

Department of Water Resources

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 Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement.

Signature of Renter

Signature of Renter

Printed Name and Title*

Skype A. Rast Vice President

Printed Name and Title*

Date

17 July 2014

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, Acting Administrator
Idaho Water Resource Board

Date

July 21, 2014

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

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENW	Sec. 9, Twp 08S, Rge 21E, JEROME County
GROUND WATER	SENWNW	Sec. 9, Twp 08S, Rge 21E, JEROME County
GROUND WATER	SESWSW	Sec. 10, Twp 08S, Rge 21E, JEROME County
GROUND WATER	SWSENE	Sec. 10, Twp 08S, Rge 21E, JEROME County
GROUND WATER	SWSENW	Sec. 11, Twp 08S, Rge 21E, JEROME County
GROUND WATER	SENWSW	Sec. 11, Twp 08S, Rge 21E, JEROME County
GROUND WATER	NENENE	Sec. 16, Twp 08S, Rge 21E, JEROME County
GROUND WATER	SWNWSE	Sec. 16, Twp 08S, Rge 21E, JEROME County

BENEFICIAL USE

IRRIGATION

SEASON OF USE

03/15 TO 11/15 for 36-2254A and 36-2284

04/01 TO 10/31 for 36-8401

RENTER'S PLACE OF USE

IRRIGATION within JEROME County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	21E	8	40.0			40.0									40.0			40.0	160.0
08S	21E	9			40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S	21E	10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S	21E	11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S	21E	12						40.0	40.0										80.0
08S	21E	15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S	21E	16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Right Acre Limit: 136.1

POU Total Acres: 2,785.0

Total Acres: 136.1

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Total Leased Acres</u>
36-2254A, 36-2284 and 36-8401	2.13 CFS	544.4 AF	136.1 AC

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. 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.
12. 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. 130.
13. This agreement authorizes the irrigation of a total of 136.1 acres within the 2785 acre place of use authorized by the combined rights in a single irrigation season. The specific 136.1 to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 136.1 to be irrigated within the 2785 place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
14. This rental when combined with rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421, and rental rights 36-16471, 36-16467, and 36-16469 are limited to the irrigation of 2,373.3 acres within a 2,785 permissible place of use.
15. Prior to the diversion and use of water under this agreement, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

RECEIVED
FEB 26 2014
 DEPARTMENT 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) GLOBAL AG PROPERTIES USA LLC C/O WESTCHESTER GROUP INVESTMENT MANAGEMENT INC
 Mailing Address 2004 FOX DR STE L CHAMPAIGN, IL 61820
 Phone (217)352-6000 Email _____

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>2.17</u>	<u>556.8</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
Total: <u>2.17</u>	<u>556.8</u>		

2. Source of water Ground Water tributary to _____

3. Point(s) of Diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County
See Exhibit A							

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	
08S	21E	15					31.3	35.9	32.6	35.8		0.5							

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

Total Acres 136.1

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 wells, mainlines and irrigation systems

2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.

36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421

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?

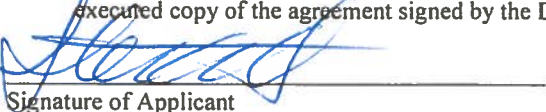
Yes ☒ No ☐

If yes, please specify the number of years desired through proposed rental. 2014-2016

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


Printed Name and Title*


Date

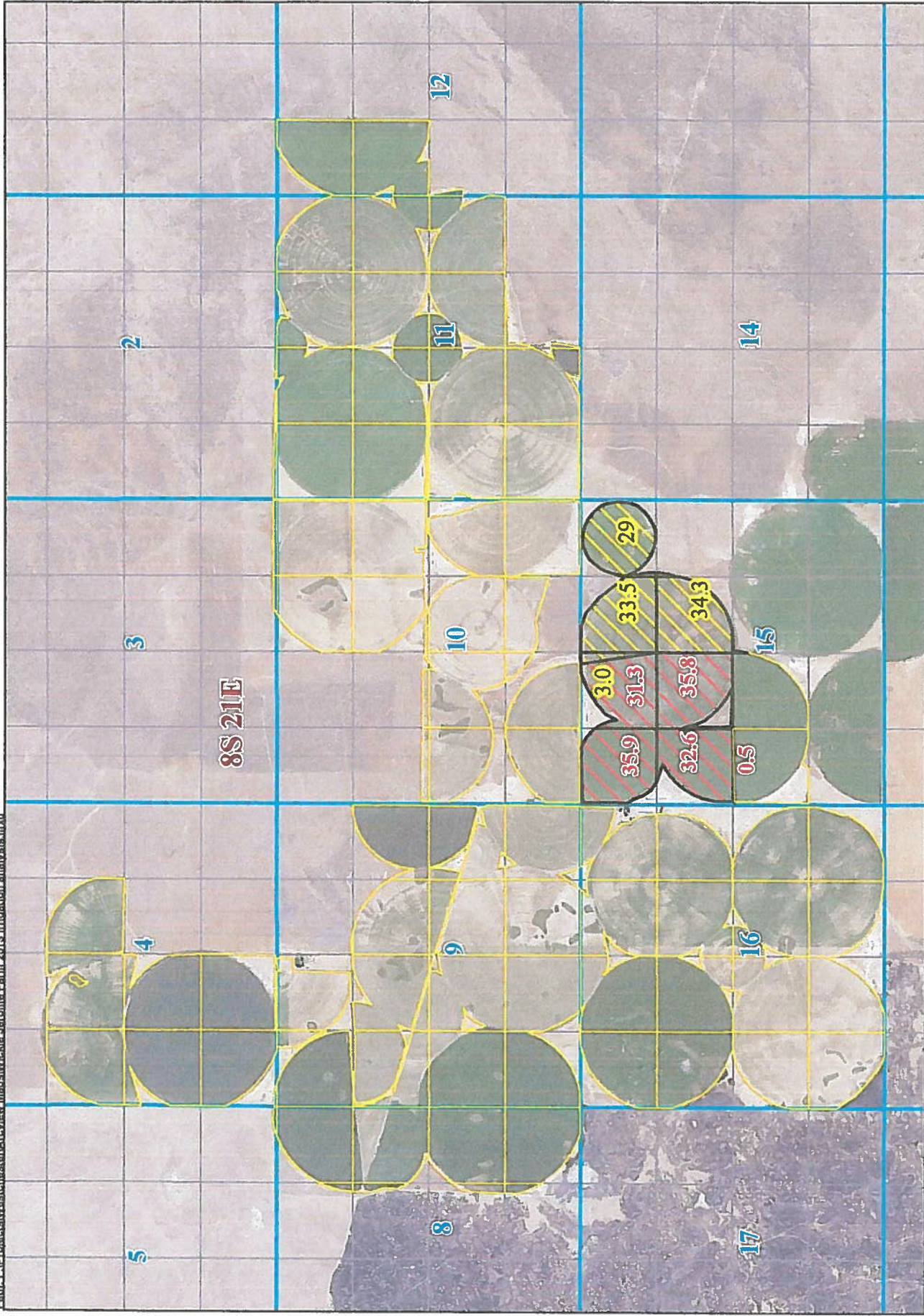
Signature of Applicant

Printed Name and Title*

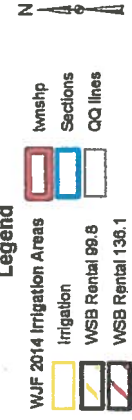
Date

*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



0 1,000 2,000 4,000 Feet



WESTCHESTER GROUP - WICKLE JEROME FARM
WATER SUPPLY BANK RENTALS 2014
NAIP 2013 AERIAL

No. C 190163	Due no later than Feb 28, 2014 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. WESTCHESTER GROUP INVESTMENT MANAGEMENT, INC. 2004 FOX DR STE L CHAMPAIGN IL 61820		CORPORATION SERVICE COMPANY 12550 W EXPLORER DR STE 100 BOISE ID 83713 USA			
			3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
DIRECTOR	WILLIAM J FORGIONE	2004 FOX DR STE L	CHAMPAIGN	IL	USA	61820
DIRECTOR	HEATHER DAVIS	8500 ANDREW CARNEGIE BLVD	CHARLOTTE	NC	USA	28262
DIRECTOR	CAROL DECKBAR	2004 FOX DR STE L	CHAMPAIGN	IL	USA	61820
DIRECTOR	MURRAY WISE	2004 FOX DR STE L	CHAMPAIGN	IL	USA	61820
DIRECTOR	RICARDO DELL AQUILA MUSSA	2004 FOX DR STE L	CHAMPAIGN	IL	USA	61820
DIRECTOR	JOSE MINAYA	8500 ANDREW CARNEGIE BLVD	CHARLOTTE	NC	USA	28262
DIRECTOR	RANDALL E POPE	2004 FOX DR STE L	CHAMPAIGN	IL	USA	61820
TREASURER	JORGE GUTIERREZ	2004 FOX DR STE L	CHAMPAIGN	IL	USA	61820
PRESIDENT	RANDALL E POPE	2004 FOX DR STE L	CHAMPAIGN	IL	USA	61820
SECRETARY	MARJORIE PIERRE-MERRITT	2004 FOX DR STE L	CHAMPAIGN	IL	USA	61820
5. Organized Under the Laws of: IL C 190163		6. Annual Report must be signed.* Signature: Marjorie Pierre-Merritt Name (type or print): Marjorie Pierre-Merritt Date: 01/08/2014 Title: Secretary				
Processed 01/08/2014		* Electronically provided signatures are accepted as original signatures.				

