

RECEIVED
JUL 15 2014
DEPARTMENT OF
WATER RESOURCES

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

Summary of Water Rights or Portions Rented from the Bank

Water Right	Priority Date	Source	Tributary	Rented Rate	Annual Rented Volume	Acre Limit	Total Rented Acres
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29-14099	05/02/1966	Ground Water	NA	0.38 cfs	70.0 af	NA	20.0 ac
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Annual Combined Rental Totals	0.38 cfs	70.0 af	NA	20.0 ac
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Term of Rental: April 8, 2014 to December 31, 2014

Rental Fee: \$1,190.00

The fee for rental of the above-described water is \$1,190.00. Ten percent (\$119.00) 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.

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 [Signature] CHRIS PRATT Member 7-11-20
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 [Signature] Date July 15, 2014
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

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

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NE¼SW¼SW¼ 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	28	20																

Total Acres: 20.0

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. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
11. Prior to the diversion and use of water under this rental, the renter 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.

12. This rental agreement does not authorize the construction of a well.
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
14. 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.
15. In addition to this rental, the following rights are diverted through the point of diversion described above: 35-7246B, 35-14002, and 35-14004.

STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANKRECEIVED
APR 08 2014
DEPARTMENT OF
WATER RESOURCES

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) 0.40 Maximum Volume (ac-ft) 80 Nature of Use Irrigation Period of Use 04/01 to 10/31
 _____ to _____
 _____ to _____
 Total: 0.40 80

2. Source of water Ground Water tributary to ESPA

3. Point(s) of Diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County
04S	30E	27		NE	SW	SW	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	28	20																20

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

Total Acres 20

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 well with additional piping and wheel lines.

2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.
Existing water rights 5-7246B, 35-14002, 35-14004 diverted from well for irrigation of nearby lands.

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. _____
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. _____

