IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

January 3, 2024

STOCK PARTNERS LLC
PO BOX 675
HEYBURN ID 83336-0675

RE: LEASED AND RENTED WATER RIGHT NO(S). 37-11989 & 37-22771 RELEASED FROM THE WATER SUPPLY BANK

Dear Lessor/Renter:

On December 26, 2023, the Department of Water Resources (Department) approved a permanent transfer 88559, in place of existing Water Supply Bank (Bank) Lease Contract 1546 and Rental Agreement 640 for water right(s) 37-11989 & 37-22771 with a term of five years from 2022 through 2026. **At this time the Department acknowledges that the Bank Lease Contract and Rental Agreement for 219.0 acres of water right(s) 37-11989 & 37-22771 has concluded as of December 31, 2023 releasing the right(s) from the Bank.**

Additionally, the rental fees for 2024 were received by the Department on December 26, 2023. A refund has been requested and will be sent under a different cover.

The five (5) year period of nonuse related to forfeiture of a water right shall begin to accrue upon release of the right from the bank or shall continue to accrue if a period of nonuse occurred prior to the lease date of the right to the bank. You can reapply to lease the water right(s) in the future by submitting new application form(s) from the Department's website at www.idwr.idaho.gov along with applicable fees.

If you have any questions, please contact me at (208) 287-4936.

Sincerely,

Mary Condon
Water Supply Bank Coordinator

c: Greg Sullivan – Brockway Engineering
IDWR Southern Regional Manager
WD 37 Watermaster

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 23 2022
Department of Water Resources

WATER SUPPLY BANK RENTAL AGREEMENT No. 640

This is to certify that:

STOCK PARTNERS LLC
PO BOX 675
HEYBURN, ID 83336-0675

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 No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
37-11989	4/15/1957	SPRING, tributary to SINKS	0.50	655	219	0.002	3.0
37-22771	10/30/1974	GROUND WATER	2.65	655	219	0.012	3.0
Rental Totals			**3.15**	**655**	**219**	**0.012**	**3.0**

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2026. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2022, whichever occurs last.

Annual Rental Fee:

2022: $1,310.00 annually
2023 - 2026: $1,506.50 annually

The full fee for the rental of the above-described right(s) is $1,310.00 per year for years 2022 - 2022 and $1,506.50 per year for years 2023 - 2026. The rental fee includes an administrative fee of $1,310.00 per year for years 2022 - 2022 and $1,506.50 per year for years 2023 - 2026. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 37-22771 and 34-11989.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Detailed water right conditions are attached.

SCANNED
JAN 04 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 640

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

Signature of Renter _____ Date 12/22/22

Printed Name Emily Studer Title Manager

*Title required 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 _____ Date 1/24/23
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date 1/24/23

SCANNED JAN 24 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 640

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec. 1, Twp 02S, Rge 17E,	BLAINE County
GROUND WATER	SWSE	Sec. 11, Twp 02S, Rge 17E,	CAMAS County
SPRING	NWSESE	Sec. 11, Twp 02S, Rge 17E	CAMAS County
SPRING	NWNWSE	Sec. 11, Twp 02S, Rge 17E	CAMAS County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	2.65 CFS	655 AF

SEASON OF USE

From	To
5/1	10/1

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	17E	35											24	25					49
02S	17E	2			3.4		26 L3	31 L4	18	33	35	20				3.6			170

Total Acres: 219

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

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. 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.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. 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.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

