



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:

      Monty Fink/owner      1-12-2016  
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 1/15/2016  
BRIAN PATTON, Acting Administrator  
Idaho Water Resource Board

Rental Approved by IDWR       Date 1-15-2016

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

**WATER USE DETAILS**

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER      SW ¼NW¼      Sec. 20      Twp 06S      Rge 29E      POWER County

**BENEFICIAL USE**

IRRIGATION

**SEASON OF USE**

04/01 TO 10/31

**RENTER'S PLACE OF USE:**      IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	20		31	30		31	31	30	30									183

Total Acres: 183

**CONDITIONS APPLICABLE TO ALL RENTED WATER RIGHTS**

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
5. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
6. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
7. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
8. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
9. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
10. This rental agreement does not authorize the construction of a well.
11. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.120.
12. The following rights are diverted through point(s) of diversion described above: 35-14412, 35-14418, 35-13811, 35-13812, and 35-13813.

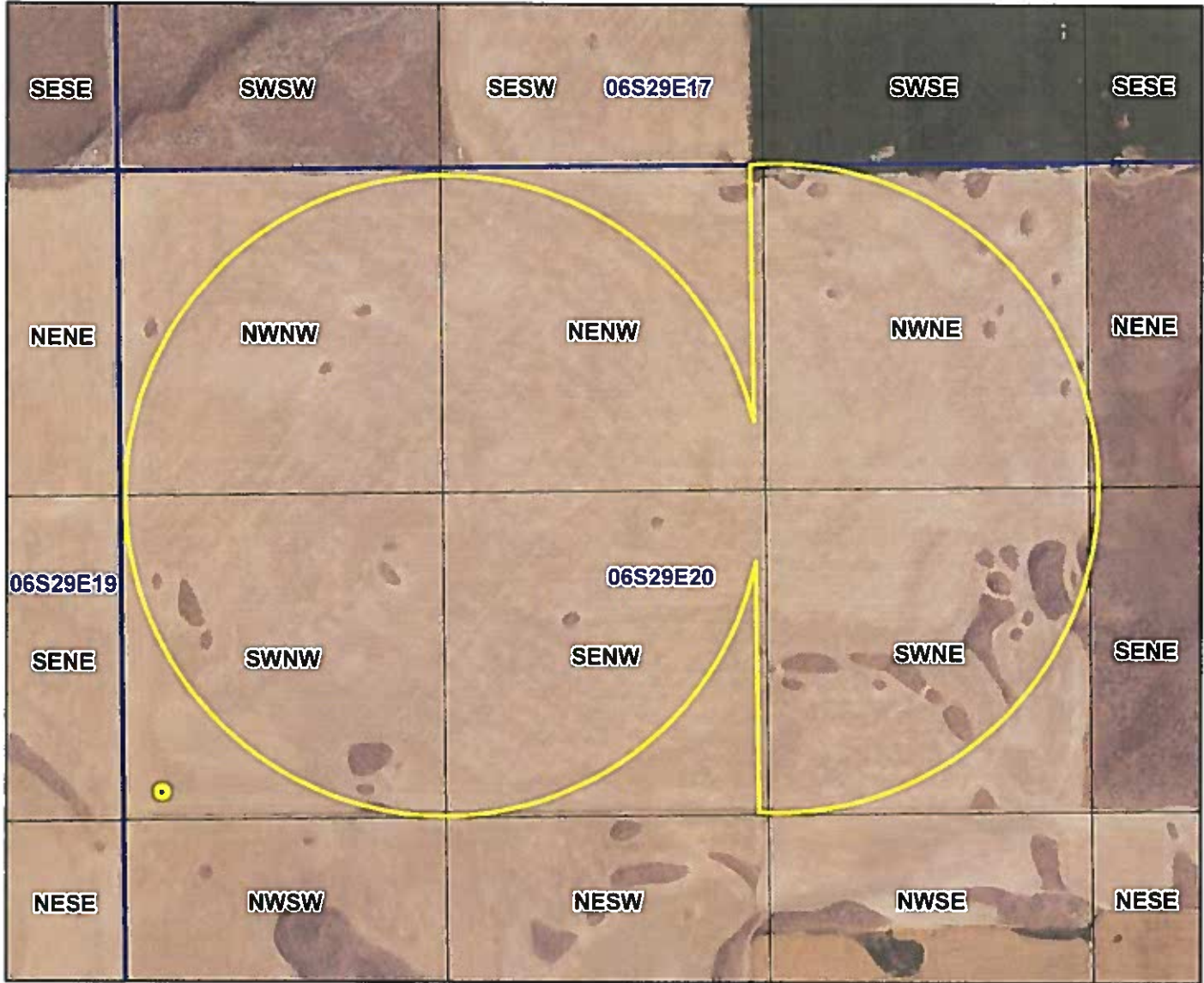
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
14. Prior to the diversion and use of water, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.




