

RECEIVED

MAR 13 2015

DEPARTMENT OF  
WATER RESOURCES

This is to certify that: **PEP LLC**  
**1356 S 3000 W**  
**ABERDEEN ID 83210**  
**208-709-1645**

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

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

| Water Right | Priority Date | Source | Tributary | Rented Rate | Annual Rented Volume | Acre Limit | Total Rented Acres |
|-------------|---------------|--------|-----------|-------------|----------------------|------------|--------------------|
|-------------|---------------|--------|-----------|-------------|----------------------|------------|--------------------|

|                                    |           |              |    |                 |                 |                |                |
|------------------------------------|-----------|--------------|----|-----------------|-----------------|----------------|----------------|
| <b>29-14106</b>                    | 8/18/1953 | Ground Water | NA | 0.93 cfs        | 186.4 af        | 46.6 ac        | 46.6 ac        |
| <b>29-14107</b>                    | 12/3/1980 | Ground Water | NA | 0.61 cfs        | 121.6 af        | 30.4 ac        | 30.4 ac        |
| <b>Total Annual Combined Limit</b> |           |              |    | <b>0.93 cfs</b> | <b>286.0 af</b> | <b>71.5 ac</b> | <b>71.5 ac</b> |

|          |          |              |    |          |         |    |         |
|----------|----------|--------------|----|----------|---------|----|---------|
| 29-14099 | 5/2/1966 | Ground Water | NA | 1.53 cfs | 280.0af | NA | 80.0 ac |
|----------|----------|--------------|----|----------|---------|----|---------|

|                                    |           |              |    |                 |                 |           |                |
|------------------------------------|-----------|--------------|----|-----------------|-----------------|-----------|----------------|
| <b>43-13595</b>                    | 5/4/1978  | Ground Water | NA | 0.86 cfs        | 208.7 af        | NA        | 52.2 ac        |
| <b>43-13597</b>                    | 5/23/1962 | Ground Water | NA | 0.15 cfs        | 98.0 af         | NA        | 24.5 ac        |
| <b>Total Annual Combined Limit</b> |           |              |    | <b>0.86 cfs</b> | <b>306.7 af</b> | <b>NA</b> | <b>76.7 ac</b> |

|                                      |                 |                 |           |                 |
|--------------------------------------|-----------------|-----------------|-----------|-----------------|
| <b>Annual Combined Rental Totals</b> | <b>3.32 cfs</b> | <b>872.7 af</b> | <b>NA</b> | <b>228.2 ac</b> |
|--------------------------------------|-----------------|-----------------|-----------|-----------------|

**Term of Rental:** January 12, 2015 to December 31, 2015

|                    |                    |
|--------------------|--------------------|
| <b>Rental Fee:</b> | <b>\$14,835.90</b> |
|--------------------|--------------------|

The fee for rental of the above-described water is \$14,835.90 per year. Ten percent (\$1,483.59) will go to the Department for administrative costs, and the remainder will be paid to the lessor(s). No rental fees will be refunded once the fee is collected and the start date for a Rental Agreement has passed.

Detailed water right conditions are attached.

## SUPPORT DATA

IN FILE # 29-14099

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK RENTAL AGREEMENT**

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

PEP LLC by Chris Pratt CHRIS PRATT member 3-9-15  
Signature of Renter Printed Name and Title\* Date

\_\_\_\_\_  
Signature of Renter Printed Name and Title\* Date

\*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By Brian Patton  
BRIAN PATTON, Acting Administrator  
Idaho Water Resource Board

Date March 20, 2015

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

**WATER USE DETAILS**

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

GROUND WATER      SE¼NW¼SE¼      Sec. 27      Twp 04S    Rge 30E      BINGHAM County

**BENEFICIAL USE**

IRRIGATION

**SEASON OF USE**

04/01 TO 10/31

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

| Twp | Rge | Sec | NE |    |    |    | NW |    |      |    | SW  |    |    |    | SE   |      |      |      | Totals |
|-----|-----|-----|----|----|----|----|----|----|------|----|-----|----|----|----|------|------|------|------|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW   | SE | NE  | NW | SW | SE | NE   | NW   | SW   | SE   |        |
| 04S | 30E | 26  |    |    |    |    |    |    | 26.7 |    | 1.5 | 40 |    |    |      |      |      |      | 68.2   |
| 04S | 30E | 27  |    |    |    |    |    |    |      |    |     |    |    |    | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |

Total Acres:    228.2

**CONDITIONS APPLICABLE TO ALL RENTED WATER RIGHTS**

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
5. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
6. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
7. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
8. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
9. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
10. This rental agreement does not authorize the construction of a well.
11. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.

12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
13. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
14. The water use of 43-13595 and 43-13597 under this rental agreement shall not exceed a maximum diversion rate of 0.86 cfs at the field headgate.
15. The water use of 29-14106 and 29-14107 under this rental agreement shall not exceed a maximum diversion rate of 0.93 cfs a total diversion volume of 286.0 af at the field headgate and the irrigation of 71.5 acres.



RECEIVED

FEB 23 2015

DEPARTMENT OF  
WATER RESOURCESSTATE OF IDAHO  
WATER RESOURCE BOARDAPPLICATION TO RENT WATER  
FROM THE WATER SUPPLY BANK

This application must be prepared in accordance with the minimum requirements listed to be acceptable for processing by the Department. Incomplete applications will be returned.

Name of Renter(s) PEP, LLCMailing Address 1356 S., 3000 W. Aberdeen, ID 83210Phone (208) 709-1645Email pepfarms@gmail.com

## A. DESCRIPTION OF WATER SOUGHT FOR RENT

| 1. <u>Maximum Flow Rate (cfs)</u> | <u>Maximum Volume (ac-ft)</u> | <u>Nature of Use</u>                | <u>Period of Use</u>                                       |
|-----------------------------------|-------------------------------|-------------------------------------|------------------------------------------------------------|
| <u>3.31</u>                       | <u>872.8</u>                  | <u>Irrigation (Portion Modeled)</u> | <u>04/01</u> to <u>10/31</u>                               |
| <u>                    </u>       | <u>                    </u>   | <u>                    </u>         | <u>                    </u> to <u>                    </u> |
| <u>                    </u>       | <u>                    </u>   | <u>                    </u>         | <u>                    </u> to <u>                    </u> |
| Total: <u>3.31</u>                | <u>872.8</u>                  |                                     |                                                            |

2. Source of water Ground Water tributary to ESPA Model Cell (77,106)

3. Point(s) of Diversion:

| TWP | RGE | SEC | GOVT LOT | ¼  | ¼  | ¼  | County  |
|-----|-----|-----|----------|----|----|----|---------|
| 04S | 30E | 27  |          | SE | NW | SE | Bingham |
|     |     |     |          |    |    |    |         |
|     |     |     |          |    |    |    |         |
|     |     |     |          |    |    |    |         |

4. Lands to be irrigated or place of use:

| TWP | RGE | SEC | NE |    |    |    | NW |    |      |    | SW  |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|------|----|-----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW   | SE | NE  | NW | SW | SE | NE | NW | SW | SE |        |
| 04S | 30E | 26  |    |    |    |    |    |    | 26.7 |    | 1.5 | 40 |    |    |    |    |    |    | 68.2   |
|     |     | 27  |    |    |    |    |    |    |      |    |     |    |    |    | 40 | 40 | 40 | 40 | 160    |
|     |     |     |    |    |    |    |    |    |      |    |     |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |      |    |     |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |      |    |     |    |    |    |    |    |    |    |        |

If the use is for irrigation, show total number of acres proposed through rental.

Total Acres 228.2

## B. OWNERSHIP

1. Do you own the land at the proposed point of diversion?

Yes ☒ No ☐

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed point of diversion. \_\_\_\_\_

2. Do you own the land at the proposed place of use?

Yes ☒ No ☐

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed place of use. \_\_\_\_\_

## C. MAP

Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described by this application in section A. Include legal description labels.

#### D. GENERAL INFORMATION

1. Please provide a description of the proposed diversion system.  
Existing deep well, electric pump and booster.
2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.  
none
3. Will the proposed place of use receive water from any other source? Yes ☐ No ☒  
If yes, describe.
4. If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of water required. Attach additional sheets if needed. N/A
5. Are there any other applications pending before the Department, such as an application for permit or transfer, for the same use(s) proposed by this rental? Yes ☐ No ☒  
If yes, describe.
6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation? Yes ☐ No ☒  
If yes, describe.

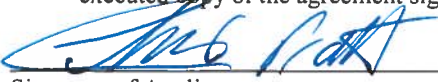
#### E. RENTAL TERM

- Do you wish to rent water from the Board's bank for more than one (1) year? Yes ☒ No ☐  
If yes, please specify the number of years desired through proposed rental. 5 years if available

**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.**

If this application is approved, the applicant agrees to the following:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Renter shall comply with all applicable state and federal laws while using water under this agreement.
3. Renter shall hold the Board, the Director, and the state of Idaho harmless from all liability on account of negligent acts of the renter.
4. 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.
5. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
6. Renter is not authorized to use water proposed by this application until the rental fees are paid in full and the renter receives an executed copy of the agreement signed by the Director.

  
Signature of Applicant

CHRIS PRATT member 2-18-15  
Printed Name and Title\* Date

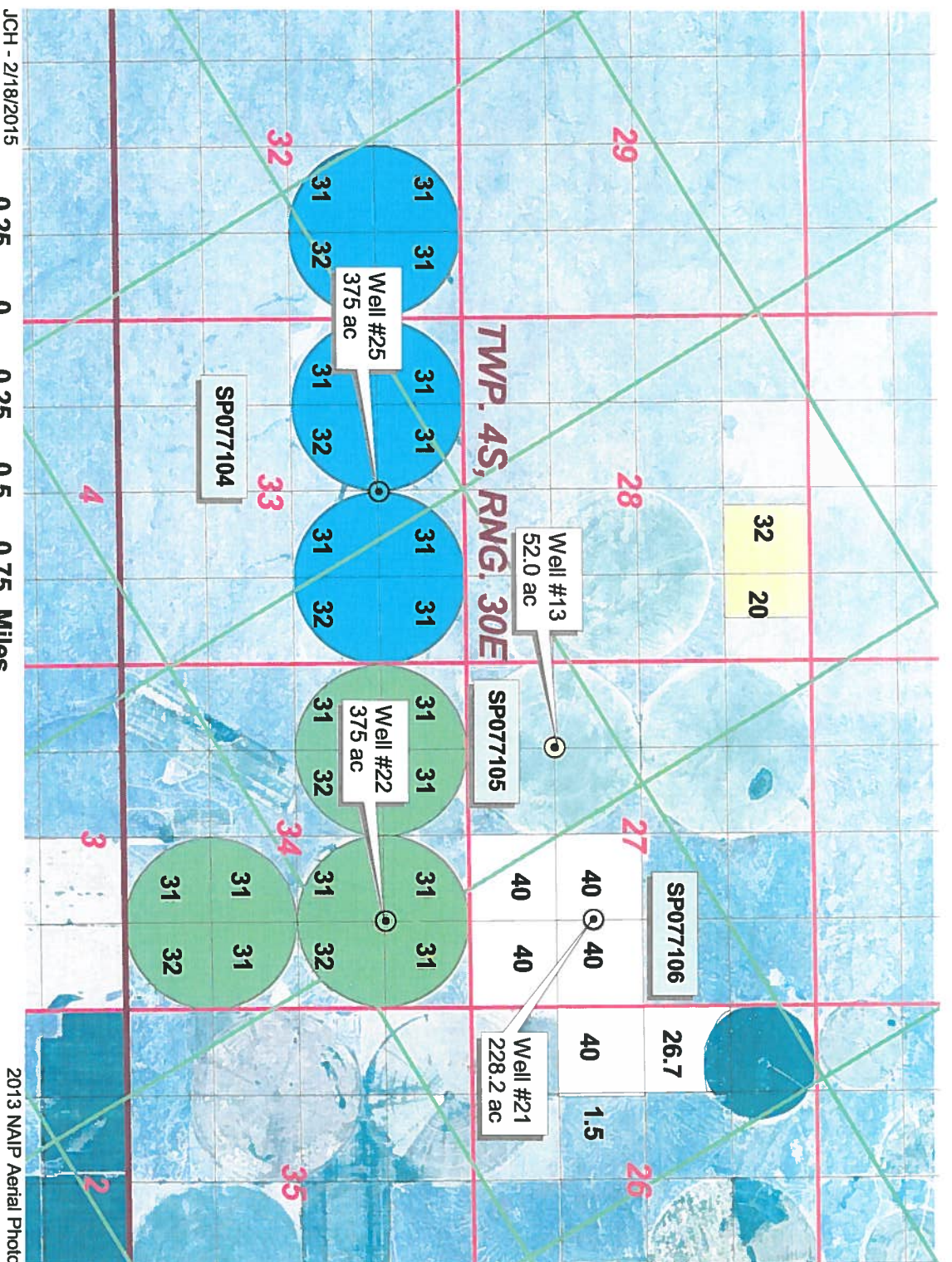
\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Printed Name and Title\*

\_\_\_\_\_  
Date

\*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

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



PEP, LLC Proposed Rental #1

PEP, LLC Proposed Rental #2

PEP, LLC Proposed Rental #3

PEP, LLC Proposed Rental #4

ESPA Model Grid

Township & Range

Sections

40's

PEP, LLC Modeled 2015 Water Supply Bank Rentals

(Updated 2/18/2015)



RECEIVED

JAN 12 2015

Ap #3

STATE OF IDAHO  
WATER RESOURCE BOARDAPPLICATION TO RENT WATER  
FROM THE WATER SUPPLY BANK

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Name of Renter(s) PEP, LLCMailing Address 1356 S., 3000 W. Aberdeen, ID 83210Phone (208) 709-1645Email pepfarms@gmail.com

## A. DESCRIPTION OF WATER SOUGHT FOR RENT

| 1. <u>Maximum Flow Rate (cfs)</u> | <u>Maximum Volume (ac-ft)</u> | <u>Nature of Use</u> | <u>Period of Use</u>         |
|-----------------------------------|-------------------------------|----------------------|------------------------------|
| <u>6.20</u>                       | <u>1240.0</u>                 | <u>Irrigation</u>    | <u>04/01</u> to <u>10/31</u> |
| _____                             | _____                         | _____                | _____ to _____               |
| _____                             | _____                         | _____                | _____ to _____               |
| Total: <u>6.20</u>                | <u>1240.0</u>                 |                      |                              |

2. Source of water Ground Water tributary to ESPA Model Cell (77,106)

3. Point(s) of Diversion:

| TWP | RGE | SEC | GOVT LOT | ¼  | ¼  | ¼  | County  |
|-----|-----|-----|----------|----|----|----|---------|
| 04S | 30E | 27  |          | SE | NW | SE | Bingham |
|     |     |     |          |    |    |    |         |
|     |     |     |          |    |    |    |         |
|     |     |     |          |    |    |    |         |
|     |     |     |          |    |    |    |         |

4. Lands to be irrigated or place of use:

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 04S | 30E | 26  |    |    |    |    |    |    |    |    | 30 | 40 | 40 |    |    |    |    |    | 110    |
|     |     | 27  |    | 40 |    |    |    |    |    |    |    |    |    |    | 40 | 40 | 40 | 40 | 200    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

If the use is for irrigation, show total number of acres proposed through rental.

Total Acres 310

## B. OWNERSHIP

1. Do you own the land at the proposed point of diversion?

Yes ☒ No ☐

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed point of diversion. \_\_\_\_\_

2. Do you own the land at the proposed place of use?

Yes ☒ No ☐

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed place of use. \_\_\_\_\_

## C. MAP

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none
3. Will the proposed place of use receive water from any other source? Yes ☐ No ☒  
If yes, describe. \_\_\_\_\_
4. If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of water required. Attach additional sheets if needed. N/A
5. Are there any other applications pending before the Department, such as an application for permit or transfer, for the same use(s) proposed by this rental? Yes ☒ No ☒  
If yes, describe. USM Modification Plan (2012-1-RE?) dated 2-12-13
6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation? Yes ☐ No ☒  
If yes, describe. \_\_\_\_\_

#### E. RENTAL TERM

- Do you wish to rent water from the Board's bank for more than one (1) year? Yes ☒ No ☐  
If yes, please specify the number of years desired through proposed rental. 5 years if available

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6. Renter is not authorized to use water proposed by this application until the rental fees are paid in full and the renter receives an executed copy of the agreement signed by the Director.