WESTCHESTER GROUP REAL ESTATE, INC.
(WGRE) 6/5/2013

Minaya, Jose M.	Director & Chairman
Pope, Randall E.	Director, President & CEO
Decker, Eric	Vice President
Fornoff, Carole A.	Vice President
Hauss, Brian	Vice President
Hewes, J. Collins	Vice President
Lakamp, Douglas J.	Vice President
Mitchell, Scott	Vice President
Nelson, Duane R.	Vice President
Ourso, Justin (Biff)	Vice President
Robertson, Roderick T.	Vice President
Root, Skye	Vice President
Trainor, Patrick R.	Vice President
Traynom, Kenny	Vice President
Robinson, Michael	Treasurer
Fisher, Carolyn	Corporate Secretary



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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

July 22, 2014

GLOBAL AG PROPERTIES USA LLC
C/O WESTCHESTER GROUP INVESTMENT MANAGEMENT INC
PO BOX 2004 FOX DR STE L
CHAMPAIGN IL 61820

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 36-02254A, 36-02284 AND 36-08401**

Dear Renter:

Please find enclosed a receipt in the amount of **\$9,254.80** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 544.4 acre-feet of water for irrigation of 136.1 acres during 2014. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$8,329.32 of the rental fee will be paid to the lessor(s) and 10% or \$925.48 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4879.

Sincerely,

Sandra Thiel
Water Resource Planner

Enclosure(s): Receipt No. C099202
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Allen Merritt – IDWR Southern Regional Manager
Cindy Yenter – State Water District No. 130
Greg Sullivan-Brockway Engineering

Thiel, Sandra

From: Thiel, Sandra
Sent: Friday, June 20, 2014 2:07 PM
To: Yenter, Cindy
Subject: RE: third time's the charm?

Tracking:	Recipient	Delivery
	Yenter, Cindy	Delivered: 6/20/2014 2:07 PM

I didn't include 36-16501 on the list. I just wanted to make sure that I was correct on the water rights.

I realized that the rentals are for two different time periods 2014-216 and 2014-2018. So I have the following conditions. Let me know what you think

For the rental of 36-16471, 36-16467 and 36-16469 for 99.8 acres ($2473.9 - 99.8 = 2,374.1$)

This rental when combined with rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, 36-16421 and 36-16501, are limited to the irrigation of 2,374.1 acres within a 2,785 permissible place of use.

For the rental of 36-2254A, 36-2284 and 36-8401 for 139.2 acres ($2473.9 - 139.2 = 2334.7$)

This rental when combined with rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, 36-16421 and 36-16501, are limited to the irrigation of 2334.7 acres within a 2,785 permissible place of use.

From: Yenter, Cindy
Sent: Friday, June 20, 2014 1:27 PM
To: Thiel, Sandra
Subject: RE: third time's the charm?

Yes. But only 16 of them are associated with the 2785 PPU.. 36-16501 is only authorized from the north well, on the north acres. So for purposes of the 206 condition, you'll just want to list the 16 and NOT 36-16501. (this is because of the Greg thing)

If you are listing other rights diverted from the pods, you could include 36-16501 but you might want to make a separate condition identifying just that well.

From: Thiel, Sandra
Sent: Friday, June 20, 2014 1:11 PM
To: Yenter, Cindy
Subject: RE: third time's the charm?

Ok one last questions. I find 17 water rights associated with those 8 pods. Is that what you have as well?

From: Yenter, Cindy
Sent: Friday, June 20, 2014 10:26 AM
To: Thiel, Sandra
Subject: RE: third time's the charm?

I don't believe so. The "north parcel" (36-16501) is under-irrigating total acres and doesn't require any rental water. It's a little confusing but not entirely inappropriate, to include a pod which is not part of the appurtenant rights. Besides, Greg didn't identify the additional 307 acres on his tabular pou, and the conditions that we've drafted don't address the additional right. So I think better to just leave it at the 2785.

From: Thiel, Sandra

Sent: Friday, June 20, 2014 10:11 AM

To: Yenter, Cindy

Subject: RE: third time's the charm?

Hello, I have another question about the rental agreement for Global Ag. Should the rental place of use be within the entire 2473.9 on the rental agreement? Since we are adding all 8 points of diversion shouldn't we be adding all of the place of use as well.

Thiel, Sandra

From: Greg Sullivan [greg.sullivan@brockwayeng.com]
Sent: Monday, June 16, 2014 10:29 AM
To: Yenter, Cindy; Thiel, Sandra; Cooper, Jeff
Cc: 'Rob Williams'
Subject: RE: Sunrise Organic Dairy, LLC - Applications to Sell or Lease to Water Supply Bank
Attachments: Sunrise Organic Dairy Irrigation Transfer Breakdown.pdf; 2014 WSB LEASE & POU POST-TRANS.jpg

Cindy,

I have attached the spreadsheet that I used to analyze the water bank lease and transfer amounts. I also attached the 206 map identifying where the leased acres and irrigated acres will be located within the POU and within the PPU after the transfer is approved.

We are updating the POU of the 472.2 irrigation acres within the PPU ($520 - 47.8 = 472.2$). There are 321.8 acres being irrigated in 2014 and 150.4 acres leased to the Water Supply Bank.

Greg Sullivan
Brockway Engineering
2016 N. Washington St. Suite 4
Twin Falls, Id 83301
208-736-8543

From: Yenter, Cindy [mailto:Cindy.Yenter@idwr.idaho.gov]
Sent: Friday, June 13, 2014 9:11 AM
To: Greg Sullivan; Thiel, Sandra; Cooper, Jeff
Cc: Rob Williams
Subject: RE: Sunrise Organic Dairy, LLC - Applications to Sell or Lease to Water Supply Bank

Greg – these modified leases are for a combined 150.4 acres from 36-2254A, 2284 and 8401. Where did this number come from? Transfer 78948 proposes to change 47.8 acres of these rights to the dairy, and there are presently 185.1 acres leased under the rights. The difference ($185.1 - 150.4$) is only 34.7 acres, which is NOT sufficient for the transfer.

Is this correct?

Cindy Yenter
Watermaster, Water District 130
Twin Falls, ID
cindy.yenter@idwr.idaho.gov
208-736-3033

From: Greg Sullivan [mailto:greg.sullivan@brockwayeng.com]
Sent: Thursday, June 12, 2014 11:21 AM
To: Yenter, Cindy; Thiel, Sandra; Cooper, Jeff
Subject: FW: Sunrise Organic Dairy, LLC - Applications to Sell or Lease to Water Supply Bank

Thiel, Sandra

From: Yenter, Cindy
Sent: Monday, June 16, 2014 10:11 AM
To: Greg Sullivan
Cc: Thiel, Sandra
Subject: RE: Global Ag Rental

Greg – Sandy is proceeding with the rental at the full amount requested. However, you’ve just given us an analysis based on the whole operation, yet you’ve only included the PPU on the main farm as the pou (2785 acres) for the rental. Lands under Jesse’s farm (36-16501) are not included in the application. Consequently the map doesn’t match the application and neither do the acres. I estimated 268 acres irrigated under 36-16501 so there isn’t a need to rent acres there. However Global does NOT get credit for the unirrigated portion of this right on the remainder of the farm since 36-16501 is not in the PPU. So the numbers look something like this:

$2549.9 - 307.9 = 2238$ total authorized in PPU
 $2781.8 - 268 = 2513.8$ total irrigation within PPU

With your rental of 235.9 acres the maximum authorized in the PPU is going to be 2503.9. The number above is 10 acres over that. I think what you need to do is digitize irrigation separately between the PPU and 36-16501 (Jesse’s) and make sure the rental in the PPU will be sufficient.

FYI the rental agreement is going to have a 206 condition added, requiring the annual pou map. I can probably accept the map you sent in satisfaction of the condition for 2014. If acres change during the term of the rental, Global will be required to file a new pou map.

Cindy

From: Greg Sullivan [<mailto:greg.sullivan@brockwayeng.com>]
Sent: Monday, June 16, 2014 9:46 AM
To: Yenter, Cindy
Cc: Thiel, Sandra
Subject: RE: Global Ag Rental

Cindy,

I updated the aerial map and included the new corner areas. We came up with 2781.8 acres total acres to be irrigated. Their water rights allow 2545.9 acres. We want to proceed with the rental application as submitted.