SCANNED JAN 24 2023

WATER SUPPLY BANK RENTAL AGREEMENT No. 640

10. Use of water under this right may 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. 37.
11. The two ponds established by the storage of water under right 37-11989 shall not exceed a total capacity of 20.5 acre-feet or a total surface area of 5.35 acre(s). The two ponds may be refilled multiple times in a single year.
12. Right 37-22771 authorizes the diversion of an annual total of 34.5 acre-feet to be used for the replacement of losses caused by evaporation from the ponds authorized under right 37-21301.
13. The ponds established by the storage of water under rights 37-21301 and 37-22771 shall not exceed a total capacity of 81.6 acre-feet or a total surface area of 18.99 acres.
14. The ponds established by the storage of water under rights 37-11989, 37-12000, 37-21301, and 37-22771 shall not exceed a total capacity of 93.6 acre-feet or a total surface area of 24.34 acres.
15. Rights 37-11989 and 37-22771 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
16. Right 37-2211, when combined with the unleased portions and rented portions of rights 37-11989 and 37-22771 shall not exceed the irrigation of 748.5 acres.
17. Right 37-2211, when combined with the unleased portion and the rented portion of right 37-11989 shall not exceed a total diversion rate of 1.70 cfs.
18. The period of use for the irrigation described in this approval under right 37-22771 may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the decree on February 3, 2010.
19. This rental agreement does not authorize the construction of a well.