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

Effective until December 31, 2018

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



2013 USDA-FSA Aerial Photography

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



County Line

RECEIVED

OCT 21 2015

Department of Water Resources  
Eastern Region

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

RECEIVED

OCT 29 2015

DEPARTMENT OF  
WATER RESOURCES

Applicant Name: County Line Farms

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

An Application to Rent Water from the Board's Water Supply Bank must be completed in accordance with the minimum requirement checklist below to be acceptable for processing by the Idaho Department of Water Resources (IDWR). This checklist is part of the rental application and must be included with the rental application. Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.

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

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

For additional instructions on completing a rental application, visit the Department's website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

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

YES

Completed Application to Rent Water from the Board's Water Supply Bank

Attachment N/A YES

2  A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request

3A   Detailed information on a proposed use of rental water

3E   Authorization from the owner/operator of the rental point(s) of diversion

3G   Water modeling to account for the impacts of the rental request

3J   Documents justifying a need to rent water for irrigation at a rate of flow greater than 0.02 cfs/acre

3K   Authorization from the owner/operator of the property at the proposed rental place(s) of use

4B   Explanation of how the rental water will sufficiently accomplish your rental purposes

4C   Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

29-2395

STATE OF IDAHO  
WATER RESOURCE BOARD

**Application to Rent Water (Continued)**

**1. CONTACT INFORMATION**

A. Applicant County Line Farms

Mailing Address P.O. Box 360 American Falls, ID 83211

Email Address monty@countylinefarms.com Phone Number (208) 226-5207

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 Jason C. Helms, P.E. Professional Title Engineer

Organization JCH Engineering & Consulting, PLLC Relationship to Applicant Consultant

Mailing Address 6755 N. Albert Lane Idaho Falls, ID 83401

Email Address jasoncivil@alumni.nd.edu Phone Number (208) 308-2109

**2. MAP**

Create a map of the proposed point(s) of diversion, place(s) of use, and water diversion, delivery and distribution systems. Make sure the place of use is outlined with an obvious, bolded line. For irrigation purposes, note that the place of use outlined on your map cannot exceed the number of acres you are proposing to rent. Attach the map to this application and label it Attachment 2.

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

A. Describe the purpose of your rental request. Include any anticipated rates of water application, water use practices or number of stock (if any). If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of rental water required. Attach additional sheets if required and label it Attachment 3A:  
Irrigation of 64 acres

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

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Acres (if applicable) (Acre)
2.66 CFS	732 AF	1.80 CFS	640.5 AF	183.0 AC

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

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

Proposed Start Date (month/day/year)	Latest Possible Start (month/day/year)	* Proposed Rental Duration (Max 5 Years)	** For multi-year rentals, indicate whether you desire to rent water for remaining years if a rental request cannot be approved for the first year?
04/01	06/01	max available	<input checked="" type="checkbox"/> Yes, approve rental for all remaining future years. <input type="checkbox"/> No, return rental request if first year is unapprovable.

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

**STATE OF IDAHO  
WATER RESOURCE BOARD**

**Application to Rent Water (Continued)**

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

Water Source	TWP	RGE	SEC	¼	¼	¼	County	Other water rights for the same purpose diverted from this POD
Ground Water	06S	29E	20	SW	SW	NW	Power	none

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

E. Do you own and/or possess the authority to divert water from the above POD(s)? Yes  No   
 If no, provide documentation from the owner/operator confirming your authorization to use the POD(s) and label it Attachment 3E.

