



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

ID SOLAR 1 LLC
C/O ORGIS ENERGY USA INC
800 BRICKELL AVE, STE 1100
MIAMI FL 33131

RE: Expiration of Water Supply Bank Rental Agreement for water rights: 63-31462, 63-31479

Renter,

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

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'RB', with a long horizontal line extending to the right.

Remington Buyer
Water Supply Bank Coordinator

Enclosures:

DEC 18 2015

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT

AMENDED

AMENDED

This is to certify that: **ID SOLAR 1 LLC**
ORGIS ENERGY USA INC
800 BRICKELL AV STE 1100
MIAMI FL 33131
(305) 560-7539
michael.chestone@orgisenergy.com

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

<u>Water Right</u>	<u>Rented Rate</u>	<u>Annual Rented Volume</u>
63-31479	0.30 CFS	67.5 AF
63-31462	0.37 CFS	83.3 AF
Combined		
Rental Totals:	0.67 CFS	150.8 AF*

*This rental is limited to the diversion of 117.3 AF due to a change in the nature of use.

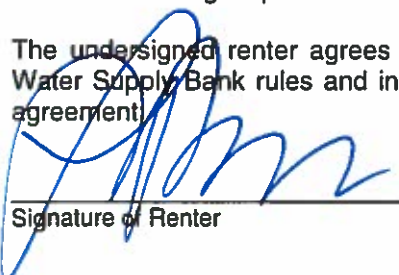
Term of Rental: December 1, 2015 to December 31, 2016

Rental Fee: \$5,127.20

The fee for rental of the above-described water is \$2,563.60 annually. Ten percent (\$256.36) will go to the Department for administrative costs, and the remainder will be paid to the lessor. The same distribution of fees will occur in 2016. The total payment of \$5,127.20 shall be received by the Department prior to diversion of the water.

Detailed water right specific limitations and conditions are attached.

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement.


Signature of Renter

Lewis A. Reynolds
Manager
Printed Name and Title*

12-15-15
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

SUPPORT DATA

IN FILE # 63-31462

Having determined that this agreement satisfies 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 conditions herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By 
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 12/21/2015



**WATER SUPPLY BANK RENTAL AGREEMENT
WATER RIGHT NO. 63-31479**

The 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 below:

Renter: ID SOLAR 1 LLC
ORGIS ENERGY USA INC
800 BRICKELL AV STE 1100
MIAMI FL 33131

Priority Date: 4/16/2002

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01	to 12/31	0.30 CFS	67.5 AF
	Total:		0.30 CFS	67.5 AF

LOCATION OF RENTER'S POINT(S) OF DIVERSION:

GROUND WATER	SE¼SE¼	Sec. 10	Twp 01N	Rge 01E	ADA County
GROUND WATER	SW¼NE¼	Sec. 10	Twp 01N	Rge 01E	ADA County

RENTER'S PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	10			X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01N	01E	11									X	X	X	X					

CONDITIONS OF WATER USE

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. This rental agreement does not authorize the construction of a well.
6. Use of water under this agreement shall not prejudice any pending permanent transfer applications that the renter has filed to modify other water rights for irrigation of the subject lands nor shall it prejudice any future rental agreement that may be made of the subject water right after this rental agreement expires.
7. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
8. 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.

9. 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.
10. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
11. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
12. Industrial use is for dust abatement due to construction of a solar energy facility.
13. The following rights are diverted through the point of diversion in the SE1/4SE1/4: 63-7756.
14. The following rights are diverted through the point of diversion in the SW1/4NE1/4: 63-9184A.
15. The water rented under this agreement is appurtenant to irrigation of 15.0 acres.



WATER SUPPLY BANK RENTAL AGREEMENT
WATER RIGHT NO. 63-31462

The 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 below:

Renter: ID SOLAR 1 LLC
 ORGIS ENERGY USA INC
 800 BRICKELL AV STE 1100
 MIAMI FL 33131

Priority Date: 12/29/1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01	to 12/31	0.37 CFS	83.3 AF
	Total:		0.37 CFS	83.3 AF

LOCATION OF RENTER'S POINT(S) OF DIVERSION:

GROUND WATER	SE¼SE¼	Sec. 10	Twp 01N	Rge 01E	ADA County
GROUND WATER	SW¼NE¼	Sec. 10	Twp 01N	Rge 01E	ADA County

RENTER'S PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	10			X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01N	01E	11									X	X	X	X					

CONDITIONS OF WATER USE

- The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
- 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.
- 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.
- This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
- This rental agreement does not authorize the construction of a well.
- Use of water under this agreement shall not prejudice any pending permanent transfer applications that the renter has filed to modify other water rights for irrigation of the subject lands nor shall it prejudice any future rental agreement that may be made of the subject water right after this rental agreement expires.
- Renter agrees to comply with all applicable state and federal laws while using water under this agreement.

8. 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.
9. 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.
10. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
12. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
13. Industrial use is for dust abatement due to construction of a solar energy facility.
14. The following rights are diverted through the point of diversion in the SE1/4SE1/4: 63-7756.
15. The following rights are diverted through the point of diversion in the SW1/4NE1/4: 63-9184A
16. The water rented under this agreement is appurtenant to irrigation of 18.5 acres.



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

NOV 30 2015

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

AMENDED

Applicant Solar 1, LLC

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

Yes ☐ No ☒

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

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

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

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

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

YES

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

Attachment N/A YES

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

Department Use Only – Proposed Water Right(s)

63-31462

63-31479

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

- A. Applicant ID Solar 1, LLC
 Mailing Address 800 Brickell Ave, Suite 1100, Miami, FL, 33131
 Email Address Michael.chestone@origisenergy.com Phone Number 305-560-7539
- 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 Michael Chestone Professional Title Director of Development
 Organization Origis Energy USA, Inc. Relationship to Applicant Parent Company
 Mailing Address 800 Brickell Ave, Suite 1100, Miami, FL, 33131
 Email Address Michael.chestone@origisenergy.com Phone Number 305-560-7539

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:
- The purpose of the rental is for construction purposes, more specifically, dust suppression. Anticipated rates: 0.6684 cfs (or 300 GPM). Water estimates are provided by historical consumption for similar project.
- 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)
<u>0.66840</u> CFS	<u>45.37</u> AF	<u>0.66840</u> CFS	<u>45.37</u> AF	<u>N/A</u> 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?
<u>Oct. 15th, 2015</u>	<u>Dec 31, 2015</u>	<u>8 months</u>	☒ Yes, approve rental for all remaining future years. ☐ No, return rental request if first year is unapprovable.

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

Application to Rent Water (Continued)

- [illegible]

Not currently, but will at time of start

- If yes, include as Attachment 3G. Otherwise please explain why modeling was not provided:**

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1E	10			X	X	X	X	X	X	X	X	X	X	X	X	X	N/A	
1N	1E	11								X	X	X	X					N/A	
The entry in this grid must match the map from item 2 on the application.																		Total Acres (for irrigation)	N/A

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

Total Acres (for irrigation)

N/A

- There is an existing well/pond-site as well as irrigation piping. This piping will be spliced and routed overhead so as to fill water trucks. These trucks will drive around the property & spray down areas under active construction.

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:

None

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)								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)
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre that have been leased to the Water Supply Bank								TOTAL		
								CFS	AF	AC

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

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

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

5. ADDITIONAL INFORMATION

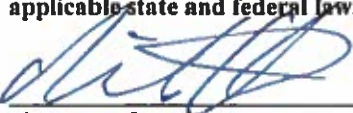
- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☒ No ☐
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☒ No ☐
If yes, describe: Please see attachment 4B

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒
If yes, describe the date and location of the NOV.

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws.


Signature of Applicant

Michael Chestone
Printed Name of Applicant

Oct. 1st, 2015
Date

Signature of Representative

Printed Name of Representative

Date

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



Attachment 4B

ID Solar 1, LLC. has several hundred acres under option to purchase, including water rights. The land, which is currently being used as agricultural land, will be used to construct a large solar power generating facility. Expecting closing on the real estate is October 15th, 2015, at which time, ID Solar 1 will also hold rights to the water. We will file a change of ownership as well as a transfer of use applications for the water after closing for the long-term use. The long-term use of the water will be for washing the solar panels and will require a very limited amount of water (up to $\frac{3}{4}$ of an acre foot per year).