[Signature]  
Signature of Applicant

CHRIS PRATT  
Printed Name and Title\*

1-8-15  
Date

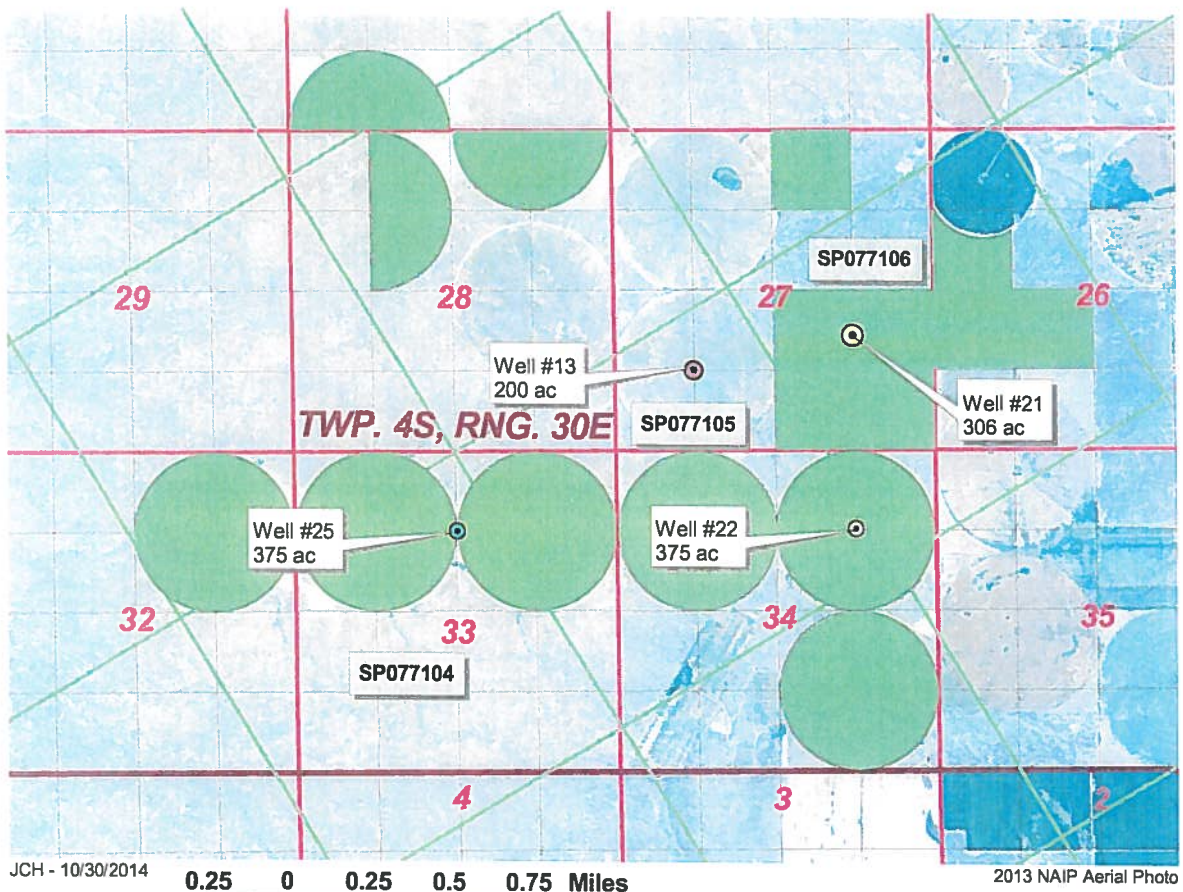
\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Printed Name and Title\*

\_\_\_\_\_  
Date

\*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

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



ESPA Model Grid  
 PEP, LLC Proposed Rental Irrigation Area  
 Township & Range  
 Sections  
 40's

PEP, LLC Proposed 2015 Water Supply Bank Rental



| Rental Location        | Water Right                                  | Owner                 | Priority   | Extg. POD  | Extg. ESPA Model Cell | Proposed Rental Diversion Rate [cfs] | Proposed Rental Diversion Volume [afa] | Proposed Rental Place of Use [ac] | Model Tab     |
|------------------------|----------------------------------------------|-----------------------|------------|------------|-----------------------|--------------------------------------|----------------------------------------|-----------------------------------|---------------|
| Well #25               | 29-2395                                      | Hart                  | 2/28/1958  | 6S,34E-1   | SP097124              | 1.26                                 | 520.0                                  | 130.0                             | 29-2395_etal  |
| Well #25               | 29-14013                                     | City of Chubbuck      | 8/19/1952  | 6S,34E-3   | SP096122              | 2.25                                 | 651.2                                  | 162.8                             | 29-14013_etal |
| Well #25               | 35-8001A                                     | Mc Kinley             | 10/26/1981 | 2N,36E-13  | SP068155              | 0.10                                 | 20.0                                   | 5.0                               | 29-14013_etal |
| Well #25               | 43-13595                                     | Ward Land & Livestock | 5/4/1978   | 10S,26E-2  | SP091069              | 0.86                                 | 208.7                                  | 52.2                              | 29-2395_etal  |
| Well #25               | 43-13597                                     | Ward Land & Livestock | 5/23/1962  | 10S,26E-2  | SP091069              | 0.15                                 | 100.1                                  | 25.0                              | 29-2395_etal  |
| Well #25               | 43-13595, 43-13597 Combined limits           |                       |            |            |                       | 0.86                                 | 308.8                                  | 77.2                              | 29-2395_etal  |
| <b>Rental #1 Total</b> |                                              |                       |            |            |                       | <b>4.47</b>                          | <b>1500.0</b>                          | <b>375.0</b>                      |               |
| Well #22               | 29-13827                                     | Juniper Hills         | 1/29/1960  | 7S,35E-17  | SP102121              | 0.30                                 | 52.5                                   | 15.0                              | 29-14099_etal |
| Well #22               | 29-14054                                     | City of Chubbuck      | 12/31/1974 | 6S,34E-3   | SP096122              | 0.96                                 | 322.0                                  | 80.5                              | 29-14012_etal |
| Well #22               | 29-14055                                     | City of Chubbuck      | 6/20/1961  | 6S,34E-3   | SP096122              | 0.09                                 | 17.3                                   | 4.3                               | 29-14012_etal |
| Well #22               | 29-14056                                     | City of Chubbuck      | 10/26/1966 | 6S,34E-3   | SP096122              | 0.06                                 | 12.3                                   | 3.1                               | 29-14012_etal |
| Well #22               | 29-14054, 29-14055, 29-14056 Combined limits |                       |            |            |                       | 0.96                                 | 351.6                                  | 87.9                              | 29-14012_etal |
| Well #22               | 29-14012                                     | City of Chubbuck      | 8/19/1952  | 6S,34E-3   | SP096122              | 1.83                                 | 488.8                                  | 122.2                             | 29-14012_etal |
| Well #22               | 29-14016                                     | City of Chubbuck      | 1/17/1966  | 6S,34E-3   | SP096122              | 1.76                                 | 449.2                                  | 127.4                             | 29-14012_etal |
| Well #22               | 45-2746                                      | J R Simplot Co        | 5/9/1966   | 10S,23E-19 | SP084050              | 0.21                                 | 84.0                                   | 22.5                              | 29-14012_etal |
| <b>Rental #2 Total</b> |                                              |                       |            |            |                       | <b>5.06</b>                          | <b>1426.1</b>                          | <b>375.0</b>                      |               |
| Well #21               | 29-14106                                     | City of Chubbuck      | 8/18/1953  | 6S,34E-3   | SP096122              | 0.93                                 | 186.4                                  | 46.6                              | 29-14106_etal |
| Well #21               | 29-14107                                     | City of Chubbuck      | 12/3/1980  | 6S,34E-3   | SP096122              | 0.61                                 | 121.6                                  | 30.4                              | 29-14106_etal |
| Well #21               | 29-14106, 29-14107 Combined limits           |                       |            |            |                       | 0.93                                 | 286.0                                  | 71.5                              | 29-14106_etal |
| Well #21               | 29-14099                                     | City of Chubbuck      | 5/2/1966   | 6S,34E-3   | SP096122              | 1.53                                 | 280.0                                  | 80.0                              | 29-14106_etal |
| Well #21               | 43-13595                                     | Ward Land & Livestock | 5/4/1978   | 10S,26E-2  | SP091069              | 0.89                                 | 216.2                                  | 54.1                              | 29-14106_etal |
| Well #21               | 43-13597                                     | Ward Land & Livestock | 5/23/1962  | 10S,26E-2  | SP091069              | 0.16                                 | 103.8                                  | 25.9                              | 29-14106_etal |
| Well #21               | 43-13595, 43-13597 Combined limits           |                       |            |            |                       | 0.89                                 | 320.0                                  | 80.0                              | 29-14106_etal |
| <b>Rental #3 Total</b> |                                              |                       |            |            |                       | <b>3.35</b>                          | <b>886.0</b>                           | <b>231.5</b>                      |               |
| Well #13               | 29-14099                                     | City of Chubbuck      | 5/2/1966   | 6S,34E-3   | SP096122              | 0.99                                 | 182.0                                  | 52.0                              | 29-14099_etal |
| Well #13               | 43-13595                                     | Ward Land & Livestock | 5/4/1978   | 10S,26E-2  | SP091069              | 0.49                                 | 118.4                                  | 29.6                              | 29-14099_etal |
| Well #13               | 43-13597                                     | Ward Land & Livestock | 5/23/1962  | 10S,26E-2  | SP091069              | 0.09                                 | 56.8                                   | 14.2                              | 29-14099_etal |
| Well #13               | 43-13595, 43-13597 Combined limits           |                       |            |            |                       | 0.49                                 | 175.2                                  | 43.8                              | 29-14099_etal |
| <b>Rental #4 Total</b> |                                              |                       |            |            |                       | <b>1.48</b>                          | <b>357.2</b>                           | <b>95.8</b>                       |               |

**GRAND TOTAL**

**14.37 4169.3 1077.3**

Modeled Results From ESPA Transfer Spreadsheet 29-2395\_etal

Enter First Time Step of Transfer SPR 2012

Match: 192 Match: 456

|                                                             | AIR   | HIS   | SNB   | NBN    | NIM   | DWB   | BTS   | TS    | TSIM | M     | MB   | Total  |
|-------------------------------------------------------------|-------|-------|-------|--------|-------|-------|-------|-------|------|-------|------|--------|
| Preexisting Effects @ SS (Last Time Step)                   | 4.43  | 5.29  | 48.62 | 143.41 | 47.11 | 14.20 | 5.43  | 3.44  | 0.38 | 3.24  | 0.12 | 275.67 |
| Steady State - Value of Dep. @ Last Time Step               | 4.42  | 5.28  | 48.56 | 143.22 | 47.04 | 14.08 | 5.38  | 3.41  | 0.37 | 3.22  | 0.12 | 275.11 |
| Preexisting Effects @ Transient State (Max Value Time Step) | 4.43  | 5.29  | 48.62 | 143.41 | 47.11 | 14.20 | 5.43  | 3.44  | 0.38 | 3.24  | 0.12 | 275.67 |
| Transient State - Max. Value of Dep. After Transfer         | 4.42  | 5.28  | 48.56 | 145.40 | 47.04 | 14.08 | 5.38  | 3.41  | 0.37 | 3.22  | 0.12 | 277.29 |
| Steady State Change:                                        | -0.01 | -0.01 | -0.06 | -0.19  | -0.07 | -0.12 | -0.04 | -0.03 | 0.00 | -0.02 | 0.00 |        |
| Transient State Change:                                     | -0.01 | -0.01 | -0.06 | 1.99   | -0.07 | -0.12 | -0.04 | -0.03 | 0.00 | -0.02 | 0.00 |        |

Steady State Change: -0.01 -0.01 -0.06 -0.19 -0.07 -0.12 -0.04 -0.03 0.00 -0.02 0.00

Modeled Results From ESPA Transfer Spreadsheet 29-14013\_etal

Enter First Time Step of Transfer SPR 2012

Match: 192 Match: 456

|                                                             | AIR  | HIS  | SNB   | NBN    | NIM  | DWB  | BTS  | TS   | TSIM | M    | MB   | Total  |
|-------------------------------------------------------------|------|------|-------|--------|------|------|------|------|------|------|------|--------|
| Preexisting Effects @ SS (Last Time Step)                   | 4.91 | 6.01 | 51.72 | 152.54 | 3.08 | 2.83 | 1.09 | 0.69 | 0.08 | 0.66 | 0.03 | 223.64 |
| Steady State - Value of Dep. @ Last Time Step               | 4.91 | 6.01 | 51.72 | 152.53 | 3.08 | 2.83 | 1.09 | 0.69 | 0.08 | 0.66 | 0.03 | 223.62 |
| Preexisting Effects @ Transient State (Max Value Time Step) | 4.91 | 6.01 | 51.72 | 152.54 | 3.08 | 2.83 | 1.09 | 0.69 | 0.08 | 0.66 | 0.03 | 223.64 |
| Transient State - Max. Value of Dep. After Transfer         | 4.91 | 6.01 | 51.72 | 152.53 | 3.08 | 2.83 | 1.09 | 0.69 | 0.08 | 0.66 | 0.03 | 223.62 |
| Steady State Change:                                        | 0.00 | 0.00 | 0.00  | 0.00   | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |        |
| Transient State Change:                                     | 0.00 | 0.00 | 0.00  | 0.00   | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |        |

Steady State Change: 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00

Modeled Results From ESPA Transfer Spreadsheet 29-14012\_etal

Enter First Time Step of Transfer SPR 2012

Match: 192 Match: 456

|                                                             | AIR   | HIS   | SNB    | NBN    | NIM   | DWB   | BTS   | TS    | TSIM | M     | MB   | Total  |
|-------------------------------------------------------------|-------|-------|--------|--------|-------|-------|-------|-------|------|-------|------|--------|
| Preexisting Effects @ SS (Last Time Step)                   | 9.09  | 10.91 | 100.40 | 305.24 | 9.84  | 11.66 | 4.30  | 2.71  | 0.30 | 2.51  | 0.10 | 457.06 |
| Steady State - Value of Dep. @ Last Time Step               | 9.08  | 10.90 | 100.35 | 305.07 | 9.78  | 11.54 | 4.26  | 2.69  | 0.29 | 2.49  | 0.09 | 456.55 |
| Preexisting Effects @ Transient State (Max Value Time Step) | 9.09  | 10.91 | 100.40 | 305.24 | 9.84  | 11.66 | 4.30  | 2.71  | 0.30 | 2.51  | 0.10 | 457.06 |
| Transient State - Max. Value of Dep. After Transfer         | 9.08  | 10.90 | 100.35 | 305.07 | 9.78  | 11.54 | 4.26  | 2.69  | 0.29 | 2.49  | 0.09 | 456.55 |
| Steady State Change:                                        | -0.01 | -0.01 | -0.05  | -0.17  | -0.07 | -0.11 | -0.04 | -0.03 | 0.00 | -0.02 | 0.00 |        |
| Transient State Change:                                     | -0.01 | -0.01 | -0.05  | -0.17  | -0.07 | -0.11 | -0.04 | -0.03 | 0.00 | -0.02 | 0.00 |        |

Steady State Change: -0.01 -0.01 -0.05 -0.17 -0.07 -0.11 -0.04 -0.03 0.00 -0.02 0.00

Modeled Results From ESPA Transfer Spreadsheet 29-14106\_etal

Enter First Time Step of Transfer SPR 2012

Match: 178 Match: 456

|                                                             | AIR   | HIS   | SNB   | NBN    | NIM   | DWB   | BTS   | TS    | TSIM | M     | MB   | Total  |
|-------------------------------------------------------------|-------|-------|-------|--------|-------|-------|-------|-------|------|-------|------|--------|
| Preexisting Effects @ SS (Last Time Step)                   | 4.72  | 5.63  | 50.42 | 155.95 | 48.98 | 14.06 | 5.68  | 3.60  | 0.39 | 3.37  | 0.13 | 294.76 |
| Steady State - Value of Dep. @ Last Time Step               | 4.71  | 5.62  | 50.37 | 155.78 | 48.91 | 14.75 | 5.64  | 3.57  | 0.39 | 3.37  | 0.13 | 294.25 |
| Preexisting Effects @ Transient State (Max Value Time Step) | 4.72  | 5.63  | 50.42 | 155.95 | 48.98 | 14.06 | 5.68  | 3.60  | 0.39 | 3.39  | 0.13 | 294.76 |
| Transient State - Max. Value of Dep. After Transfer         | 4.71  | 5.62  | 50.37 | 155.84 | 48.91 | 14.75 | 5.64  | 3.57  | 0.39 | 3.37  | 0.13 | 307.31 |
| Steady State Change:                                        | -0.01 | -0.01 | -0.05 | -0.17  | -0.06 | -0.11 | -0.04 | -0.02 | 0.00 | -0.02 | 0.00 |        |
| Transient State Change:                                     | -0.01 | -0.01 | -0.05 | 12.89  | -0.06 | -0.11 | -0.04 | -0.02 | 0.00 | -0.02 | 0.00 |        |

Steady State Change: -0.01 -0.01 -0.05 -0.17 -0.06 -0.11 -0.04 -0.02 0.00 -0.02 0.00



RECEIVED  
NOV 02 2014  
DEPT OF WATER RESOURCES

STATE OF IDAHO  
WATER RESOURCE BOARD

APPLICATION TO RENT WATER  
FROM THE WATER SUPPLY BANK

This application must be prepared in accordance with the minimum requirements listed to be acceptable for processing by the Department. Incomplete applications will be returned.

Name of Renter(s) PEP, LLC

Mailing Address 1356 S., 3000 W. Aberdeen, ID 83210

Phone (208) 709-1645

Email pepfarms@gmail.com

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. Maximum Flow Rate (cfs) 6.12 Maximum Volume (ac-ft) 1224.0 Nature of Use Irrigation Period of Use 04/01 to 10/31

Total: 6.12

1224.0

2. Source of water Ground Water tributary to ESPA Model Cell (77,106)

3. Point(s) of Diversion:

| TWP | RGE | SEC | GOVT LOT | ¼  | ¼  | ¼  | County  |
|-----|-----|-----|----------|----|----|----|---------|
| 04S | 30E | 27  |          | SE | NW | SE | Bingham |
|     |     |     |          |    |    |    |         |
|     |     |     |          |    |    |    |         |
|     |     |     |          |    |    |    |         |

4. Lands to be irrigated or place of use:

| TWP | RGE | SEC | NE |    |    |    |    |  | W | SE | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|--|---|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE |  |   |    | NE | NW | SW | SE |        |
| 04S | 30E | 26  |    |    |    |    |    |  |   |    |    |    |    |    | 106    |
|     |     | 27  |    | 40 |    |    |    |  |   |    | 40 | 40 | 40 | 40 | 200    |
|     |     |     |    |    |    |    |    |  |   |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |  |   |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |  |   |    |    |    |    |    |        |

If the use is for irrigation, show total number of acres proposed through rental.

Total Acres 306

B. OWNERSHIP

1. Do you own the land at the proposed point of diversion?

Yes ☒ No ☐

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed point of diversion. \_\_\_\_\_

2. Do you own the land at the proposed place of use?

Yes ☒ No ☐

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed place of use. \_\_\_\_\_

C. MAP

Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described by this application in section A. Include legal description labels.