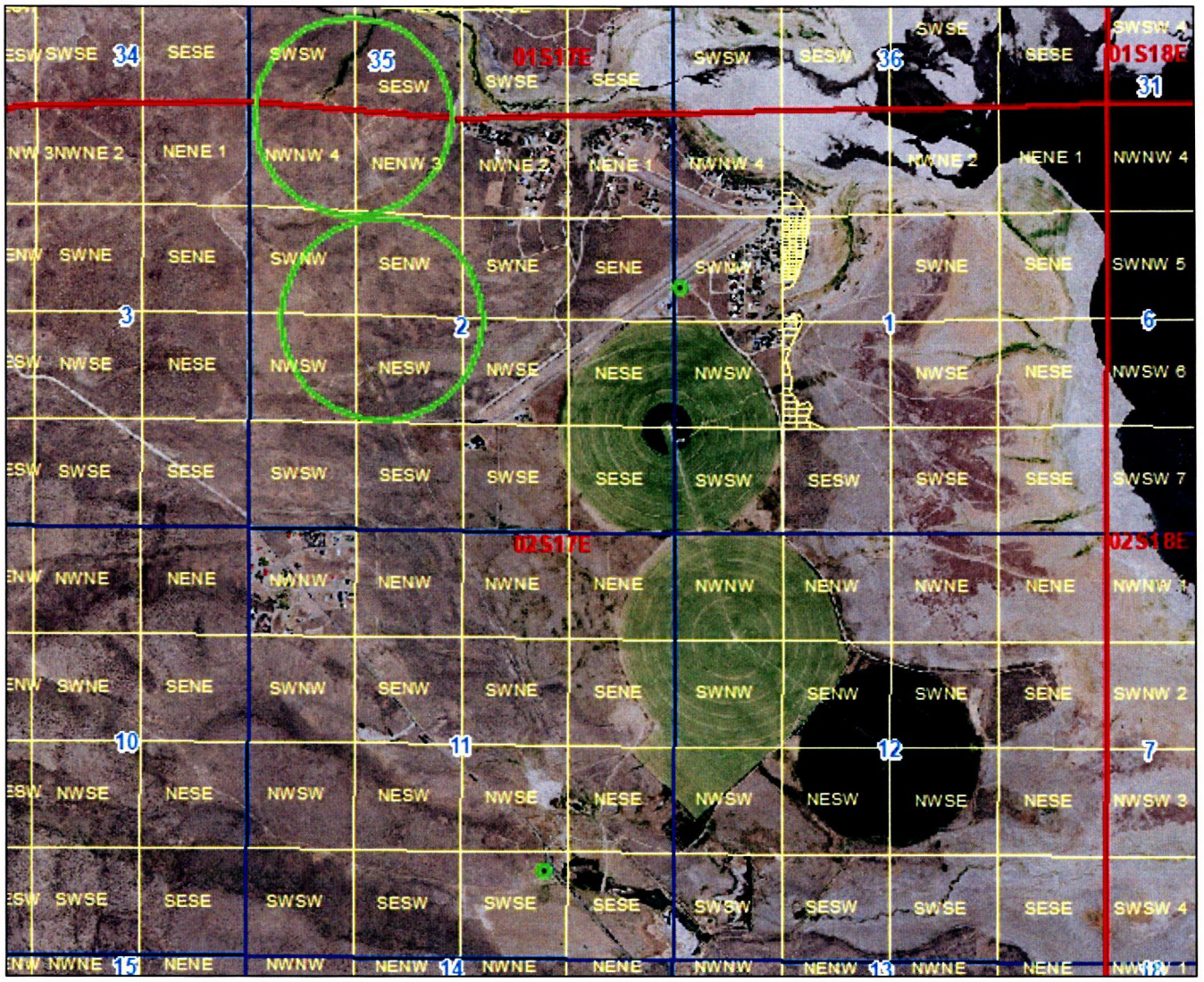
SCANNED JAN 24 2013

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 640

Effective until December 31, 2026

This map depicts the **rental place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



Authorized Rental Point of Diversion

Authorized Rental Place of Use

Township/Range

Sections

QQ

N

0 0.5 Miles

SCANNED

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

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

Applicant Name: Stock Partners, LLC

Is this application being submitted with a lease application as a lease/rental package? Yes ☑ No ☐
If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

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

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov water_supply_bank

MINIMUM REQUIREMENT CHECKLIST

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

Attachment	N/A	Yes	
		☑	Completed *Application to Rent Water from the Board's Water Supply Bank*
		☑	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
2		☑	A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
3A	☐	☑	Detailed information on a proposed use of rental water
3F	☑	☐	Authorization from the owner/operator of the rental point(s) of diversion
3H	☑	☐	Water modeling to account for the impacts of the rental request
3J	☑	☐	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	☑	☐	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	☐	☑	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	☑	☐	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

37-22771

7287

SCANNED JAN 24 2023

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Stock Partners, LLC

Mailing Address PO Box 675 (Street) Heyburn (City) Idaho (State) 83336 (Zip Code)

Email Address studerk@probstelectric.com Phone Number 208-608-3096

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☐ No ☐

If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Greg Sullivan Professional Title Engineer

Organization Brockway Engineering Relationship to Applicant Consultant

Mailing Address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301

Email Address greg.sullivan@brockwayeng.com Phone Number 208-736-8543

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

This rental will provide an additional 219.0 acres of irrigation under pivot. Existing wells will be utilized. New mainlines and pivots have been installed.

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
2.65 CFS	657 AF	2.65 CFS	657 AF	219.0 AC

* ***Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.***

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
		1	2	3	4	5		
4/1/2022	7/1/2022	☐	☐	☐	☐	☑	☑ Process application as soon as possible	☐ Return application to applicant

* ***The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.***

** ***Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.***

SCANNED JAN 04 2022

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):
Existing wells, mainlines and pivots. The new pivots and mainlines have been installed ready for 2022.

E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
02S17E Sec 1 SWNW	Ground Water	No other irrigation water rights
02S17E Sec 11 SWSE	Ground Water	No other irrigation water rights

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☑
If yes, include documented consent as **Attachment 3F**.

G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☐ No ☑
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

H. Has water modeling been provided with your rental request? Yes ☐ N/A ☑
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

☑ Irrigation 219.0 (number of acres) Duration: Subject to IDWR standard seasons of use

☐ Commercial from: (mm/dd) to: (mm/dd)

☐ Stockwater from: (mm/dd) to: (mm/dd)

☐ Industrial from: (mm/dd) to: (mm/dd)

☐ Other: from: (mm/dd) to: (mm/dd)

J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☑
If yes, justify the rate of flow and attach any supporting documents as **Attachment 3J**. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

K. Do you own the land at the proposed rental place of use (POU)? Yes ☑ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it **Attachment 3K**.