In addition to the long-term use, the project will also require a separate and different temporary use during construction and that is why we are seeking a rental. Construction on the project is slated to begin immediately after closing of the real estate (October 15th). The large area of the project and soil conditions will require a significant amount of water for use during construction for dust suppression. We are seeking to utilize existing wells on the property that we are purchasing to supply this water. We will splice the irrigation piping and run a pipe overhead to fill water trucks. These water trucks will drive around the entirety of the field and spray water to help control dust during construction. Construction is expected to last from October 15th, 2015 through the end of June 2016.

ID Solar 1, LLC
Attn: Michael Chestone
800 Brickell Ave, Suite 1100
Miami, FL, 33131

October 1, 2015

RE: Water Rights for Anderson Property

Dear Michael-

As an authorized representative of Anderson Enterprises, Inc., the landowner of the parcels shown in the list below (the "Anderson Property"), I hereby authorize ID Solar 1, LLC. to apply to rent water from the Idaho Water Board's Water Supply Bank. Further, ID Solar 1, LLC. is hereby authorized to utilize the Anderson Property as the Place of Use for the aforementioned water.

Anderson Property

Covers seven parcels in Sec 3-1N-1E, Sec 10-1N-1E, and Sec 11-1N-1E, Ada County, Idaho:

- Parcel I (Tax Parcel S2103336400)
- Parcel II (Tax Parcel S2111233600)
- Parcel III (Tax Parcel S2110121000)
- Parcel IV (Tax Parcel S2110141900)
- Parcel V (Tax Parcel S2110130600)
- Parcel VI (Tax Parcel S2110223000)
- Parcel VII (Tax Parcel S2110212400)

Sincerely,



Boyd Anderson
Authorized Representative
Anderson Enterprises, Inc.

ID Solar 1, LLC
Attn: Michael Chestone
800 Brickell Ave, Suite 1100
Miami, FL, 33131

October 1, 2015

RE: Water Rights for Nicholson Property

Dear Michael-

As an authorized representative of Nicholson Property L.P. and as trustee of the Carl and Patty Nicholson Revocable Living Trust dated April 30, 2002, as amended, the landowner of the parcels shown in the list below (the "Nicholson Property"), I hereby authorize ID Solar 1, LLC. to apply to rent water from the Idaho Water Board's Water Supply Bank. Further, ID Solar 1, LLC. is hereby authorized to utilize the Nicholson Property as the Point of Diversion as well as the Place of Use for the aforementioned water.

Nicholson Property

Covers three parcels in Sec 10-1N-1E, and Sec 11-1N-1E, Ada County, Idaho:

Parcel #	Description:	Listed Owner:	Acres:
S2111300000	SW4 SEC 11 1N 1E	NICHOLSON PROPERTIES L P	160 +/-
S2110314800	PAR #4800 OF E2SW4 & S2SE4 SEC 10 1N 1E	NICHOLSON CARL & PATTY REVOCABLE TRUST	150 +/-
S2110410000	NE4SE4 SEC 10 1N 1E	NICHOLSON PROPERTIES L P	40 +/-

Sincerely,



Carl Nicholson
Authorized Representative

Nicholson Properties L.P.

Carl V. Nicholson, Trustee of the
Carl and Patty Nicholson
Revocable Living Trust dated
April 30, 2002, as amended



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

December 22, 2015

ID SOLAR 1 LLC
ORGIS ENERGY USA INC
800 BRICKELL AVE STE 1100
MIAMI FL 33131

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 63-31479 and 63-31462**

Dear Renter:

Please find enclosed a receipt in the amount of **\$5,127.20** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 150.8 acre-feet of water for industrial use during 2015 and 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 \$4,614.48 of the rental fee will be paid to the lessor(s) and 10% or \$512.72 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4946.

Sincerely,

for Michele Edl
Sr. Water Resource Agent

Enclosures: Receipt No. C101220
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Angie Grim – IDWR Western Regional Office



ENTROPY

ENTROPY INVESTMENT MANAGEMENT, LLC
14120 Ballantyne Corporate Place
Suite 400
Charlotte, NC 28277

RECEIVED

DEC 18 2015

DEPARTMENT OF
WATER RESOURCES

December 16, 2015

Via Federal Express

State of Idaho Dept of Water Resources
Attn: Michele Edl
322 East Front Street
Boise, ID 83720

RE: *ID Solar 1, LLC – Amended Application to Rent Water – Water Right No(s) 63-31479 & 63-31462*

Dear Ms. Edl:

Enclosed please find the execution of the Amended Water Supply Bank Rental Agreement upon behalf of ID Solar I, LLC. Upon your execution of the Agreement, please forward a copy to my attention at the address listed above on our letterhead.

Should you have any questions, feel free to contact me at 980-272-3862.

Sincerely,

Tate G. Foster
Entropy Investment Management, LLC



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

December 8, 2015

ID SOLAR 1 LLC
ORGIS ENERGY USA INC
800 BRICKELL AVE STE 1100
MIAMI FL 33131

**RE: AMENDED APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 63-31479 AND 63-31462**

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

Dear Applicant:

The Department of Water Resources acknowledges receipt of your **AMENDED** 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, 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 **\$5,127.20** was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 150.8 acre-feet. Since you already paid this amount on November 16, 2015, no payment is necessary. 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.

If you have any questions, please contact me at (208) 287-4946.

Sincerely,

FE Michele Edl
Sr. Water Resource Agent

Enclosure(s): Amended Rental Agreement

Edl, Michele

From: Zack Bullock [zachary.bullock@entropysolar.com]
Sent: Monday, November 30, 2015 10:34 AM
To: Edl, Michele
Cc: Sean Hackett; 'Michael Chestone'
Subject: FW: Water Supply Bank Rental
Attachments: Application for Temporary Rental of Water Rights (amended).pdf

Michele

Please see attached amended application for Temporary Rental of Water Rights for the ID Solar 1 project located in Kuna, ID.

Zack Bullock
Project Manager
Entropy Solar Integrators, LLC



12030 Goodrich Dr.
Charlotte, NC 28273 | USA
Ph: (910) 612-2213

From: Tate Foster
Sent: Wednesday, November 25, 2015 1:37 PM
To: Zack Bullock <zachary.bullock@entropysolar.com>; Sean Hackett <sean.hackett@entropysolar.com>
Subject: RE: Water Supply Bank Rental

Attached is the amended application with Lewis' initials beside the amended portion. Hopefully this will suffice for the Water Resource Board. Let me know should you need anything else on this one.

Tate G. Foster
NC State Bar Certified Paralegal
Entropy Investment Management, LLC
Direct Dial: 980-272-3862

From: Zack Bullock
Sent: Tuesday, November 24, 2015 4:39 PM
To: Tate Foster <tate.foster@EntropyIM.com>; Sean Hackett <sean.hackett@entropysolar.com>
Subject: FW: Water Supply Bank Rental

Zack Bullock
Project Manager
Entropy Solar Integrators, LLC



ENTROPY
SOLAR INTEGRATORS

12030 Goodrich Dr.
Charlotte, NC 28273 | USA
Ph: (910) 612-2213

From: Michael Chestone [<mailto:michael.chestone@origisenergy.com>]
Sent: Monday, November 23, 2015 12:24 PM
To: Zack Bullock <zachary.bullock@entropysolar.com>
Cc: Sean Hackett <sean.hackett@entropysolar.com>
Subject: RE: Water Supply Bank Rental

I believe she is actually referring to the application (attached here). I've added the language for the additional POD in the amended version (also attached). You guys should just confirm my notes and have it initialed before sending over to her.

Should be good to go..