We have not broken down the irrigated areas per field or pivot to figure out where the difference in irrigated acres are. I do not think it matters too much as long as they have sufficient acres to irrigate their whole farm.

Greg Sullivan
Brockway Engineering
2016 N. Washington St. Suite 4
Twin Falls, Id 83301
208-736-8543

Thiel, Sandra

From: Greg Sullivan [greg.sullivan@brockwayeng.com]
Sent: Monday, June 16, 2014 9:46 AM
To: Yenter, Cindy
Cc: Thiel, Sandra
Subject: RE: Global Ag Rental
Attachments: Wickle Jerome Farm 2014 Irrigation.jpg

Cindy,

I updated the aerial map and included the new corner areas. We came up with 2781.8 acres total acres to be irrigated. Their water rights allow 2545.9 acres. We want to proceed with the rental application as submitted.

We have not broken down the irrigated areas per field or pivot to figure out where the difference in irrigated acres are. I do not think it matters too much as long as they have sufficient acres to irrigate their whole farm.

Greg Sullivan
Brockway Engineering
2016 N. Washington St. Suite 4
Twin Falls, Id 83301
208-736-8543

From: Yenter, Cindy [mailto:Cindy.Yenter@idwr.idaho.gov]
Sent: Thursday, June 12, 2014 3:26 PM
To: Greg Sullivan
Cc: Thiel, Sandra
Subject: RE: Global Ag Rental

Greg – My acreage analysis results are as follows:

Your digitized acres from 2013 (including Jesse's farm) indicates 2747.14 acres irrigated. Just looking, this seems high. Global's acreage map for 2014 (including Jesse's farm and the new corners) indicates a total of 2638 acres irrigated: 2370 on the main farm and 268 acres on Jesse's place.

There is a fairly significant difference in the two values, especially given that your number does not include the 4 new corners. I digitized a few of the individual pivots and came very close to Global's acres.

Since the 268 ac on Jesse's place is within the appurtenant water right 36-16501, there is no compliance issue there. Restricting analysis to the main farm, 2370 found – 2238 authorized = 132 acres in excess of the water right limits. Presuming that Global really does restrict irrigation to the identified areas on their 2014 map, this suggests only 132 acres may need to be rented, instead of the combined 235.9 acres.

How do you wish to proceed? If the rentals are processed for the entire 235.9 acres, that would total 2268 + 235.9 = 2503.9 acres, still well within the PPU of 2785 on the main farm. I don't see a problem with this except that there may be unirrigated acres that are paid for. On the other hand, if Global has changed their plans or has planted an extra corner or two that wasn't identified, or some numbers are wrong, etc etc, an extra 100 acres would be fairly cheap insurance.

FYI I still think all 8 wells should be identified on the rental, even if the PPU is limited to the main farm, 2785 ac.

From: Greg Sullivan [<mailto:greg.sullivan@brockwayeng.com>]
Sent: Thursday, June 12, 2014 1:26 PM
To: Yenter, Cindy; Thiel, Sandra
Subject: Global Ag Rental

Greg Sullivan
Brockway Engineering
2016 N. Washington St. Suite 4
Twin Falls, Id 83301
208-736-8543

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.2247 / Virus Database: 3955/7164 - Release Date: 06/12/14

Thiel, Sandra

From: Yenter, Cindy
Sent: Friday, June 13, 2014 11:22 AM
To: Thiel, Sandra
Subject: Watermaster recommendations, Global Ag
Attachments: globalagwmcomment.pdf

OK, at long last. Included in this packet are the maps I got from Greg which you'll need to complete the applications, and another copy of his Exhibit A which lists the PODs. The POU he gives is just the 2785 ac water right PPU from the appurtenant rights. The included map from Global Ag entitled "Wickel" shows the specific acres irrigated this year and satisfies that condition 206 that I want added. It also has the numbers from my acreage analysis.

Sandy, when you update the rental shapes, PLEASE be sure you hit the correct spatial points. I've spent some time correlating and updating water right pods in this particular system and the pods are all correct. To help you I have included a map showing the WMIS database points for these wells (last page). The WMIS points are correlated to the water right pods. The wells in question are labeled 100660, 100661, 100662, 100663, 100664, 100665, 100666 and 100667. The WMIS layer is a process layer and you can load it in ArcMap.

FYI what I keep referring to as "Jesse's place" is water right 36-16501 which uses the 8th well (100660) and is adjacent on the north side of the PPU. Global has purchased that too.

For the rental POU shape, ordinarily I would ask you to update to those specific 235.9 acres. However since they are going into an unspecified PPU and there appear to be more acres being rented than are necessary for this year (unless Greg modifies the rental..?), AND I have a map, just go ahead and update to the water right PPU shape. That will be easier.

I'll be in today if you have any questions. I've not heard back from Greg regarding the extra acres. He was in a big hurry for this so I'd say if you don't hear from him, give 'em what they asked for.

cy

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: Water Supply Bank Rentals
Water Right No: 36-2254A, 36-2284, 36-8401 (Sunrise Organic)
36-16467, 36-16469, 36-16471 (Vandervegt)
Applicant Name: Global Ag Properties

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application
- b) ☒ I do not oppose approval of this application under the following terms:

All eight interconnected wells shown as authorized pods
Condition to a maximum annual combined acreage of 2503.9 acres within the 2785 acre PPU (or less if rental is modified – see comments).
Add condition 206 requiring annual verification of irrigated acres within the PPU (this condition has been met for 2014)
Add condition 214

- c) ☐ I oppose approval of this application(s) for the following reasons:

- d) ☒ Additional comment:

These rental acres are intended to supplement decreed water rights for irrigation of additional acres in a 2785-acre PPU using a total of 8 wells. Applications were insufficient in that they did not include either a POD list or maps. Also, because the water rights do not contain condition 206 language, we do not have a map on file depicting the 2238 authorized pou acres. I obtained maps and a pod list from Brockway which I am forwarding with this recommendation.

The sixteen appurtenant rights in the pou authorize diversions from a system of 7 wells. In fact there are 8 interconnected wells, including the well in NENENW Sec 9, authorized under 36-16501 on adjacent lands and also owned by Global Ag. The pod list was modified to include all 8 wells and it is appropriate to include all of them. The lands under 36-16501 are NOT included in the rental pou.

A total of 235.9 acres are proposed to be rented under the above rights and used within the 2785-acre PPU. This would authorize a maximum of 2503.9 irrigated acres during the rental period. Global Ag's farm map for 2014 indicate that 2370 acres will be irrigated within the PPU during 2014, and a separate 286 acres under 36-16501. 36-16501 is within acreage limits so rental acres are not required. In the PPU, 2370 acres is more than the decreed limit of 2238 acres, but less than the proposed rental of 2503.9. For 2014 there may be more acres rented than actually needed. However, I do not know what Global's plans are for the next 3 irrigation seasons, so they may want to proceed with the entire amount of the proposed rental.

All wells are within WD130 and are being measured and reported through Magic Valley Ground Water District. The use of condition 214 will be consistent with existing water right conditions (existing rights contain condition 131 which has been replaced with 214).