#### D. GENERAL INFORMATION

1. Please provide a description of the proposed diversion system.  
Existing deep well, electric pump and booster.
2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.  
none
3. Will the proposed place of use receive water from any other source? Yes ☐ No ☒  
If yes, describe. \_\_\_\_\_
4. If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of water required. Attach additional sheets if needed. N/A
5. Are there any other applications pending before the Department, such as an application for permit or transfer, for the same use(s) proposed by this rental? Yes ☒ No ☐  
If yes, describe. USMS mitigation plan (2012-1 SEP date 7<sup>th</sup> February 2013 along with an application for permit
6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation? Yes ☐ No ☒  
If yes, describe. \_\_\_\_\_

#### E. RENTAL TERM

- Do you wish to rent water from the Board's bank for more than one (1) year? Yes ☒ No ☐  
If yes, please specify the number of years desired through proposed rental. 5 years if available

**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.**

If this application is approved, the applicant agrees to the following:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Renter shall comply with all applicable state and federal laws while using water under this agreement.
3. Renter shall hold the Board, the Director, and the state of Idaho harmless from all liability on account of negligent acts of the renter.
4. 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.
5. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
6. Renter is not authorized to use water proposed by this application until the rental fees are paid in full and the renter receives an executed copy of the agreement signed by the Director.

PER LLC by [Signature]  
Signature of Applicant

CHRIS PRATT Member  
Printed Name and Title\*

11-1-2014  
Date

Signature of Applicant

Printed Name and Title\*

Date

\*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

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



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 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

March 20, 2015

PEP LLC  
1356 S 3000 W  
ABERDEEN ID 83210

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NOS. 29-2395, 29-14013, 35-8001A, 43-13595, 43-13597, 29-13827, 29-14054, 29-14055, 29-14056, 29-14080, 29-14081, 29-14082, 29-14012, 29-14016, 45-2746, 29-14106, 29-14107, 29-14099, 43-13595, 43-13597 AND 29-14099

Dear Renter:

Please find enclosed a receipt in the amount of \$67,673.60 and a copy of four fully executed Water Supply Bank Rental Agreements in connection with the rental of 3,980.8 acre-feet of water for irrigation of 1,030.2 acres during 2015. Upon receipt of these fully executed agreements, 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 \$60,906.24 of the rental fee will be paid to the lessor(s) and 10% or \$6,767.36 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4944.

Sincerely,

*for*   
Cherie Palmer  
Water Rights Supervisor

Enclosure(s): Receipt No.C100078  
Rental Agreement (copy)

c: Sascha Marston – Fiscal  
Allen Merritt – IDWR Southern Regional Manager  
Watermaster James Cefalo – State Water District No. 120  
Jason Helms - JCH Engineering



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 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN

Director

March 20, 2015

C.L. "BUTCH" OTTER

Governor

CARL L PHILLIPS  
2884 W 1400 S  
ABERDEEN ID 83210

BART WRIDE  
3166 W 1300 S  
ABERDEEN ID 83210

RE: Approval of Water Supply Bank Rental for PEP Farms Partnership

Dear Mr. Phillips:

On January 6, 2014, the Department of Water Resources (Department) received your letter that outlined concerns with water use in connection with a Water Supply Bank (Bank) rental for PEP Farms Partnership (applicant).

The Department is sending you this letter to give you notice the applicant is proposing to irrigate 1,030.2 acres for 2015 using the Bank's rental water.

For their 2015 rental application, the Department required the applicant evaluate the concerns of potential impact to nearby water users that you put forth in your letter. The applicant responded by evaluating ground water interconnectivity, local well data, and water table impacts as a result of their water use. I have enclosed the applicant's report for your reference.

The Department evaluated the report and finds that injury concerns have been properly addressed and the rental can move forward in 2015. I have enclosed a report that summarizes the Department's findings of the report for your reference.

On March 20, 2015, the Department issued the rental agreement. If you are not satisfied with the Department's decision you may request a hearing pursuant to Idaho Code §42-1701A(3) that says:

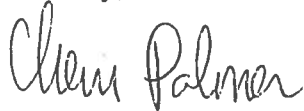
... any person aggrieved by any action of the director, including any decision, determination, order or other action,...who is aggrieved by the action of the director, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the director to contest the action. The person shall file with the director, within fifteen (15) days after receipt of written notice of the action issued by the director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the director and requesting a hearing. The director shall give such notice of the petition as is necessary to provide other affected persons an opportunity to participate in the proceeding. The hearing shall be held and conducted in accordance with the provisions of subsections (1) and (2) of this section...

Page 2  
March 20, 2015

Please note that pursuant to Idaho Code §42-1701A(3) you must file your written petition within 15 days after receiving this notice.

You may contact me at (208) 287-4944 if you have any questions regarding this matter.

Sincerely,



Cherie Palmer  
Water Right Supervisor  
Water Allocation Bureau

Enclosures:  
Department Evaluation  
JCH Engineering & Consulting PLLC Report  
Rental Agreements (4)

c: Brian Inskeep -- 3089 W 1300 S, Aberdeen id 83210 w/o encl.  
James Cefalo -- Watermaster  
Lyle Swank -- IDWR Eastern Region  
Jason Helms -- JCH Engineering w/o encl.



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 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

March 6, 2015

PEP LLC  
1356 S 3000 W  
ABERDEEN ID 83210

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO(S). 29-2395, 29-13827, 29-14012, 29-14013, 29-14016, 29-14054, 29-14055, 29-14056, 29-14080, 29-14081, 29-14082, 29-14099, 29-14106, 29-14107, 35-8001A, 43-13595, 43-13597 and 45-2746**

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

Dear Applicant:

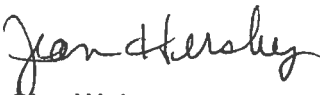
The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed four(4) Water Supply Bank Rental Agreements for your review and signature.** Upon signature and return of the original agreements, together with the rental fee described below, the Department will also sign the original agreements and return executed copies to you. Execution of the agreements and compliance with the conditions of approval authorize diversion and use of water as provided in the agreements.

A rental fee of \$67,673.60 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 3980.8 acre-feet. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

**Please send a check for \$67,673.60** made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. Pursuant to the Water Supply Bank Rules, 90% or \$60,906.24 of the rental fee will be paid to the lessor(s) and 10% or \$6767.36 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4910.

Sincerely,

  
for Clay Webster  
Water Resource Agent  
WSB Process Point of Contact

Enclosure(s)

c: IDWR Front Desk  
Jason Helms-JCH Engineering and Consulting

# MEMO

## State of Idaho

### Department of Water Resources

322 E Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700

---

**Date:** March 3, 2015

**To:** Water rights file

**cc:** Michele Edl, Senior Water Resource Agent Cherie Palmer, Water Rights Supervisor; Remington Buyer, Water Supply Bank coordinator; Sean Vincent, Hydrology Section Manager

**From:** Mike McVay, Technical Hydrogeologist

**Subject:** PEP, LLC water-level impacts due to 2015 Water Supply Bank rental

---

### Introduction

A report assessing potential water-level impacts due to a water supply bank rental in the name of PEP, LLC was submitted to IDWR by JCH Engineers. The report includes an analysis of drawdown at nearby groundwater PODs (including residual impacts in 2016 from 2015 diversions), as well a discussion of the aquifer properties used in the analysis.

### Aquifer Properties

The aquifer properties of storage and transmissivity are best estimated via multiple-well aquifer tests, in which one well is pumped and one or more wells are monitored for water-level responses. In lieu of these tests, transmissivity can be estimated using specific-capacity test information that is occasionally listed on driller's reports (storage can only be obtained from multi-well tests). Because storage cannot be estimated from specific-capacity tests, it must be estimated for use in the calculation of transmissivity, which increases the uncertainty in the transmissivity estimate.

Data suitable for estimating the aquifer properties are generally lacking in this area, with only a few specific-capacity pumping tests available. The majority of the driller's reports in the area either do not provide pumping-test results, or provide ambiguous information that is not suitable for transmissivity estimation. This is due in part to the highly transmissive nature of the aquifer, which means that wells tapping the aquifer experience relatively small amounts of drawdown that are difficult for drillers to measure.

JCH Engineers used data from three specific-capacity tests as recorded on driller's reports to estimate aquifer transmissivity. IDWR previously conducted an additional search for aquifer test data in the area, to find only two additional driller's reports with drawdown data reported (Owsley, 2014). Analysis of the two additional tests identified by IDWR resulted in an average transmissivity value of 57,500 ft<sup>2</sup>/day. The submitted report uses a transmissivity of 59,000 ft<sup>2</sup>/day, which is the average estimate for the three aquifer tests reviewed by JCH Engineers. Therefore, it appears the transmissivity value used by JCH Engineers is representative of local conditions.

Using the Enhanced Snake Plain Aquifer Model version 2.1 (ESPAM2.1) for comparison, the average calibrated transmissivity for the 12 model cells surrounding the project area is 2,714,597 ft<sup>2</sup>/day, which is significantly higher than the values calculated using specific-capacity test data. However, ESPAM2.1 is a regional scale model and is not appropriate for use in determining local water-level impacts. Lower transmissivity values result in larger calculated water-level impacts; therefore, the conservative approach to estimating local water-level impacts would be to use the lower transmissivity values derived from specific-capacity test data rather than the values from ESPAM2.1.

The aquifer storage coefficient is another important aquifer property used in the calculation of drawdown. JCH Engineers assumed a storage coefficient of 0.2, which is significantly higher than the ESPAM2.1 average of 0.012 for the 12 model cells surrounding the project area. However, as stated above ESPAM2.1 is a regional model, and is not appropriate for use in assessing local conditions. Furthermore, storage coefficients for the entire ESPAM2.1 model domain range from 0.01 to 0.3, indicating that the assumed value of 0.2 is reasonable.

### **Water-level Impacts**

Using the aquifer properties derived from the ESPA model, IDWR previously used the Theis solution (Theis, 1935) to calculate drawdown for comparison with the drawdown estimates provided by JCH Engineers, and the resulting water-level impacts were an order of magnitude less than those calculated by JCH Engineers (Owsley, 2014). Therefore, the current analysis calculates drawdown at the five PODs nearest the project using only the aquifer properties submitted by JCH Engineers.

Drawdown at each nearby POD has again been estimated using the Theis equation for this analysis. Inputs to the equation include a pumping duration of 213 days (April through October irrigation season) in conjunction with the aquifer properties, well locations, and diversion rates identified by JCH Engineers (Table 1).

Table1. Diversion rates used to calculate drawdown at nearby PODs.

| <b>Well ID</b> | <b>Diversion Rates (acre-ft/season)</b> |       |         |
|----------------|-----------------------------------------|-------|---------|
| Well # 13      | --                                      | --    | 357.2   |
| Well # 21      | --                                      | 8.5   | 886.0   |
| Well # 22      | 775.3                                   | 775.3 | 1,500.0 |
| Well # 25      | 698.0                                   | 698.0 | 1,426.1 |

Using the above inputs, drawdown at the nearest POD (Phillips 35-7460) has been estimated to be approximately 2.92 feet, which is slightly less than the 3.1 feet of drawdown estimated by JCH Engineers. The current IDWR analysis uses an approximate location for Well #25, WMIS point locations for the other three pumping wells, and water-right PODs for the nearby wells. These locations are slightly different than those used by JCH Engineers, which accounts for the difference in estimated drawdown.

JCH Engineers also included an analysis of residual water-level impacts that occur in 2016 as a result of 2015 pumping. The residual drawdown at the Phillips 35-7460 POD has been estimated as 0.34 feet. JCH Engineers estimated a residual water-level change of approximately 0.7 ft at a “nearby” location, which has been assumed to be the same

Phillips well used to evaluate maximum drawdown. Again, the discrepancy appears to be the placement of (and therefore the distance between) wells used in the analysis.

### **Conclusion**

The analysis that was submitted on behalf of PEP, LLC appears to be based on all available local data and uses appropriate methods. Therefore, the reported drawdowns appear to be reasonable, conservative estimates of impacts to nearby wells that result from the increased pumping at PEP, LLC diversions.

### **References**

Owsley, D. 2014. PEP, LLC Water Supply Bank Rental. IDWR internal memo dated March, 11, 2014.

Theis, C.V. 1935. The relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using groundwater storage. American Geophysical Union Transactions, vol. 16, pp. 519-524.

| Water Right No. | Rented Vol (AF) | Lessor Fee<br>(90%) | Administrative<br>Fee (10%) | Total Fee @ \$17<br>(2015-2017) | Rental Amounts |        |
|-----------------|-----------------|---------------------|-----------------------------|---------------------------------|----------------|--------|
|                 |                 |                     |                             |                                 | Rate (cfs)     | Acres  |
| 29-14106        | 186.4           | \$2,851.92          | \$316.88                    | \$3,168.80                      | 0.93           | 46.60  |
| 29-14107        | 99.6            | \$1,523.88          | \$169.32                    | \$1,693.20                      | 0.61           | 24.90  |
| 29-14099        | 280.0           | \$4,284.00          | \$476.00                    | \$4,760.00                      | 1.53           | 80.00  |
| 43-13595        | 208.7           | \$3,193.11          | \$354.79                    | \$3,547.90                      | 0.86           | 52.20  |
| 43-13597        | 98.0            | \$1,499.40          | \$166.60                    | \$1,666.00                      | 0.15           | 24.50  |
| Total           | 872.70          | \$13,352.31         | \$1,483.59                  | \$14,835.90                     | 3.32           | 228.20 |

**Edl, Michele**

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**From:** Cefalo, James  
**Sent:** Thursday, February 26, 2015 11:47 AM  
**To:** Edl, Michele  
**Cc:** Palmer, Cherie  
**Subject:** RE: PEP LLC's 4 rentals for 2015

Michele,

I have spoken to Carl Phillips a few times over the last three years. He is concerned about the localized impacts resulting from concentrating water rights from all around the ESPA in one area that is already experiencing aquifer declines. The "wellsite" application in workflow has recently changed and I can't figure out how to get data out. The closest well on hydro.online shows a steady decline in the last fifteen years. I am not opposed to the proposed rentals as long as the increased pumping does not unreasonably impact local ground water rights. I guess the WSB will have to determine what constitutes reasonable pumping levels in the area.

James

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**From:** Edl, Michele  
**Sent:** Wednesday, February 25, 2015 7:03 PM  
**To:** Cefalo, James  
**Cc:** Palmer, Cherie  
**Subject:** PEP LLC's 4 rentals for 2015

James,

I have completed my review of the 4 WSB rental applications submitted by PEP LLC, Jason Helms consultant, for 2015. The 4 applications involve 18 water rights. Most rights are from B29 but a few are from B35, B43, and B45. Similar to last year, water is coming from several directions to the PEP fields in B35. 2 of the 4 applications cover the same fields as 2014 but PEP is proposing irrigation of new ground this year. Jason Helms modeled impacts to the ESPA more conservatively than required. I verified each model run and stacked all 5 of them. I confirmed no additional mitigation is needed.

We are waiting for hydrology to provide an opinion on Mr. Helm's impact report.

I have attached my review memos (which are somewhat repetitive), and a pdf showing the location of all the irrigated acres. The color is not as good as I would have liked. The yellow fields are App #4 fields. Please give us your feedback about these applications.

Thank you.  
Michele

## MEMORANDUM

**To:** Water Right(s) 29-14106, 29-14107, 29-14099, 43-13595, and 43-13597.

**From:** Michele Edl

**Date:** February 24, 2015

**Re:** Review & Analysis of PEP LLC Application #3 to Rent Water from the State Water Supply Bank

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**PURPOSE/NARRATIVE:** On February 23, 2015, PEP LLC submitted an amended application to rent water from the State Water Supply Bank. The application proposes to rent all of water rights 29-14106, and 29-14107, and portions of water rights 29-14099, 43-13595 and 43-13597 to irrigate 228.2 acres in Twp 4S, Rge 30E, sec 26 and 27. The application requested a rental agreement with a 5-year duration but the agreement will be limited to the availability of the rights requested. Therefore this rental agreement will be limited to one year.

Jason Helms (JCH Engineering and Consulting) submitted ESPA modeling and a report in support of the application. Mr. Helms identifies this application as #3 of 4.

**AUTHORITY TO FILE:** According to available Bingham County taxlot information, the proposed place-of-use is owned by PEP LLC. PEP LLC is listed with ISOS as #W15317. Chris Pratt is listed as a member and he signed the application.

The proposed point-of diversion is an existing irrigation well located on the property. That well is identified as WMIS # 600034.

### **WATER RIGHT VALIDITY:**

Water right 29-14106 was transferred to the City of Chubbuck in 2011 and has been leased to Water Supply Bank on an annual basis since then. It has not yet been used at the authorized POU. A review of 2013 aerial photography of the former POU shows that the water right has been idled at that location. Water sufficient to satisfy this rental request is available from the right. Approval of this rental agreement will exhaust the availability of the entire right.

Water Right 29-14107 was transferred to the City of Chubbuck in 2011 and has been leased to Water Supply Bank on an annual basis since then. It has not yet been used at the authorized POU. A review of 2013 aerial photography of the former POU shows that the water right has been idled at that location. Water sufficient to satisfy this rental request is available from the right. Approval of this rental agreement will exhaust the availability of the entire right.

Water Right 29-14099 has been leased to the State Water Supply Bank for 2012 - 2016. A review of 2014 aerial photography shows that the water right has been idled at the authorized place-of-use. Water sufficient to satisfy this rental request is available from the right.

Water rights 43-13595 and 43-13597 have been leased to the State Water Supply Bank since July 1995 for an indefinite period. A review of 2014 aerial photography shows that the water rights have been idled at the authorized place-of-use. Approval of this rental agreement will exhaust the remaining rental availability of the two rights and yet could not fill the original amounts requested in the application. The rate, volume and acreage covered, was trimmed down from 310 acres to 228.2 acres to match the water available for rent.

**INJURY TO OTHER WATER RIGHTS:** No injury is apparent. The consultant, Mr. Jason Helms, provided the required modeling of the ESPA. He modeled water rights 43-13595 and 43-13597 as if they were released from the Water Supply Bank in 2016 rather than modeling them indefinitely idled and rented to the bank. This modeling is more conservative than required and yet it showed that the rental did not require additional mitigation.

Mr. Helms also provided a report which analyzed and summarized the combined impact that the 2013-2015 PEP LLC rentals would have on the local ground water hydraulics. I found the report credible but could not confirm the analysis with the tools available to me. Personnel from IDWR's Hydrology Section have also been asked to review the report and provide an opinion.