Michael Chestone

Director of Development

Origis Energy USA
800 Brickell Ave, Suite 1100
Miami, FL 33131
Cell Phone +1 (305)560-7539

michael.chestone@origisenergy.com

www.origisenergy.com

Please note our new address per Oct 1, 2015 : 800 Brickell Ave, Suite 1100, Miami FL 33131

This communication, and any attachment hereto is/are "Confidential". Further, if the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication, or any attachment is strictly prohibited. If you have received this message in error, please notify Michael Chestone immediately by telephone (305-560-7539) and by electronic mail to: michael.chestone@origisenergy.com and then delete this message and all copies and backups thereof.

From: Zack Bullock [<mailto:zachary.bullock@entropysolar.com>]
Sent: Monday, November 23, 2015 6:39 AM
To: Michael Chestone <michael.chestone@origisenergy.com>
Cc: Sean Hackett <sean.hackett@entropysolar.com>
Subject: RE: Water Supply Bank Rental

Michael

Is the attached water supply agreement what Michele is referring to for making the amendment of adding the second POD?

Thanks,

Zack Bullock
Project Manager
Entropy Solar Integrators, LLC



12030 Goodrich Dr.
Charlotte, NC 28273 | USA
Ph: (910) 612-2213

From: Edl, Michele [<mailto:Michele.Edl@idwr.idaho.gov>]
Sent: Friday, November 20, 2015 8:14 PM
To: Michael Chestone <michael.chestone@origisenergy.com>
Cc: Sean Hackett <sean.hackett@entropysolar.com>; Zack Bullock <zachary.bullock@entropysolar.com>
Subject: RE: Water Supply Bank Rental

Gentlemen,

I am assuming that one of you now has the executed approval document for your Water Supply Bank rental. The email request below came in after the approval was mailed.
In the interim, I have consulted with the WSB coordination group and your request to add a point of diversion can be honored.

Usually we get amendment requests before the approval has been executed. I don't think I can amend the approval document without tracking the request more formally than this email.

Can I get the request submitted on the application to rent?

Michael Chestone, do you have a copy of ID Solar's application? Would you be willing to resubmit it amended; with the second point of diversion listed? I think if you can do that and initial/sign the request, I can process the change.

I'm taking a day away from the office on Monday. I will be back on Tuesday November 23rd.

If you have how-to questions before Tuesday, I recommend that you contact Cherie Palmer
cheri.palmer@idwr.idaho.gov 208-287-4944

Sincerely
Michele Edl

From: Michael Chestone [<mailto:michael.chestone@origisenergy.com>]
Sent: Tuesday, November 17, 2015 8:21 AM
To: Edl, Michele
Cc: Sean Hackett; Zack Bullock
Subject: RE: Water Supply Bank Rental

Hi Michele-

Zack has sent in the application and you may have received it by now. I'm wondering if it were be possible to slightly amend the application and widen the Point of Diversion. Our property has several wells on it and we are interested in being able to use both wells for this water.

The current POD is:

LOCATION OF RENTER'S POINT(S) OF DIVERSION:

GROUND WATER SE¼SE¼ Sec. 10 Twp 01N Rge 01E ADA County

I'd like to simply add an additional quarter section to this description of:

SW¼NE¼ Sec. 10 Twp 01N Rge 01E ADA County

I've also attached a KMZ to show the well location, which is about 1,800 feet away from the current POD (as the crow flies). Would this be possible?

Thank you!

Michael Chestone

Director of Development

Origis Energy USA
800 Brickell Ave, Suite 1100
Miami, FL 33131
Cell Phone +1 (305)560-7539

michael.chestone@origisenergy.com

www.origisenergy.com

Please note our new address per Oct 1, 2015 : 800 Brickell Ave, Suite 1100, Miami FL 33131

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From: Michael Chestone
Sent: Thursday, November 5, 2015 12:58 PM
To: 'Edl, Michele' <Michele.Edl@idwr.idaho.gov>
Cc: Sean Hackett <sean.hackett@entropysolar.com>; 'Zack Bullock' <zachary.bullock@entropysolar.com>
Subject: RE: Water Supply Bank Rental

Hi Michele-

We are indeed still needing this water and will be sending over the check and the filed application shortly. I've CC'ed a few folks from one of our partners on the project as they may be sending this directly (instead of me).

Thank you,

Michael Chestone

Director of Development

Origis Energy USA
800 Brickell Ave, Suite 1100
Miami, FL 33131
Cell Phone +1 (305)560-7539

michael.chestone@origisenergy.com

www.origisenergy.com

Please note our new address per Oct 1, 2015 : 800 Brickell Ave, Suite 1100, Miami FL 33131

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From: Edl, Michele [<mailto:Michele.Edl@idwr.idaho.gov>]
Sent: Thursday, November 5, 2015 3:16 PM
To: Michael Chestone <michael.chestone@origisenergy.com>
Subject: Water Supply Bank Rental

Mr. Chestone,
Good afternoon,
It has been two weeks since we last spoke. I expected to hear from you or ID Solar before now.

Today I was asked to confirm ID Solar's continued interest in renting water from the IWRB water supply bank. IDWR personnel have begun the pre-processing of water rights for the 2016 irrigation season and the rights I found for ID Solar use could be utilized elsewhere. Please give me a status update at your earliest possible convenience.

Sincerely,
Michele Edl
IDWR State Office
Boise ID

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

RECEIVED
NOV 16 2015
DEPARTMENT OF
WATER RESOURCES

This is to certify that: **ID SOLAR 1 LLC**
Entropy
14120 Ballantyne Corporate Place, Ste. 400
Charlotte, NC 28277
(980) 272-3610
zachary.bullock@entropysolar.com

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

<u>Water Right</u>	<u>Rented Rate</u>	<u>Annual Rented Volume</u>
63-31479	0.30 CFS	67.5 AF
63-31462	0.17 CFS	83.3 AF
Combined		
Rental Totals:	0.67 CFS	150.8 AF*

*This rental is limited to the diversion of 117.3 AF due to a change in the nature of use.

Term of Rental: **October 23, 2015 to December 31, 2016**

Rental Fee: **\$5,127.20**

The fee for rental of the above-described water is \$2,563.60 annually. Ten percent (\$256.36) will go to the Department for administrative costs, and the remainder will be paid to the lessor. The same distribution of fees will occur in 2016. The total payment of \$5,127.20 shall be received by the Department prior to diversion of the water.

Detailed water right specific limitations and conditions are attached.

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:


Signature of Renter
Lewis A. Reynolds
Manager
Printed Name and Title*
Date **11/24/15**

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

SUPPORT DATA
IN FILE # **63-31462**

SCANNED
NOV 19 2015

Having determined that this agreement satisfies 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 conditions herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By  Date 11/16/2015
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board



**WATER SUPPLY BANK RENTAL AGREEMENT
WATER RIGHT NO. 63-31479**

The 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 below:

Renter: ID SOLAR 1 LLC
Entropy
14120 Ballantyne Corporate Place, Ste. 400
Charlotte, NC 28277

Priority Date: 4/16/2002

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01	to 12/31	0.30 CFS	67.5 AF
	Total:		0.30 CFS	67.5 AF

LOCATION OF RENTER'S POINT(S) OF DIVERSION:

GROUND WATER SE¼SE¼ Sec. 10 Twp 01N Rge 01E ADA County

RENTER'S PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	10			X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01N	01E	11									X	X	X	X					

CONDITIONS OF WATER USE

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. This rental agreement does not authorize the construction of a well.
6. Use of water under this agreement shall not prejudice any pending permanent transfer applications that the renter has filed to modify other water rights for irrigation of the subject lands nor shall it prejudice any future rental agreement that may be made of the subject water right after this rental agreement expires.
7. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
8. 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.