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
Printed Name and Title*

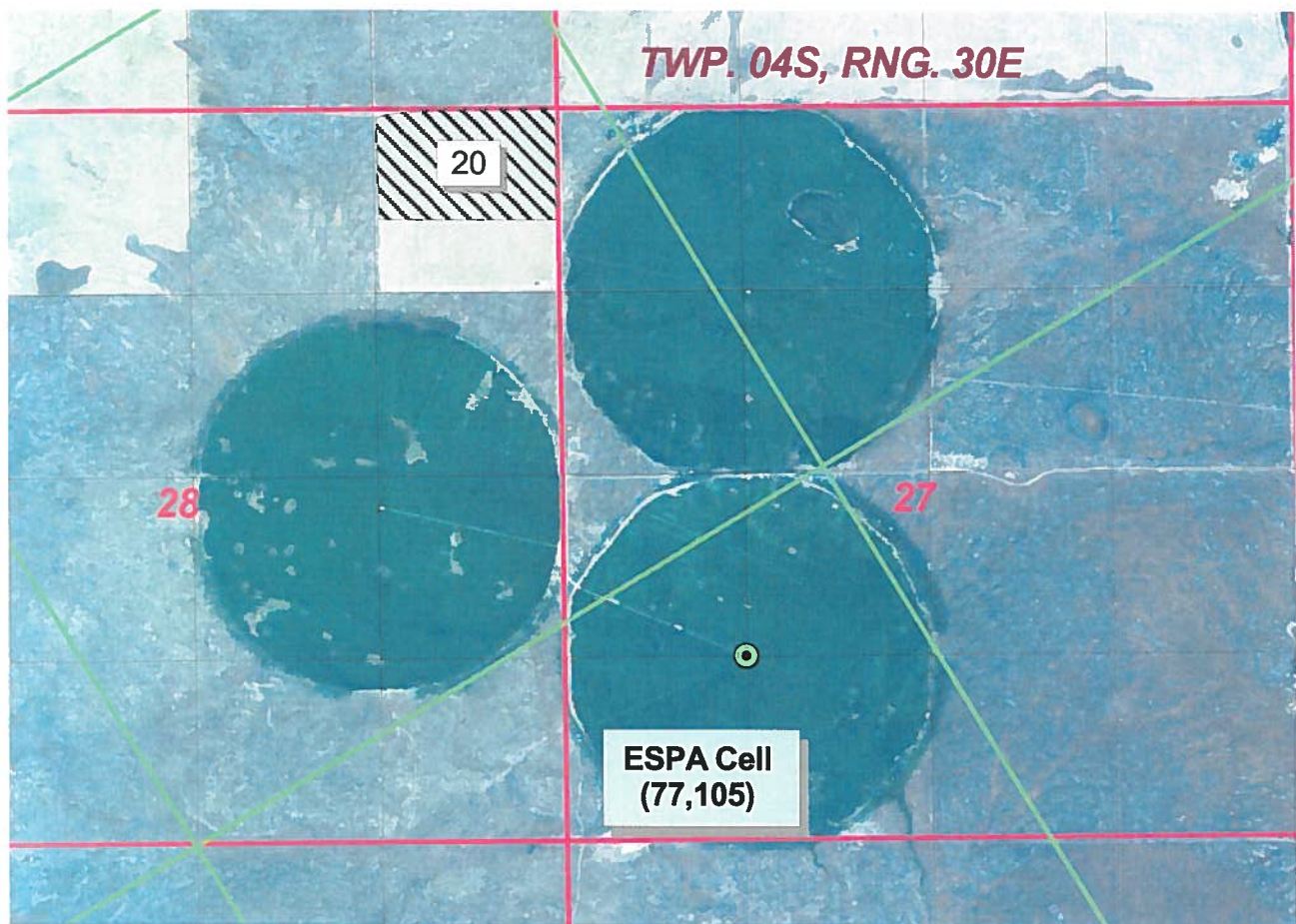
4-5-14
Date

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



JCH - 4/3/2014

NAIP 2011 Aerial Photo



 Proposed Rental Irrigation Place of Use

 Proposed Rental Point of Diversion
(Ref. 35-7246B, 35-14002, 35-14004)

 Township and Range

 Sections

 Bingham_40s

 ESPA Model Grid



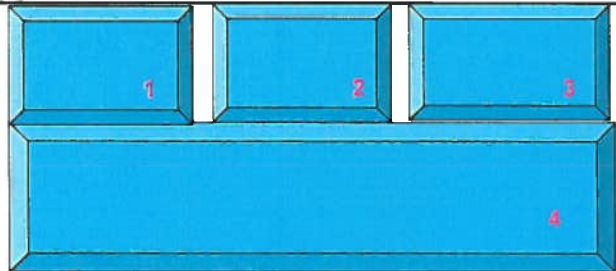
PEP, LLC
Water Supply Bank Rental Application

ENHANCED GROUND-WATER RIGHTS TRANS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPA

Cells this color are
set up for user entries



ENTER STARTING DATE FOR

SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

YEAR 1971
SEASON SUMMER

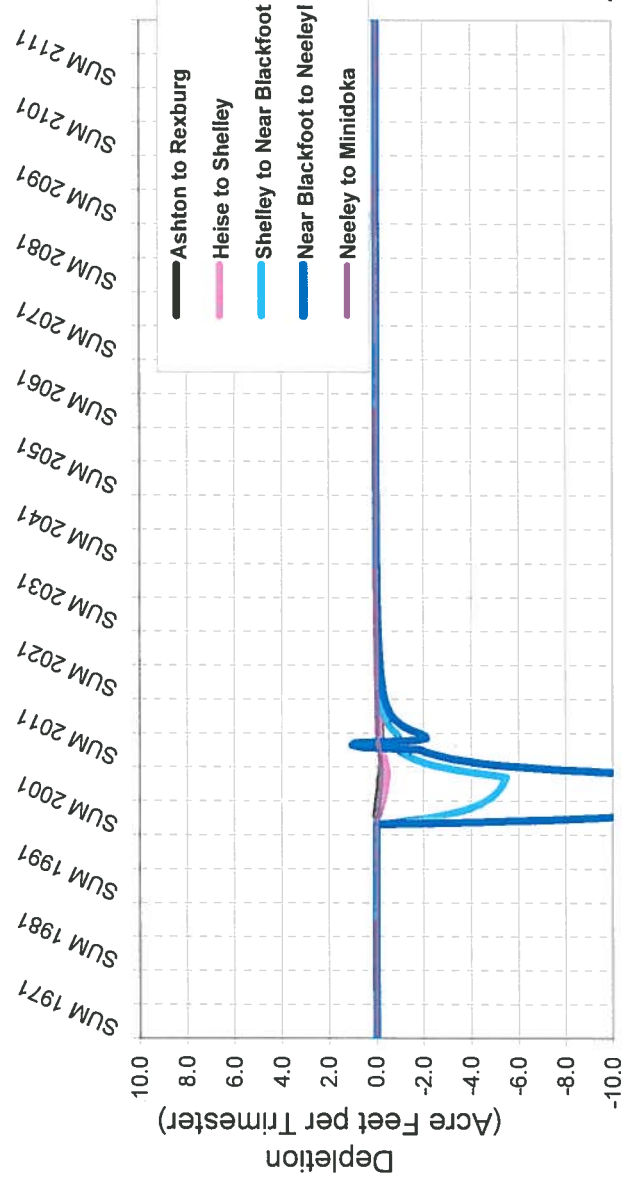
TRANSFER NO:
29-14096 & 29-14097
TRANSFER NAME:
PEP Farms 2014