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

G. Has water modeling been provided with your rental request? Yes  No

If yes, include as Attachment 3G. Otherwise please explain why modeling was not provided:  
 ESPA transfer spreadsheet analysis attached

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

H. Specify the proposed beneficial use:  Irrigation       Commercial       Industrial       Municipal  
 Groundwater Recharge       Mining       Stockwater       Other: \_\_\_\_\_

I. Refer to the map you created in item 2 and specify below the places you propose to use water. If for irrigation, specify the number of acres to be irrigated per ¼ ¼ tract. Otherwise indicate usage by marking the ¼ ¼ tracts with the first letter of your proposed use identified above:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	20		31	30		31	31	30	30									183
The entry in this grid must match the map from item 2 on the application.																		Total Acres (for irrigation)	183

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

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

L. Describe your water distribution system and how water will be delivered from the POD(s) to the proposed POU(s):  
 Existing well, new pump, main line and sprinkler system.

**STATE OF IDAHO  
WATER RESOURCE BOARD**

**Application to Rent Water (Continued)**

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

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

A. Are you requesting to rent specific water rights? Yes  No   
 If yes, specify below the water rights you are requesting to rent. Otherwise continue to Section 5 of this application form.

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

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany the rental request. Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.

For leased rights with combined limits, applicants should request to rent against the combined limit diversion rate, volume or acre limits.

Elements of Water Rights Leased to the Bank (Contract Details)								Leased totals minus water actively engaged in rental agreement equals rental availability	Rental Request		
Water Right Number	Nature of Use	Water Source	Rate (CFS)	Volume (AF)	Acres (AC)	Start (year)	End (year)		Rate (CFS)	Vol. (AF)	Acres (AC)
29-2395	Irrigation	Ground Water	2.82	1148.0	287.0	2016	20__		1.80	732.0	183.0
<b>Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre that have been leased to the Water Supply Bank</b>									<b>TOTAL</b>	1.80	732.0
									CFS	AF	AC

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

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

STATE OF IDAHO  
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- C. Does your rental request propose to change the nature of use for any water right(s) being requested? Yes  No   
If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented, as well as the new consumptive use amount for your proposed beneficial use. Attach a separate page if space is insufficient and label it Attachment 4C:

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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:

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- 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: Application for transfer pending (#79844).

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- 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.


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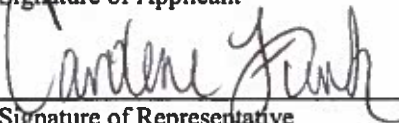
DECLARATION

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.

  
\_\_\_\_\_  
Signature of Applicant

Cardene Funk  
\_\_\_\_\_  
Printed Name of Applicant

10-15-2015  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of Representative

Cardene Funk  
\_\_\_\_\_  
Printed Name of Representative

10/15/2015  
\_\_\_\_\_  
Date

Mail to:

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

STATE OF IDAHO  
WATER RESOURCE BOARD

## Water Modeling Requirement Information Sheet

### Information on water modeling requirements for rental requests within special administrative areas

**Important information on requesting rental water within the Eastern Snake Plain Aquifer (ESPA) and other selected administrative areas:** If your proposed rental falls within the boundaries of the ESPA or other selected administrative area (as explained below) you must identify specific water rights leased into the Bank to use for your rental. Item 4 of the rental application can be used for this purpose. Use the information below to determine whether modeling the potential impacts of your proposed rental is necessary. If you submit an application to rent water from within the ESPA and/or a special administrative area and it is determined that your rental request requires water modeling, your rental request will be returned if water modeling is not provided.

**Water modeling may be required when an application to rent water involves one of two scenarios:**

**Scenario 1:** The application proposes the use of a regulated water source within an administrative area and the distance between the rental point(s) of diversion (POD) and the POD(s) for the leased water right(s) is greater than the administratively established, acceptable distance.

**Regulated water sources areas may include:**

- A. Ground water within the Eastern Snake Plain Aquifer (ESPA);
- B. Ground water within Ground Water Management Areas (GWMAs) or Critical Ground Water Areas (CGWAs);
- C. Water resources within other specified administrative areas, as established by the Idaho Water Resource Board (IWRB) or the Idaho Department of Water Resources.

The distance between any rental POD(s) and the POD(s) for a leased water right is important. On the ESPA, distance is measured in terms of model cells that cover an area of one square mile. Ground water modeling is not required if lease POD(s) and rental POD(s) are within the same or adjacent model cells. If lease and rental POD(s) are separated by more than one model cell, however, groundwater modeling must be completed and submitted with the rental application. ESPA modeling tools can be accessed and freely downloaded from IDWR's website by visiting:

[www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm](http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm).