**ENLARGEMENT OF USE:** No enlargement is evident through the rental. The rental agreement will be issued with combined use limits on rights 29-14106 and 29-14107 and on rights 43-13595 and 43-13597.

Some of the rented rights have a SOU more generous than those at the rental location. The rental agreement will limit the use of the rented rights to the standards applicable at the rental location which is 4/1-10/31.

**LOCAL PUBLIC INTEREST:** This application is one of four rental applications submitted by PEP LLC. Two of them are similar to applications submitted by PEP Farms, for the 2014 rental irrigation season. The 2014 applications were of some concern to neighboring landholders who also divert their water from ground water.

The four, 2015 applications request more rental water for irrigation of additional ground. Protestants to the 2014 applications will be informed of these 2015 rentals.

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

**DEPARTMENT STAFF OR WATERMASTER COMMENTS:** The rented right(s) are subject to Water District 120. Eastern Region has been consulted and is not opposed to the rentals. However they request that the WSB determine reasonable pumping levels in that area.

PEP Farms Partnership submitted rental requests for the 2014 irrigation season which were similar to Application # 1 and Application #3. IDWR received protests to those 2014 rental applications. Additional information in support of the 2014 was requested and was submitted by the consultant. IDWR Hydrology section personnel reviewed the submittals and the 2014 applications were processed.

Because the four, 2015 applications are bringing water from diverse basins to this location, IDWR requested that the impact from the four applications be stacked to determine if the total impact does not require additional mitigation.

Superposition using the transfer tool results requires summing of the results spreadsheets. Mr. Helms may have calculated those sums but it is not apparent in the information provided. I stacked the results of the 5 modeling runs and calculated the total impact. Altogether the modeled impact from renting the 19 rights to PEP LLC for 2015 did not require additional mitigation.

**Edl, Michele**

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**From:** Jason Helms [jasoncivil@alumni.nd.edu]  
**Sent:** Friday, February 20, 2015 9:01 PM  
**To:** Edl, Michele  
**Subject:** Re: PEP application #2  
**Attachments:** PEP\_LL\_C\_Rentalrequest-2015\_updatedsplit.xls

Hi Michele,

I understand Greg Sullivan at Brockway Engineering is depending upon renting some portion of these water rights (29-14054,14055,14056,14080,14081,14082) also and I believe it is in everyone's best interest to cooperate until a better system can be arranged. I am not involved with his applications so please let him know if what I have left out as a remainder of the 6 rights is inadequate compared to his application.

For the PEP rentals, please find attached the updated water right split worksheet which includes the modeling data-entry and results of including the contribution of all 6 rights described above. I stripped the formulas from the data entry worksheets so all you will see there are the values, however, the summary tab includes the formulas showing how I calculated the split fractions. Hopefully everything lines up but if not let me know and I can correct.

Thanks for your continued diligence.

Jason C. Helms, P.E.

JCH Engineering & Consulting, PLLC  
(208) 308-2109

On Thu, Feb 19, 2015 at 5:35 PM, Edl, Michele <[Michele.Edl@idwr.idaho.gov](mailto:Michele.Edl@idwr.idaho.gov)> wrote:

Mr. Helms, Mr. Anderson,

Between office day customers, I have briefly looked at PEP LLC's Application #2 today.

The 2015 lease contract with the City of Chubbuck shows that 6 water rights: 29-14054, 29-14055, 29-14056, 29-14080, 29-14081, and 29-14082 are all tied to each other by a limit on the rate at 1.74 cfs. In contrast, PEP LLC's Application #2 requests rental of 29-14054, 29-14055, and 29-14056 only. There is no mention of 29-14080, 29-14081, and 29-14082. So this rental request is incompatible with the lease contract.

Have you had an opportunity to see the current City of Chubbuck's Water Supply Bank Lease contract?

As the contract is drafted, and as the rights are combined, a proposed rental of portions of the first three rights without renting of portions of the later three cannot be processed. Therefore Application #2 cannot be processed as it is.

If the POD, rate, volume and acres remain the same, I believe that the WSB would accept an amended application which included proportionate listings of all 6 rights and new ESPA modeling.

Remember that PEP LLC has filed bids on all six rights. In this case, PEP LLC has an opportunity to rent more water than requested in Application #2. Please let me know how you wish to proceed.

Sincerely,

Michele Edl

The following documents were excerpted from the attachment to Jason Helm's email of Friday February 20, 2015 9:01 PM. Attachment PEP\_LLC\_Rentalrequest-2015\_updatedsplit.xls contained modeling results for each of the 4 applications and two summary spreadsheets.

# ENHANCED GROUND-WATER RIGHTS TRANSFER SPREADSHEET

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF WATER RESOURCES

Cells this color are  
set up for user entries

ENTER STARTING DATE FOR  
SIMULATION. THEN PUSH  
"UPDATE DATES" BUTTON

TRANSFER NO:  
2015 Water Bank Rental #3

YEAR 1953  
SEASON 1

TRANSFER NAME:  
1 PEP Farms Well #21

ENTER CELL LOCATIONS:

|        | TO' CELL | 'FROM1' CELL | 'FROM2' CELL | 'FROM3' CELL |
|--------|----------|--------------|--------------|--------------|
| ROW    | 77       | 96           | 91           | 96           |
| COLUMN | 106      | 122          | 69           | 122          |

43-13595 5/4/1978 216.2  
43-13597 5/23/1962 103.8  
29-14106 8/18/1953 186.4  
29-14107 12/3/1980 99.6  
29-14099 5/2/1966 280.0  
886.0

| TRIMESTER OF ACTIVITY | TO WELL                    | FROM1 WELL                 |                               | FROM2 WELL                 |                               | FROM3 WELL                 |                               |
|-----------------------|----------------------------|----------------------------|-------------------------------|----------------------------|-------------------------------|----------------------------|-------------------------------|
|                       | Projected Use AF/TRIMESTER | With Transfer AF/TRIMESTER | Without Transfer AF/TRIMESTER | With Transfer AF/TRIMESTER | Without Transfer AF/TRIMESTER | With Transfer AF/TRIMESTER | Without Transfer AF/TRIMESTER |
| SPR 1953              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1953              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| WIN 1953              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SPR 1954              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SUM 1954              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| WIN 1954              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SPR 1955              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SUM 1955              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| WIN 1955              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SPR 1956              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SUM 1956              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| WIN 1956              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SPR 1957              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SUM 1957              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| WIN 1957              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SPR 1958              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SUM 1958              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| WIN 1958              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SPR 1959              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SUM 1959              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| WIN 1959              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SPR 1960              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SUM 1960              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| WIN 1960              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SPR 1961              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SUM 1961              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| WIN 1961              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 62.1                       | 62.1                          |
| SPR 1962              | 0.0                        | 0.0                        | 0.0                           | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1962              | 0.0                        | 0.0                        | 0.0                           | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1962              | 0.0                        | 0.0                        | 0.0                           | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1963              | 0.0                        | 0.0                        | 0.0                           | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1963              | 0.0                        | 0.0                        | 0.0                           | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1963              | 0.0                        | 0.0                        | 0.0                           | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1964              | 0.0                        | 0.0                        | 0.0                           | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1964              | 0.0                        | 0.0                        | 0.0                           | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1964              | 0.0                        | 0.0                        | 0.0                           | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1965              | 0.0                        | 0.0                        | 0.0                           | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1965              | 0.0                        | 0.0                        | 0.0                           | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1965              | 0.0                        | 0.0                        | 0.0                           | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1966              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1966              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1966              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1967              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1967              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1967              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1968              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1968              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1968              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1969              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1969              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1969              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1970              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1970              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1970              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1971              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1971              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1971              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1972              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1972              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1972              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1973              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1973              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1973              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1974              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1974              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1974              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1975              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1975              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1975              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1976              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1976              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1976              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1977              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SUM 1977              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| WIN 1977              | 0.0                        | 93.3                       | 93.3                          | 34.6                       | 34.6                          | 62.1                       | 62.1                          |
| SPR 1978              | 0.0                        | 93.3                       | 93.3                          | 106.7                      | 106.7                         | 62.1                       | 62.1                          |
| SUM 1978              | 0.0                        | 93.3                       | 93.3                          | 106.7                      | 106.7                         | 62.1                       | 62.1                          |
| WIN 1978              | 0.0                        | 93.3                       | 93.3                          | 106.7                      | 106.7                         | 62.1                       | 62.1                          |
| SPR 1979              | 0.0                        | 93.3                       | 93.3                          | 106.7                      | 106.7                         | 62.1                       | 62.1                          |
| SUM 1979              | 0.0                        | 93.3                       | 93.3                          | 106.7                      | 106.7                         | 62.1                       | 62.1                          |
| WIN 1979              | 0.0                        | 93.3                       | 93.3                          | 106.7                      | 106.7                         | 62.1                       | 62.1                          |
| SPR 1980              | 0.0                        | 93.3                       | 93.3                          | 106.7                      | 106.7                         | 62.1                       | 62.1                          |
| SUM 1980              | 0.0                        | 93.3                       | 93.3                          | 106.7                      | 106.7                         | 62.1                       | 62.1                          |

|          |       |      |      |       |       |      |      |
|----------|-------|------|------|-------|-------|------|------|
| WIN 1980 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 62.1 | 62.1 |
| SPR 1981 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1981 | 0.0   | 93.3 |      | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1981 | 0.0   | 93.3 |      | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1982 | 0.0   | 93.3 |      | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1982 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1982 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1983 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1983 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1983 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1984 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1984 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1984 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1985 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1985 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1985 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1986 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1986 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1986 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1987 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1987 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1987 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1988 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1988 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1988 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1989 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1989 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1989 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1990 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1990 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1990 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1991 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1991 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1991 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1992 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1992 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1992 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1993 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1993 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1993 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1994 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 1994 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 1994 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 1995 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 1995 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 1995 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 1996 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 1996 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 1996 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 1997 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 1997 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 1997 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 1998 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 1998 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 1998 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 1999 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 1999 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 1999 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2000 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2000 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2000 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2001 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2001 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2001 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2002 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2002 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2002 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2003 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2003 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2003 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2004 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2004 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2004 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2005 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2005 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2005 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2006 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2006 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2006 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2007 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2007 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2007 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2008 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2008 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2008 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2009 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2009 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2009 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2010 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2010 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2010 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2011 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2011 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2011 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2012 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2012 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2012 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2013 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SUM 2013 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| WIN 2013 | 0.0   | 93.3 | 93.3 | 0.0   | 106.7 | 95.3 | 95.3 |
| SPR 2014 | 0.0   | 0.0  | 93.3 | 0.0   | 106.7 | 0.0  | 95.3 |
| SUM 2014 | 0.0   | 0.0  | 93.3 | 0.0   | 106.7 | 0.0  | 95.3 |
| WIN 2014 | 0.0   | 0.0  | 93.3 | 0.0   | 106.7 | 0.0  | 95.3 |
| SPR 2015 | 295.3 | 0.0  | 93.3 | 0.0   | 106.7 | 0.0  | 95.3 |
| SUM 2015 | 295.3 | 0.0  | 93.3 | 0.0   | 106.7 | 0.0  | 95.3 |
| WIN 2015 | 295.3 | 0.0  | 93.3 | 0.0   | 106.7 | 0.0  | 95.3 |
| SPR 2016 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 2016 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2016 | 0.0   | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |

[illegible]

[illegible]

|          |     |      |      |       |       |      |      |
|----------|-----|------|------|-------|-------|------|------|
| SUM 2090 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2090 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 2091 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 2091 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2091 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 2092 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 2092 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2092 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 2093 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 2093 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2093 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 2094 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 2094 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2094 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 2095 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 2095 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2095 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 2096 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 2096 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2096 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 2097 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 2097 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2097 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 2098 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 2098 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2098 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 2099 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 2099 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2099 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 2100 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 2100 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2100 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 2101 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 2101 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2101 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SPR 2102 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| SUM 2102 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |
| WIN 2102 | 0.0 | 93.3 | 93.3 | 106.7 | 106.7 | 95.3 | 95.3 |

| Rental Location | Water Right                                  | Owner                 | Priority   | Extg. POD  | Proposed Rental Diversion Rate [cfs] | Proposed Rental Diversion Volume [afa] | Proposed Rental Place of Use [ac] |
|-----------------|----------------------------------------------|-----------------------|------------|------------|--------------------------------------|----------------------------------------|-----------------------------------|
| Well #22        | 29-2395                                      | Hart                  | 2/28/1958  | 6S,34E-1   | 1.26                                 | 520.0                                  | 130.0                             |
| Well #22        | 29-14013                                     | City of Chubbuck      | 8/19/1952  | 6S,34E-3   | 2.25                                 | 651.2                                  | 162.8                             |
| Well #22        | 35-8001A                                     | Mc Kinley             | 10/26/1981 | 2N,36E-13  | 0.10                                 | 20.0                                   | 5.0                               |
| Well #22        | 43-13595                                     | Ward Land & Livestock | 5/4/1978   | 10S,26E-2  | 0.86                                 | 208.7                                  | 52.2                              |
| Well #22        | 43-13597                                     | Ward Land & Livestock | 5/23/1962  | 10S,26E-2  | 0.15                                 | 100.1                                  | 25.0                              |
| Well #22        | 43-13595, 43-13597 Combined limits           |                       |            |            | 0.86                                 | 308.8                                  | 77.2                              |
| Rental #1 Total |                                              |                       |            |            | 4.47                                 | 1500.0                                 | 375.0                             |
| Well #25        | 29-13827                                     | Juniper Hills         | 1/29/1960  | 7S,35E-17  | 0.30                                 | 52.5                                   | 15.0                              |
| Well #25        | 29-14054                                     | City of Chubbuck      | 12/31/1974 | 6S,34E-3   | 0.817                                | 273.3                                  | 68.3                              |
| Well #25        | 29-14055                                     | City of Chubbuck      | 6/20/1961  | 6S,34E-3   | 0.072                                | 14.7                                   | 3.7                               |
| Well #25        | 29-14056                                     | City of Chubbuck      | 10/26/1966 | 6S,34E-3   | 0.050                                | 10.5                                   | 2.6                               |
| Well #25        | 29-14054, 29-14055, 29-14056 Combined limits |                       |            |            | 0.817                                | 298.4                                  | 74.6                              |
| Well #25        | 29-14080                                     | City of Chubbuck      | 12/31/1974 | 6S,34E-3   | 0.148                                | 48.7                                   | 12.2                              |
| Well #25        | 29-14081                                     | City of Chubbuck      | 6/20/1961  | 6S,34E-3   | 0.014                                | 2.4                                    | 0.6                               |
| Well #25        | 29-14082                                     | City of Chubbuck      | 10/26/1966 | 6S,34E-3   | 0.010                                | 2.0                                    | 0.5                               |
| Well #25        | 29-14080, 29-14081, 29-14082 Combined limits |                       |            |            | 0.148                                | 53.2                                   | 13.3                              |
| Well #25        | 14054,14055,14056,14080,14081,14082 Combined |                       |            |            | 0.965                                | 351.6                                  | 87.9                              |
| Well #25        | 29-14012                                     | City of Chubbuck      | 8/19/1952  | 6S,34E-3   | 1.83                                 | 488.8                                  | 122.2                             |
| Well #25        | 29-14016                                     | City of Chubbuck      | 1/17/1966  | 6S,34E-3   | 1.76                                 | 449.2                                  | 127.4                             |
| Well #25        | 45-2746                                      | J R Simplot Co        | 5/9/1966   | 10S,23E-19 | 0.21                                 | 84.0                                   | 22.5                              |
| Rental #2 Total |                                              |                       |            |            | 5.07                                 | 1426.1                                 | 375.0                             |
| Well #21        | 29-14106                                     | City of Chubbuck      | 8/18/1953  | 6S,34E-3   | 0.93                                 | 186.4                                  | 46.6                              |
| Well #21        | 29-14107                                     | City of Chubbuck      | 12/3/1980  | 6S,34E-3   | 0.61                                 | 121.6                                  | 30.4                              |
| Well #21        | 29-14106, 29-14107 Combined limits           |                       |            |            | 0.93                                 | 286.0                                  | 71.5                              |
| Well #21        | 29-14099                                     | City of Chubbuck      | 5/2/1966   | 6S,34E-3   | 1.53                                 | 280.0                                  | 80.0                              |
| Well #21        | 43-13595                                     | Ward Land & Livestock | 5/4/1978   | 10S,26E-2  | 0.86                                 | 207.3                                  | 51.8                              |
| Well #21        | 43-13597                                     | Ward Land & Livestock | 5/23/1962  | 10S,26E-2  | 0.15                                 | 99.5                                   | 24.9                              |
| Well #21        | 43-13595, 43-13597 Combined limits           |                       |            |            | 0.86                                 | 306.8                                  | 76.7                              |
| Rental #3 Total |                                              |                       |            |            | 3.31                                 | 872.8                                  | 228.2                             |
| Well #13        | 29-14099                                     | City of Chubbuck      | 5/2/1966   | 6S,34E-3   | 0.99                                 | 182.0                                  | 52.0                              |
| Well #13        | 43-13595                                     | Ward Land & Livestock | 5/4/1978   | 10S,26E-2  | 0.00                                 | 0.0                                    | 0.0                               |
| Well #13        | 43-13597                                     | Ward Land & Livestock | 5/23/1962  | 10S,26E-2  | 0.00                                 | 0.0                                    | 0.0                               |
| Well #13        | 43-13595, 43-13597 Combined limits           |                       |            |            | 0.00                                 | 0.0                                    | 0.0                               |
| Rental #4 Total |                                              |                       |            |            | 0.99                                 | 182.0                                  | 52.0                              |

**GRAND TOTAL**

**13.84 3980.9 1030.2**

SPR 2012

|                                                             | Match: | 192  | Match: | 456    |
|-------------------------------------------------------------|--------|------|--------|--------|
| Preexisting Effects @ SS (Last Time Step)                   |        | 4.43 | 5.29   | 143.41 |
| Steady State - Value of Dep. @ Last Time Step               |        | 4.42 | 5.28   | 143.22 |
| Preexisting Effects @ Transient State (Max Value Time Step) |        | 4.43 | 5.29   | 143.41 |
| Transient State - Max. Value of Dep. After Transfer         |        | 4.42 | 5.28   | 145.40 |