9. 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.
10. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
11. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
12. Industrial use is for dust abatement due to construction of a solar energy facility.
13. The following rights are diverted through the point of diversion described above: 63-7756
14. The water rented under this agreement is appurtenant to irrigation of 15.0 acres



**WATER SUPPLY BANK RENTAL AGREEMENT
WATER RIGHT NO. 63-31462**

The 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 below:

Renter: ID SOLAR 1 LLC
Entropy
14120 Ballantyne Corporate Place, Ste. 400
Charlotte, NC 28277

Priority Date: 12/29/1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01	to 12/31	0.37 CFS	83.3 AF
	Total:		0.37 CFS	83.3 AF

LOCATION OF RENTER'S POINT(S) OF DIVERSION:

GROUND WATER SE¼SE¼ Sec. 10 Twp 01N Rge 01E ADA County

RENTER'S PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	10			X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01N	01E	11									X	X	X	X					

CONDITIONS OF WATER USE

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. This rental agreement does not authorize the construction of a well.
6. Use of water under this agreement shall not prejudice any pending permanent transfer applications that the renter has filed to modify other water rights for irrigation of the subject lands nor shall it prejudice any future rental agreement that may be made of the subject water right after this rental agreement expires.
7. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
8. 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.

9. 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.
10. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
12. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
13. Industrial use is for dust abatement due to construction of a solar energy facility.
14. The following rights are diverted through the point of diversion described above: 63-7756
15. The water rented under this agreement is appurtenant to irrigation of 18.5 acres.



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

OCT 02 2015

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: ID Solar 1, LLC

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

Yes ☐ No ☒

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

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

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

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

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

YES

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

Attachment N/A YES

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

Department Use Only – Proposed Water Right(s)

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

- A. Applicant ID Sabar 1, LLC
 Mailing Address 800 Brickell Ave, Suite 1100, Miami, FL, 33131
 Email Address Michael.chestone@origisenergy.com Phone Number 305-560-7539
- 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 Michael Chestone Professional Title Director of Development
 Organization Origis Energy USA, Inc. Relationship to Applicant Parent Company
 Mailing Address 800 Brickell Ave, Suite 1100, Miami, FL, 33131
 Email Address Michael.chestone@origisenergy.com Phone Number 305-560-7539

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:
- The purpose of the rental is for construction purposes, more specifically, dust suppression. Anticipated rates: 0.6684 cfs (or 300 GPM). Water estimates are provided by historical consumption for similar project.

- 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)
<u>0.66840</u> CFS	<u>45.37</u> AF	<u>0.66840</u> CFS	<u>45.37</u> AF	<u>N/A</u> 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?
<u>Oct. 15th, 2015</u>	<u>Dec 31, 2015</u>	<u>8 months</u>	☒ Yes, approve rental for all remaining future years. ☐ No, return rental request if first year is unapprovable.

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

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

Water Source	TWP	RGE	SEC	¼	¼	¼	County	Other water rights for the same purpose diverted from this POD
Ground water	1N	1E	10	NW	SE	SE	Ada	

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

Not currently, but will at time of start

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

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

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1E	10			X	X	X	X	X	X	X	X	X	X	X	X	X	X	N/A
1N	1E	11									X	X	X	X					N/A
The entry in this grid must match the map from item 2 on the application.																			Total Acres (for irrigation) N/A

- 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)? *Not currently, but will at time of use* 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):

There is an existing well on-site as well as irrigation piping. This piping will be spliced and routed overhead so as to fill water trucks. These trucks will drive around the property & spray down areas under active construction.

**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:

None

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)
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre that have been leased to the Water Supply Bank								TOTAL	CFS	AF	AC

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

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

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

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☒ No ☐
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☒ No ☐
If yes, describe: Please see attachment 4B

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒
If yes, describe the date and location of the NOV.

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws.



Signature of Applicant

Michael Chestone

Printed Name of Applicant

Oct. 1st, 2015

Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

STATE OF IDAHO
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.

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 for information on GWMAs or CGWAs, visit 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.

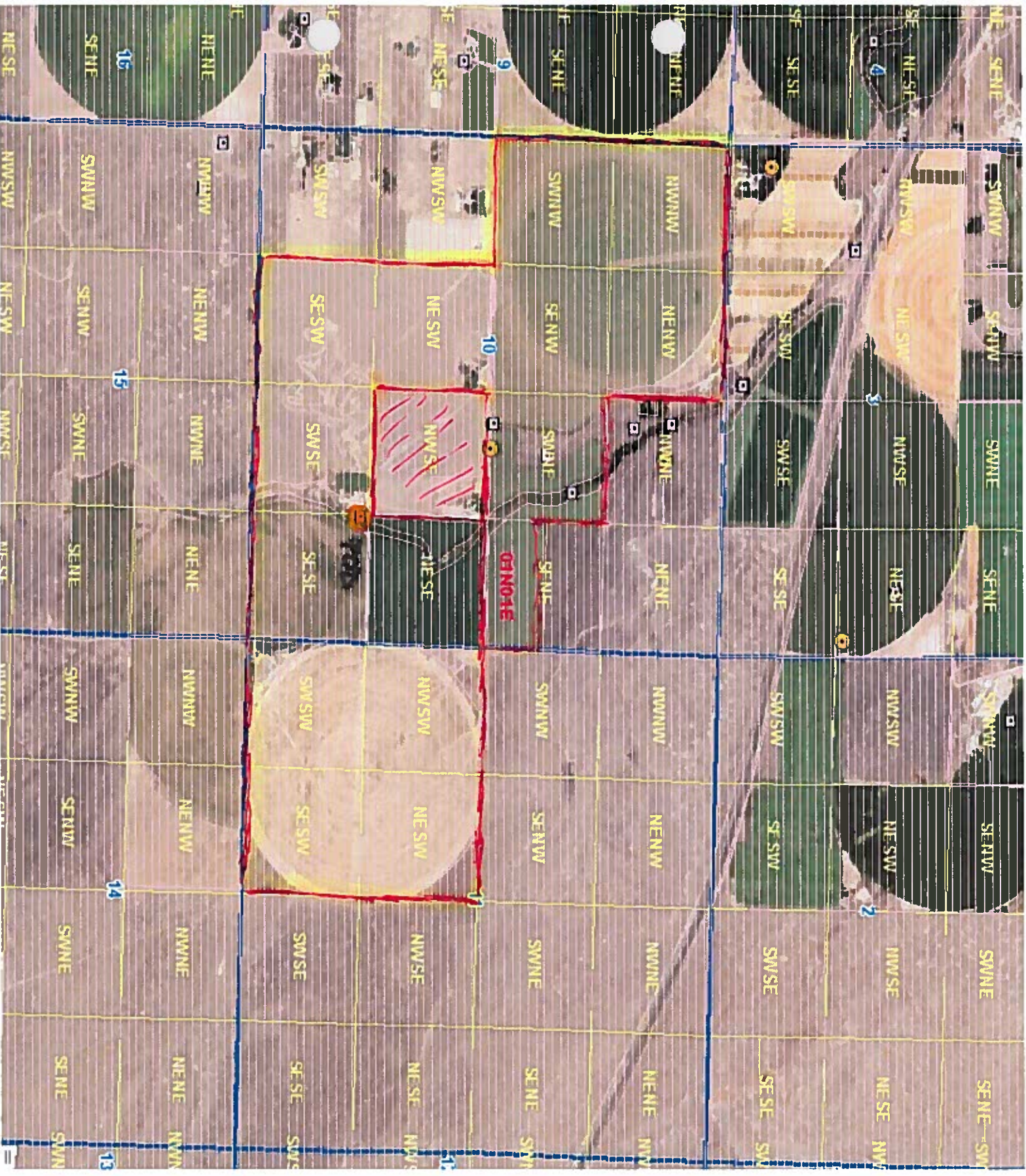
Requests to rent ground water across tributary aquifer sources may be considered if ground water modeling is provided to demonstrate that two aquifers are hydraulically connected and the anticipated impacts of diverting ground water from one source through the other is modeled accordingly.

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

Attachment 4B

ID Solar 1, LLC. has several hundred acres under option to purchase, including water rights. The land, which is currently being used as agricultural land, will be used to construct a large solar power generating facility. Expecting closing on the real estate is October 15th, 2015, at which time, ID Solar 1 will also hold rights to the water. We will file a change of ownership as well as a transfer of use applications for the water after closing for the long-term use. The long-term use of the water will be for washing the solar panels and will require a very limited amount of water (up to ¾ of an acre foot per year).