Dated: June 13, 2014

Water District 130


Cindy J. Yenter, Watermaster

3. Points of diversion

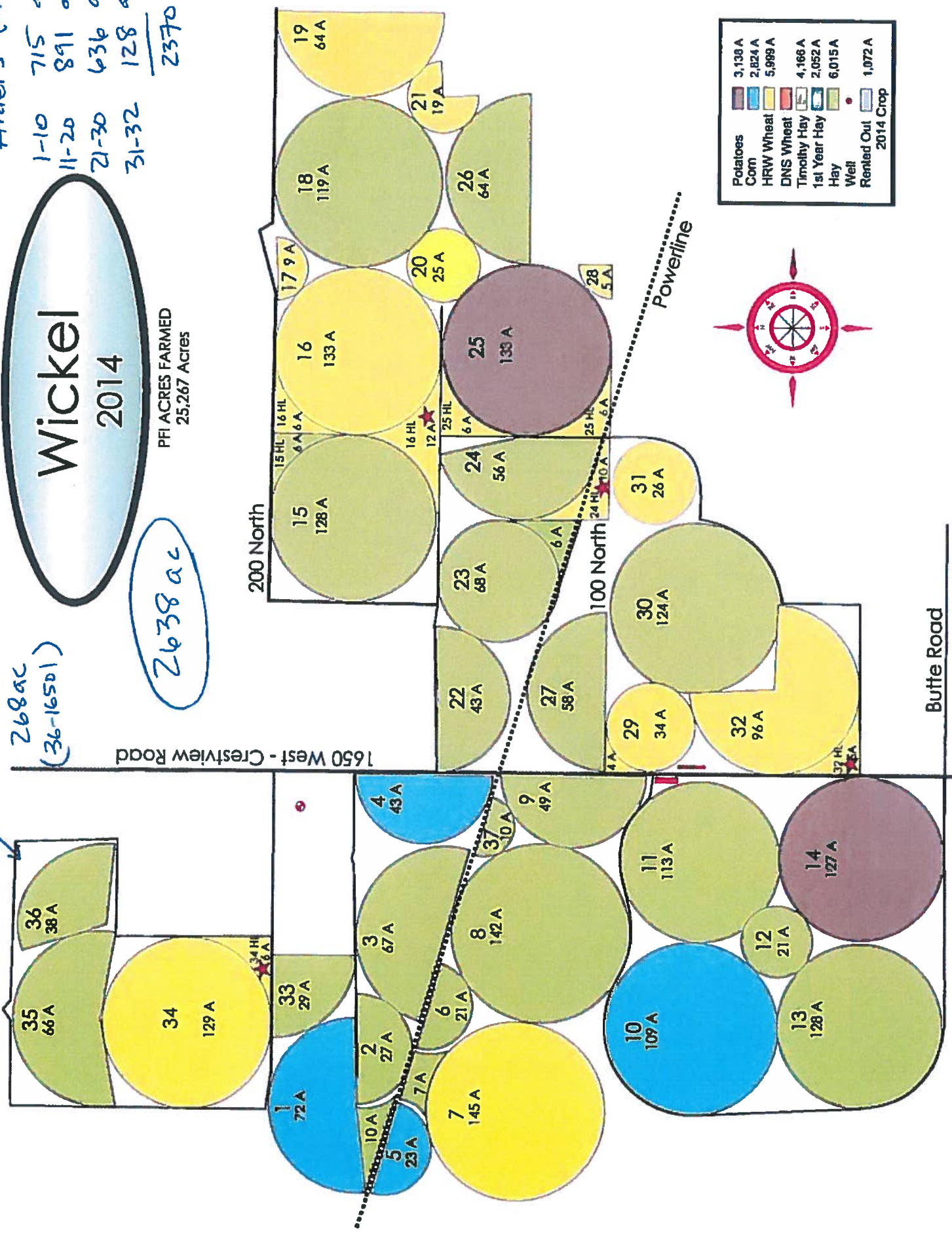
4. Lands to be irrigated or place of use:

Total 2785.0

Jesse's 33-36
268 ac
(36-16501)

Ardel's (PPW)
1-10 715 ac
11-20 891 ac
21-30 636 ac
31-32 128 ac
2370

Wickel
2014
PFI ACRES FARMED
25,267 Acres
2638 ac



Potatoes	3,138 A
Corn	2,824 A
HRW Wheat	5,999 A
DNS Wheat	4,166 A
Timothy Hay	2,052 A
1st Year Hay	6,015 A
Hay	1,072 A
Well	
Rented Out	
2014 Crop	





0 1,000 2,000 4,000 Feet

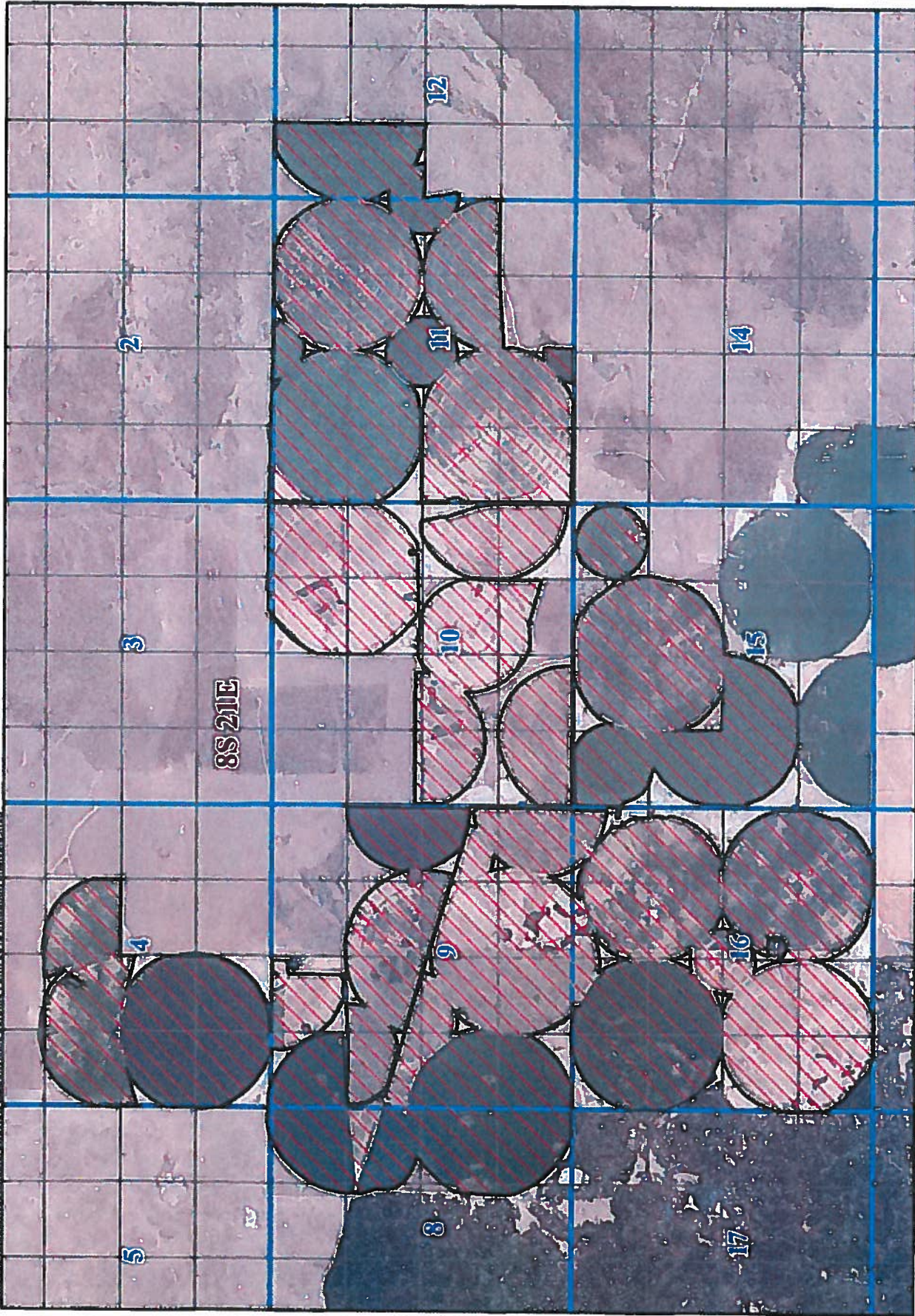
WESTCHESTER GROUP - WICKLE JEROME FARM
IRRIGATION ANALYSIS 2013
NAIP 2013 AERIAL

Legend

WJF_2013_IRRIGATION=2781.8 AC

township
Sections
QQ lines

Path: E:\Projects\Westchester\MapDocs\WickJeromeFarm_2013_Irrigation_Analysis.mxd