Steady State Change:  
Transient State Change:

## 29-14013 et al

SPR 2012

|                                                            | Match: | 192   | Match: | 456    |
|------------------------------------------------------------|--------|-------|--------|--------|
| Preexisting Effects @ SS (Last Time Step)                  | AIR    | -4.91 | SINB   | NIBN   |
| Steady State - Value of Dep. @ Last Time Step              |        | 4.91  | 51.72  | 132.54 |
|                                                            |        |       | 6.01   | 132.53 |
|                                                            |        |       | 51.72  | 132.53 |
| Preexisting Effects @ Transient State (Max Value Timestep) | AIR    | -4.91 | 6.01   | 51.72  |
| Transient State - Max. Value of Dep. After Transfer        |        | 4.91  | 51.72  | 132.53 |

Steady State Change:  
Transient State Change:

## 29-14012 et al

SPR 2012

|                                                             | 192  | Match: | 456    |
|-------------------------------------------------------------|------|--------|--------|
| Preexisting Effects @ SS (Last Time Step)                   | 9.09 | 10.81  | SENB   |
| Steady State - Value of Dep. @ Last Time Step               | 9.08 | 10.80  | NEAN   |
|                                                             |      |        | 305.24 |
|                                                             |      |        | 305.07 |
| Preexisting Effects @ Transient State (Max Value Timesstep) | 9.09 | 10.91  | 100.40 |
| Transient State - Max. Value of Dep. After Transfer         | 9.08 | 10.90  | 100.35 |
|                                                             |      |        | 305.24 |
|                                                             |      |        | 305.07 |

Steady State Change:  
Transient State Change:

## 29-14106 et al

SPR 2012

|                                                            | Match: | 178  | Match: | 456  |
|------------------------------------------------------------|--------|------|--------|------|
| Preexisting Effects @ SS (Last Time Step)                  |        | 4.72 | 5.63   | 5.63 |
| Steady State - Value of Dep. @ Last Time Step              |        | 4.71 | 5.62   | 5.62 |
| Preexisting Effects @ Transient State (Max Value Timestep) |        | 4.72 | 5.63   | 5.63 |
| Transient State - Max. Value of Dep. After Transfer        |        | 4.71 | 5.62   | 5.62 |

Steady State Change:  
Transient State Change:

## 29-14099 et al

PR 2012

|                                                          | Match: | 178  | Match: | 456   |
|----------------------------------------------------------|--------|------|--------|-------|
| Persisting Effects @ SS (Last Time Step)                 |        | AIR  | HHS    | SNB   |
|                                                          |        | 1.60 | 1.93   | 53.86 |
| Steady State - Value of Dep. @ Last Time Step            |        | 1.60 | 1.93   | 53.86 |
| Persisting Effects @ Transient State (Max Value Timstep) |        | AIR  | HHS    | SNB   |
|                                                          |        | 1.60 | 1.93   | 53.86 |
| Transient State - Max. Value of Dep. After Transfer      |        | 1.60 | 1.93   | 53.86 |

## Edl, Michele

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**From:** Jason Helms [jasoncivil@alumni.nd.edu]  
**Sent:** Wednesday, February 18, 2015 3:55 PM  
**To:** Edl, Michele  
**Subject:** Re: PEP LLC 2015 Application #3  
**Attachments:** PEP\_WSB\_Application3\_Revised-signed.pdf

Hi Michele,

We would love to continue with updated applications to match the available water. I have attached a revised and signed copy of application #3 with a map showing the updated rental amounts. Let me know if there is anything else I can provide. Relatively simple items like this can usually be turned around within a day or two. Thanks for being flexible working with us,

Jason C. Helms, P.E.

JCH Engineering & Consulting, PLLC  
(208) 308-2109

On Wed, Feb 18, 2015 at 1:25 PM, Edl, Michele <[Michele.Edl@idwr.idaho.gov](mailto:Michele.Edl@idwr.idaho.gov)> wrote:

All,

PEP LLC's 2015 WSB Application #1 is nearly processed. I have completed my review and have a drafted a rental agreement. I still need to wait for comment from the Watermaster and from Eastern Region. But I have moved on to the review of Application #3.

Application #3 listed some of the same water rights as did Application #1. With an understanding of what the Water Supply Bank can commit to and satisfy for Application #1, I was able to analyze the water available to satisfy PEP LLC's Application #3. I have found that the Water Supply Bank cannot honor the full request for water from WR# 43-13595 and 43-13597, (the Ward Land and Livestock water rights).

Those two rights were leased to the bank with the following availability:

| Water right | Volume (af) | Rate (cfs) | Acres | Rate/Acre | Vol/ac |
|-------------|-------------|------------|-------|-----------|--------|
| 43-13595    | 1209.6      | 5.0        | 302.4 | 0.0165    | 4.000  |
| 43-13597    | 580.4       | 0.89       | 145.1 | 0.00613   | 4.000  |

As I mentioned in previous emails, the Ward Land and Livestock rights entered the 2015 season with less water available for rent than the four PEP LLC applications had expected.

After satisfying PEP LLC Application #1 for 2015, the rights have the following available:

| Water right | Volume (af) | Rate (cfs) | Acres | Rate/Acre | Vol/ac |
|-------------|-------------|------------|-------|-----------|--------|
| 43-13595    | 208.7       | 0.86       | 52.2  | 0.0165    | 3.998  |
| 43-13597    | 98.0        | 0.15       | 24.5  | 0.00612   | 4.000  |

PEP LLC's Application #3 requests the following:

| Water right | Volume (af) | Rate (cfs) | Acres | Rate/Acre | Vol/ac |
|-------------|-------------|------------|-------|-----------|--------|
| 43-13595    | 216.2       | 0.89       | 54.1  | .0165     | 3.996  |
| 43-13597    | 103.8       | 0.16       | 25.9  | .0062     | 4.007  |

As you can see by comparing the middle and bottom tables, there is not quite enough water from the Ward Land and Livestock rights to satisfy Application #3. The other rights listed in Application #3 (WR#29-14106, WR#29-14107 and WR#29-14099) are available to rent in the quantities requested. However, honoring the Application #3 requests for water from WR# 29-14106 and WR#29-14107 will completely exhaust their available rental water. WR# 29-14099 is the only right listed by Application#3 which still has water available to rent to fill the gap.

Because I denied Application #4, which had requested rental of WR# 29-14099, the full rental value of that right is still available.

I believe that PEP LLC has at least two options.

- 1) Agree to processing Application#3 with a trimmed volume, rate and acres. This option would require submittal of a new map and land list so that IDWR would know which acres would not be covered by rented water.
- 2) Submit a new application requesting the rental of different rights in different amounts, for irrigation of the full acreage requested by Application #3.

I have been directed to give you a very short timeframe within which to respond. Please let me know how you wish to proceed within **seven days**. If I don't hear from you before February 26, I will assume that you do not wish Application #3 to be processed and it will be returned to you.

Respectfully,



|                                                                                                                                                        |                                                                                                                                  |                                                                                                                                         |                                                       |       |         |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-------|---------|-------------|
| No. <b>W 15317</b>                                                                                                                                     | <b>Due no later than May 31, 2014<br/>Annual Report Form</b>                                                                     |                                                                                                                                         | 2. Registered Agent and Address<br><b>(NO PO BOX)</b> |       |         |             |
| Return to:<br>SECRETARY OF STATE<br>700 WEST JEFFERSON<br>PO BOX 83720<br>BOISE, ID 83720-0080<br><br><b>NO FILING FEE IF<br/>RECEIVED BY DUE DATE</b> | 1. Mailing Address: Correct in this box if needed.<br>PEP, L.L.C.<br>MARC ELLIOTT<br>2804 W. 1400 S.<br>ABERDEEN ID 83210<br>USA |                                                                                                                                         | CHRIS PRATT<br>2948 W. 2100 S.<br>ABERDEEN ID 83210   |       |         |             |
|                                                                                                                                                        |                                                                                                                                  |                                                                                                                                         | 3. <u>New</u> Registered Agent Signature:*            |       |         |             |
| 4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.                                                           |                                                                                                                                  |                                                                                                                                         |                                                       |       |         |             |
| Office Held                                                                                                                                            | Name                                                                                                                             | Street or PO Address                                                                                                                    | City                                                  | State | Country | Postal Code |
| MEMBER                                                                                                                                                 | CHRIS PRATT                                                                                                                      | 2948W 2100 S                                                                                                                            | ABERDEEN                                              | ID    | USA     | 83210       |
| MEMBER                                                                                                                                                 | JOHN PRATT                                                                                                                       | 645 BANNOCK AVE                                                                                                                         | AMERICAN                                              | ID    | USA     | 83211       |
| MEMBER                                                                                                                                                 | MARC ELLIOTT                                                                                                                     | 2804 W. 1400 S.                                                                                                                         | ABERDEEN                                              | ID    | USA     | 83210       |
| 5. Organized Under the Laws of:<br><b>ID<br/>W 15317</b>                                                                                               |                                                                                                                                  | 6. Annual Report must be signed.*<br>Signature: Marc Elliott<br>Name (type or print): Marc Elliott<br>Date: 03/22/2014<br>Title: Member |                                                       |       |         |             |
| Processed 03/22/2014                                                                                                                                   |                                                                                                                                  | * Electronically provided signatures are accepted as original signatures.                                                               |                                                       |       |         |             |



# STATEMENT OF PARTNERSHIP AUTHORITY

(Instructions on back of application)

FILED EFFECTIVE

11 JAN 26 AM 8:20

SECRETARY OF STATE  
STATE OF IDAHO

The undersigned partnership hereby files a statement of partnership authority, and submits the following information to the Secretary of State pursuant to Idaho Code § 53-3-303.

1. The name of the partnership is: PEP Farms Partnership
2. The street address of its chief executive office is: 1356 S. 3000 W. Aberdeen, Idaho 83210
3. The street address of one (1) office in Idaho: 1356 S. 3000 W. Aberdeen, Idaho 83210
4. The names and mailing addresses of all partners (attached sheets may be added):

| Name                | Address                                            |
|---------------------|----------------------------------------------------|
| <u>Marc Elliott</u> | <u>2804 W. 1400 S. Aberdeen, Idaho 83210</u>       |
| <u>Chris Pratt</u>  | <u>2948 W. 2100 S. Aberdeen, Idaho 83210</u>       |
| <u>John Pratt</u>   | <u>645 Bannock Ave American Falls, Idaho 83211</u> |

OR the name and address of the agent in Idaho who maintains a list of all partners:

5. The names of the partners authorized to execute an instrument transferring real property held in the name of the partnership:

Marc Elliott

Chris Pratt

John Pratt

6. Signature of at least 2 partners:

1) Marc Elliott

Typed Name Marc Elliott

2) Chris Pratt

Typed Name Chris Pratt

3) John Pratt

Typed Name John Pratt

Secretary of State use only

g:\corpforms\partnership\auth.p65  
Revised 08/2002

Web Form

IDAHO SECRETARY OF STATE  
01/26/2011 05:00  
CK: 8823 CT: 254762 RH: 1257846  
1 @ 100.00 = 100.00 PARTN AUTH # 2

K901

## Palmer, Cherie

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**From:** Palmer, Cherie  
**Sent:** Tuesday, February 03, 2015 12:04 PM  
**To:** 'Jason Helms'  
**Subject:** RE: PEP water bank applications page 1 (divided into modeled and remaining rental requests)

Jason,

Thank you for the corrections. For future submittals in the ESPA, please make sure that modeling is done for the acres being requested. The Department cannot accept applications in the ESPA without complete modeling accompanying the application—this requirement applies to all applicants. Applicants that are requesting more acres than what is modeled will be asked to provide a map and a land list for only the acres that were modeled. The Department must know exactly what acres are receiving rental water. Unfortunately there is no way to secure a place in the processing queue to rent water in the ESPA without modeling.

Michele has been assigned to the PEP applications as of yesterday so they are in the works.

In regard to the two pages that you submitted for 166.7 acres, those are not complete applications and those two pages will not be printed out or processed.

Lastly, I understand that PEP LLC would like to fulfill application #3 using the following land:

|                   |              |
|-------------------|--------------|
| 4S 30E Section 26 | Section 27   |
| SWNW-30 acres     | SE-160 acres |
| NESW-1.5 acres    |              |
| NWSW-40 acres     |              |

*Cherie Palmer, Water Rights Supervisor  
Idaho Dept of Water Resources  
Water Allocation Bureau  
322 E. Front Street (Front St. & Broadway Ave)  
Mail: PO BOX 83720 Boise, ID 83720-0098  
email: [cherie.palmer@idwr.idaho.gov](mailto:cherie.palmer@idwr.idaho.gov)  
phone: (208) 287-4944  
fax: (208) 287-6700*

---

**From:** Jason Helms [<mailto:jasoncivil@alumni.nd.edu>]  
**Sent:** Monday, February 02, 2015 6:06 PM  
**To:** Palmer, Cherie  
**Subject:** PEP water bank applications page 1 (divided into modeled and remaining rental requests)

Hi Cherie,

I got your phone message. I simply assumed that you could approve the amounts modeled regardless of the larger amount requested.

I am attaching the first page of the rental applications divided into the portion modeled and the portion of the request remaining if additional water rights have become available of which I am not aware.

I can understand why you would prefer everything to match (requested amount, modeled amount and available amount), however, that is simply not the case and likely only rarely will be. More rental water is being

requested than has been modeled in the hope that additional water rights will become available without placing the remainder of the rental request at the back of the line.

Please let me know as soon as possible if this is still problematic for any reason although I trust you will be able to ignore the remaining portion of the request if that suits you. The sooner we get formal approval of the modeled amounts, the sooner PEP and I will be at ease moving forward with seeding and configuring the irrigation system to accomodate these modeled rentals for 2015.

Thanks,

Jason C. Helms, P.E.

JCH Engineering & Consulting, PLLC  
(208) 308-2109

JAN 12 2015

DEPARTMENT OF

January 9, 2015

JCH Engineering &amp; Consulting, PLLC

6755 N. Albert Lane  
Idaho Falls, ID 83401  
(208) 308-2109  
[jasoncivil@alumni.nd.edu](mailto:jasoncivil@alumni.nd.edu)

Cherie Palmer  
Water Resource Board  
Idaho Department of Water Resources  
322 East Front Street, P.O. Box 83720  
Boise, ID 83720-0098

**Re: 2015 Report in support of PEP, LLC applications for Water Supply Bank rental**

Ms. Palmer:

Your letter dated December 10, 2014 indicated additional information was required related to the PEP, LLC proposed water supply bank rental for 2015. It listed three issues:

- *"Not all water rights that you are requesting are leased into the Bank nor does the Department have valid lease applications on file for those rights."*
  - It is believed that all listed water rights have been accepted into the water supply bank at this time. Please review table 1 of the attached report carefully and let me know if any of the listed water rights are not currently available for rental.
- *"ESPA modeling that was submitted does not model impacts collectively."*
  - The ESPA spreadsheet tool provided by the department does not allow effective ESPA analysis of collective impacts in excess of 3 from well locations without extensive ground water model manipulation. In lieu, please consider the attached report which may be an acceptable analysis of expected collective impacts.
- *"Public concerns from last year may be exasperated in 2015 due to the increased number of acres that you (sic) requesting to irrigate using rental water compared to last year"*
  - While the total rental water sought has increased somewhat, the resulting impacts are in the same range as those determined previously and are addressed in the attached local impact report.

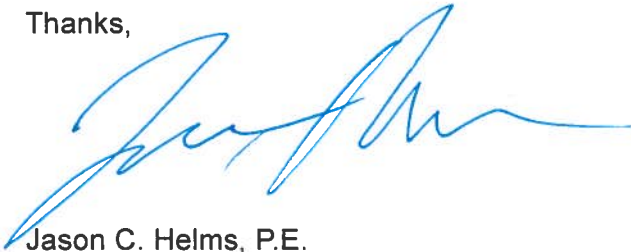
Additionally, there was some confusion regarding the larger acreage requested in the applications compared with the lesser modeled acreage in the ESPA analysis. Please understand

the analysis includes only those water rights that appear to be available for rental and if additional water rights are available the additional acreage is still desired for rental. The analysis provided included up to 1077.3 acres currently arranged as shown on the attached updated maps. If there is a remote potential for additional water rights available for rental, those additional acres can be promptly identified.

Also attached to this letter, please find the 2015 PEP, LLC Water Supply Bank Rental Impact Report. As requested, this report provides an updated estimate of individual and combined maximum local water table impacts associated with the continuing water supply bank rentals at these locations in addition to local well logs and USGS water table monitoring data in the area of the proposed rentals.

If you have any questions about the report or would like any additional information please let me know.

Thanks,



Jason C. Helms, P.E.

Attachments:      Corrected PEP, LLC Water Supply Bank Rental #3 (310 ac)  
                             Corrected PEP, LLC Water Supply Bank Rental #4 (184 ac)  
                             PEP, LLC Water Supply Bank Requested Rental Place of Use  
                             PEP, LLC Water Supply Bank Modeled Rental Place of Use  
                             2015 PEP, LLC Water Supply Bank Rental Report

cc:      Chris Pratt (PEP, LLC)

## 2015 PEP, LLC Water Supply Bank Rental Impact Report (Estimate of Local Aquifer Impacts)

### General Information

2015 Water Supply Bank applications for rental by PEP, LLC meet Eastern Snake Plain Aquifer (ESPA) transient impact limitations for permanent water right transfers within the ESPA. This report provides updated estimates of the local impacts of 2013, 2014 and the proposed 2015 water supply bank rentals. The PEP, LLC rental applications for 2015 seek to divert the water supply bank leased water rights listed below in **Table 1** from four existing wells located within Township 4 South, Range 30 East Sections 27, 33 and 34 as shown on **Attachment #1**.

This report should be considered an update to the original impact report submitted in February of 2014 which contains additional references and more general information. The calculated residual impacts resulting from the combination of 2013-2014 diversions in addition to the full volume proposed for the 2015 rental is considered.