In addition to the long-term use, the project will also require a separate and different temporary use during construction and that is why we are seeking a rental. Construction on the project is slated to begin immediately after closing of the real estate (October 15th). The large area of the project and soil conditions will require a significant amount of water for use during construction for dust suppression. We are seeking to utilize existing wells on the property that we are purchasing to supply this water. We will splice the irrigation piping and run a pipe overhead to fill water trucks. These water trucks will drive around the entirety of the field and spray water to help control dust during construction. Construction is expected to last from October 15th, 2015 through the end of June 2016.



ID Solar 1, LLC
Attn: Michael Chestone
800 Brickell Ave, Suite 1100
Miami, FL, 33131

October 1, 2015

RE: Water Rights for Anderson Property

Dear Michael-

As an authorized representative of Anderson Enterprises, Inc., the landowner of the parcels shown in the list below (the "Anderson Property"), I hereby authorize ID Solar 1, LLC. to apply to rent water from the Idaho Water Board's Water Supply Bank. Further, ID Solar 1, LLC. is hereby authorized to utilize the Anderson Property as the Place of Use for the aforementioned water.

Anderson Property

Covers seven parcels in Sec 3-1N-1E, Sec 10-1N-1E, and Sec 11-1N-1E, Ada County, Idaho:

- Parcel I (Tax Parcel S2103336400)
- Parcel II (Tax Parcel S2111233600)
- Parcel III (Tax Parcel S2110121000)
- Parcel IV (Tax Parcel S2110141900)
- Parcel V (Tax Parcel S2110130600)
- Parcel VI (Tax Parcel S2110223000)
- Parcel VII (Tax Parcel S2110212400)

Sincerely,



Boyd Anderson
Authorized Representative
Anderson Enterprises, Inc.

ID Solar 1, LLC
Attn: Michael Chestone
800 Brickell Ave, Suite 1100
Miami, FL, 33131

October 1, 2015

RE: Water Rights for Nicholson Property

Dear Michael-

As an authorized representative of Nicholson Property L.P. and as trustee of the Carl and Patty Nicholson Revocable Living Trust dated April 30, 2002, as amended, the landowner of the parcels shown in the list below (the "Nicholson Property"), I hereby authorize ID Solar 1, LLC. to apply to rent water from the Idaho Water Board's Water Supply Bank. Further, ID Solar 1, LLC. is hereby authorized to utilize the Nicholson Property as the Point of Diversion as well as the Place of Use for the aforementioned water.

Nicholson Property

Covers three parcels in Sec 10-1N-1E, and Sec 11-1N-1E, Ada County, Idaho:

Parcel #	Description:	Listed Owner:	Acres:
S2111300000	SW4 SEC 11 1N 1E	NICHOLSON PROPERTIES L P	160 +/-
S2110314800	PAR #4800 OF E2SW4 & S2SE4 SEC 10 1N 1E	NICHOLSON CARL & PATTY REVOCABLE TRUST	150 +/-
S2110410000	NE4SE4 SEC 10 1N 1E	NICHOLSON PROPERTIES L P	40 +/-

Sincerely,



Carl Nicholson
Authorized Representative

Nicholson Properties L.P.

Carl V. Nicholson, Trustee of the
Carl and Patty Nicholson
Revocable Living Trust dated
April 30, 2002, as amended



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

November 19, 2015

ID SOLAR 1 LLC
14120 BALLANTYNE CORPORATE PL STE 400
CHARLOTTE NC 28277

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 63-31479 AND 63-31462**

Dear Renter:

Please find enclosed a receipt in the amount of **\$5,127.20** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 150.8 acre-feet of water for industrial use during 2015 and 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 \$4,614.48 of the rental fee will be paid to the lessor(s) and 10% or \$512.72 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4946.

Sincerely,

Michele Edl
Water Resource Agent

Enclosure(s): Receipt No. C101220
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Angie Grimm – IDWR Western Regional Office

MEMORANDUM

To: Water Right(s) 63-31462 and 63-31479
From: Michele Edl
Date: October 20, 2015
Re: Review & Analysis of ID Solar Application to Rent Water from the State Water Supply Bank

The applicant, ID Solar 1, LLC, expects to need water for dust abatement for less than a year. However they expect to need more volume than can be authorized through a temporary permit. A rental of water supply bank water appears to be the best alternative available to them.

PURPOSE/NARRATIVE: On October 2, ID Solar 1 LLC, submitted an application to rent water from the State Water Supply Bank. The application proposes to rent water rights for dust suppression during construction of a solar 'farm' in Twp 1N, Rge 1E, sec 10 and 11. The applicant requested a rental agreement with an 8-month duration beginning as early as this week (October 12-16, 2015) through the winter months of 2015 and ending as late as August 31, 2016. This use begins late in the season for irrigation and but will impact two years. Therefore, the rental agreement will be for two years 2015 and 2016.

The applicant provided a map which shows that the project lands total 576.4 acres. Dust suppression will not be required on the entire POU for the entire time. Instead dust suppression activity will migrate from location to location to coincide with the construction activity.

The applicant requested a much higher diversion rate than is typical for a rental use. To fill the requested rate, multiple water rights and excess volume will be rented.

AUTHORITY TO FILE: According to available Ada County taxlot information, the proposed place-of-use is a composite of parcels currently owned by Anderson Enterprises or by Nicholson Properties, LP. ID Solar 1 is in the process of closing on the purchase of the property. The application package includes authorizations signed by Boyd Anderson (authorized representative for Anderson Enterprises, Inc) and Carl Nicholson (authorized representative for Nicholson Properties, LP). The authorizations ok utilization of water rented from the Water Supply Bank on the property and to utilization of one of the existing wells as the POD for diversion of that rented water.

ID Solar 1 is listed with ISOS as W155029. Michael Chestone has power of attorney over water rights issues and he signed the application.

The proposed point-of diversion is an existing well located on the rental property. The well is the authorized POD for irrigation water right, 63-7756. The owner-of-record for that water right is Carl V. Nicholson.

WATER RIGHT VALIDITY:

Water Right 63-31479 was licensed as a primary ground water right on July 18, 2012 based on irrigation use that was developed before June 2003. The right was accepted into the Water Supply Bank for an indefinite period on December 20, 2005, while it was still a permit. It has been in the bank continuously since that time and so forfeiture is not an issue.

All indefinite leases are being phased out. On September 21, 2015, Mr. Ted Bohlman, (one of the current owners of the right) requested that the lease continue for another 5 years. The entirety of the right is available for rent at this time.

Contemporary aerial photography shows that irrigation is occurring on the authorized place-of-use. However, a review of the water right file, including the lease acceptance memo, indicates that Mr. Bohlman acquired shares from the New York Irrigation District when he no longer had access to the well. Use of those surface water shares are likely responsible for the irrigation of the POU since 2005.

Approval of this rental agreement will exhaust the rental availability of right 63-31479.

Water Right 63-31462 was decreed in the SRBA on February 16, 2007. The right appears to have been in the bank since 2002. Forfeiture is not an issue. The entire leased portion of the right is available for rent.

File documents related to transfer 71563 state that the water right was developed as a primary ground water right. Shares from the New York Irrigation District were acquired later and not used at the same time and place as the ground water.

A review of contemporary aerial photography shows that irrigation is occurring on the authorized place-of-use. Use of those surface water shares are likely responsible for that irrigation. A small portion of the rental value of right 62-31462 will remain after approval of this rental agreement.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

The lease PODs are located outside of the area of concern for ground water in Basin 63.

However, the rental POD is located within that area.

Western region is more concerned about new diversions nearer to the center of that area. The rental POD is near the edge.

The ground water in S Ada County may not be as limited as initially thought and the rental will be limited to 8 months.

ENLARGEMENT OF USE: No enlargement is evident through the rental.

The renter will be required to purchase the entire volume of the water associated with the rate requested even though the volume is in excess of the amount requested.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

The City of Kuna's planning and Zoning Commission has approved 15-4-SUP (Special Use Permit) and 15-05-DR (Design Review) which were submitted to them by ID Solar 1, LLC.

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The rented right(s) are not subject to watermaster oversight. Western Region has been consulted and is not opposed to this rental.