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL			
ROW	77	96			29-14096	11/29/1971	80.0
COLUMN	105	122			29-14097	11/29/1971	0.0
					20		80.0

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
SUM 1971	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1971	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1972	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SUM 1972	0.0	26.7	26.7	0.0	0.0	0.0	0.0
WIN 1972	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SPR 1973	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SPR 2002	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SUM 2002	0.0	26.7	26.7	0.0	0.0	0.0	0.0
WIN 2002	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SPR 2003	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SUM 2003	0.0	0.0	26.7	0.0	0.0	0.0	0.0
WIN 2003	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SPR 2004	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SUM 2004	0.0	0.0	26.7	0.0	0.0	0.0	0.0
WIN 2004	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SPR 2005	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SUM 2005	0.0	0.0	26.7	0.0	0.0	0.0	0.0
WIN 2005	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SPR 2006	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SUM 2006	0.0	0.0	26.7	0.0	0.0	0.0	0.0
WIN 2006	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SPR 2007	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SUM 2007	0.0	0.0	26.7	0.0	0.0	0.0	0.0
WIN 2007	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SPR 2008	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SUM 2008	0.0	0.0	26.7	0.0	0.0	0.0	0.0
WIN 2008	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SPR 2009	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SUM 2009	0.0	0.0	26.7	0.0	0.0	0.0	0.0
WIN 2009	0.0	0.0	26.7	0.0	0.0	0.0	0.0
SPR 2010	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SUM 2010	0.0	26.7	26.7	0.0	0.0	0.0	0.0
WIN 2010	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SPR 2011	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SUM 2011	0.0	26.7	26.7	0.0	0.0	0.0	0.0
WIN 2011	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SPR 2012	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SUM 2012	0.0	26.7	26.7	0.0	0.0	0.0	0.0
WIN 2012	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SPR 2013	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SUM 2013	0.0	26.7	26.7	0.0	0.0	0.0	0.0
WIN 2013	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SPR 2014	26.7	0.0	26.7	0.0	0.0	0.0	0.0
SUM 2014	26.7	0.0	26.7	0.0	0.0	0.0	0.0
WIN 2014	26.7	0.0	26.7	0.0	0.0	0.0	0.0
SPR 2015	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SUM 2015	0.0	26.7	26.7	0.0	0.0	0.0	0.0
WIN 2015	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SPR 2016	0.0	26.7	26.7	0.0	0.0	0.0	0.0
SPR 2121	0.0	26.7	26.7	0.0	0.0	0.0	0.0