### Local USGS Monitoring Well Data Update

**Attachment #2** shows the general location of the 2015 rentals with respect to existing USGS water level monitoring wells and historical well drilling logs that included pumping tests. **Attachment #3** shows water level monitoring data adjusted to the reported ground surface elevation of the well head for the period of record and for the most recent 10 years. No additional official monitoring well data was available since April of 2013 and is copied directly from the 2014 report.

### Local Well Pumping Test Data Update

No additional pumping data was available and **Attachment #4** (copied directly from the 2014 report) summarizes the large diversion tests in the vicinity and the selected and estimated aquifer parameters associated with those tests.

| Rental Location | Water Right                                  | Owner                 | Priority   | Extg. POD  | Proposed Rental Diversion Rate [cfs] | Proposed Rental Diversion Volume [afa] | Proposed Rental Place of Use [ac] |
|-----------------|----------------------------------------------|-----------------------|------------|------------|--------------------------------------|----------------------------------------|-----------------------------------|
| Well #22        | 29-2395                                      | Hart                  | 2/28/1958  | 6S,34E-1   | 1.26                                 | 520.0                                  | 130.0                             |
| Well #22        | 29-14013                                     | City of Chubbuck      | 8/19/1952  | 6S,34E-3   | 2.25                                 | 651.2                                  | 162.8                             |
| Well #22        | 35-8001A                                     | Mc Kinley             | 10/26/1981 | 2N,36E-13  | 0.10                                 | 20.0                                   | 5.0                               |
| Well #22        | 43-13595                                     | Ward Land & Livestock | 5/4/1978   | 10S,26E-2  | 0.86                                 | 208.7                                  | 52.2                              |
| Well #22        | 43-13597                                     | Ward Land & Livestock | 5/23/1962  | 10S,26E-2  | 0.15                                 | 100.1                                  | 25.0                              |
| Well #22        | 43-13595, 43-13597 Combined limits           |                       |            |            | 0.86                                 | 308.8                                  | 77.2                              |
|                 |                                              |                       |            |            |                                      |                                        |                                   |
| Rental #1 Total |                                              |                       |            |            | 4.47                                 | 1500.0                                 | 375.0                             |
|                 |                                              |                       |            |            |                                      |                                        |                                   |
| Well #25        | 29-13827                                     | Juniper Hills         | 1/29/1960  | 7S,35E-17  | 0.30                                 | 52.5                                   | 15.0                              |
| Well #25        | 29-14054                                     | City of Chubbuck      | 12/31/1974 | 6S,34E-3   | 0.96                                 | 322.0                                  | 80.5                              |
| Well #25        | 29-14055                                     | City of Chubbuck      | 6/20/1961  | 6S,34E-3   | 0.09                                 | 17.3                                   | 4.3                               |
| Well #25        | 29-14056                                     | City of Chubbuck      | 10/26/1966 | 6S,34E-3   | 0.06                                 | 12.3                                   | 3.1                               |
| Well #25        | 29-14054, 29-14055, 29-14056 Combined limits |                       |            |            | 0.96                                 | 351.6                                  | 87.9                              |
| Well #25        | 29-14012                                     | City of Chubbuck      | 8/19/1952  | 6S,34E-3   | 1.83                                 | 488.8                                  | 122.2                             |
| Well #25        | 29-14016                                     | City of Chubbuck      | 1/17/1966  | 6S,34E-3   | 1.76                                 | 449.2                                  | 127.4                             |
| Well #25        | 45-2746                                      | J R Simplot Co        | 5/9/1966   | 10S,23E-19 | 0.21                                 | 84.0                                   | 22.5                              |
|                 |                                              |                       |            |            |                                      |                                        |                                   |
| Rental #2 Total |                                              |                       |            |            | 5.06                                 | 1426.1                                 | 375.0                             |
|                 |                                              |                       |            |            |                                      |                                        |                                   |
| Well #21        | 29-14106                                     | City of Chubbuck      | 8/18/1953  | 6S,34E-3   | 0.93                                 | 186.4                                  | 46.6                              |
| Well #21        | 29-14107                                     | City of Chubbuck      | 12/3/1980  | 6S,34E-3   | 0.61                                 | 121.6                                  | 30.4                              |
| Well #21        | 29-14106, 29-14107 Combined limits           |                       |            |            | 0.93                                 | 286.0                                  | 71.5                              |
| Well #21        | 29-14099                                     | City of Chubbuck      | 5/2/1966   | 6S,34E-3   | 1.53                                 | 280.0                                  | 80.0                              |
| Well #21        | 43-13595                                     | Ward Land & Livestock | 5/4/1978   | 10S,26E-2  | 0.89                                 | 216.2                                  | 54.1                              |
| Well #21        | 43-13597                                     | Ward Land & Livestock | 5/23/1962  | 10S,26E-2  | 0.16                                 | 103.8                                  | 25.9                              |
| Well #21        | 43-13595, 43-13597 Combined limits           |                       |            |            | 0.89                                 | 320.0                                  | 80.0                              |
|                 |                                              |                       |            |            |                                      |                                        |                                   |
| Rental #3 Total |                                              |                       |            |            | 3.35                                 | 886.0                                  | 231.5                             |
|                 |                                              |                       |            |            |                                      |                                        |                                   |
| Well #13        | 29-14099                                     | City of Chubbuck      | 5/2/1966   | 6S,34E-3   | 0.99                                 | 182.0                                  | 52.0                              |
| Well #13        | 43-13595                                     | Ward Land & Livestock | 5/4/1978   | 10S,26E-2  | 0.49                                 | 118.4                                  | 29.6                              |
| Well #13        | 43-13597                                     | Ward Land & Livestock | 5/23/1962  | 10S,26E-2  | 0.09                                 | 56.8                                   | 14.2                              |
| Well #13        | 43-13595, 43-13597 Combined limits           |                       |            |            | 0.49                                 | 175.2                                  | 43.8                              |
|                 |                                              |                       |            |            |                                      |                                        |                                   |
| Rental #4 Total |                                              |                       |            |            | 1.48                                 | 357.2                                  | 95.8                              |

Table 1: PEP, LLC Proposed Water Right Rentals (2015)

## Modeled Rental Diversions (2013-2015)

**Table 2** shows the modeled rental diversions included in this updated analysis derived from user reported pivot operating times for the 2013 and 2014 approved rentals, however the full authorized volumes of the proposed rental water rights are included in the 2015 model volumes.

| Well ID  | TwpRng-Sec | Modeled Diversions |           |           |
|----------|------------|--------------------|-----------|-----------|
|          |            | 2013 [af]          | 2014 [af] | 2015 [af] |
| Well #13 | 04S30E-27  | 0                  | 0         | 357.2     |
| Well #21 | 04S30E-27  | 0                  | 8.5       | 886       |
| Well #22 | 04S30E-34  | 775.3              | 775.3     | 1500      |
| Well #25 | 04S30E-33  | 698                | 698       | 1426.1    |

**Table 2: PEP, LLC modeled rental diversions**

## Estimated Impacts of 2015 Rental Diversions

The water table impacts resulting from the proposed rental were calculated using superposition of the transient Theis solution of ground water flow for each of the four rental wells assuming the volumes shown above were pumped evenly and continuously throughout the irrigation season from April 1 through October 31 and entirely consumed. The peak water table impacts calculated for just the 2015 rental are shown for each well and in combination within **Attachment #5**. According to the analysis, the combined impacts for the single year rental may approach 3 feet at the nearest neighboring protestant well located an average of approximately 3/4 mile away from the rental diversions. The actual closest protestant well appears to be the well associated with water rights 35-2826 and 35-14097 located approximately 1,720 ft east of PEP proposed rental well #21. As with previous year rentals, total diversions in 2015 and therefore actual total impacts will almost certainly be lower.

## Estimated Combined Impacts of 2013-2015 Rental Diversions

**Attachment #6** shows the expected peak water table impacts occurring at the end of the 2015 rental season including all 2013-2015 consecutive years of rental water use. Total impacts at the Phillips well is estimated to be less than 3.1 feet and impacts over 1 foot contained within approximately 2 miles of the rental area.

## Estimated Residual Impacts 1 Year After 2015 Rental Diversions End

The combined residual water table impacts at the end of the following season one year after the rentals have ended are shown on **Attachment #7**. The residual

impacts of all 2013-2015 rentals are calculated to be under seven tenths of a foot nearby and under five tenths of a foot at average distances over 3 miles from the proposed rentals.

## **Conclusion**

According to the results of the analysis, the combined water table impacts of the continuing PEP, LLC rentals at the nearest protestant well peak just under 3.1 feet from the calculated combined impacts of the consecutive rentals. The combined residual impacts of all 2013-2015 rentals recedes to approximately 8 inches within the local area one year after the proposed 2015 rental diversions has ceased.

The rental does not appear to prevent other water users from continuing to exercise existing water rights, does not represent an enlargement of the leased water rights, represents a beneficial use in the local public interest and appears to be consistent with the conservation of shared water resources within the ESPA.

Existing monitoring wells are in place to allow future evaluation of actual local impacts of the rental water use. Irrigation on rental tracts lies well within the authorized limits of the 2013 and 2014 rental approvals and further evidence of compliance can be determined by well power use records at the rental points of diversion or other methods acceptable to the department.

#### List of Attachments:

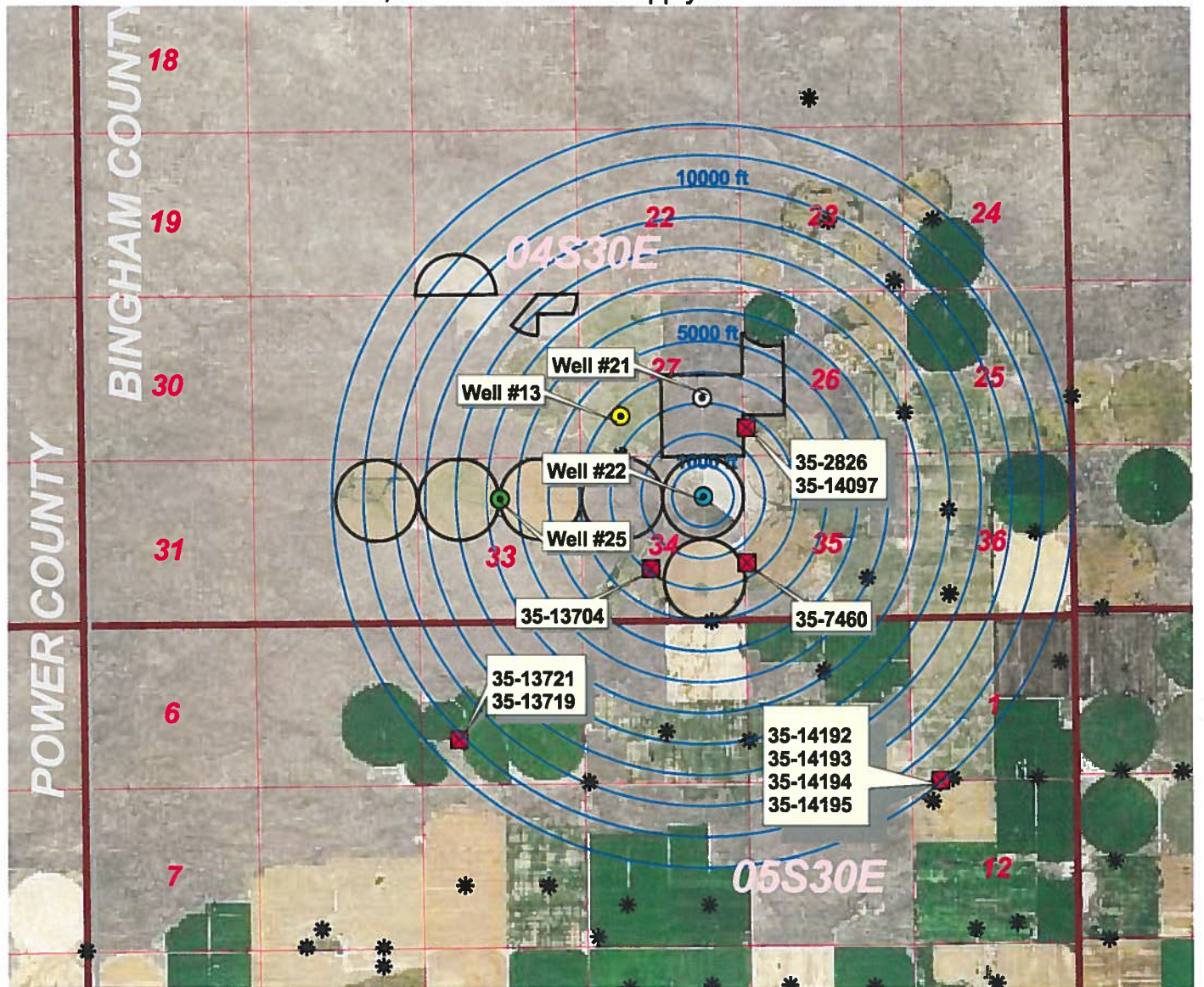
- Attachment #1: Map: Proposed 2015 Rental and Protestant Well Locations
- Attachment #2: Map: Local Observation Wells & Well Drilling Pumping Tests
- Attachment #3: Charts: Local USGS Monitoring Well Water Level Data
- Attachment #4: Estimated Aquifer Properties
- Attachment #5: Chart: Estimated Peak Water Table Impacts (2015 Rental)
- Attachment #6: Chart: Estimated Peak Water Table Impacts (3-yr Rentals)
- Attachment #7: Chart: Estimated Residual Impacts (1 yr After 3-yr Rentals)

#### References:

Helms, J.C., 2014, *PEP, LLC Addendum in support of Water Supply Bank Rental (Estimate of Local Aquifer Impacts)*. Private consultant report submitted to IDWR dated 2/17/2014, 5 p., 7\* attachments.

U.S. Geological Survey, 2013c, *National Water Information System—Web interface*, USGS water data for Idaho: U.S. Geological Survey database, accessed January 8, 2015 at <http://waterdata.usgs.gov/id/nwis/nwis>.

# PEP, LLC 2015 Water Supply Bank Rental



JCH - 1/8/2015

2013 NAIP Aerial Photo



Scale: 1 inch = 1 mile

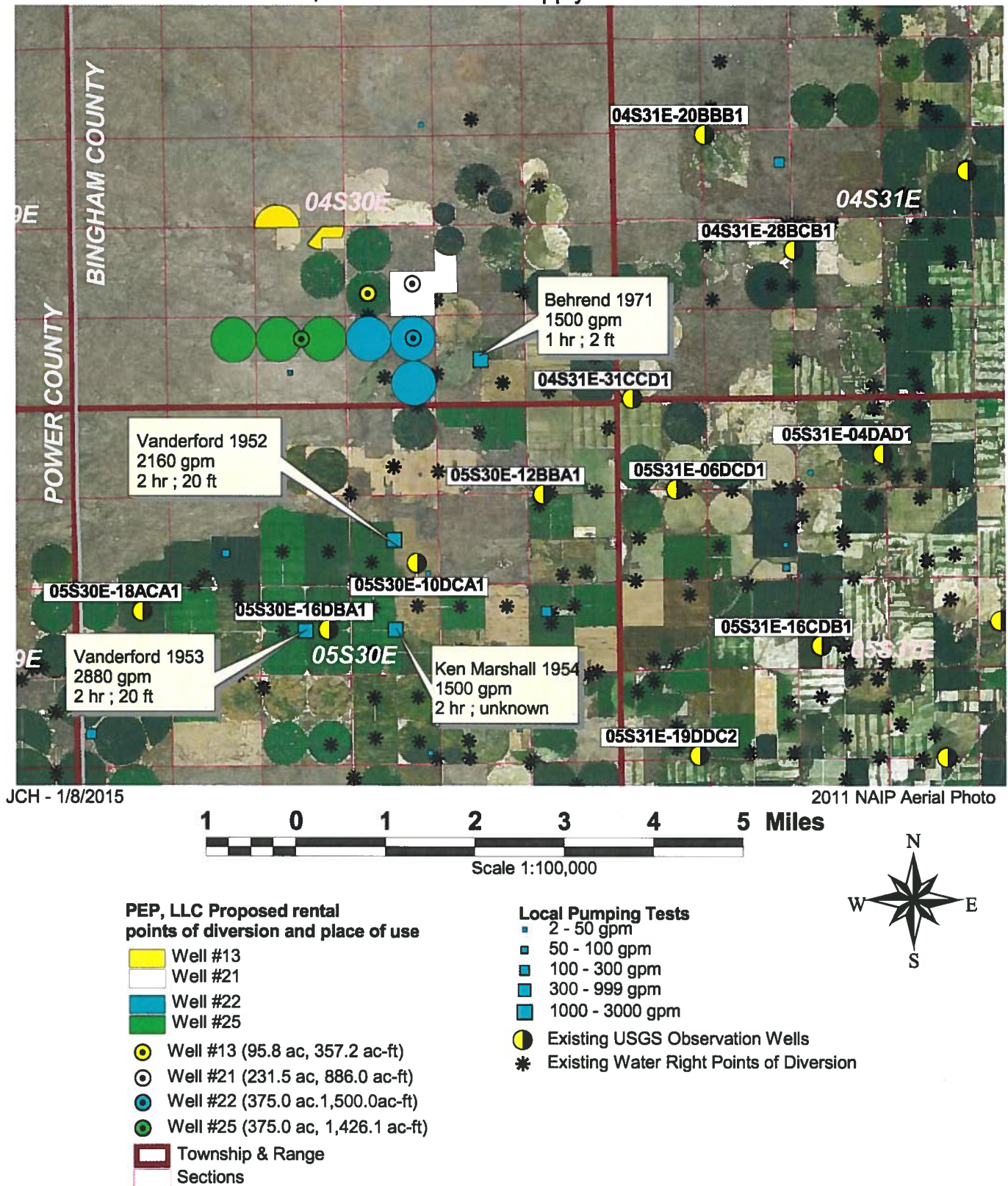
- |                              |                                |
|------------------------------|--------------------------------|
| PEP, LLC Rental Place of Use | Range Ring (1,000 ft interval) |
| PEP, LLC Well #13            | County Boundaries              |
| PEP, LLC Well #21            | Township & Range               |
| PEP, LLC Well #22            | Sections                       |
| PEP, LLC Well #25            |                                |
| Protestant Water Rights      |                                |
| Other Existing Water Rights  |                                |



