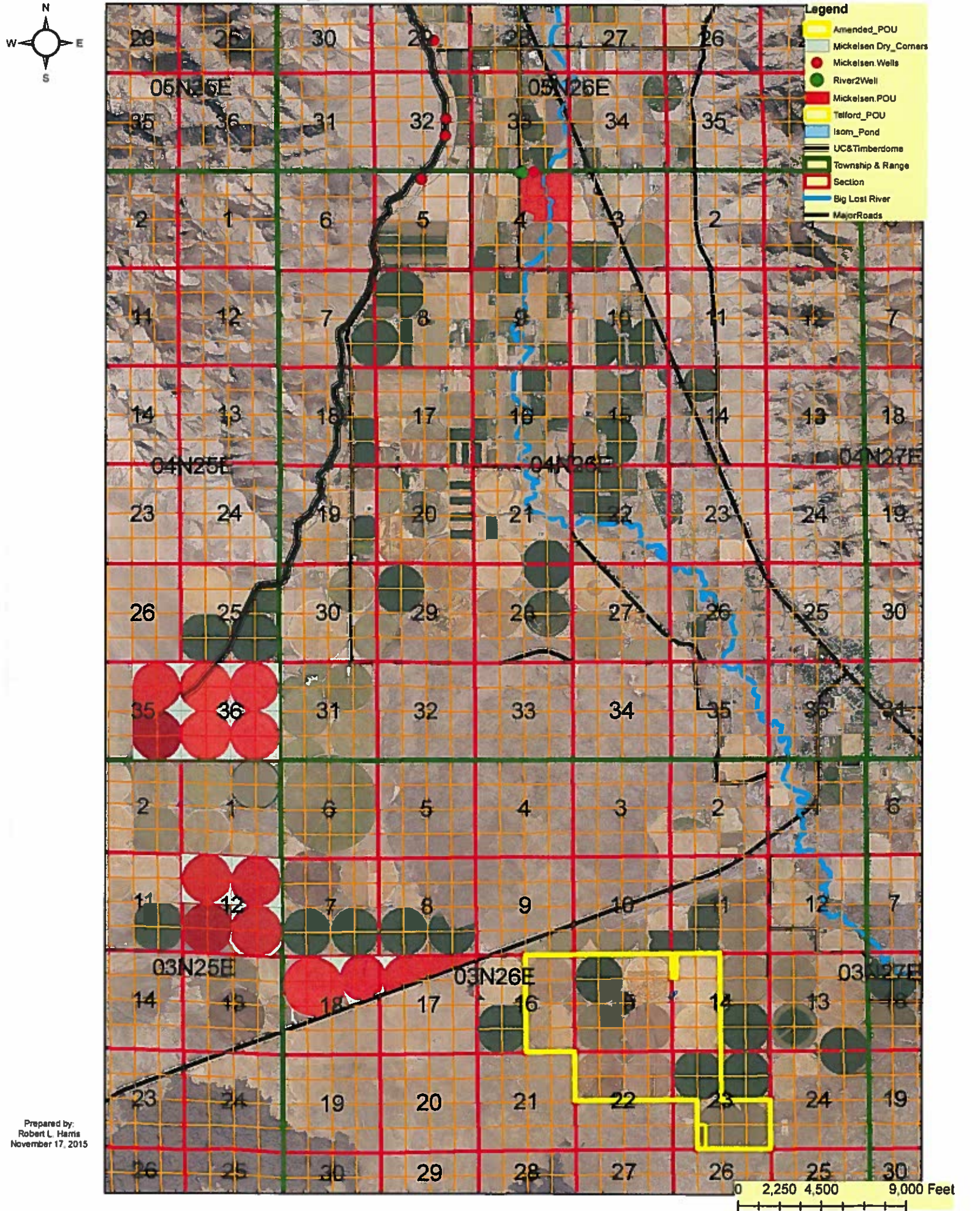
Printed Name of Representative