The rental applicant requested a high diversion rate to allow for quick filling of the tanker trucks. The existing well has been confirmed to be capable of supplying as much as 7.14 cfs (see field exam report for the native water right 63-7756).

The current lease agreement for 63-31479 doesn't show a lease volume for the right. This is probably because the right was still a permit when it was accepted into the WSB. The volume I use for the rental was determined when the right was licensed.

The available water supply bank guidance is vague about a change in nature-of-use analysis requirements. I reviewed aerial and infrared photography located in the water right backfiles for both rented rights. I was convinced that significant irrigation was occurring within the historical period or development period of the two rights. Because this rental is expected to last less than a year, I assumed that I could use the standard headgate volume in a quick comparison and expedite processing of this rental.

There are existing water rights appurtenant to the rental POU. And the applicant is aware that a transfer acting on those rights will be the ideal and permanent solution to any long-term water needs.

I created the place-of-use shape based on the applicants map.

Edl, Michele

From: Grimm, Angie
Sent: Tuesday, October 20, 2015 12:42 PM
To: Edl, Michele
Subject: RE: WSB rental for ID Solar 1 error

Michelle,

Historically, we've recommended rental uses within the area only be filled with rights from within the same area since the ground water behaves differently due to recharge from irrigation practices north of the canal vs. non-surface irrigated lands south of the canal. However, in light of our current understanding that ground water within the S Ada County Ground Water Area may not be as limited as initially thought. If ID Solar1 applied for a new permit for this purpose one would likely be granted without monitoring conditions (provided no one protested). The WSB takes the public process/opportunity to protest out of the equation, which may or may not be a concern. The reason for the S Ada County Ground Water area is people in this area have historically protested larger ground water applications towards the center of this area. Considering the rental POD is approximately 1 mile west of the specific land with protested applications and is only for 8 months (not a permanent water right), perhaps it's ok to approve this rental without advertisement or other considerations regarding previously protested water users /uses in the area? I'm not sure if these comments are helpful or hurtful, but I thought I'd share my thoughts/comments and you can decide what you think is the best way to address or not address these considerations. Let me know if you'd like to discuss the issue further.

Thanks,
Angie

From: Edl, Michele
Sent: Monday, October 19, 2015 4:35 PM
To: Grimm, Angie
Subject: RE: WSB rental for ID Solar 1 error

Angie,

The proposed well is an existing well that is apparently very productive. I did locate the well log and its in the file now.

The review memo and rental agreement that I drafted are being reviewed. The reviewers found that I made an error and we all want your additional feedback. I loaded the wrong layer for the ground water area of concern. Because of that, I read that both the rental and the lease wells were out of that area. That's not correct. The lease PODs are outside but the rental POD is inside.

Thanks to Clay, I have an improved map to share with you. It is attached.

The WSB is charging ID Solar1 for the full volume ~150.8 AF associated with the 0.67 cfs they want. They only need ~45 AF and they will only need water for 8 month. And because of these two points, I was not required to go through the full blown change in nature of use calculations.

When you get a minute, please let us know if this is a deal breaker. Let me know if you need any more information about this project. I'll see that you get it. I sincerely apologize for my mistake.

Michele

From: Grimm, Angie
Sent: Wednesday, October 14, 2015 12:26 PM
To: Edl, Michele
Subject: RE: WSB rental for ID Solar 1

Michele,

Interesting proposal. That seems like a lot of water for dust abatement, but needing the rate to fill the trucks quickly makes sense. Only question that immediately comes to mind is more of a general issue regarding WSB rentals... Is the rental POD an existing well? It's my understanding it's not the Department's policy to issue drilling permits for temporary water right authorizations (temp permits or WSB rentals).

Other than that, this proposal is in an area where significant ground water development has caused a stir in the past, but being this is a temporary use I don't think there's reason to object from the regional standpoint. Thank you for asking for comments. Good luck with this one!

Regards,
Angie

From: Edl, Michele
Sent: Wednesday, October 14, 2015 11:29 AM
To: Grimm, Angie
Subject: WSB rental for ID Solar 1

Angie,
This is a heads up.

I am working on a rental for dust abatement to accompany construction of a photovoltaic 'farm' outside of Kuna. It is odd enough that it doesn't fit the WSB documents and processing schedule very well. ID Solar 1, LLC wants to begin construction as soon as they close on the sale of the property, which is expected this week, so I am trying to expedite. The project lands are located in Twp 1N Rge 1E sections 10 & 11.

They are asking for 45.37 AF which is why its coming from the WSB and is not a Temp permit. They only want water for eight months. The SOU will be this coming fall-winter 2015 and spring 2016 so the WSB will be charging them for 2 years.

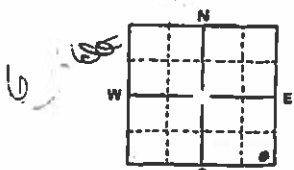
They want a high rate so that they can fill the tank trucks quickly. I haven't found a rental to meet that rate but I have found them a water right otherwise suitable. 63-31470 (you did the field exam) is in the bank and has sufficient volume. The PODs for both the rental and the lease are outside of the area of ground water concern. I don't know if I'll be required to do a full NOU change analysis. WSB hasn't always wanted that in the past for these type of uses.

Have I missed something about water this area that I need to consider?
Michele

ID Solar 1, LLC 2015-2016 rental									
Water Right No.	Rented Vol (AF)	Lessor Fee (90%)	Administrative Fee (10%)	Total Fee @ \$17 (2015-2017)	Rental Amounts		Lessor Fee (90%)	Administrative Fee (10%)	Total Fee @ \$20 (2018-2022)
					Rate	Acres			
63-31479	67.50	\$1,032.75	\$114.75	\$1,147.50	0.30	15.00	\$1,215.00	\$135.00	\$1,350.00
63-31462	83.30	\$1,274.49	\$141.61	\$1,416.10	0.37	18.50	\$1,499.40	\$166.60	\$1,666.00
Total	150.8	\$2,307.24	\$256.36	\$2,563.60	0.67	33.5	\$2,714.40	\$301.60	\$3,016.00
				\$5,127.20					
calculated by Michele Edl									
	vol	rate	ac	rate/ac	vol/ac				
63-31462	94.50	0.42	21.00	0.0200	4.5	expires 2018			
requested	83.25	0.37	18.50	0.0200	4.5				
remaining	11.25	0.05	2.50						