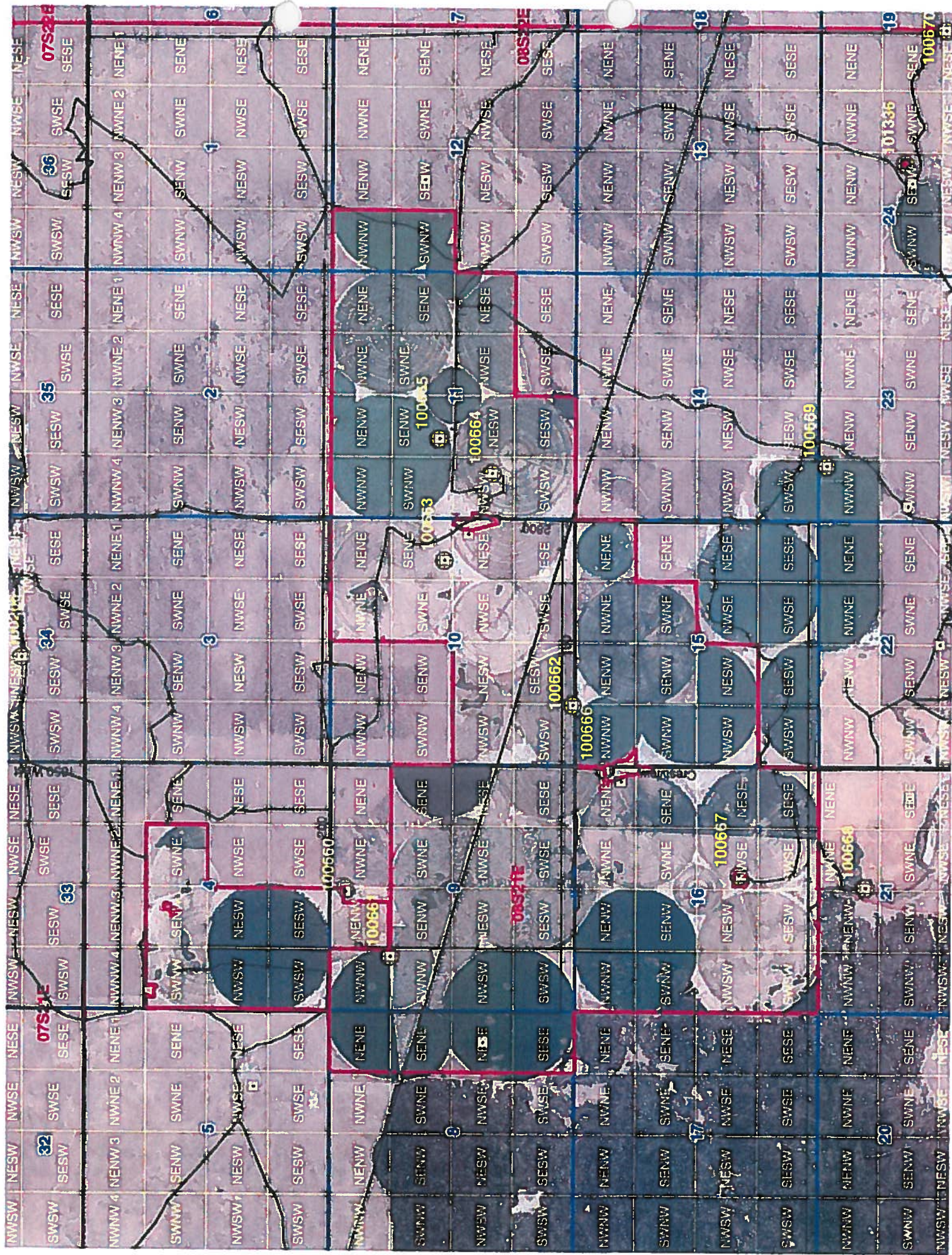


0 1,050 2,100 4,200 Feet

BROCKWAY ENGINEERING PLLC
ALR - Date: 12/11/2013

WESTCHESTER GROUP - WICKLE JEROME FARM
2013 IRRIGATION ANALYSIS
NAIP 2013 AERIAL

Legend
WJF_2013_IRRIGATION+2747 14AC
Irrigation
Sections
OO Lines





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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

July 9, 2014

GLOBAL AG PROPERTIES USA LLC
C/O WESTCHESTER GROUP INVESTMENT MANAGEMENT INC
PO BOX 2004 FOX DR STE L
CHAMPAIGN IL 61820

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 36-02254A, 36-02284 AND 36-08401**

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

Dear Applicant:

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

A rental fee of \$9,254.80 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 544.4 acre-feet.

Please send a check for \$9,254.80 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 \$8,329.32 of the rental fee will be paid to the lessor(s) and 10% or \$925.48 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4879.

Sincerely,

Sandra Thiel
Water Resource Planner

Enclosure(s)

c: IDWR Front Desk
Greg Sullivan-Brockway Engineering PLLC

Thiel, Sandra

From: Yenter, Cindy
Sent: Thursday, June 12, 2014 3:26 PM
To: Greg Sullivan
Cc: Thiel, Sandra
Subject: RE: Global Ag Rental

Greg – My acreage analysis results are as follows:

Your digitized acres from 2013 (including Jesse's farm) indicates **2747.14** acres irrigated. Just looking, this seems high. Global's acreage map for 2014 (including Jesse's farm and the new corners) indicates a total of **2638** acres irrigated: 2370 on the main farm and 268 acres on Jesse's place.

There is a fairly significant difference in the two values, especially given that your number does not include the 4 new corners. I digitized a few of the individual pivots and came very close to Global's acres.

Since the 268 ac on Jesse's place is within the appurtenant water right 36-16501, there is no compliance issue there. Restricting analysis to the main farm, 2370 found – 2238 authorized = 132 acres in excess of the water right limits. Presuming that Global really does restrict irrigation to the identified areas on their 2014 map, this suggests only 132 acres may need to be rented, instead of the combined 235.9 acres .

How do you wish to proceed? If the rentals are processed for the entire 235.9 acres, that would total $2268 + 235.9 = 2503.9$ acres, still well within the PPU of 2785 on the main farm. I don't see a problem with this except that there may be unirrigated acres that are paid for. On the other hand, if Global has changed their plans or has planted an extra corner or two that wasn't identified, or some numbers are wrong, etc etc , an extra 100 acres would be fairly cheap insurance.

FYI I still think all 8 wells should be identified on the rental, even if the PPU is limited to the main farm, 2785 ac.

From: Greg Sullivan [<mailto:greg.sullivan@brockwayeng.com>]
Sent: Thursday, June 12, 2014 1:26 PM
To: Yenter, Cindy; Thiel, Sandra
Subject: Global Ag Rental

Greg Sullivan
Brockway Engineering
2016 N. Washington St. Suite 4
Twin Falls, Id 83301
208-736-8543

MEMORANDUM

To: Water Right File No(s): 36-2254A, 36-2284 and 36-8401

From: Sandra Thiel

Date: June 12, 2014

Re: Review of Applications to Lease and Rent Water Rights through State Water Supply Bank

PURPOSE/NARRATIVE:

LEASE:

Water Rights 36-2254A, 36-2284 and 36-8401 were leased into the Bank in 2006. The lease expires in 2016. The lease was for 185.1 acres and a review of the water right place of use shows that many acres idled over the period of the lease.

RENTAL: Global Ag Properties USA (Westchester Group Investment Management) proposes to rent these three water rights to irrigate 136.1 acres. The rental will be from 2014 through 2016. An existing well and mainline will serve as the irrigation system. The place of use for sixteen other irrigation water rights overlap the rental place of use: 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, 36-16421

AUTHORITY TO FILE: Sunrise Organic Dairy, LLC is the owner of all three water rights.

WATER RIGHT VALIDITY: A review of the place of use for the above mentioned water rights shows that the acres in the water supply bank have been idled for several years.

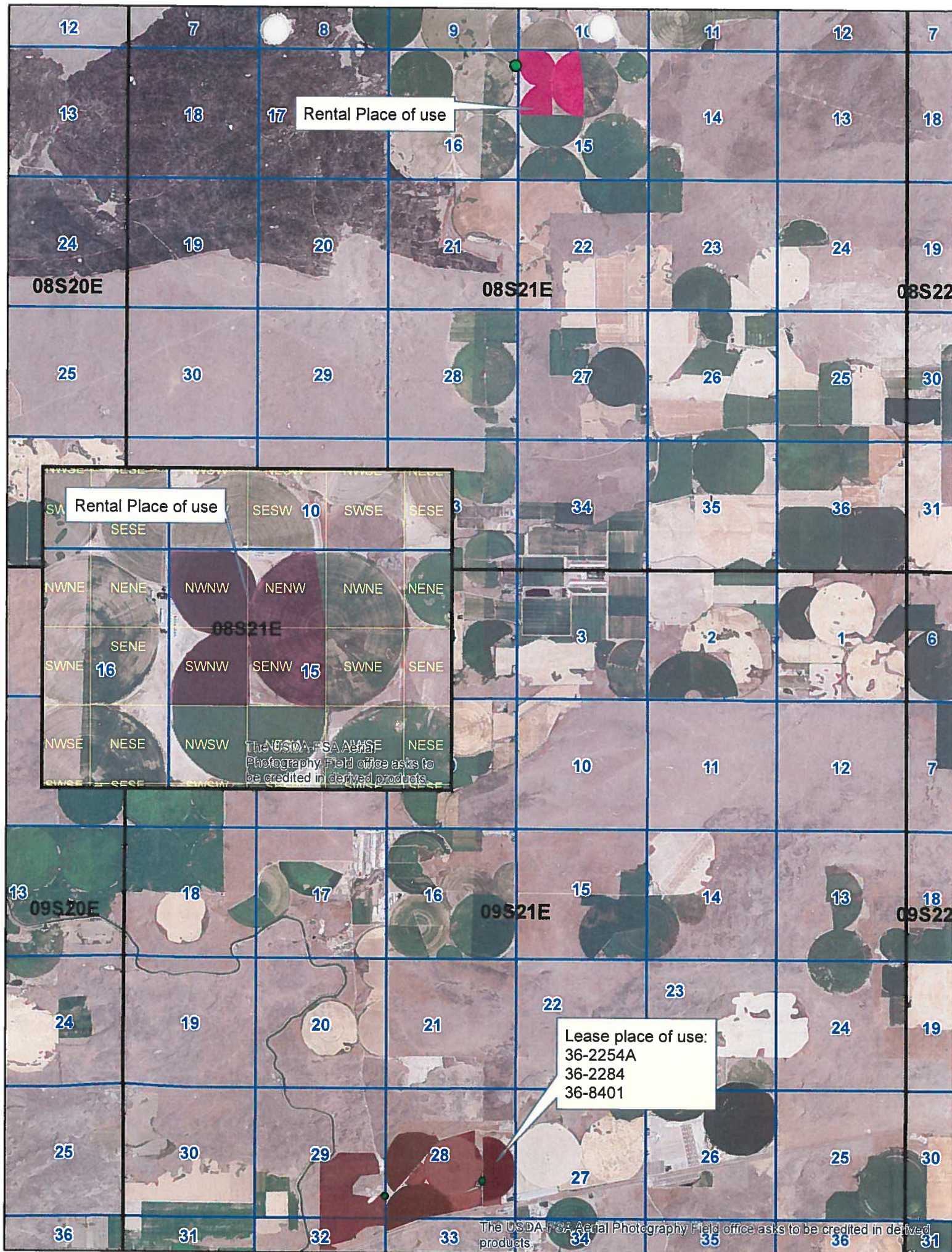
INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident.