Ground water modeling may be required within GWMAs, CGWAs or other regulated administrative areas. Applicants who desire to rent water within an established GWMA, CGWA or other regulated administrative area should consult IDWR's website before submitting their application to review the current status of administrative orders related to regulated administrative areas. Consult [www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated\\_areas.htm](http://www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated_areas.htm) for information on GWMAs or CGWAs, visit [www.idwr.idaho.gov/AboutIDWR/legal.htm](http://www.idwr.idaho.gov/AboutIDWR/legal.htm) for information on other regulated areas.

Applicants interested in renting water within a GWMA, CGWA or other regulated administrative areas should request water rights that have been leased into the Bank from within the same administrative area. Generally, the Bank will not permit a rental of water within a regulated administrative area if the leased water rights are not located within that same administrative area.

**Scenario 2:** A rental request proposes to divert water from a different but hydraulically connected water source.

**Modeling situations may include:**

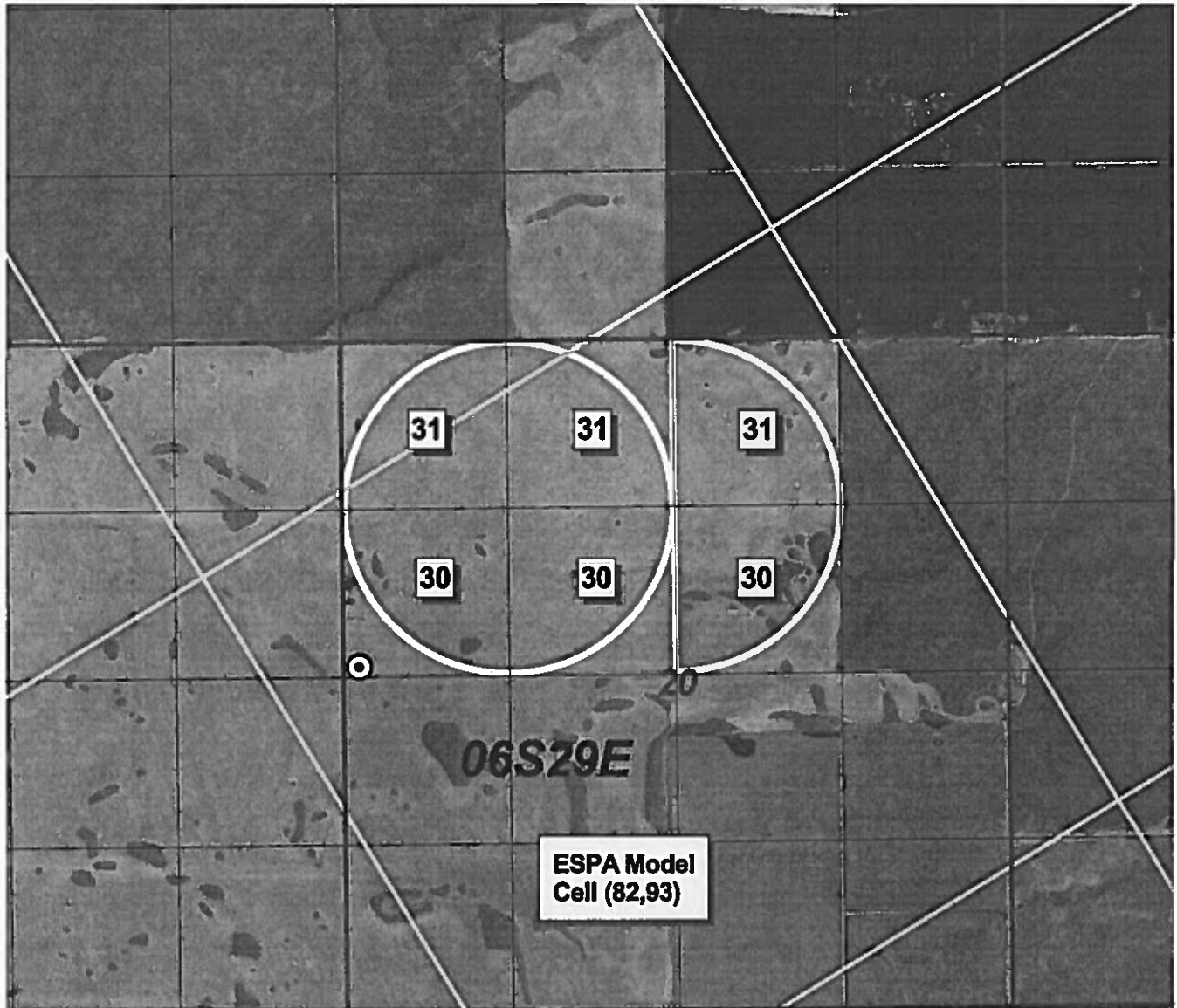
- A. Rental requests that propose to divert surface water rights via ground water POD(s) (wells); and
- B. Rental requests that propose to divert ground water from one aquifer when the right being rented is authorized to divert ground water from a hydraulically connected, tributary aquifer.