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Carl Nicholson</u> Address <u>Boise, Idaho</u> Owner's Permit No. <u>63-2256</u>	7. WATER LEVEL Static water level <u>185</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature _____ ° F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																																																																																																																
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☒ Pump ☐ Bailor ☐ Other <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Discharge G.P.M.</th><th>Draw Down</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>3200</u></td><td><u>20'</u></td><td><u>8</u></td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>	Discharge G.P.M.	Draw Down	Hours Pumped	<u>3200</u>	<u>20'</u>	<u>8</u>																																																																																																																																																										
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3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock	9. LITHOLOGIC LOG 108051 <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>20</td><td>0</td><td>6</td><td>Sandy soil.</td><td></td><td></td></tr><tr><td></td><td>6</td><td>12</td><td>Sand.</td><td></td><td></td></tr><tr><td></td><td>12</td><td>28</td><td>Clay and sand, some water</td><td></td><td></td></tr><tr><td></td><td>28</td><td>33</td><td>Gray lava rock, clay, sand</td><td></td><td>X</td></tr><tr><td></td><td>33</td><td>37</td><td>Gray lava.</td><td></td><td></td></tr><tr><td></td><td>37</td><td>52</td><td>Clay and sand</td><td></td><td></td></tr><tr><td></td><td>52</td><td>68</td><td>Gray lava.</td><td></td><td></td></tr><tr><td></td><td>68</td><td>70</td><td>lost cuttings.</td><td></td><td></td></tr><tr><td></td><td>70</td><td>92</td><td>Gray lava.</td><td></td><td></td></tr><tr><td></td><td>92</td><td>97</td><td>Brown lava.</td><td></td><td></td></tr><tr><td></td><td>97</td><td>116</td><td>Gray lava.</td><td></td><td></td></tr><tr><td></td><td>116</td><td>130</td><td>Brown lava.</td><td></td><td></td></tr><tr><td></td><td>130</td><td>148</td><td>Gray lava.</td><td></td><td></td></tr><tr><td></td><td>148</td><td>152</td><td>Dark red lava.</td><td></td><td></td></tr><tr><td></td><td>152</td><td>183</td><td>Gray lava. (183)</td><td>X</td><td></td></tr><tr><td></td><td>183</td><td>195</td><td>Brown lava.</td><td></td><td></td></tr><tr><td></td><td>195</td><td>276</td><td>Gray lava.</td><td></td><td></td></tr><tr><td></td><td>276</td><td>298</td><td>Clay, sand, some small rocks</td><td></td><td></td></tr><tr><td></td><td>298</td><td>338</td><td>Clay, sand and gravel.</td><td></td><td></td></tr><tr><td></td><td>338</td><td>341</td><td>Yellow clay and sand.</td><td></td><td></td></tr><tr><td></td><td>341</td><td>350</td><td>Sand and clay, some small rocks.</td><td></td><td></td></tr><tr><td></td><td>350</td><td>373</td><td>Sand and gravel</td><td></td><td></td></tr><tr><td></td><td>373</td><td>390</td><td>Yellow clay and sand.</td><td></td><td></td></tr><tr><td></td><td>390</td><td>400</td><td>Sand and clay.</td><td></td><td></td></tr><tr><td></td><td>400</td><td>402</td><td>River rock, sand and gravel finished into hole. Filled to 305.</td><td></td><td></td></tr></tbody></table>	Hole Diam.	Depth		Material	Water		From	To	Yes	No	20	0	6	Sandy soil.				6	12	Sand.				12	28	Clay and sand, some water				28	33	Gray lava rock, clay, sand		X		33	37	Gray lava.				37	52	Clay and sand				52	68	Gray lava.				68	70	lost cuttings.				70	92	Gray lava.				92	97	Brown lava.				97	116	Gray lava.				116	130	Brown lava.				130	148	Gray lava.				148	152	Dark red lava.				152	183	Gray lava. (183)	X			183	195	Brown lava.				195	276	Gray lava.				276	298	Clay, sand, some small rocks				298	338	Clay, sand and gravel.				338	341	Yellow clay and sand.				341	350	Sand and clay, some small rocks.				350	373	Sand and gravel				373	390	Yellow clay and sand.				390	400	Sand and clay.				400	402	River rock, sand and gravel finished into hole. Filled to 305.		
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	116	130	Brown lava.																																																																																																																																																														
	130	148	Gray lava.																																																																																																																																																														
	148	152	Dark red lava.																																																																																																																																																														
	152	183	Gray lava. (183)	X																																																																																																																																																													
	183	195	Brown lava.																																																																																																																																																														
	195	276	Gray lava.																																																																																																																																																														
	276	298	Clay, sand, some small rocks																																																																																																																																																														
	298	338	Clay, sand and gravel.																																																																																																																																																														
	338	341	Yellow clay and sand.																																																																																																																																																														
	341	350	Sand and clay, some small rocks.																																																																																																																																																														
	350	373	Sand and gravel																																																																																																																																																														
	373	390	Yellow clay and sand.																																																																																																																																																														
	390	400	Sand and clay.																																																																																																																																																														
	400	402	River rock, sand and gravel finished into hole. Filled to 305.																																																																																																																																																														
4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other	10. Work started <u>Mar. 20/73</u> finished <u>Apr. 30/73</u>																																																																																																																																																																
5. WELL CONSTRUCTION Diameter of hole <u>20</u> inches Total depth <u>402</u> feet Casing schedule: ☒ Steel ☐ Concrete <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>2#0</u> inches</td><td><u>20</u> inches</td><td><u>+1</u> feet</td><td><u>34</u> feet</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table> Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal? ☒ Yes ☐ No To what depth <u>34</u> feet Material used in seal ☐ Cement grout ☒ Pudding clay & Bentonite	Thickness	Diameter	From	To	<u>2#0</u> inches	<u>20</u> inches	<u>+1</u> feet	<u>34</u> feet																	Number	From	To																																																																																																																																						
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Number	From	To																																																																																																																																																															
6. LOCATION OF WELL Sketch map location must agree with written location.  County <u>Ada</u> <u>SE 1/4 SE 1/4 Sec. 10 T. 1 N. R. 1 E/W</u>	11. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. Richard Johnson Driller C. L. Hiddleston & Son 35 Number Mountain Home, Idaho Address <u>Mountain Home, Idaho</u> Signed By <u>Richard Johnson</u> Date <u>7/5/73</u>																																																																																																																																																																

Edl, Michele

From: Michael Chestone [michael.chestone@origisenergy.com]
Sent: Thursday, October 15, 2015 10:26 AM
To: Edl, Michele
Subject: RE: State Water Supply Bank rental

Hi Michele-

Many thanks for your work on this. I'd like to proceed with the "Option 2", allowing for the full rate requested.

Thank you!

Michael Chestone

Director of Development

Origis Energy USA
800 Brickell Ave, Suite 1100
Miami, FL 33131
Cell Phone +1 (305)560-7539

michael.chestone@origisenergy.com

www.origisenergy.com

Please note our new address per Oct 1, 2015 : 800 Brickell Ave, Suite 1100, Miami FL 33131

This communication, and any attachment hereto is/are "Confidential". Further, if the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication, or any attachment is strictly prohibited. If you have received this message in error, please notify Michael Chestone immediately by telephone (305-560-7539) and by electronic mail to: michael.chestone@origisenergy.com and then delete this message and all copies and backups thereof.

From: Edl, Michele [<mailto:Michele.Edl@idwr.idaho.gov>]
Sent: Thursday, October 15, 2015 12:20 PM
To: Michael Chestone <michael.chestone@origisenergy.com>
Subject: State Water Supply Bank rental

Mr. Chestone,

I have found ground water sufficient to meet ID Solar 1, LLC's rental request for 2015 and 2016.

The standard rate authorized for irrigation in this area of the is 0.02 cfs per acre and 4.5 af per acre. The rate requested by ID Solar 1 is much higher than the typical rate for irrigation and the large majority of the water rights in the State Water Supply Bank are water rights for irrigation use. There are a couple ways that I can fit the water available to ID Solar 1 water needs. And so I have prepared two options for the rental agreement.

Option 1

This option will provide the full volume that ID Solar 1 requested but the rate will be limited to 0.3 cfs rather than 0.67 cfs. This option will mean the rental of only one water right at a cost of \$1147.50 per year. ID Solar 1 could still make this option work if temporary storage tanks are available to be filled at the slower rate.

Option 2

This option will provide the full rate that ID Solar 1 requested 0.67 cfs. This option would mean the rental of more than one water right and the cost would be \$2524.50 per year.

To reiterate, both options will provide more than 45.4 acre-ft of water, which is the volume of water requested. The difference between them is the rate that the water can be diverted and the cost associated with the increased diversion rate.

At your earliest convenience, please indicate to me which option ID Solar 1, LLC would like to pursue so that I can prepare the rental agreement.

Sincerely,
Michele Edl
287-4946

Edl, Michele

From: Michael Chestone [michael.chestone@origisenergy.com]
Sent: Wednesday, October 14, 2015 11:34 PM
To: Edl, Michele
Cc: Samir Verstyn
Subject: Power of Attorney
Attachments: POA - Water rights ID.PDF

Hi Michele-

You'd be please to know that our permit application with Ada County for our solar project was approved this evening (very exciting!).

Per your request, I've attached the Power of Attorney form that was signed to authorize my submission of the water rental application. Sorry for any confusion that this may have caused and please let me know if there is anything else that I can provide to support this application.

Many thanks,

Michael

Michael Chestone

Director of Development

Origis Energy USA
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Miami, FL 33131
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POWER OF ATTORNEY

ID Solar 1, LLC, a Delaware limited liability company (Grantor or Company),

hereby appoints and authorizes:

- Mr. Michael Chestone a USA national with USA passport No. 440856786 and residing at 79 SW 12th Street, Apt 2005, Miami, Florida, 33130, USA,

as its attorney-in-fact (**Attorney-in-Fact**) to execute and sign submittals related to water rights for ID Solar 1, LLC.