## Attachment #1

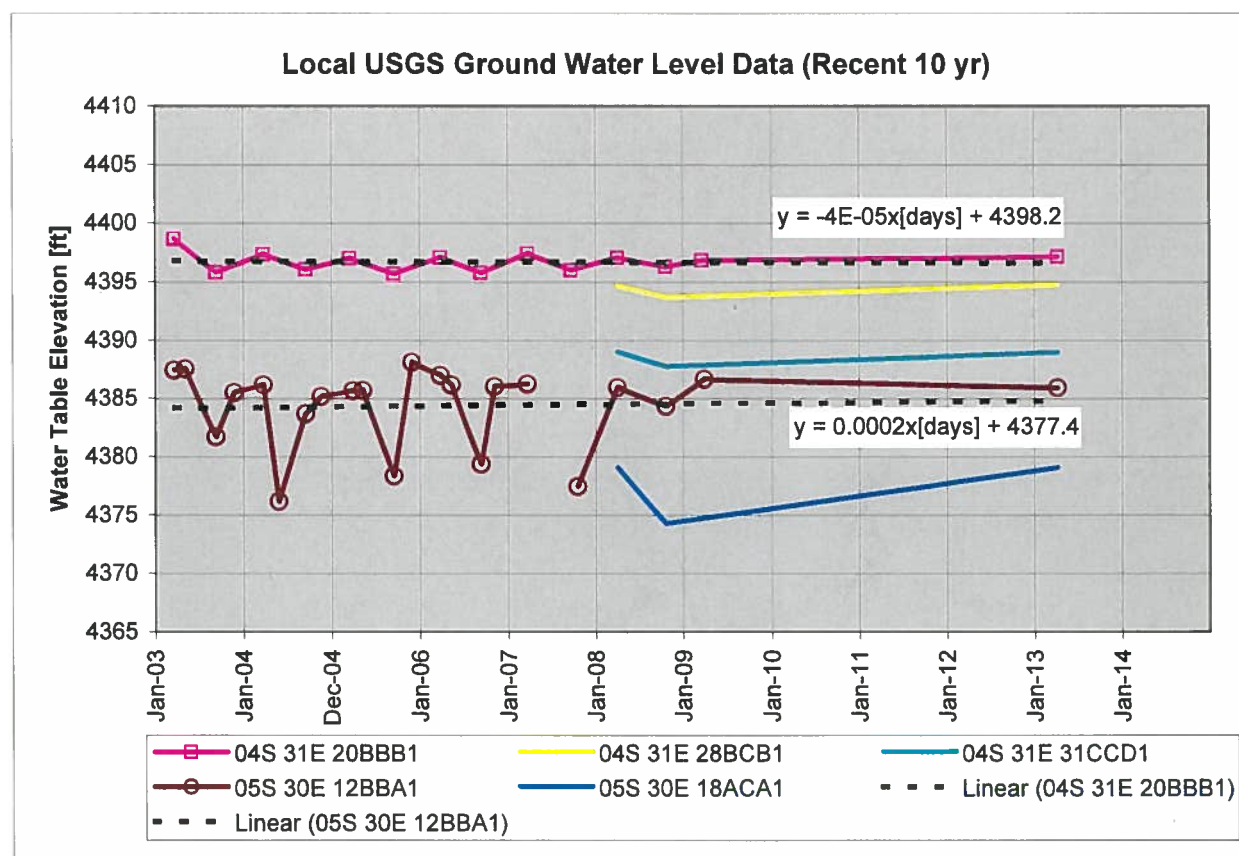
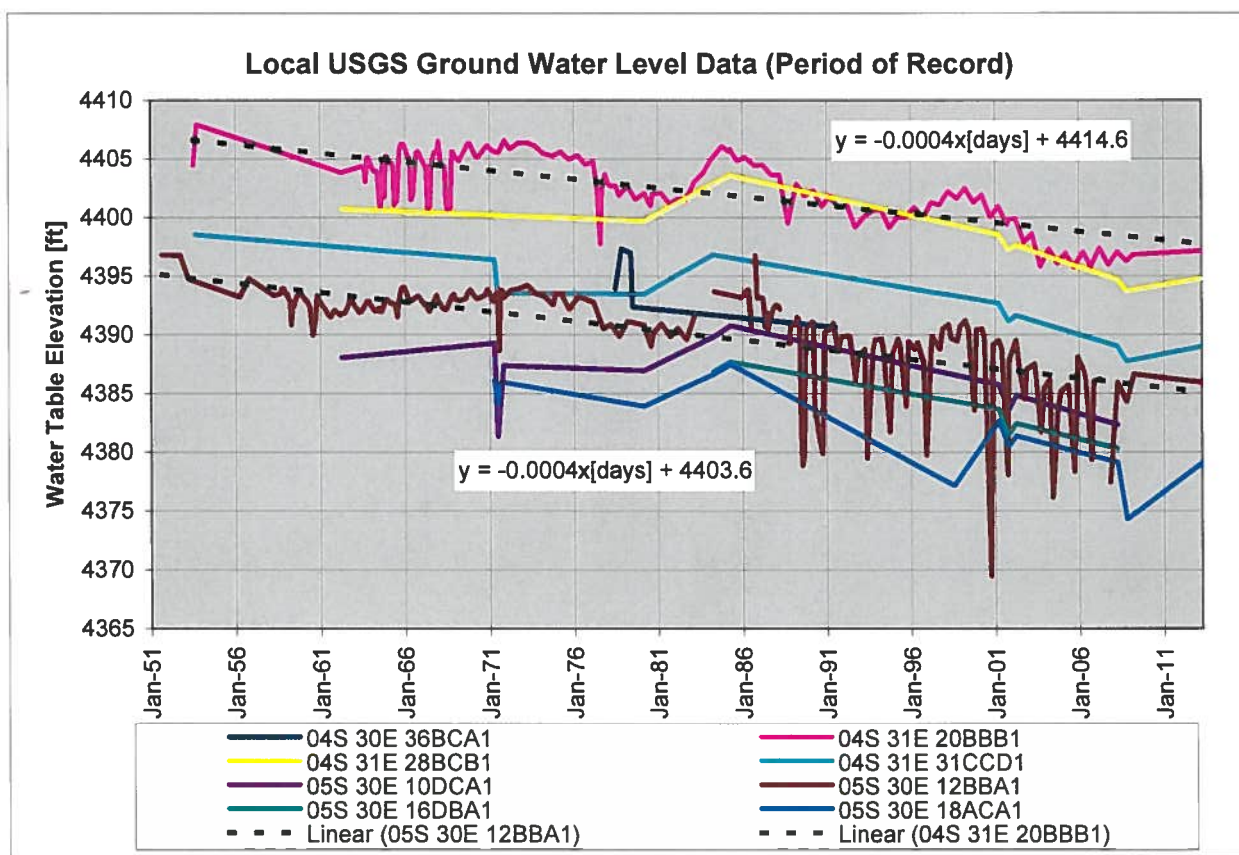
Proposed Rental & Protestant Well Locations

# PEP, LLC 2015 Water Supply Bank Rental



## Attachment #2

### Local Observation Wells & Well Drilling Pumping Tests



# PEP, LLC Water Supply Bank Rental

## Local Hydraulic Conductivity Estimate

Prepared by: Jason C. Helms, P.E.

Date: 2/17/2014

Project: PEP, LLC Water Supply Bank Rental 2014

Scale: 1:100k, 5 miles

Location: Twp. 4S, Rng. 30E, Sections 33,34

| Drilling Log Well Owner | Test Diversion Rate [gpm] | Test Duration [hr] | Initial Water Level [ft] | Final Water Level [ft] | Drawdown = $h_0 - h$ [ft] | Aquifer Thickness = B [ft] | Well Diameter = $2 \cdot r_0$ [ft] |
|-------------------------|---------------------------|--------------------|--------------------------|------------------------|---------------------------|----------------------------|------------------------------------|
| Charles Behrend         | 1500                      | 1                  | 175                      | 177                    | 2                         | 500                        | 1.3                                |
| T.S. Vanderford #1      | 2160                      | 2                  | 162                      | 182                    | 20                        | 500                        | 1.3                                |
| T.S. Vanderford #2      | 2880                      | 2                  | 230                      | 250                    | 20                        | 500                        | 1.7                                |

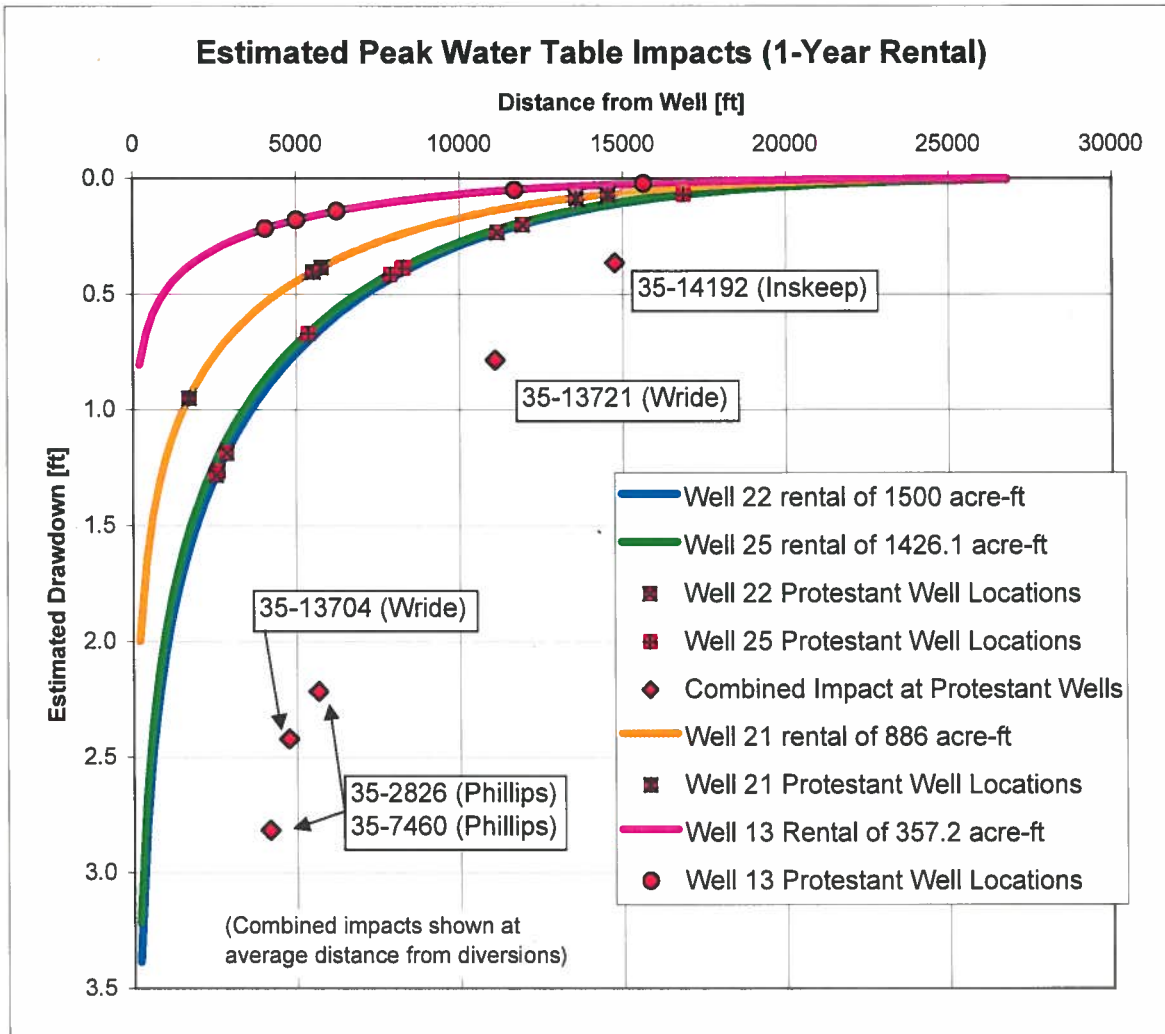
|                    | Radius = $r_0$ [ft] | Storativity = S [ft <sup>3</sup> /ft <sup>3</sup> ] | Transmissivity = T = KB [ft <sup>2</sup> /day] | Time = t [days] | $u = r_0^2 S / (4Tt)$ | Well Function = W(u) | Estimated K* [ft/day] |
|--------------------|---------------------|-----------------------------------------------------|------------------------------------------------|-----------------|-----------------------|----------------------|-----------------------|
| Charles Behrend    | 0.67                | 0.20                                                | 136397                                         | 0.04            | 3.91E-06              | 11.87                | 273                   |
| T.S. Vanderford #1 | 0.67                | 0.20                                                | 17386                                          | 0.08            | 1.53E-05              | 10.51                | 35                    |
| T.S. Vanderford #2 | 0.83                | 0.20                                                | 22794                                          | 0.08            | 1.83E-05              | 10.33                | 46                    |

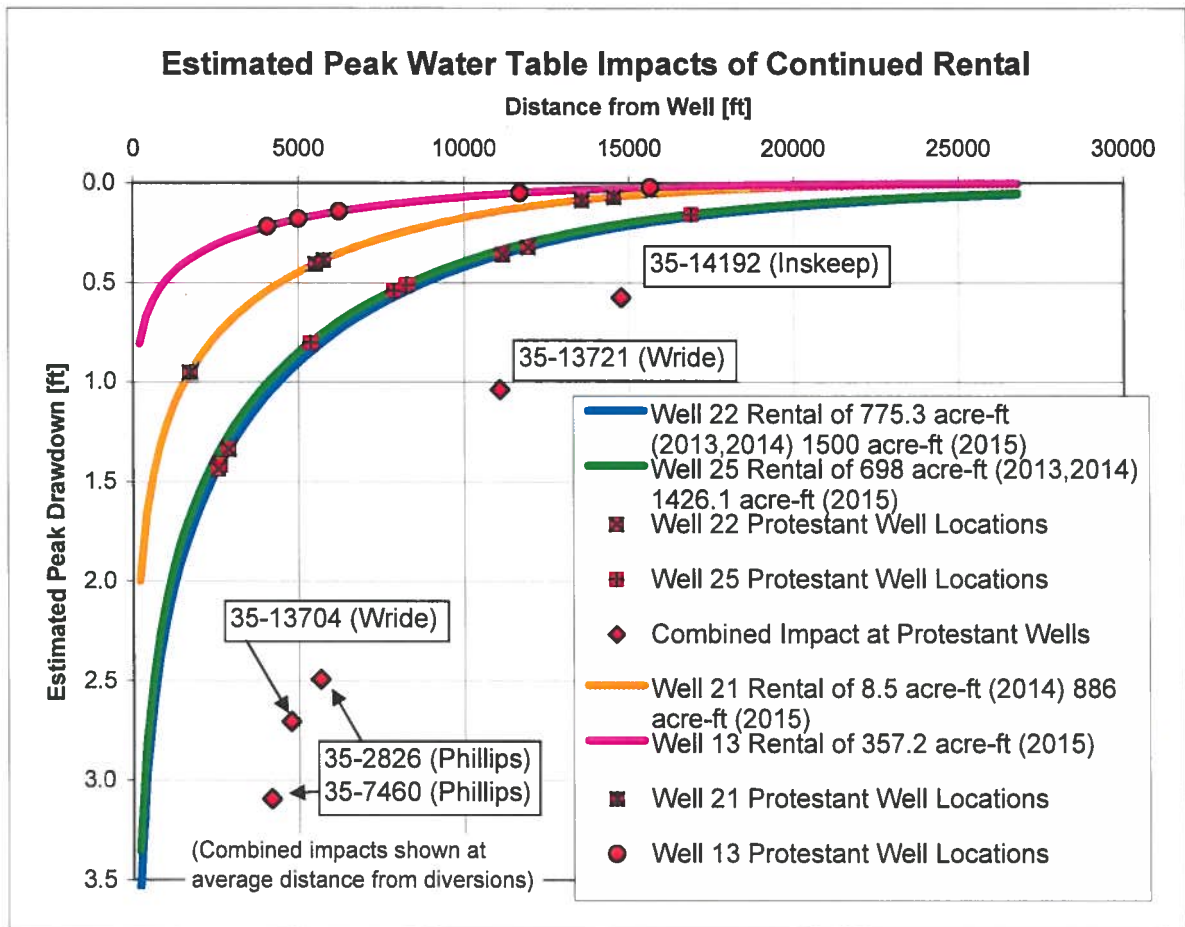
$$K^* = Q \cdot W(u) / (4\pi \cdot (h_0 - h))$$