Rental requests that propose to divert surface water rights from ground water points of diversion may be considered if ground water modeling establishes that the surface and ground water resources are sufficiently hydraulically connected. The ground water and surface water sources must have a direct and immediate hydraulic connection (at least 50 percent of the total depletion must be detectable in the original source in one day). The existing POD and proposed POD must be proximate such that diversion and use of water from the proposed POD would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original POD.

Requests to rent ground water across tributary aquifer sources may be considered if ground water modeling is provided to demonstrate that two aquifers are hydraulically connected and the anticipated impacts of diverting ground water from one source through the other is modeled accordingly.

For more information about rental application requirements, contact IDWR at (208) 287-4800.

# Application to Rent Water From The Water Supply Bank County Line Farms, (6S, 29E, Section 20 NW1/4 & W1/2NE1/4)

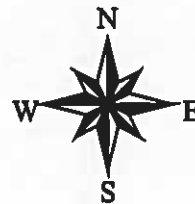


JCH - 10/19/2015

2013 NAIP Aerial Photo



- ⊙ Existing Well
- Irrigation Rental Place of Use (Yellow)  
183.0 Total Acres
- Sections
- ESPA Model Grid
- 40s



# ESPA Ground Water Rights Transfer Spreadsheet Data Summary

**TRANSFER NO.:** WSB Rental #3  
**TRANSFER NAME:** County Line Farms  
**PREPARED BY:** Jason C. Helms, P.E.  
**DATE:** 10/19/2015  
 Transfer Tool Version 3.1

**WATER RIGHTS INVOLVED:**

Group 1	Group 2
Transfer Rights	Additional Mitigation Right
Right No. 29-2395	Right No. 29-2395
Priority Date 2/28/1958	Priority Date

**HISTORIC BENEFICIAL USE:**

Trans/Mit. Rights (group no.)	Acres to Dry Up (ac)	Beneficial Use (af/yr)	Total (af/yr)
29-2395	183	732	732

**MITIGATION NOTES:**  
 This model represents the temporary rental of a 183.0 acre portion of water right 29-2395. Entire Right Authorizes 2.82 cfs / 1148 afa / 287 ac

**MODEL CELL LOCATIONS:**

	TO WELL	FROM1 WELL	FROM2 WELL	FROM3 WELL
ROW	82	97	0	0
COLUMN	93	124	0	0

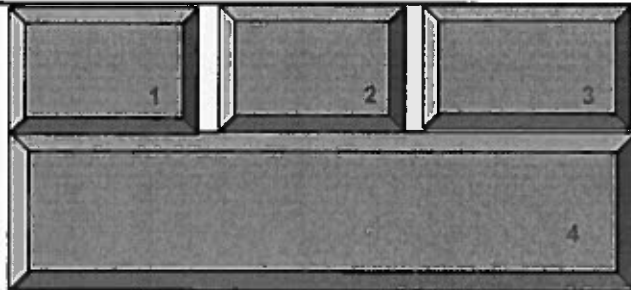
	Start Date		End Date		Year	Annual (af/yr)	Water Use		Acres Authorized (acres)	Notes
	Season	Year	Season	Year			Trimester (af/trimester)	Acres		
TO Well (Projected Use)	Spring	1958	Winter	2015	2015	0.0	0.0	0.0	183.0	This well represents diversion by County Line Farms during the 2016-2018 seasons
	Spring	2016	Winter	2018	2018	732.0	244.0	0.0	183.0	
	Spring	2019	Winter	2107	2107	0.0	0.0	0.0	0.0	
FROM1 Well (With Transfer)	Spring	1958	Winter	1997	1997	732	244.0	183.0	183.0	This well represents diversion of the water right portion until CRP entry at the end of 1997 and resuming use in 2019
	Spring	1998	Winter	2018	2018	0	0.0	0.0	0.0	
	Spring	2019	Winter	2107	2107	732	244.0	183.0	183.0	This well represents the authorized use of the water right absent any transfers.
	Spring	1958	Winter	2107	2107	732	244.0	183.0	183.0	
FROM2 Well (With Transfer)										Not used
FROM2 Well (Without Transfer)										Not used
FROM3 Well (With Transfer)										Not used
FROM3 Well (Without Transfer)										Not used