L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:
None

SCANNED JAN 24 2023

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights? Yes ☑ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. **If no,** continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via IDWR's website.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.** For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
37-22771	Irrigation	2.65	657	219.0		2.65	657	219.0
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	2.65 CFS	657 AF	219.0 AC

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

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

N/A

C. Does your rental request propose to change the nature of use for any water right(s) being rented? Yes ☐ No ☑

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

SCANNED JAN 24 2023

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

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

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

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

D. Additional Information
None

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.

Signature of Applicant	Printed Name of Applicant	Date
	Emily Studer	3/15/22

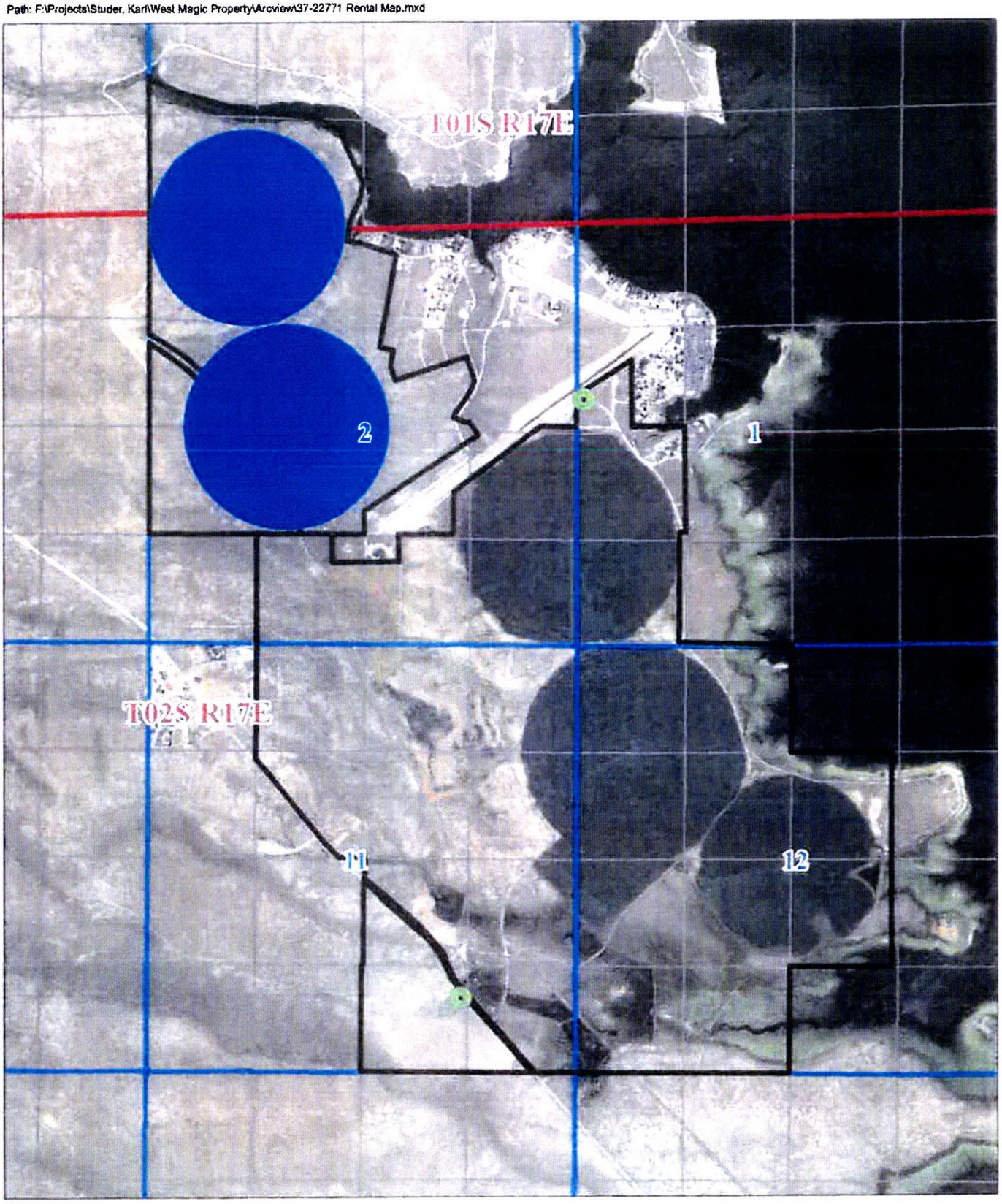
Signature of Representative	Printed Name of Representative	Date