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

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The leases and rental appear to be consistent with conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The rental falls within water district 130. Watermaster Cindy Yenter was contacted for comment— please see attached emails.



Rental Place of use

Rental Place of use

Lease place of use:
36-2254A
36-2284
36-8401

The USDA-FSA Aerial
Photography Field office asks to
be credited in derived products

The USDA-FSA Aerial Photography Field office asks to be credited in derived
products

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF AGRICULTURE

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ENTER STARTING DATE FOR
SIMULATION. THEN PUSH
"UPDATE DATES" BUTTON
YEAR 1950
SEASON

TRANSFER NO:
TRANSFER NAME:

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL	36-2254A 3/16/1954	376.9
ROW	67	74	0	0	36-2284 5/16/1955	390.8
COLUMN	49	43	0	0	36-8401 12/28/1988	75.5
						544.4

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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	0.0	0.0
WIN 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1954	0.0	125.6	125.6	0.0	0.0	0.0	0.0
SUM 1954	0.0	125.6	125.6	0.0	0.0	0.0	0.0
WIN 1954	0.0	125.6	125.6	0.0	0.0	0.0	0.0
SPR 1955	0.0	125.6	125.6	0.0	0.0	0.0	0.0
SUM 1955	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1955	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1956	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1956	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1956	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1957	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1957	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1957	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1958	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1958	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1958	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1959	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1959	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1959	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1960	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1960	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1960	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1961	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1961	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1961	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1962	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1962	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1962	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1963	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1963	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1963	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1964	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1964	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1964	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1965	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1965	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1965	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1966	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1966	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1966	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1967	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1967	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1967	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1968	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1968	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1968	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1969	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1969	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1969	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1970	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1970	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1970	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1971	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1971	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1971	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1972	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1972	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1972	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1973	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1973	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1973	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1974	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1974	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1974	0.0	181.5	181.5	0.0	0.0	0.0	0.0

ENHANCED GROUND-WATER RIGHTS TRANSFER

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IDAHO DEPARTMENT OF AGRICULTURE

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

TRANSFER NO:

YEAR
SEASON

TRANSFER NAME:

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL		
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COLUMN	49	43	0	0	36-2284 5/16/1955	390.8
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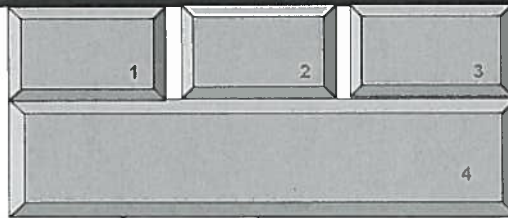
TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1975	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1975	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1975	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1976	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1976	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1976	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1977	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1977	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1977	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1978	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1978	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1978	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1979	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1979	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1979	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1980	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1980	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1980	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1981	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1981	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1981	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1982	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1982	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1982	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1983	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1983	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1983	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1984	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1984	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1984	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1985	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1985	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1985	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1986	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1986	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1986	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1987	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1987	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1987	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1988	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1988	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1988	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1989	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1989	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1989	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1990	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1990	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1990	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1991	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1991	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1991	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1992	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1992	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1992	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1993	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1993	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1993	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1994	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1994	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1994	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1995	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1995	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1995	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1996	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1996	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1996	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1997	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1997	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1997	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1998	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1998	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1998	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 1999	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 1999	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 1999	0.0	181.5	181.5	0.0	0.0	0.0	0.0

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

TRANSFER NO:

YEAR
SEASON

1950

TRANSFER NAME:

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL		
ROW	67	74	0	0	36-2254A 3/16/1954	376.9
COLUMN	49	43	0	0	36-2284 5/16/1955	390.8
					36-8401 12/28/1988	75.5
						\$44.4

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 2000	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2000	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2000	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2001	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2001	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2001	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2002	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2002	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2002	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2003	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2003	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2003	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2004	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2004	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2004	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2005	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2005	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2005	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2006	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2006	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2006	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SPR 2007	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SUM 2007	0.0	0.0	181.5	0.0	0.0	0.0	0.0
WIN 2007	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SPR 2008	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SUM 2008	0.0	0.0	181.5	0.0	0.0	0.0	0.0
WIN 2008	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SPR 2009	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SUM 2009	0.0	0.0	181.5	0.0	0.0	0.0	0.0
WIN 2009	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SPR 2010	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SUM 2010	0.0	0.0	181.5	0.0	0.0	0.0	0.0
WIN 2010	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SPR 2011	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SUM 2011	0.0	0.0	181.5	0.0	0.0	0.0	0.0
WIN 2011	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SPR 2012	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SUM 2012	0.0	0.0	181.5	0.0	0.0	0.0	0.0
WIN 2012	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SPR 2013	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SUM 2013	0.0	0.0	181.5	0.0	0.0	0.0	0.0
WIN 2013	0.0	0.0	181.5	0.0	0.0	0.0	0.0
SPR 2014	181.5	0.0	181.5	0.0	0.0	0.0	0.0
SUM 2014	181.5	0.0	181.5	0.0	0.0	0.0	0.0
WIN 2014	181.5	0.0	181.5	0.0	0.0	0.0	0.0
SPR 2015	181.5	0.0	181.5	0.0	0.0	0.0	0.0
SUM 2015	181.5	0.0	181.5	0.0	0.0	0.0	0.0
WIN 2015	181.5	0.0	181.5	0.0	0.0	0.0	0.0
SPR 2016	181.5	0.0	181.5	0.0	0.0	0.0	0.0
SUM 2016	181.5	0.0	181.5	0.0	0.0	0.0	0.0
WIN 2016	181.5	0.0	181.5	0.0	0.0	0.0	0.0
SPR 2017	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2017	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2017	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2018	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2018	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2018	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2019	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2019	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2019	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2020	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2020	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2020	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2021	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2021	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2021	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2022	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2022	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2022	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2023	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2023	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2023	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2024	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2024	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2024	0.0	181.5	181.5	0.0	0.0	0.0	0.0

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ENTER STARTING DATE FOR
SIMULATION. THEN PUSH
"UPDATE DATES" BUTTON
YEAR 1950
SEASON

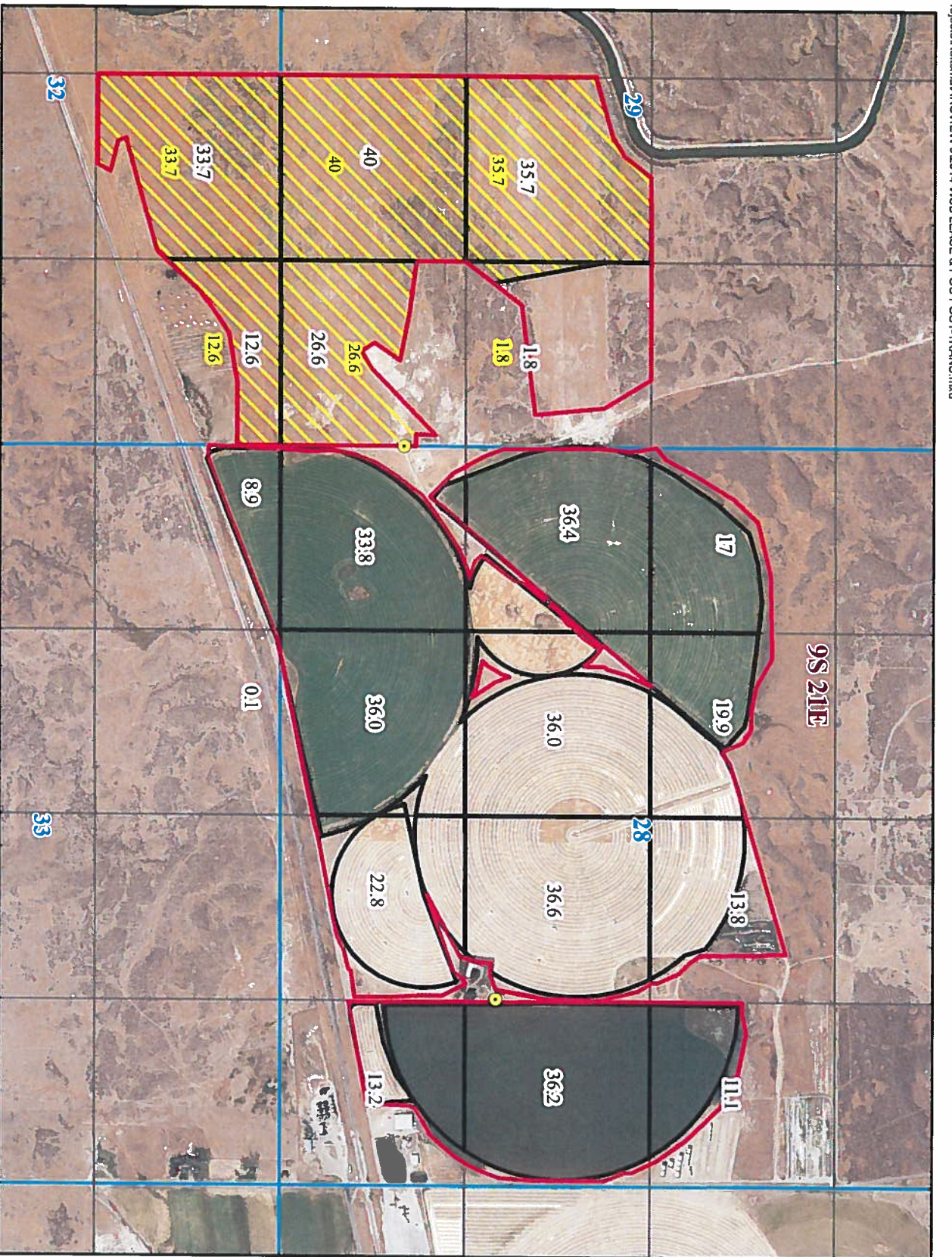
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TRANSFER NAME:

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						544.4

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 2025	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2025	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2025	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2026	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2026	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2026	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2027	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2027	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2027	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2028	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2028	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2028	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2029	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2029	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2029	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2030	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2030	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2030	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2031	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2031	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2031	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2032	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2032	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2032	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2033	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2033	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2033	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2034	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2034	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2034	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2035	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2035	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2035	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2036	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2036	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2036	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2037	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2037	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2037	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2038	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2038	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2038	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2039	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2039	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2039	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2040	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2040	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2040	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2041	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2041	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2041	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2042	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2042	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2042	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2043	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2043	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2043	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2044	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2044	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2044	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2045	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2045	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2045	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2046	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2046	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2046	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2047	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2047	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2047	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SPR 2048	0.0	181.5	181.5	0.0	0.0	0.0	0.0
SUM 2048	0.0	181.5	181.5	0.0	0.0	0.0	0.0
WIN 2048	0.0	181.5	181.5	0.0	0.0	0.0	0.0



0 750 1,500 Feet

REITSMA SUNRISE ORGANIC - 36-2254A, 36-2284, & 36-8401

WSB LEASE AREAS/POU - POST-TRANSFERS 2014

NAIP 2013 AERIAL PHOTO.

BROCKWAY ENGINEERING, PLLC.
ALR - Date: 6/9/2014



N

Thiel, Sandra

From: Yenter, Cindy
Sent: Wednesday, June 11, 2014 4:37 PM
To: Thiel, Sandra
Cc: Greg Sullivan
Subject: Global Ag rentals

Sandy – the Global Ag/Sunrise and Global Ag/Vandervegt rentals may be processed. I have reviewed the overlapping transfer applications and while we're not yet ready to finalize the transfers, I have eliminated any questions of conflict regarding the above rentals.

Tomorrow I will send you formal watermaster comments on these two rentals. . I've not looked at that Global system very closely and need to see if there are any measurement concerns.

Cindy

Thiel, Sandra

From: Yenter, Cindy
Sent: Wednesday, June 11, 2014 10:02 AM
To: Thiel, Sandra
Subject: FW: Sunrise transfers 78948 and 78949; Global Ag WSB rental application
Attachments: Exhibit A.pdf

Sandy, what does he mean by amended lease applications? I think I'm missing part of the chain of events here, or else Greg's confused.

From: Greg Sullivan [<mailto:greg.sullivan@brockwayeng.com>]
Sent: Friday, June 06, 2014 2:25 PM
To: Yenter, Cindy
Cc: Cooper, Jeff; Thiel, Sandra
Subject: RE: Sunrise transfers 78948 and 78949; Global Ag WSB rental application

Cindy, Jeff and Sandra,

The ironic part about your concern with the amended lease applications is that that new lease applications were submitted to the Water Bank several months ago but were returned because the transfer was not yet completed. So which branch of IDWR is right? Does the transfer need to be completed first or does the lease application need to be amended first? Please provide immediate guidance regarding this matter.

The water bank rental for Global Ag needs to be processed as soon as possible to allow them to irrigate their crops. The Global Ag rental should be able to be processed with or without the transfer being approved because the water rights are not being over allocated.

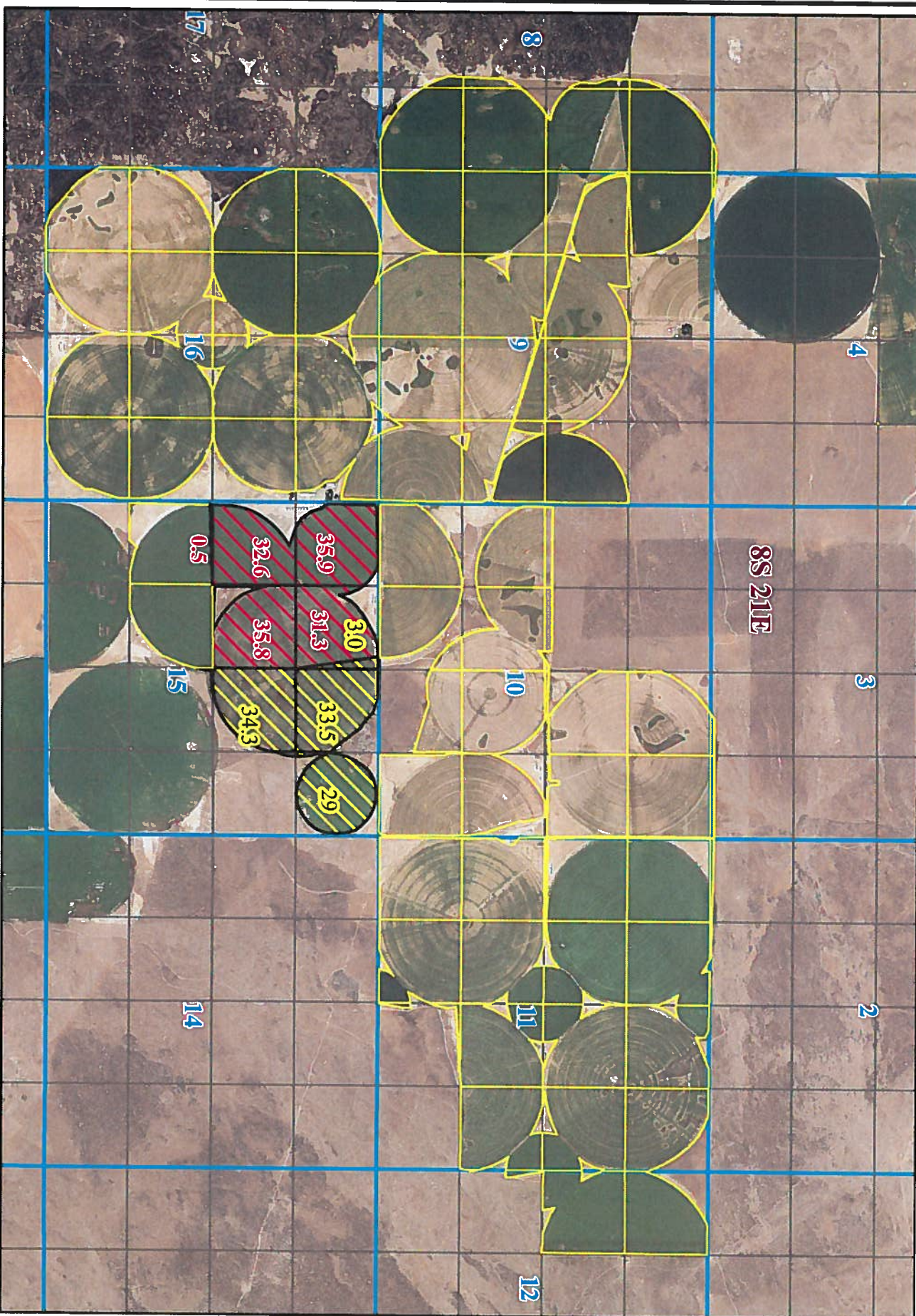
The intent of Transfer 78948 is only to provide stock and commercial water to the dairy facility. There is no mention in the transfer application to reduce the PPU acres. The transfer clearly identifies the 47.8 acres within the POU of these water rights to be transferred from the Northern half of the full pivot on this farm. As soon as Transfer 78948 is approved, a 206 map will be submitted to IDWR updating the POU within the authorized PPU. This action will not require another transfer. The PPU is not to be reduced because Sunrise Organic Dairy would then be irrigating outside of their authorized PPU and would be in violation of the conditions set forth in their water rights. I believe that I have discussions with IDWR staff regarding this issue and that the direction this transfer was taking was known to IDWR.