Date

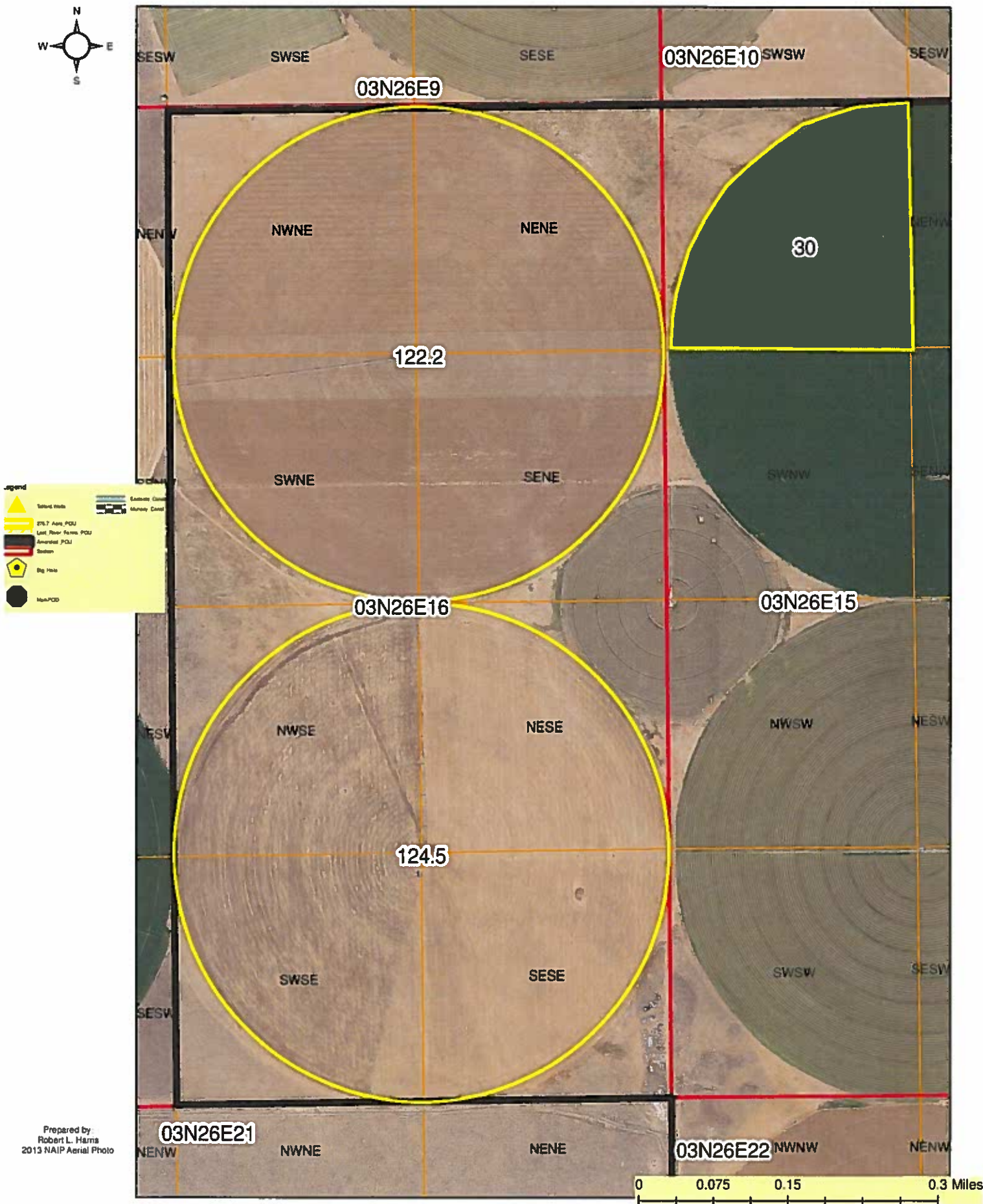
Mail to:

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

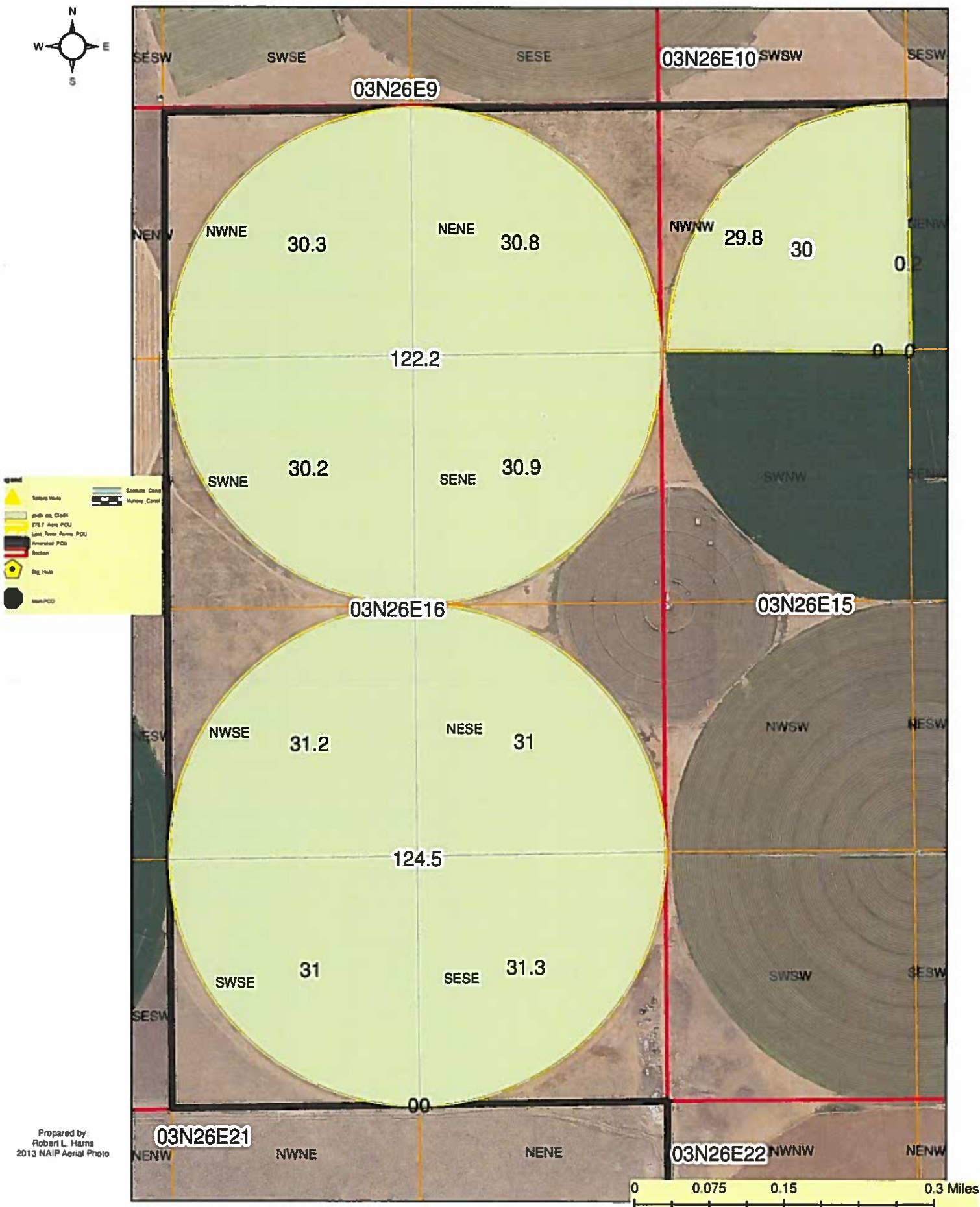
Mickelson wells - pivots in Red



# TELFORD LANDS, LLC WATER BANK



# TELFORD LANDS, LLC WATER BANK



## WATER BANK AMOUNTS

| Water Right No.   | Individual Diversion Flow Limitation (cfs) | Combined Diversion Flow Limitation (cfs) | Individual Volume Limitation (AFY) | Combined Volume Limitation (AFY) | Individual Acre Limitation | Total Project of Less than 1,000 Acre |
|-------------------|--------------------------------------------|------------------------------------------|------------------------------------|----------------------------------|----------------------------|---------------------------------------|
| 34-118            | 0.42                                       | 0.44                                     | n/a                                | 69.88                            | 16.11                      | 878.70                                |
| 34-119 (Dropper)  | 0.02                                       |                                          | n/a                                |                                  | none                       |                                       |
| 34-118            | 0.34                                       |                                          | 104.44                             |                                  | none                       |                                       |
| 34-23308 (Geyser) | 0.23                                       |                                          | 62.80                              |                                  | 16.05                      |                                       |
| 34-1077           | 1.04                                       |                                          | 87.19                              | 26.05                            |                            |                                       |
| 34-70909          | 0.80                                       |                                          | 130.40                             | 37.26                            |                            |                                       |
| 34-7092           | 1.26                                       |                                          | 296.43                             | 62.72                            |                            |                                       |
| 34-71214          | 0.03                                       | 4.86                                     | 22.02                              | 605.07                           | 37.20                      |                                       |
| 34-71215          | 0.49                                       |                                          | 144.05                             |                                  | 41.17                      |                                       |
| 34-12218          | 0.16                                       |                                          | 36.80                              |                                  | 11.40                      |                                       |
| 34-13640          | 0.16                                       |                                          | 32.37                              |                                  | 8.25                       |                                       |
| 34-13642          | 0.06                                       |                                          | 29.59                              |                                  | 10.24                      |                                       |
| 34-13619          | 0.13                                       | None                                     | None                               | 19.61                            | 5.00                       |                                       |
| 34-13061          | 0.13                                       | None                                     | None                               |                                  |                            |                                       |
| TOTALS            | 6.50                                       | 6.28                                     | 980.39                             | 946.05                           | 303.02                     |                                       |