For such purposes, the Attorney-in-Fact is authorized to carry out only those actions that are expressly mention above and the Grantor expressly authorizes the Attorney-in-Fact to do so.

The Grantor hereby agrees to indemnify and hold harmless the Attorney-in-Fact from any and all losses or liabilities incurred or threatened by reason of having acted under this power of attorney except with respect to any loss or liability resulting from willful misconduct or gross negligence and without prejudice to his liability for his performance or non-performance of any other service or mandate.

Dated: October 1st, 2015

This Power of Attorney expires after one year from the date of its execution.

ID Solar 1, LLC

BY: 

Name: Samir Verstyn

Title: Secretary



ISIS PELLON
MY COMMISSION # FF 146273
EXPIRES: July 28, 2018
Bonded Thru Budget Notary Services

Edl, Michele

From: Grimm, Angie
Sent: Wednesday, October 14, 2015 12:26 PM
To: Edl, Michele
Subject: RE: WSB rental for ID Solar 1

Michele,

Interesting proposal. That seems like a lot of water for dust abatement, but needing the rate to fill the trucks quickly makes sense. Only question that immediately comes to mind is more of a general issue regarding WSB rentals... Is the rental POD an existing well? It's my understanding it's not the Department's policy to issue drilling permits for temporary water right authorizations (temp permits or WSB rentals).

Other than that, this proposal is in an area where significant ground water development has caused a stir in the past, but being this is a temporary use I don't think there's reason to object from the regional standpoint. Thank you for asking for comments. Good luck with this one!

Regards,
Angie

From: Edl, Michele
Sent: Wednesday, October 14, 2015 11:29 AM
To: Grimm, Angie
Subject: WSB rental for ID Solar 1

Angie,
This is a heads up.

I am working on a rental for dust abatement to accompany construction of a photovoltaic 'farm' outside of Kuna. It is odd enough that it doesn't fit the WSB documents and processing schedule very well.

ID Solar 1, LLC wants to begin construction as soon as they close on the sale of the property, which is expected this week, so I am trying to expedite. The project lands are located in Twp 1N Rge 1E sections 10 & 11.

They are asking for 45.37 AF which is why its coming from the WSB and is not a Temp permit. They only want water for eight months. The SOU will be this coming fall-winter 2015 and spring 2016 so the WSB will be charging them for 2 years.

They want a high rate so that they can fill the tank trucks quickly. I haven't found a rental to meet that rate but I have found them a water right otherwise suitable. 63-31470 (you did the field exam) is in the bank and has sufficient volume. The PODs for both the rental and the lease are outside of the area of ground water concern.

I don't know if I'll be required to do a full NOU change analysis. WSB hasn't always wanted that in the past for these type of uses.

Have I missed something about water this area that I need to consider?
Michele



IDAHO SECRETARY OF STATE Viewing Business Entity

Lawrence Denney, Secretary of State

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[[Get a certificate of existence for ID SOLAR 1, LLC](#)]
[[Monitor ID SOLAR 1, LLC business filings](#)]

ID SOLAR 1, LLC

1200 BRICKELL AVE STE 1800
MIAMI, FL 33131

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING

State of Origin: DELAWARE

Date of 17 Aug 2015

Origination/Authorization:

Current Registered Agent: CORPORATE CREATIONS NETWORK IN
950 W BANNOCK ST #1100
BOISE, ID 83702

File Number: W155029

Date of Last Annual Report:

Annual Report Due: Aug 2016

Original Filing:

Filed 17 Aug 2015 CERTIFICATE
OF AUTHORITY

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[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@sos.idaho.gov

State of Idaho

Office of the Secretary of State

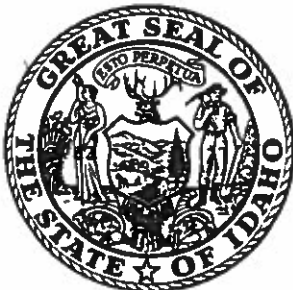
**CERTIFICATE OF REGISTRATION
OF
ID SOLAR 1, LLC**

File Number W 155029

I, LAWERENCE DENNEY, Secretary of State of the State of Idaho, hereby certify that an application for Foreign Registration Statement, duly executed pursuant to the provisions of the Idaho Uniform Business Organization Code, has been received in this office and is found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Registration to transact business in this State and attach hereto a duplicate of the application for such certificate.

Dated: August 17, 2015



Lawrence Denney
SECRETARY OF STATE
By *Beatty*

202



FOREIGN REGISTRATION STATEMENT

Title 30, Chapter 21, Idaho Code

Base Filing fee: \$100.00.

Complete and submit the form in duplicate.

FILED EFFECTIVE

2015 AUG 17 PM 2:24

 SECRETARY OF STATE
 STATE OF IDAHO

- The name of the entity is: ID Solar 1, LLC
- The name which it shall use in Idaho is: _____
(Enter a name here, only if you are required to adopt an alternate name)
- Select the type of entity you wish to register:
☐ Business Corporation ☐ General Partnership
☐ Nonprofit Corporation ☐ General Cooperative Association
☐ Limited Liability Partnership ☐ Limited Partnership (Including a limited liability limited partnership)
☒ Limited Liability Company ☐ Statutory Trust, Business Trust, or Common-law Business Trust
☐ Other: _____
 (Use "Other" only if your foreign entity type is not listed above, and enter the type here.)
- Jurisdiction of formation: Delaware
(Provide the domestic jurisdiction where the entity was formed)
- The address of its principal office is:
1200 Brickell Ave., Ste. 1800, Miami, FL 33131
 (Street Address) (City) (State) (Zipcode)
 (Mailing Address, if different) (City) (State) (Zipcode)
- The address of its domestic principal office (if required by the laws of the jurisdiction of formation) is:
3411 SILVERSIDE RD #104 RODNEY BUILDING, WILMINGTON DE 19810
 (Street Address) (City) (State) (Zipcode)
 (Mailing Address, if different) (City) (State) (Zipcode)
- The mailing address to which correspondence should be addressed, if different from item 5, is:
1200 Brickell Ave., Ste. 1800, Miami, FL 33131
 (Address) (City) (State) (Zipcode)
- Name and street address of registered agent in Idaho:
Corporate Creations Network Inc. 950 W. Bannock Street #1100 Boise ID 83702
 (Name) (Address) (City) (State) (Zipcode)
- The name, capacity, and mailing address of at least one governor:

<u>Guy Vanderhaegen, Manager</u>	<u>1200 Brickell Ave., Ste. 1800 Miami</u>	<u>FL 33131</u>
(Name) (Capacity)	(Address) (City)	(State) (Zipcode)
<u>Samir Verstyn, Manager</u>	<u>1200 Brickell Ave., Ste. 1800 Miami</u>	<u>FL 33131</u>
(Name) (Capacity)	(Address) (City)	(State) (Zipcode)

Typed Name: Lauren Vadney

Signature: _____

Capacity: Special Manager

Rev 8/22/2015

Secretary of State use only

IDAHO SECRETARY OF STATE

08/17/2015 05:00

 CK: PREPAID CT: 221028 BH: 1488326
 1@ 100.00 = 100.00 FOR REG ST #2
 1@ 20.00 = 20.00 EXPEDITE C #3

W155029

Delaware

PAGE 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "ID SOLAR 1, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE SEVENTEENTH DAY OF AUGUST, A.D. 2015.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "ID SOLAR 1, LLC" WAS FORMED ON THE TWELFTH DAY OF JUNE, A.D. 2015.

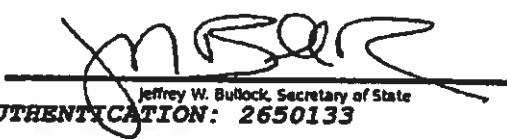
AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.

5766026 8300

151178647

You may verify this certificate online
at corp.delaware.gov/authver.shtml




Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 2650133

DATE: 08-17-15