Mail to:

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

SCANNED
JAN 24 2023

Path: F:\Projects\Studer, Karl\West Magic Property\Arcview\37-22771 Rental Map.mxd



0 0.25 0.5 Miles

STOCK PARTNERS LLC - MAGIC RANCH
37-22771 RENTAL ACRES
NAIP 2019 AERIAL

BROCKWAY ENGINEERING, PLLC.
GWS -Date: 11/11/2021

Legend
- Ground Water PODs
- 2022 Rental
- Property_Boundry

N

SCANNED

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
JAN 21 2022
DEPARTMENT OF
WATER RESOURCES

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

Applicant Name: Stock Partners, LLC

Is this application being submitted with a lease application as a lease/rental package? **Yes** ☑ **No** ☐
If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

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

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST			
Check All Items as Either Attached (Yes) or Not Applicable (N/A)			
		Yes	
		☑	Completed *Application to Rent Water from the Board's Water Supply Bank*
		☑	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
Attachment	**N/A**	**Yes**	
2		☑	A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
3A	☐	☑	Detailed information on a proposed use of rental water
3F	☑	☐	Authorization from the owner/operator of the rental point(s) of diversion
3H	☑	☐	Water modeling to account for the impacts of the rental request
3J	☑	☐	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	☑	☐	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	☐	☑	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	☑	☐	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)
37-22771

SCANNED JAN 24 2022

2287

Superseded

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Stock Partners, LLC

Mailing Address PO Box 675 (Street) Heyburn (City) Idaho (State) 83336 (Zip Code)

Email Address studerk@probstelectric.com Phone Number 208-608-3096

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☐ No ☐

If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Greg Sullivan Professional Title Engineer

Organization Brockway Engineering Relationship to Applicant Consultant

Mailing Address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301

Email Address greg.sullivan@brockwayeng.com Phone Number 208-736-8543

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

This rental will provide an additional 219.0 acres of irrigation under pivot. Existing wells will be utilized. New mainlines and pivots have been installed.

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
2.65 CFS	657 AF	2.65 CFS	657 AF	219.0 AC

* ***Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.***

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
		☐ 1	☐ 2	☐ 3	☐ 4	☑ 5	☑ Process application as soon as possible	☐ Return application to applicant
4/1/2022	7/1/2022							

* ***The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.***

** ***Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.***

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JAN 24 2023

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):
Existing wells, mainlines and pivots. The new pivots and mainlines have been installed ready for 2022.

E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
02S17E Sec 1 SWNW	Ground Water	No other irrigation water rights
02S17E Sec 11 SWSE	Ground Water	No other irrigation water rights

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☑
If yes, include documented consent as **Attachment 3F**.

G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☐ No ☑
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

H. Has water modeling been provided with your rental request? Yes ☐ N/A ☑
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

I. Specify the desired beneficial use of water and the requested season of use or number of acres required:
☑ Irrigation 219.0 (number of acres) Duration: Subject to IDWR standard seasons of use
☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☑
If yes, justify the rate of flow and attach any supporting documents as **Attachment 3J**. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

K. Do you own the land at the proposed rental place of use (POU)? Yes ☑ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it **Attachment 3K**.

L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:
None

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STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights? Yes ☑ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. **If no,** continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via IDWR's website.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request**. For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
37-22771	Irrigation	2.65	657	219.0		2.65	657	219.0
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					**TOTAL**	2.65	657	219.0
						CFS	**AF**	**AC**

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

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

N/A

C. Does your rental request propose to change the nature of use for any water right(s) being rented? Yes ☐ No ☑

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

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STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

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

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

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

D. Additional Information
None

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.