**0.130**

The discount rate increases for SA-418 and the portion of SA-7178 was calculated after review of the preliminary order approving the prior transfer.

**TELFORD LANDS LLC WATER RIGHTS FOR WATER SUPPLY BANK LEASE**

| Twn   | Ring | Sec | QQQ | QQ | Q  | Acres | Water Rights |         |          |         |          |          |         |          |          |          |        |          |          |  |  |  |
|-------|------|-----|-----|----|----|-------|--------------|---------|----------|---------|----------|----------|---------|----------|----------|----------|--------|----------|----------|--|--|--|
| 4N    | 25E  | 36  | NE  | NE | NE | 8.9   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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     | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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     | 34-23308     | 34-7077 | 34-70808 | 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     | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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     | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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     | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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     | 34-23308     | 34-7077 | 34-70808 | 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  | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 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   | 34-23308     | 34-7077 | 34-70808 | 34-7092 | 34-7121a | 34-7121B | 34-7179 | 34-12376 | 34-13840 | 34-13842 | 34-618 | 34-13659 | 34-13661 |  |  |  |
| Total |      |     |     |    |    | 276.7 |              |         |          |         |          |          |         |          |          |          |        |          |          |  |  |  |

| TELFORD RENTAL PLACE OF USE |  |
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[illegible]

| RENTAL proposed Points of Diversion                                                                                                                                                                                                                                                                                                           | Comments                                                                                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NWSESE, 5N, 26E, Sec. 4                                                                                                                                                                                                                                                                                                                       | This POD is the <u>same</u> surface water POD as the companion lease application water rights. Surface water diversion (diversion of surface water at this point will stay the same--water will go from the end of the delivery system over to the former Isom farm.                                             |
| L2(NENWNE) 4N, 26E, Sec.4<br>(Dad's Place Well)<br>L3 (NENENW), 4N, 26E, Sec. 5<br>(Niederer well)<br>SWNWNW, 5N, 26E, Sec. 21<br>(Burnett Well)<br>SENWSE, 5N, 26E, Sec. 29<br>(Babcock Well)<br>SESWNE, 5N, 26E, Sec. 32<br>(N. McAfee Well)<br>SENWSE, 5N, 26E, Sec. 32<br>(S. McAfee Well)<br>L2(NWNWNE) 4N, 26E, Sec.4<br>(River 2 Well) | These PODs are the <u>same</u> as the PODs in the companion lease application water rights. Water will still be diverted from these wells, but will go to supplement already irrigated acres on Telford's other farm (the former Isom farm) through the end of the delivery system over to the former Isom farm. |
| <del>SWSESW, 3N, 26E, Sec. 1<br/> (the "Big Hole")<br/> NWNWNW, 3N, 26E, Sec. 1<br/> (Mark's Well)</del>                                                                                                                                                                                                                                      | <del>This Big Hole is a new POD developed from a previously existing well.<br/> Mark's well was previously developed under Permit No. 34-2486</del>                                                                                                                                                              |

Per call w/ Rob Harris - 3/2/2016