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



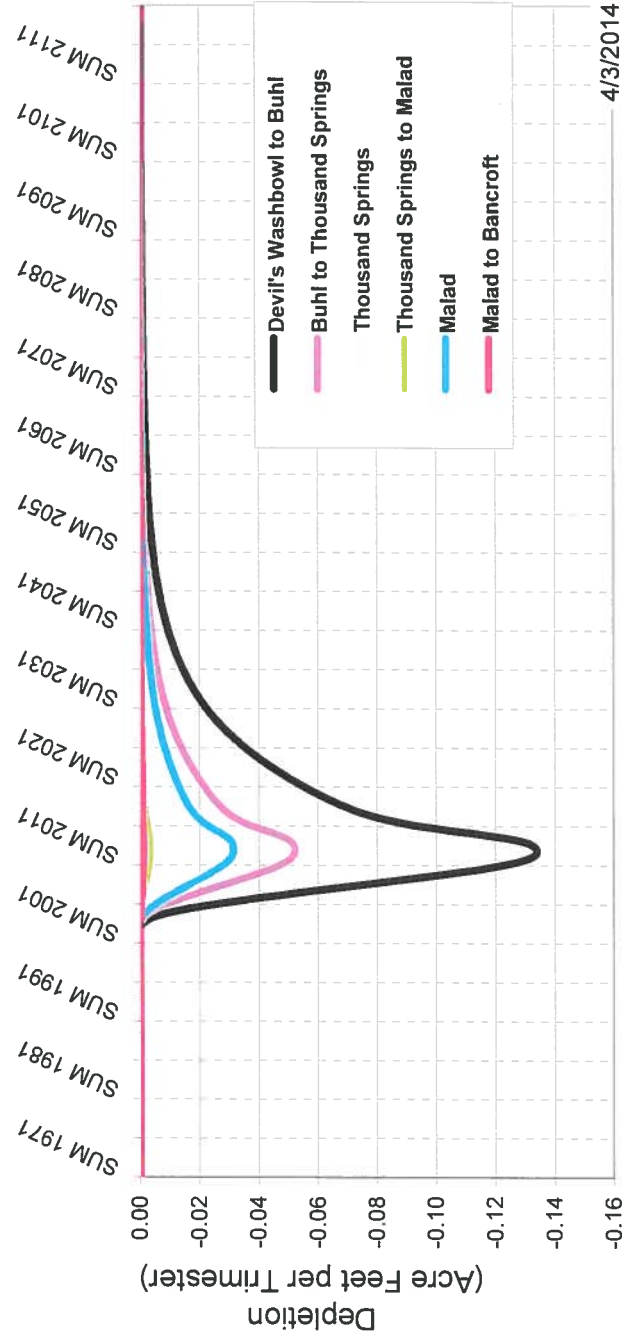
4/3/2014

Version 3.1

Customer Name: PEP Farms 2014

Transfer No: 29-14096 & 29-14097

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



Version 3.1

Customer Name: PEP Farms 2014

Transfer No: 29-14096 & 29-14097



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

November 19, 2014

COPY

PEP LLC
1356 S 3000 W
ABERDEEN, ID 83210

**RE: EXPIRATION OF RENTAL AGREEMENT FOR WATER RIGHT NO(S). 29-14099
FROM THE WATER SUPPLY BANK**

Dear Renter:

This letter is to inform you that your Rental Agreement for rental of water from the Water Supply Bank has expired. You applied for the rental of water on 4/18/2014 and the subsequent Rental Agreement authorized diversion of water under Water Right No(s). 29-14099 through the 2014 season only.

The Rental Agreement is expired, or will be expired by the end of the season of use, and the water use in connection with the rental will no longer be in effect. Any diversion or use of water associated with this rental agreement is not authorized and, if occurring, will be subject to any necessary enforcement action.

If you wish to rent water in the future, please reapply using new forms from the Department's website at www.idwr.idaho.gov. If you have any questions regarding this matter, please contact me at (208) 287-4944.

Sincerely,

Cherie Palmer
Water Rights Supervisor
WSB Process Point of Contact

c: JCH Consulting
Jason Helms



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 16, 2014

PEP LLC
1356 S 3000 W
ABERDEEN ID 83210

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 29-14099**

Dear Renter:

Please find enclosed a receipt in the amount of **\$1,190.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 70.0 acre-feet of water for irrigation of 20 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 \$1,071.00 of the rental fee will be paid to the lessor(s) and 10% or \$119.00 will be retained by the Department to offset administrative costs.