# ENHANCED GROUND-WATER RIGHTS TRANS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPA

Cells this color are set up for user entries



ENTER STARTING DATE FOR

SIMULATION. THEN PUSH TRANSFER NO:

"UPDATE DATES" BUTTON WSB Rental #3

YEAR 1958 TRANSFER NAME:

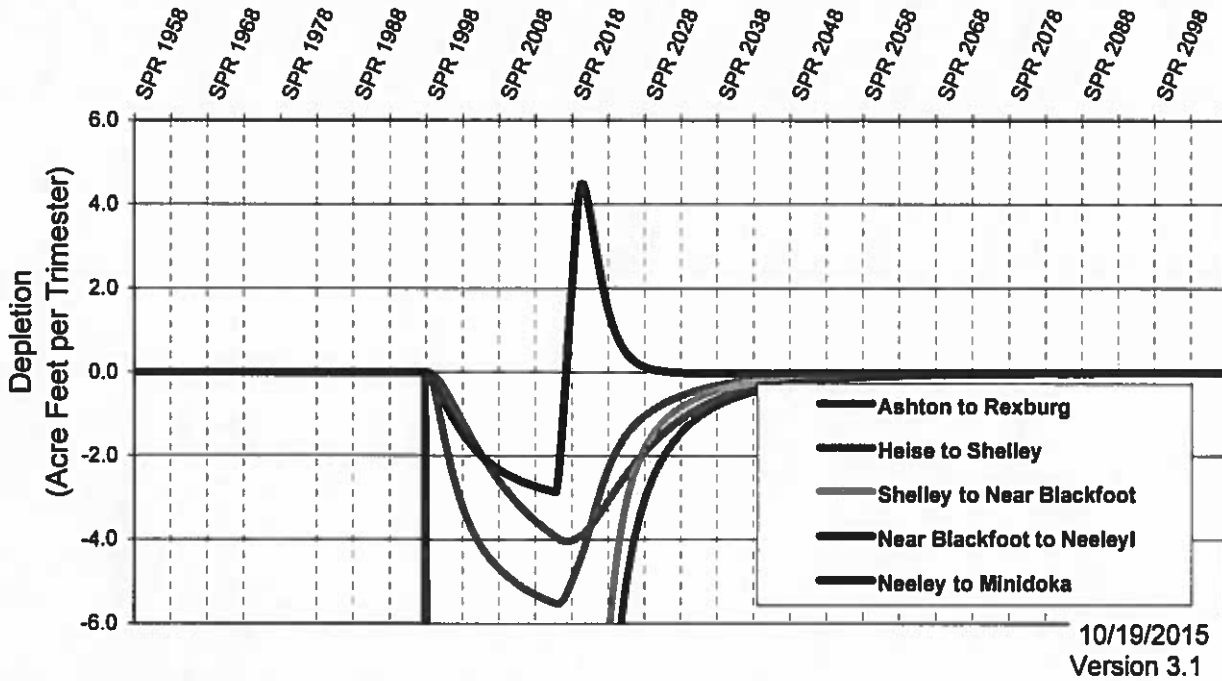
SEASON SPRING County Line Farms

ENTER CELL LOCATIONS:

ROW	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL			
	82	97			29-2395	2/28/1958	732.0
COLUMN	93	124					

