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DEPARTMENT OF
WATER RESOURCES

December 6, 2011

Monica Van Bussum
Idaho Department of Water Resources
Idaho Water Supply Bank
P.O. Box 83720
Boise, ID 83720-0098

Re: Lance Funk Rentals

Dear Mrs. Van Bussum:

On behalf of our client, Lance Funk, we are submitting applications to rent portions of water rights 35-14014 and 35-14015 that are currently leased to the Idaho Water Supply Bank. Water rights 35-14014 and 35-14015 are industrial water rights and Lance Funk would like to rent irrigation water from the Idaho Water Supply Bank.

To expedite processing and understanding of the project, seven rental applications are being submitted at this time. The rented water will be diverted from five wells located in different cells of the ESPAM model and on different farms.

One rental application is for 2.4/438 cfs/afa that will be diverted from a well located in Township 7 South Range 29 East Section 8 SWNESW (ESPA Model cell 86091).

The second rental application is for 3.4/618 cfs/afa that will be diverted from a well located in Township 7 South Range 28 East Section 1 SWSWSE (ESPA Model cell 84090).

The third rental application is for 7.4/1349 cfs/afa that will be diverted from a well located in Township 7 South Range 29 East Section 07 NENENW (ESPA Model cell 85091).

The forth rental application is for 5.4/990 cfs/afa that will be diverted from a well located in Township 7 South Range 29 East Section 5 NENWNE (ESPA Model cell 84092).

CHARLES E.
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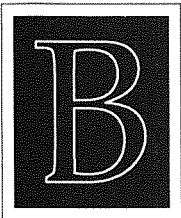
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The fifth rental application for 7.8/1426 cfs/afa that will be diverted from a well located in Township 7 South Range 29 East Section 5 NENWNE (ESPA Model cell 84092).

The sixth rental application for 4.7/861 cfs/afa that will be diverted from a well located in Township 6 South Range 29 East Section 34 NWNWNW (ESPA Model cell 84092).

The seventh rental application for 5.4/928 cfs/afa that will be diverted from a well located in Township 6 South Range 29 East Section 34 NWNWNW (ESPA Model cell 84092).

The two new wells located in Township 7 South Range 29 East Section 5 NENWNE and Township 6 South Range 29 East Section 34 NWNWNW are currently under construction.

The licensed diversion for 35-14014 and 35-14015 is limited to 8.5 cfs and has a beneficial use from 1/01 to 12/31 annually. A continuous diversion of 8.5 cfs for one year would result in the diversion of 6154 acre-feet. The rental applications for irrigation will require a greater additive diversion rate than the current limit set forth for 35-14014 and 35-14015. The diversion period for the irrigation rentals is proposed to be from 4/01 through 11/01 of each year.

The combined volume limit for 35-14014 and 35-14015 is 5070 AFA and, as an industrial use, is considered 100% consumptive. None of the 5070 AFA is considered to return to the aquifer. The ESPA Model analyses performed on each of the seven proposed rental applications are based on consumptive use. A value of 2.75 feet per acre for frequent cuttings of alfalfa at the American Falls 1 SW field station (Robinson and Allen, 2010) was used to estimate the proposed consumptive use of future crops to be irrigated by the seven rental applications. The ESPA Model analysis based on consumptive use volumes and a two year agreement calculated that no mitigation would be required to offset the seven rental applications.(see attached ESPAM ground water model analyses)

From the consumptive use of 2.75 ft per acre, an 75% irrigation efficiency and the known acres needed to be covered the proposed pumping volume was determined for each application. The proposed pumping volume is 25% larger than the modeled consumptive use volume. Under these parameters the aquifer will experience the same consumptive use withdrawal from irrigation

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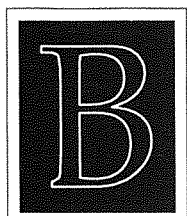
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use as the aquifer currently experiences from industrial use since any pumping in excess of the crop consumptive use returns to the aquifer.

Through correspondence with Monica Van Bussum, it was decided that IDWR would prefer to have the ESPA Model analysis be performed from the historical place of use of 35-14014 and 35-14015. The historical place of use was at the old FMC fertilizer plant in Pocatello. The point of diversion for FMC is located in ESPA model cell 950118. Transfer 75147 changed the point of diversion, place of use and the ownership of water rights 35-14014 and 35-14015. The ESPA model analysis for Transfer 75147 combined the river reaches Near Blackfoot to Neeley and Neeley to Minidoka. This modeling analysis was accepted by IDWR. The ESPA model analysis for these seven rental applications also combine the river reaches Near Blackfoot to Neeley and Neeley to Minidoka. The combining of the river reaches is considered necessary for analysis of the seven rental applications because of the requirement by IDWR to run the ESPA model from the historical place of use at the FMC plant.

These applications and hydrologic analyses are somewhat complex and involve some concepts and policies which are not commonplace in transfer processing. Brockway Engineering would like to schedule a meeting to discuss the applications after IDWR has received and reviewed the seven rental applications.

Please copy our office on all correspondence regarding this application. Thank you for your assistance and if you have questions or comments, please don't hesitate to call.

Sincerely,

Greg Sullivan, M.S., E.I.T.

Cc: Lance Funk

Enc: Seven Rental Applications, Aerial Maps, ESPA Model Analysis

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