Signature of Applicant	Printed Name of Applicant	Date
	Karl Stud	1/10/22
Signature of Representative	Printed Name of Representative	Date

Mail to:

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

SCANNED

Path: F:\Projects\Studer, Karl\West Magic Property\Arcview\37-22771 Rental Map.mxd



0 0.25 0.5 Miles

STOCK PARTNERS LLC - MAGIC RANCH
37-22771 RENTAL ACRES
NAIP 2019 AERIAL

Legend
- Ground Water PODs
- 2022 Rental
- Property_Boundry

N

BROCKWAY ENGINEERING, PLLC.
GWS -Date: 11/11/2021

SCANNED

0004133314

STATE OF IDAHO

Office of the secretary of state, Lawerence Denney

ANNUAL REPORT

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only

-FILED-

File #: 0004133314

Date Filed: 1/13/2021 8:24:33 AM

Entity Name and Mailing Address:

Entity Name:	STOCK PARTNERS, LLC
The file number of this entity on the records of the Idaho Secretary of State is:	0000448945
Address	PO BOX 675 HEYBURN, ID 83336-0675

Entity Details:

Entity Status	Active-Existing
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	W147490

The registered agent on record is:

Registered Agent	EMILY STUDER Registered Agent Physical Address 13 E 400 S RUPERT, ID 83350 Mailing Address

Limited Liability Company Managers and Members

Name	TItle	Business Address
+ Emily Studer	Member	13 E 400 S RUPERT, ID 83350

The annual report must be signed by an authorized signer of the entity.

Job Title: Manager

Emily Studer
Sign Here

01/13/2021
Date

B0569-6222 01/13/2021 8:24 AM Received by ID Secretary of State Lawerence Denney

SCANNED

WSB Mailing Checklist for Rentals

(For use on all new rental applications)

Key: Who Completes What?
CLERICAL STAFF: MC
REVIEWER: CMC

Received Date: 1/21/2022
Latest Start Date: 7/01/2022
Renter: Stock Partners LLC
Rental Expiration Date
Lease/Rental Package (Y) N

Application # 2287
Agreement # 1640

Water Right	Lease Contract ID
# 37-22771	App 2286 - 1546
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	

Applicant Authorized?	(Y) / N
Map of POU and POD	(Y) / N
POD consent?	(Y) / N
ESPA Modeling?	Y / N (NA)
Application Complete?	(Y) / N
Minimum Checklist in database?	☐
Request for additional information letter sent:	(Y) NA
WSB Action Request for deficiencies	☐

Comments:

Private lease rental, admin fee only. Camas County Parcel lists Stock Partners as owners of rental POU

Mailings (per application)		Original	CC	Email or Address
Renter:	Stock Partners LLC	[X]	☐	
Attorney:		☐	☐	
Consultants Name:	Greg Sullivan - Brockway Engineering	[X]	☐	
Conveyence Entity: (Ex. Irrigation Dist. of Canal Co.)		(final only)	☐	
(Ground) Water Dist:	WD 37	(final only)	☐	
Other: (WD Snake 01, Boise, Payette, and Bear River)	Galena GWD	(final only)	☐	
Region:	Eastern	(final only)	☐	
Watermaster:	Kevin Lakey	(final only)	☐	
Compliance:		(final only)	☐	

Resolving NOV? Y / (N)
#

Call up Date:_____

DO NOT SCAN

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 24, 2023

STOCK PARTNERS LLC
PO BOX 675
HEYBURN, ID 83336-0675

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-11989 & 37-22771 AGREEMENTS 640

Dear Renter:

Please find enclosed receipts in the amount of **$1,310.00 and $155.40** and a copy of the fully executed Water Supply Bank Rental Agreements in connection with the rental of 655 acre-feet of water for irrigation of 219 acres. 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.

Since you are both the lessor and renter, you are only responsible for the administrative fee, which was $1,310.00 for 2022 and is $1,506.50 for years 2023-2026. An overpayment of $155.40 has been applied to the 2023 rental fee, of which $1,351.10 is still due immediately.