6S,29E-20SWNW		29-2395 POD				Total	
TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1958	0.00	244.00	244.00	0.00	0.00	0.00	0.00
SUM 1958	0.00	244.00	244.00	0.00	0.00	0.00	0.00
WIN 1958	0.00	244.00	244.00	0.00	0.00	0.00	0.00
SPR 1959	0.00	244.00	244.00	0.00	0.00	0.00	0.00
WIN 1996	0.00	244.00	244.00	0.00	0.00	0.00	0.00
SPR 1997	0.00	244.00	244.00	0.00	0.00	0.00	0.00
SUM 1997	0.00	244.00	244.00	0.00	0.00	0.00	0.00
WIN 1997	0.00	244.00	244.00	0.00	0.00	0.00	0.00
SPR 1998	0.00	0.00	244.00	0.00	0.00	0.00	0.00
SUM 1998	0.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 1998	0.00	0.00	244.00	0.00	0.00	0.00	0.00
SPR 1999	0.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 2011	0.00	0.00	244.00	0.00	0.00	0.00	0.00
SPR 2012	0.00	0.00	244.00	0.00	0.00	0.00	0.00
SUM 2012	0.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 2012	0.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 2012	0.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 2012	0.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 2012	0.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 2012	0.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 2012	0.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 2012	0.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 2012	0.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 2012	0.00	0.00	244.00	0.00	0.00	0.00	0.00
SPR 2016	244.00	0.00	244.00	0.00	0.00	0.00	0.00
SUM 2016	244.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 2016	244.00	0.00	244.00	0.00	0.00	0.00	0.00
SPR 2017	244.00	0.00	244.00	0.00	0.00	0.00	0.00
SUM 2017	244.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 2017	244.00	0.00	244.00	0.00	0.00	0.00	0.00
SPR 2018	244.00	0.00	244.00	0.00	0.00	0.00	0.00
SUM 2018	244.00	0.00	244.00	0.00	0.00	0.00	0.00
WIN 2018	244.00	0.00	244.00	0.00	0.00	0.00	0.00
SPR 2019	0.00	244.00	244.00	0.00	0.00	0.00	0.00
SPR 2107	0.00	244.00	244.00	0.00	0.00	0.00	0.00
SUM 2107	0.00	244.00	244.00	0.00	0.00	0.00	0.00
WIN 2107	0.00	244.00	244.00	0.00	0.00	0.00	0.00

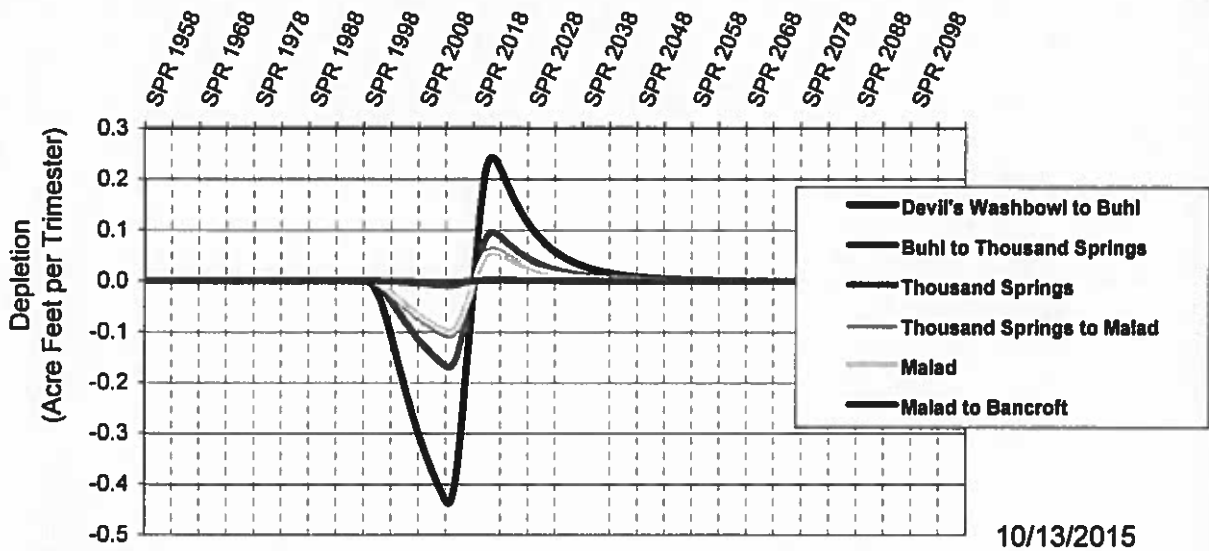
**Net Transfer Effect Above Milner  
(Total Effect With Transfer - Total Effect Without Transfer)**