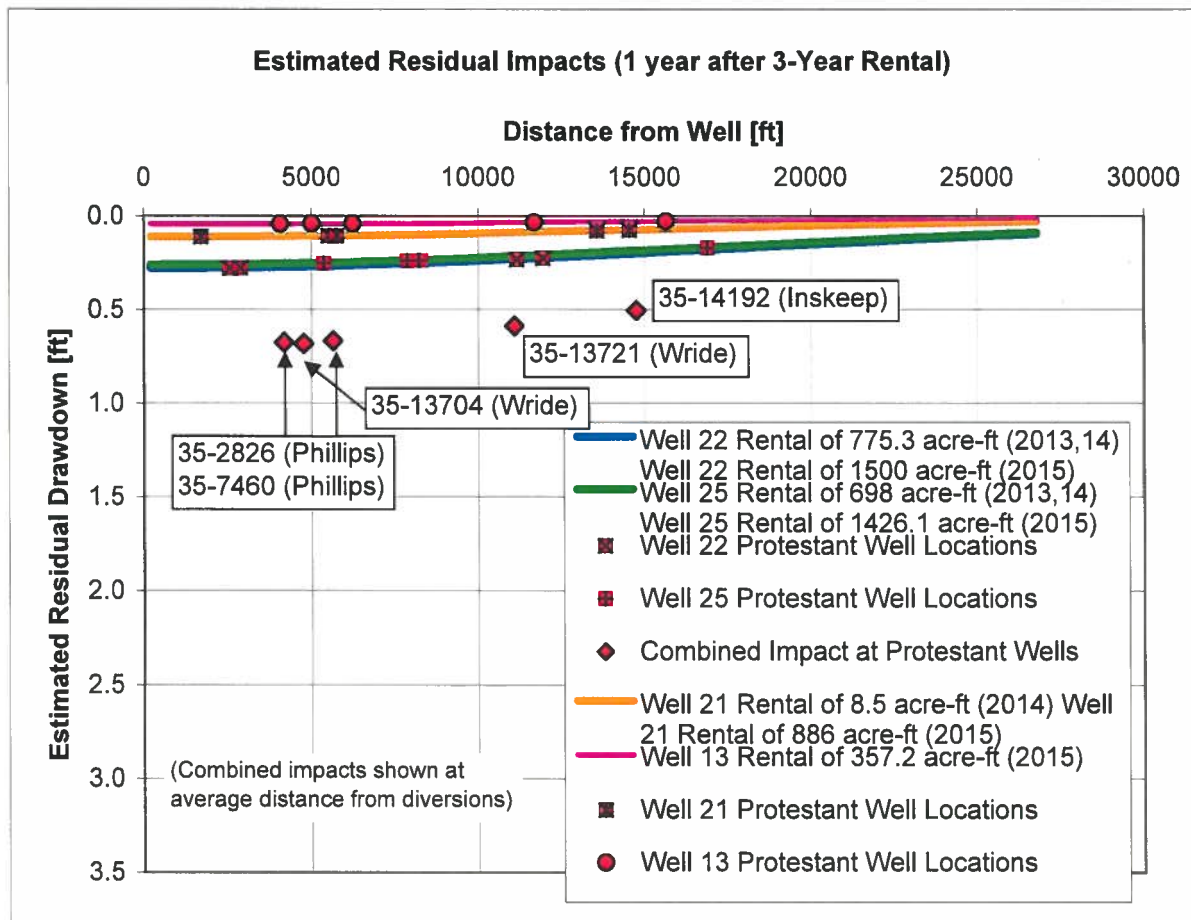
Average Hydraulic Conductivity (K): 118 ft/day  
 Aquifer Thickness (B): 500 ft  
 Corresponding Transmissivity (T=KB): 58,859 ft<sup>2</sup>/day

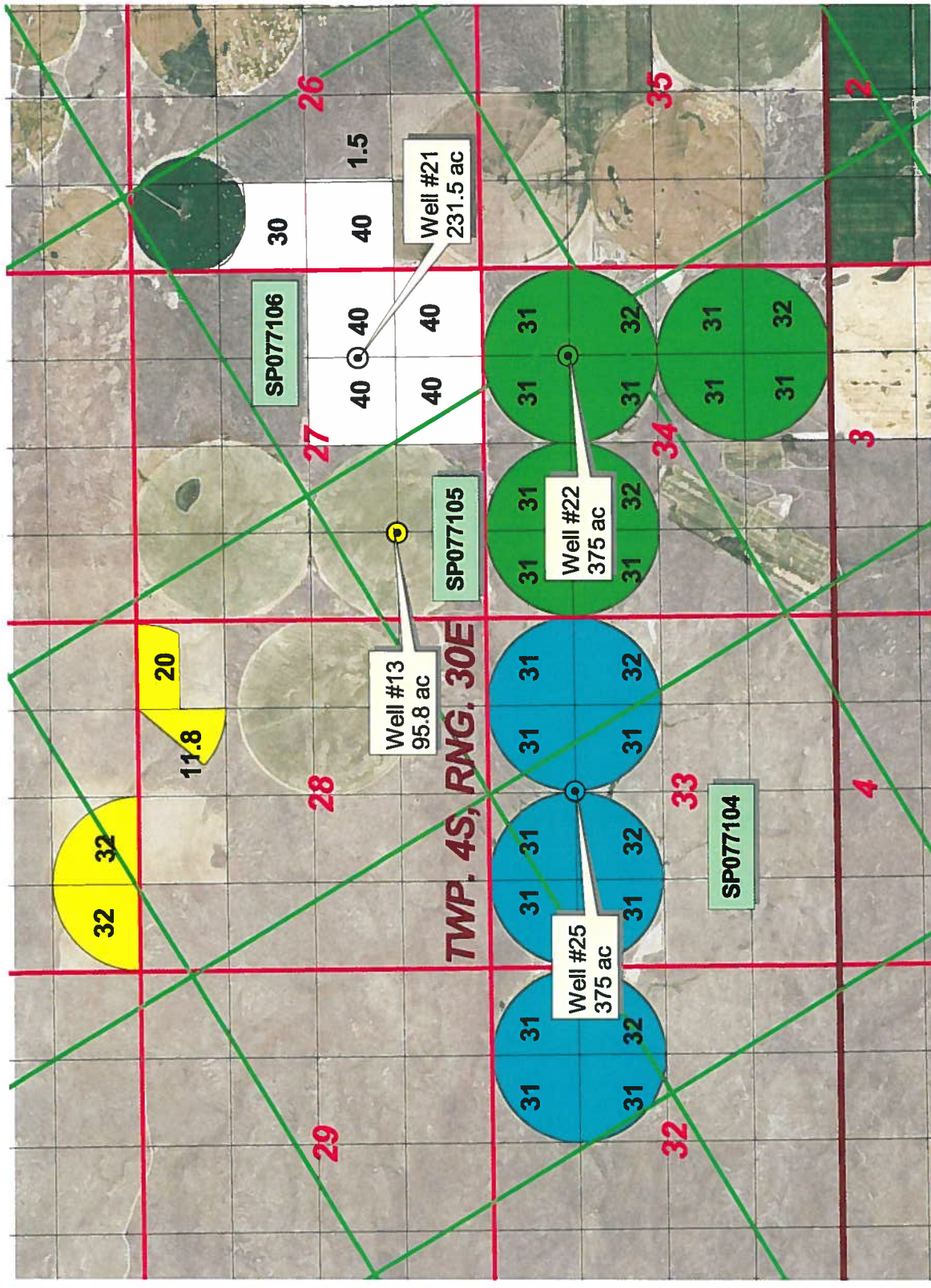
## Attachment #4

### Local Well Test Details & Estimated Aquifer Properties









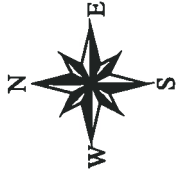
JCH - 1/8/2015

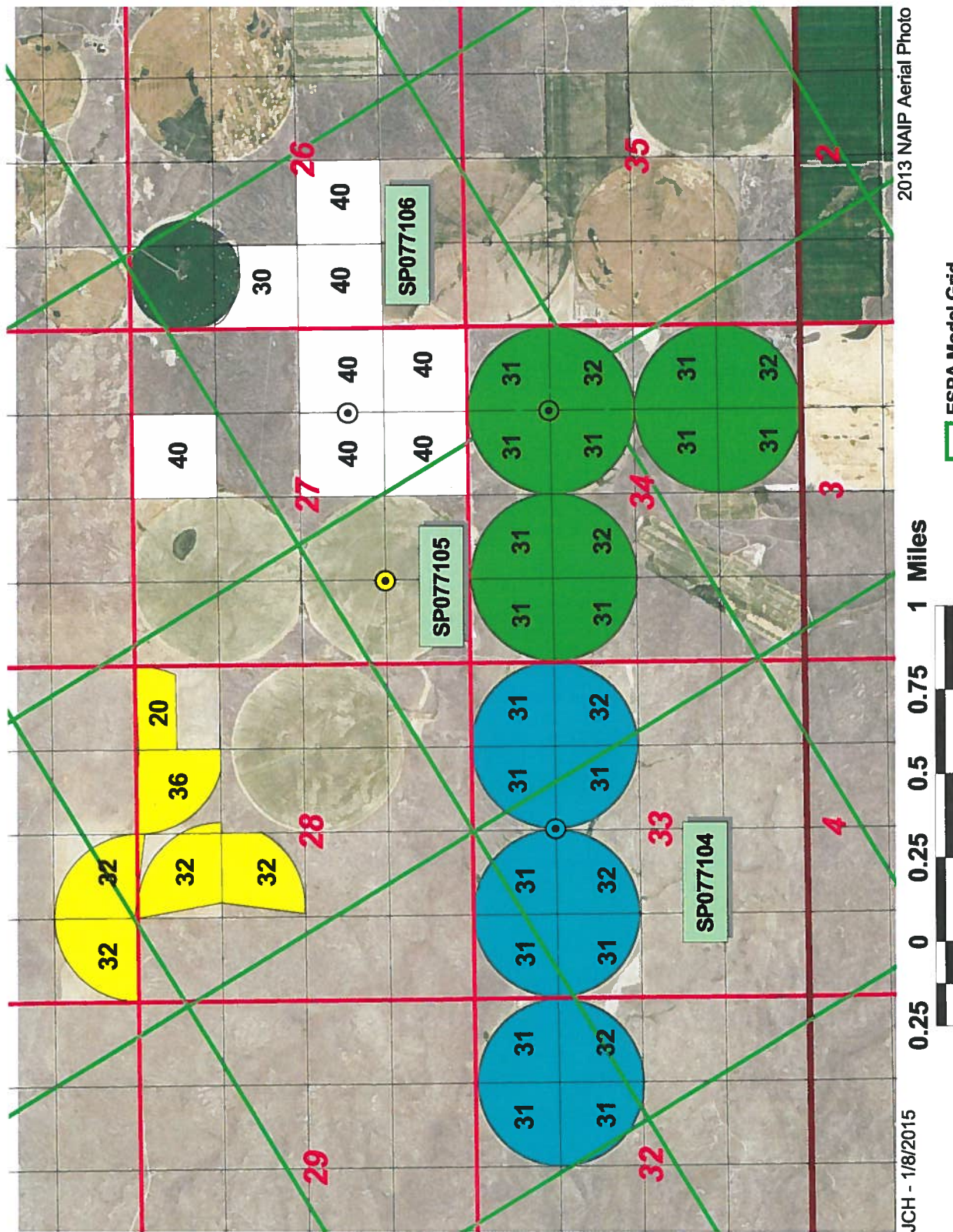
2013 NAIP Aerial Photo

- ESPA Model Grid
- Township & Range
- Sections
- 40's

- PEP, LLC Proposed Rental #1
- PEP, LLC Proposed Rental #2
- PEP, LLC Proposed Rental #3
- PEP, LLC Proposed Rental #4

**PEP, LLC Modeled 2015 Water Supply Bank Rentals**  
(Updated 1/8/2015)





JCH - 1/8/2015

2013 NAIP Aerial Photo

# PEP, LLC Requested 2015 Water Supply Bank Rentals (Updated 1/8/2015)

RECEIVED

DEC 24 2014

DEPARTMENT OF  
WATER RESOURCES

December 21, 2014

**Jason C. Helms, P.E.**

JCH Engineering & Consulting  
6755 N. Albert Lane  
Idaho Falls, ID 83401  
(208) 308-2109  
[jasoncivil@alumni.nd.edu](mailto:jasoncivil@alumni.nd.edu)

Cherie Palmer  
Idaho Department Of Water Resources  
Water Resource Board  
322 East Front Street  
Boise, Idaho 83720-0098

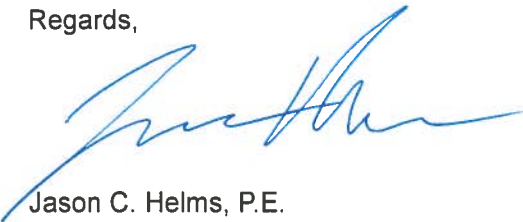
**Re: Water Supply Bank Rental (2015) in the name of PEP, LLC**

Ms. Palmer,

We have received your letter requesting additional information dated December 10, 2014.

Please allow an additional 30 days for us to determine exactly what information you require and provide the associated analyses.

Regards,



Jason C. Helms, P.E.

cc: Chris Pratt (PEP, LLC)

## Palmer, Cherie

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**From:** Palmer, Cherie  
**Sent:** Tuesday, December 23, 2014 5:56 PM  
**To:** 'Jason Helms'  
**Subject:** RE: PEP rentals (2015)

Jason,

Thank you for your email.

First, I want to clarify the number of acres these 4 applications are requesting. I assumed that you had modeled the full 1,256 acres you requested on your application but, apparently you have identified enough water for 1,077.3 acres only. The Department cannot process a rental request in the ESPA without the impacts being modeled by the applicant. For this reason, the 4 rental applications will be evaluated for a 1,077.3 acre rental. Next, the map and place of use grid (application item no. A.4) are for 1,256 acres. Please modify the place of use grid(s) and map to reflect where the 1,077.3 acres will be located for the proposed rental(s). A sufficient map and a correct application form are minimum application requirements and all applicants are held to the same standard; all applications must meet the minimum application requirement. Please submit corrected application(s) and a new map by 12/30/14.

In regard to the ESPA model and the public interest concerns, an extension can be granted in order to give you time to acquire this information. Please submit the following information by 1/12/2015—this is more than one month total.

In my letter I discussed modeling the impacts of all 4 applications collectively. Please model the impact as one model run—not 4 separate runs. The goal is to understand the impacts as one instead of piecemeal. A single PD on the PEP LLC farm should be used. Since water is primarily coming from the city of Chubbuck, use the PD that is furthest from the city's diversions.

Finally, I offered 3 different options to you in my December 10, 2014 letter in regard to the public interest concerns. It will be up to you and your client on how to proceed on this matter. Last year the report only evaluated 771.5 acres so there may be impacts that cannot be understood with a rental of 1,077.3 acres.

Please contact me if you have any questions regarding this matter.

*Cherie Palmer, Water Rights Supervisor  
Idaho Dept of Water Resources  
Water Allocation Bureau  
322 E. Front Street (Front St. & Broadway Ave)  
Mail: PO BOX 83720 Boise, ID 83720-0098  
email: [cherie.palmer@idwr.idaho.gov](mailto:cherie.palmer@idwr.idaho.gov)  
phone: (208) 287-4944  
fax: (208) 287-6700*

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**From:** Jason Helms [<mailto:jasoncivil@alumni.nd.edu>]  
**Sent:** Thursday, December 18, 2014 6:02 PM  
**To:** Palmer, Cherie  
**Subject:** PEP rentals (2015)

Hi Cherie,

I received your letter of Dec 10 and I am requesting an additional 30 days. Please bear in mind, these are irrigation water rights and right now it is the middle of December. If there is someone else I could possibly work with please let me know.

According to my list, we are currently proposing to rent 1,077.3 acres (see attached) but PEP would be interested in increasing the rental if more is available. I will send a hard copy of this request but would like to get started trying to address your concerns immediately. I offer the following questions & comments in the same order as bulleted in your letter:

- I am quite certain that any issues with the City of Chubbuck lease applications will be resolved. If you are aware of any issues with any of the other water rights identified (see attached) please let me know.
- The ESPA modeling provided includes the impacts of all rentals. Please explain what you mean by "does not model impacts collectively". Are you requesting a sum? If not, then what should I change in the analysis? Please be as specific as possible.
- I had hoped the same responses to the same objections ultimately finding the rentals to be in accordance with Idaho code and best water use practices would again be considered. If you believe it is necessary then another report can be prepared similar to last year but I will need additional time to perform the modeling and prepare the exhibits.

Your haste to resolve these issues by December 26 is curious and your assistance by providing a 30 day extension to January 26, 2015 is sincerely appreciated.

Regards,

Jason C. Helms, P.E.

JCH Engineering & Consulting, PLLC  
(208) 308-2109

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 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)**

**GARY SPACKMAN**  
Director

**C.L. "BUTCH" OTTER**  
Governor

December 10, 2014

PEP FARMS PARTNERSHIP  
1356 S 3000 W  
ABERDEEN ID 83210

RESPONSE DEADLINE  
December 26, 2014

RE: APPLICATIONS TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Applicant:

On November 2, 2014, the Department received four Water Supply Bank (Bank) rental applications that propose to irrigate 1,256 acres using ground water from four different wells for the 2015 season. Your rental application packet included a list of specific water rights to fulfill your rental request. Your application packet also included the necessary Eastern Snake Plain Aquifer (ESPA) ground water model analysis that evaluates potential depletions that may impact other water users.

At this time the Department cannot process your rental applications for three reasons:

- Not all water rights that you are requesting are leased into the Bank nor does the Department have valid lease applications on file for those water rights
- ESPA modeling that was submitted does not model impacts collectively
- Public concerns from last year may be exasperated in 2015 due to the increased number of acres that you requesting to irrigate using rental water compared to last year

In order to resolve the first issue please list water rights for your proposed rental that are either already leased into the Bank or have complete lease applications along with the appropriate filing fees submitted.

The second issue can be resolved by evaluating all four of your rental applications as one. The four rental applications that you submitted propose to withdraw water from wells that are within a one mile radius. Potential impacts from wells that are local to one another, are impacting the same immediate aquifer, and are being proposed for use on the same farm should be modeled as one. As submitted, your analysis of impacts for this proposed irrigation project does not meet the spirit of the ESPA model analysis and cannot be an accepted practice in the Bank.

Next, the Department became aware of public concerns during the processing of your 2014 rental applications. In response JCH Engineers, on your behalf, prepared an addendum to your 2014 application that evaluated the local water table impacts of your rental. The report was completed based on the rental of 771.5 acres. This year you are proposing to rent 1,256.0 acres. There are three options available to address this issue:

Page 2  
December 10, 2014

- Contact the concerned parties that filed complaints in early 2014 and obtain written consent that they do not object to your proposed rental
- OR
- The Department can advertise your rental application in the local paper
- OR
- You may submit a report to the Department, much like last year, that analyzes the hydrology of the neighboring wells and potential drawdown, etc. The report will be reviewed by the Department's Hydrology Section where the effects of your proposed rental will be found permissible or not

At this time your application will not be accepted, denied, or rejected; however, the Department will hold your application for 14 days in order to give you time to compile the items outlined in this letter.

If a complete rental application meeting the minimum criteria is not received within 14 days, the Department must reject your application. You may contact me at (208) 287-4944 if you have any questions regarding this matter.

Sincerely,



Cherie Palmer  
Water Rights Supervisor  
WSB Process Point of Contact

c: Jason Helms-JCH Engineering & Consulting, PLLC