If you have any questions, please contact this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosures: Receipt No. S039528 & C114858
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
Greg Sullivan

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 24, 2023

STOCK PARTNERS LLC
PO BOX 675
HEYBURN, ID 83336-0675

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-11989 & 37-22771 AGREEMENTS 640

Dear Renter:

Please find enclosed receipts in the amount of **$1,310.00 and $155.40** and a copy of the fully executed Water Supply Bank Rental Agreements in connection with the rental of 10 acre-feet of water for irrigation of municipal use. 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.

Since you are both the lessor and renter, you are only responsible for the administrative fee of $1,310.00. Any overpayment that has been made has been applied to the next years annual fee.

If you have any questions, please contact this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosures: Receipt No. S039528 & C114858
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
Greg Sullivan

SCANNED
JAN 24 2023

Kienholz, Mackenzie

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Friday, December 23, 2022 11:43 AM
To: Kienholz, Mackenzie
Cc: Hummer, Phill; Bank
Subject: FW: Clarifications on Stock Partners Contract & Agreement
Attachments: SKM_C450i18042103031.pdf; SKM_C450i18042103030.pdf; SKM_C450i18042103020.pdf

Follow Up Flag: Flag for follow up
Flag Status: Flagged

CAUTION: **This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.**

Mackenzie,

See the attached documents signed by Emily Studer.

Let me know if you need anything else for these leases and rental.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Mitchell, Brock [mailto:BAMitchell@probstelectric.com]
Sent: Friday, December 23, 2022 10:06 AM
To: Karl Studer <studerprobst@gmail.com>; Heather Garrett <heather@3stringscattle.com>; greg.sullivan@brockwayeng.com
Subject: RE: Clarifications on Stock Partners Contract & Agreement

Gregg,

Please find the attached signed documents.

Thanks
Brock

SCANNED

From: Karl Studer <studerprobst@gmail.com>
Sent: Tuesday, December 20, 2022 3:57 AM
To: Mitchell, Brock <BAMitchell@probstelectric.com>; Heather Garrett <heather@3stringscattle.com>; em.studer@hotmail.com
Subject: Fwd: Clarifications on Stock Partners Contract & Agreement

[EXTERNAL]

Heather, can you please print these off and we can have Emily sign them. I talked to Greg about this yesterday and that is the quickest way for these signatures.

Overpayment will just go to the next years water bank fees.

Thanks,

Karl

Sent from my iPhone

Begin forwarded message:

> **From:** Greg Sullivan <greg.sullivan@brockwayeng.com>
> **Date:** December 19, 2022 at 8:52:50 AM MST
> **To:** Karl Studer <studerprobst@gmail.com>, Emily Studer <em.studer@hotmail.com>
> **Subject: FW: Clarifications on Stock Partners Contract & Agreement**
>
> Karl,
>
> The Water Supply Bank staff have reached out to me regarding the lease contracts and rental agreement for the West Magic property. It sounds like they have received multiple signed documents by you and Brock Mitchell. However, the secretary of state database only shows Emily Studer has authority to sign the documents.
>
> The Water Supply Bank needs a statement of authority that gives you or Brock Mitchell authority to sign on behalf of Stock Partners or Emily Studer needs to sign the attached documents.
>
> Please email me the signed documents and I will make sure the correct people in the Water Supply Bank receive them. I only need the signed signature pages emailed to me.
>
> There was an additional fee of $155.40 submitted to IDWR. Do you want that fee applied to the 2023 rental fee or do you want them to send you a check for $155.40?
>
> Greg Sullivan
> Brockway Engineering
> 2016 North Washington Street, Suite 4
> Twin Falls, Idaho 83301
> 208-736-8543
>
> *All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.*