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

Sincerely,

Cherie Palmer
Water Rights Supervisor
WSB Process Point of Contact

Enclosure(s): Receipt NoC099174
Rental Agreement (copy)

c: Sascha Marston – Fiscal
James Cefalo – IDWR Eastern Regional Office
Jason Helms – JCH Consulting



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 8, 2014

PEP LLC
1356 S 3000 W
ABERDEEN ID 83210

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 29-14099**

*****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 \$1,190.00 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 70.0 acre-feet.

Please send a check for \$1,190.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. Pursuant to the Water Supply Bank Rules, 90% or \$1071.00 of the rental fee will be paid to the lessor(s) and 10% or \$119.00 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
WSB Process Point of Contact

Enclosure(s)

c: IDWR Front Desk
Jason Helms – JHC Consulting

MEMORANDUM

To: Water Right 29-14099
From: Cherie Palmer
Date: July 7, 2014
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: On April 8, 2014, the Department received this application from PEP LLC to rent water right 29-14096 for 20 acres. The applicant completed the ESPA modeling. Water right 29-14096 has already been rented to another customer during the course of the season. I asked if the applicant wanted to use water right 29-14099 (a water right they requested to use on a second application they filed in tandem with this application) as there is still 61 acres available under that right. They agreed to move forward with a 20 acre rental from 29-14099.

Because the modeling has already been done for this water right at the same point of diversion of the applicant's POD, no additional modeling is necessary (note that I ran the ESPA spreadsheet with the new scenario just to make sure there was still no injury). No mitigation is required through this proposed rental.

AUTHORITY TO FILE: The applicant, PEP LLC is represented by Chris Pratt. Chris Pratt has signed the rental application and is an authorized signatory for PEP LLC. PEP LLC owns the proposed point of diversion and place of use.

WATER RIGHT VALIDITY: Water right 29-14099 is involved in a lease until the end of 2014.

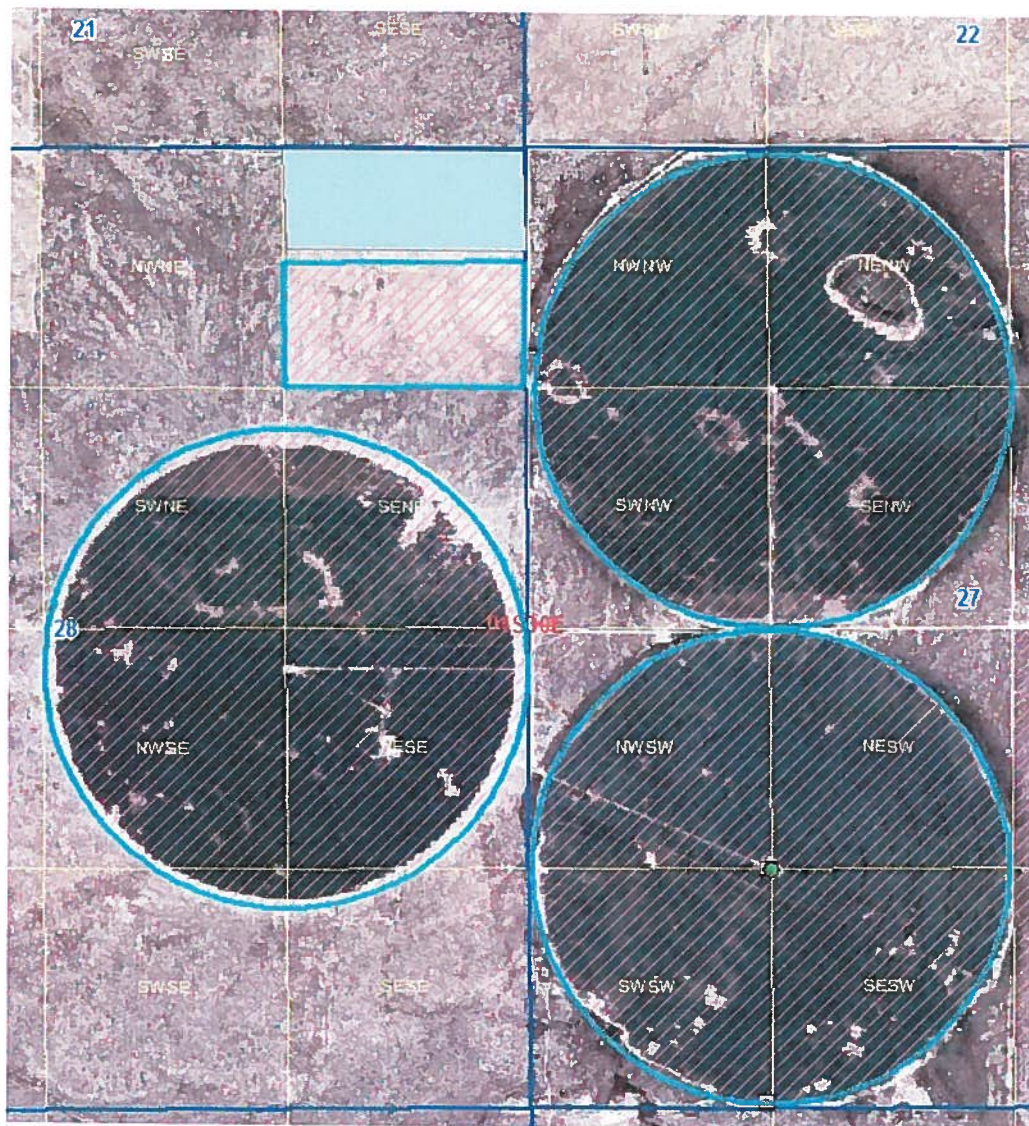
INJURY TO OTHER WATER RIGHTS: No injury is apparent.