**Customer Name:** County Line Farms

**Transfer No:** WSB Rental #3

**Net Transfer Effect Below Milner**  
*(Total Effect With Transfer - Total Effect Without Transfer)*



10/13/2015  
Version 3.1

Customer Name: County Line Farms

Transfer No: WSB Rental #1



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 19, 2016

COUNTY LINE FARMS  
PO BOX 360  
AMERICAN FALLS ID 83211

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO. 29-2395**

Dear Renter:

Please find enclosed a receipt in the amount of **\$12,444.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 732.0 acre-feet of water for irrigation of 183.0 acres during 2016. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$11,199.60 of the rental fee will be paid to the lessor(s) and 10% or \$1,244.40 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4881.

Sincerely,

A handwritten signature in cursive script that reads "Sandra Thiel".

Sandra Thiel  
Sr. Water Resource Agent

Enclosures: Receipt No. C101424  
Rental Agreement (copy)

c: Sascha Marston – Fiscal  
Jason Helms – JCH Engineering & Consulting  
James Cefalo – IDWR Eastern Regional Office/Water District # 120



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

January 7, 2016

COUNTY LINE FARMS  
PO BOX 360  
AMERICAN FALLS ID 83211

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO. 29-2395**

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

Dear Applicant:

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

A rental fee of \$12,444.00 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 732.0 acre-feet. An annual payment shall be received by the Department prior to the execution of this agreement and prior to February 15 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

**Please send a check for \$12,444.00** made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. Pursuant to the Water Supply Bank Rules, 90% or \$11,199.60 of the rental fee will be paid to the lessor(s) and 10% or \$1,244.40 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4881.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sandra Thiel', written over a white background.

*for* Sandra Thiel  
Sr. Water Resource Agent

Enclosure

c: IDWR Front Desk  
Jason Helms – JCH Engineering & Consulting

## MEMORANDUM

**To:** Water Right 29-2395

**From:** Sandra Thiel

**Date:** December 16, 2015

**Re:** Review of Application to Rent Water Rights to the State Water Supply Bank

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**Purpose/Narrative:** Monty and Carolene Funk of County Line Farms submitted three rental applications to the Department on October 21, 2015. For this application they intend to rent 183 acres of irrigation. The Funks requested the maximum available for the duration of the rental. The lease for right 29-2395 extends through December 31, 2018, so the rental will include years 2016 through 2018. The Funks specified a desired rate of 2.66 cfs on the application; however, right 29-2395 supplies 0.01 cfs per acre. In order to accommodate the three applications that requested the same water right, this rental will receive the minimum rate specified on the application of 1.8 cfs.

The rental application mentions pending transfer 79844. Idaho Water Company LLC filed the transfer intending to move right 29-7006 from the Marsh Valley near Downey, 50 miles to the point of diversion. This would have meant moving the water into the moratorium area. The Department denied the transfer on October 22, 2015.

**Authority to File:** Monty Funk, manger of County Line Farms, signed the application. Jason Helms is acting as consultant and provided modeling. The Funks own the land at the point of diversion and place of use. The following rights share the proposed point of diversion: 35-14418, 35-13811, 35-13812, and 35-13813.

**Water Right Validity:** Right 29-2395 was decreed in March of 2004. The right was enrolled in the CRP program from 1997 thru 2010. It was leased into the bank in 2013 through 2015. Forfeiture is not a concern.

**Injury to Other Water Rights:** None anticipated. Mr. Helms provided an ESPA analysis with the rental application and staff verified the conclusions. Based on this analysis no reach will be impacted above 2 acre-feet per trimester. Further, there will be no net depletions from the Snake River greater than 10 percent above what would have occurred without the rental.

**Enlargement of Use:** None anticipated. The applications did seek a full inch to the acre in rate; however, based on the application a rate of ½ inch per acre is sufficient. The season of use, headgate requirement and consumptive use are the same at the lease and rental places of use.

**Local Public Interest:** No issues identified.

**Beneficial Use/Conservation of Water Resources:** The rental appears to be consistent with conservation of water resources in Idaho.

**Department Staff or Watermaster Comments:**

**Lease and Rentals**

- 183 Acre Rental POD
- 64 Acre Rental POD
- 40 Acre Rental POD
- Lease POD
- 183 Acre Rental POU
- 64 Acre Rental POU
- 40 Acre Rental POU
- Lease POU
- Township/Range