The reason why we have to use the acres within the pivot is because there are no crop records available for consumptive use calculations for the acres currently leased to the Water Supply Bank.

What does IDWR require to allow Transfer 78948 to be approved to maintain the 520.0 acre PPU?

An Exhibit A for transfer 78949 that did not include 36-2254A, 36-2284 and 36-8401 was submitted to Jeff Cooper with assignment of the transfers to John Reitsma with Sunrise Organic Dairy. I have attached Exhibit A for you to review.

Greg Sullivan
Brockway Engineering
2016 N. Washington St. Suite 4
Twin Falls, Id 83301
208-736-8543



0 875 1,750 3,500 Feet

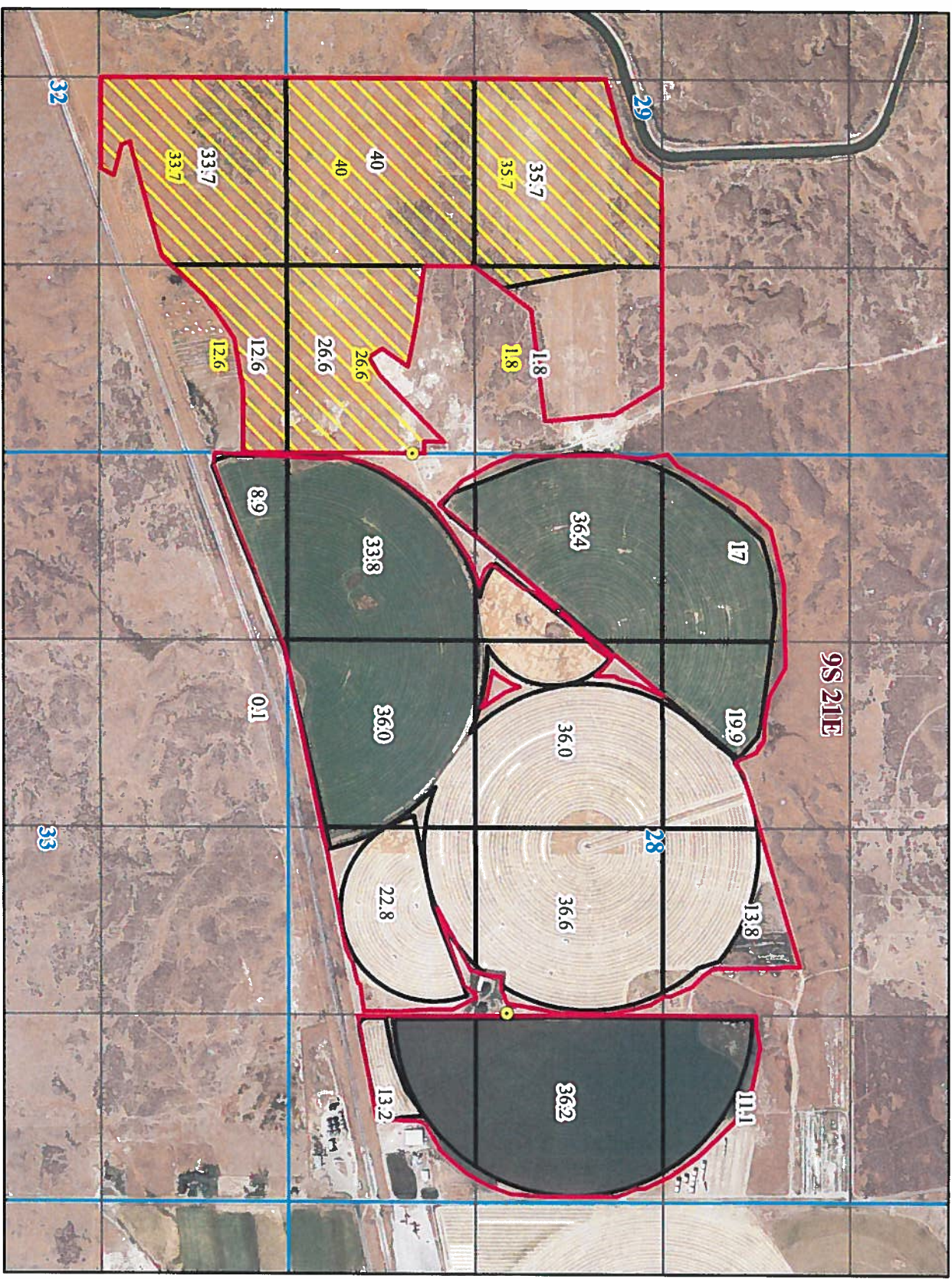
BROCKWAY ENGINEERING PLLC
ALR - Date: 6/16/2014

WESTCHESTER GROUP - WICKLE JEROME FARM WATER SUPPLY BANK RENTALS 2014 NAIP 2013 AERIAL

Legend

- WJF 2014 Irrigation Areas
- WSB Rental 2260.5
- WSB Rental 99.8
- WSB Rental 136.1
- township
- Sections
- CG lines

N



0 750 1,500 Feet

REITSMA SUNRISE ORGANIC - 36-2254A, 36-2284, & 36-8401

WSB LEASE AREAS/POU - POST-TRANSFERS 2014

NAIP 2013 AERIAL PHOTO.

BROCKWAY ENGINEERING, PLLC.
ALR - Date: 6/9/2014

Legend

- Points of Diversion
- 36-2284, PPU 520 AC
- POU POST-TRANS 472.2 AC.
- WSB Lease 2014 = 150.4 AC.
- township
- sections
- index



memorandum

June 6, 2014

TO : Transfer files 78948 and 78949

FROM: Cindy Yenter, WD130 Watermaster



I have noted the following insufficiencies in these filings. Not all of these items would prevent the applications from moving ahead. However if approved as filed, the transferred rights may not reflect what the water user expects. The approval of 78948 will create an immediate place of use compliance issue which cannot be resolved without a second transfer. Also, the error on 78949 prevents the processing of a Water Supply Bank rental recently received in the name of Global Ag. I will not issue Watermaster Recommendations on either transfer or the Rental Application until the following items are addressed.

78948 (changing a 47.8 acre portion of 36-2254A, 2284 and 8401 to use in the dairy)

Presently there are 185.1 acres under the above rights leased to the Water Supply Bank. Applicant states that 47.8 acres will be requested to be released from the Water Supply Bank upon approval of the transfer, but there are no signed release requests in the file. Unless those were sent to Boise, they will need to be submitted before the transfer may be approved.

The above rights are configured in a 520-acre permissible place of use, with all acres authorized for irrigation. Applicant's agent, Brockway Engineering, identified 47.8 acres within one of the actively irrigated pivots which were used as the transfer acres. Brockway did not clearly identify that the PPU was to remain intact, so the PPU shape was reduced by 47.8 acres. This leaves half a pivot dry. I recall that the intent of this transfer was to use the active irrigated acres for the transfer because they had a good crop history, and allow the released WSB acres to take their place within the PPU. This cannot happen now that the POU acres have been removed.

Brockway should amend this application by requesting that the PPU remain at 520 acres, with 472.2 acres authorized within the PPU. Condition 206 should then be applied to the remainder rights and a shapefile submitted by Brockway which clearly shows the new location of BOTH the 334.9 irrigated acres and the remaining 137.3 WSB acres. Relocation of acres within a PPU is authorized by the submittal of a new POU map. I see no reason why relocation of released WSB acres could not happen in the same manner.

78949 (changing pou under north irrigation system)

According to the review memo, this transfer originally proposed to move an additional 33.8 acres from right nos. 36-2254A, 2284 and 8401 into this PPU. The application was amended supposedly to remove these acres from the application, and simply increase the PPU to include additional lands acquired by the right holder. Data entry of the application was modified accordingly. The amended application includes an updated POU map but appears to include the very same list of water rights as the original application and right nos. 36-2254A, 2284 and 8401 were not removed. Hence, the draft approval does NOT match the amended application and cannot be signed. With the 33.8 acres still a part of this application, there are not enough acres available in the Bank lease to process the Global Ag rental.

From: Yenter, Cindy [<mailto:Cindy.Yenter@idwr.idaho.gov>]
Sent: Friday, June 06, 2014 12:26 PM
To: Greg Sullivan
Cc: Cooper, Jeff; Thiel, Sandra
Subject: Sunrise transfers 78948 and 78949; Global Ag WSB rental application

Greg, please review this memo and take appropriate steps to resolve the issues with these applications. 78948 is presently in advertising with protest deadline June 23. Notice has been deferred for 78949 but it is being held with the others pending your actions.

Regards,

Cindy Yenter
Watermaster, Water District 130
Twin Falls, ID
cindy.yenter@idwr.idaho.gov
208-736-3033

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