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

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 rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: I contacted the watermaster for 120 and did not receive feedback.



Green dot is POD for rental and 35-7246B, 35-14002, and 35-14004
 Blue shaded area is the rental POU for 2014 (4S 30E Sec 28 NENE 20 acres)

Water Right No.

Rented Vol (AF)	Lessor Fee (90%)	Administrative Fee (10%)	Total Fee @ \$17 (2013-2017)	Rental Amounts	
				Rate (cfs)	Acres
29-14099	70	1071	119	1190.00	0.38
xx-xxxx	0	0	0	0.00	0.00
xx-xxxx	0	0	0	0.00	0.00
xx-xxxx	0	0	0	0.00	0.00
xx-xxxx	0	0	0	0.00	0.00
xx-xxxx	0	0	0	0.00	0.00
xx-xxxx	0	0	0	0.00	0.00
xx-xxxx	0	0	0	0.00	0.00
Total	70	1071	119	1190.00	0.38

Palmer, Cherie

From: Jason Helms [jasoncivil@alumni.nd.edu]
Sent: Tuesday, July 01, 2014 10:07 AM
To: Palmer, Cherie
Subject: Re: rental availability?

Hi Cherie,

What I would really like to do is fill in for the 40 acre rental with 35-14258, 14260 and 14262 and fill in for the 132 acre rental with 29-14106 and 14107 to make up for the portions of 14096, 14097 and 14099 that have been committed to other rentals. I am afraid my modeling will be a waste of time unless I can get some assurance from you that these rights I have identified will be reserved for these pep rentals. Is that possible?

Thanks,
Jason

On Mon, Jun 30, 2014 at 1:25 PM, Palmer, Cherie <Cherie.Palmer@idwr.idaho.gov> wrote:

Jason,

The Rupp water rights have already been committed to Bannock county's rental. As of today the Simplot rights are available.

You can also check our website for up-to-date information as well here:

http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterSupply/ws_default.htm

At that link you will see an excess spreadsheet named "Water Supply Bank Processing" under Helpful Resources.

Cherie

From: Jason Helms [mailto:jasoncivil@alumni.nd.edu]
Sent: Monday, June 30, 2014 10:25 AM
To: Palmer, Cherie
Subject: rental availability?

Palmer, Cherie

From: Jason Helms [jasoncivil@alumni.nd.edu]
Sent: Monday, June 30, 2014 10:25 AM
To: Palmer, Cherie
Subject: rental availability?

Hi Cherie,

Are the H. Lavelle Rupp Jr.-Trustee water rights
29-2292
29-13143
29-13144
or the J.R. Simplot rights
35-14258
35-14260
35-14262
available for rental?
Thanks,

Jason C. Helms, P.E.
JCH Engineering & Consulting, PLLC
(208) 308-2109

Palmer, Cherie

From: Palmer, Cherie
Sent: Friday, June 27, 2014 10:42 AM
To: 'pepfarms@gmail.com'
Cc: 'Jason Helms'
Subject: RE: PEP water supply bank applications

Chris,

I ran into a snag with the rental of water right 29-14096. That water right is in the middle of being rented to a different applicant, who applied to rent water in February. We are trying to make sure applications are processed in the order they are received so unfortunately, these guys were in front of you and already spoke for the water.

I apologize, it was an oversight on my part.

As you know what right 29-14099 has 61 acre available under it. And water right 29-14097 has pretty much 1 acre available under it. Please let me know how you would like to proceed with your rental request.

*Cherie Palmer, Sr. Water Resource Agent
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
phone: (208) 287-4944
fax: (208) 287-6700*

Cherie

From: Palmer, Cherie
Sent: Tuesday, June 24, 2014 11:18 AM
To: 'Jason Helms'
Subject: RE: PEP water supply bank applications

Jason,

Thank you for your email. I am reviewing these two applications for PEP LLC, one for 20 acres and the other for 132 acres, and have questions on both.

I am ready to move forward with the approval of the application for 20 acres. However, water right 29-14096 only provides ½" to the acre or 0.01 cfs/acre. The application calls for 0.40 or the full 1" to the acre. If you would like to bump up the diversion rate please provide another water right along with the required modeling. I can move forward without the extra diversion rate but, I will need to know how they plan on accomplishing the irrigation of that 20 acres on such a reduced rate.

The second application, for 132 acres, is asking for the use of 29-14099. However, 29-14099 has already been committed to another in part. There is 61 acres available under water right 29-14099 at this time. Would you like to move forward with a 61 acre rental or would you like to provide more acres under a different water right? If so, please

Palmer, Cherie

From: Palmer, Cherie
Sent: Tuesday, June 24, 2014 11:18 AM
To: 'Jason Helms'
Subject: RE: PEP water supply bank applications

Jason,

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Please respond within 10 days so I know how to proceed. If I do not receive a response within the time allotted the applications may not be processed and will be returned.

Thanks again for your prompt attention regarding this matter. I look forward to finalizing these rentals for 2014.

*Cherie Palmer, Sr. Water Resource Agent
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
phone: (208) 287-4944
fax: (208) 287-6700*

From: Jason Helms [<mailto:jasoncivil@alumni.nd.edu>]
Sent: Tuesday, June 24, 2014 11:07 AM
To: Palmer, Cherie; PEP Farms
Subject: PEP water supply bank applications

Hi Cherie,

Chris Pratt called me this morning and indicated that you may have some questions/concerns on some of the PEP water supply bank rental applications still pending with the department? Could you reply to this e-mail and let me know what issues you are having and I may be able to help. I believe there are some additional

water rights that have also recently been placed into the water supply bank by the cities of Chubbuck and Ammon that may fill those applications.

Thanks,

Jason C. Helms, P.E.

JCH Engineering & Consulting, PLLC

(208) 308-2109

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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
phone: (208) 287-4944
fax: (208) 287-6700*

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To: Palmer, Cherie; PEP Farms
Subject: PEP water supply bank applications

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Jason C. Helms, P.E.
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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 15, 2014

PEP LLC
1356 S 3000 W
ABERDEEN ID 83210

RE: APPLICATION(S) TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Applicant:

The Idaho Department of Water Resources (Department) acknowledges receipt of your application(s) to rent water for from the Water Supply Bank (Bank). The Department will review your application(s) as time allows. If your application cannot be processed for the initial year specified on the application, it is possible that it may be approved for subsequent years.

Filing a rental application does not authorize diversion and use of water. It is unlawful to use water without a valid water right or an approved Water Supply Bank rental agreement. **You are not authorized to divert any water for the purposes described in your application until you have paid the rental fee and you and the Department have both signed and executed a rental agreement.**

You can check the status of your rental application by reviewing the Department's processing spreadsheet, accessible from the Water Supply Bank's website at:

http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterSupply/ws_default.htm

Regards,

Cherie Palmer
Sr. Water Resource Agent
Water Supply Bank Contact