SCANNED
JAN 24 2023

From: Kienholz, Mackenzie [mailto:Mackenzie.Kienholz@idwr.idaho.gov]
Sent: Thursday, December 15, 2022 9:04 AM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Cc: Hummer, Phill <Phill.Hummer@idwr.idaho.gov>; Bank <Bank@idwr.idaho.gov>
Subject: Clarifications on Stock Partners Contract & Agreement

Good morning, Greg,

I have some questions about the Stock Partners Lease/Rental that I am hoping you may be able to help answer. We received copies of the contracts/agreements signed by Karl Studer on November 22nd; you had sent them over through E-File. On December 12th we received another signed copy of the rental agreement this time signed by Brock Mitchell. This copy was accompanied by an additional fee. We are assuming that the applicants received the hard copy in the mail, signed, and submitted it without realizing that you had already submitted them electronically. Do you know if this is the case or if there is a different reason why we received a new copy?

We also will need authority to sign for Karl Studer (and Brock Mitchell if that copy will be kept) from Emily Studer. Emily Studer is the only member listed on the SOS filing. Karl had signed the applications, but Mary then requested new signature pages from Emily which were provided. Because Emily did not grant authority to Karl during the application stage, we will need it for the contract and agreement.

Finally, the additional payment was for $155.40. Would the applicants like me to apply that towards their 2023 fees or refund the amount?

Please feel free to give me a call to discuss any of this. I will not be available tomorrow, but I am in today and next week.

Thank you,

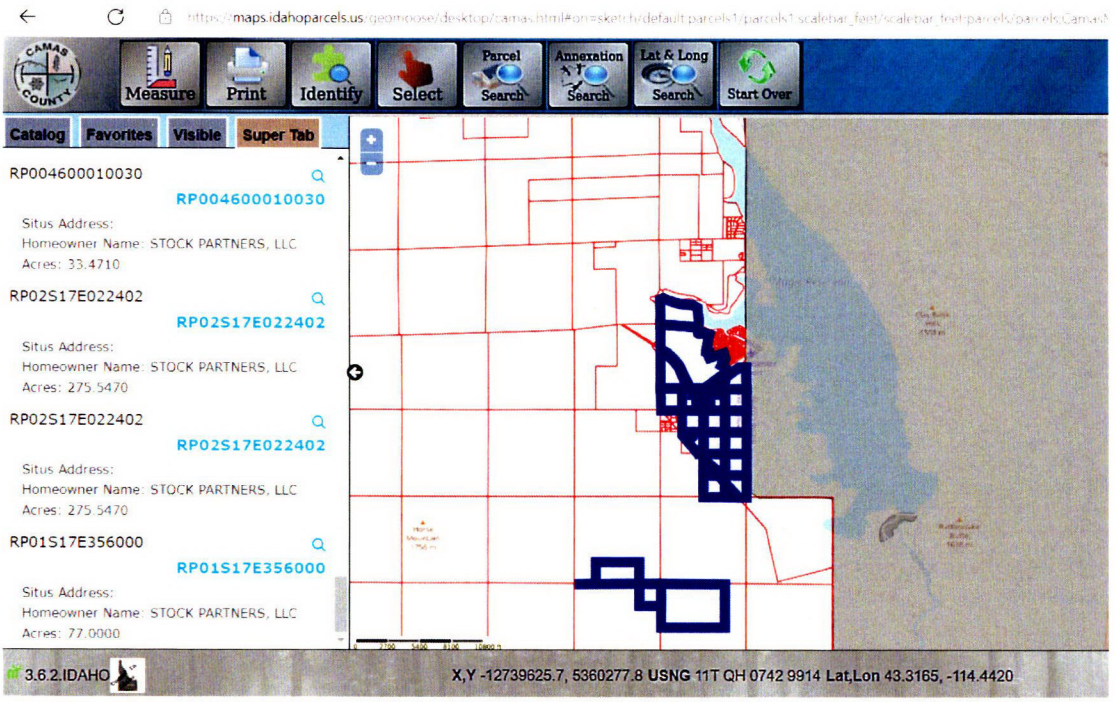
Mackenzie Kienholz
Water Supply Bank Specialist

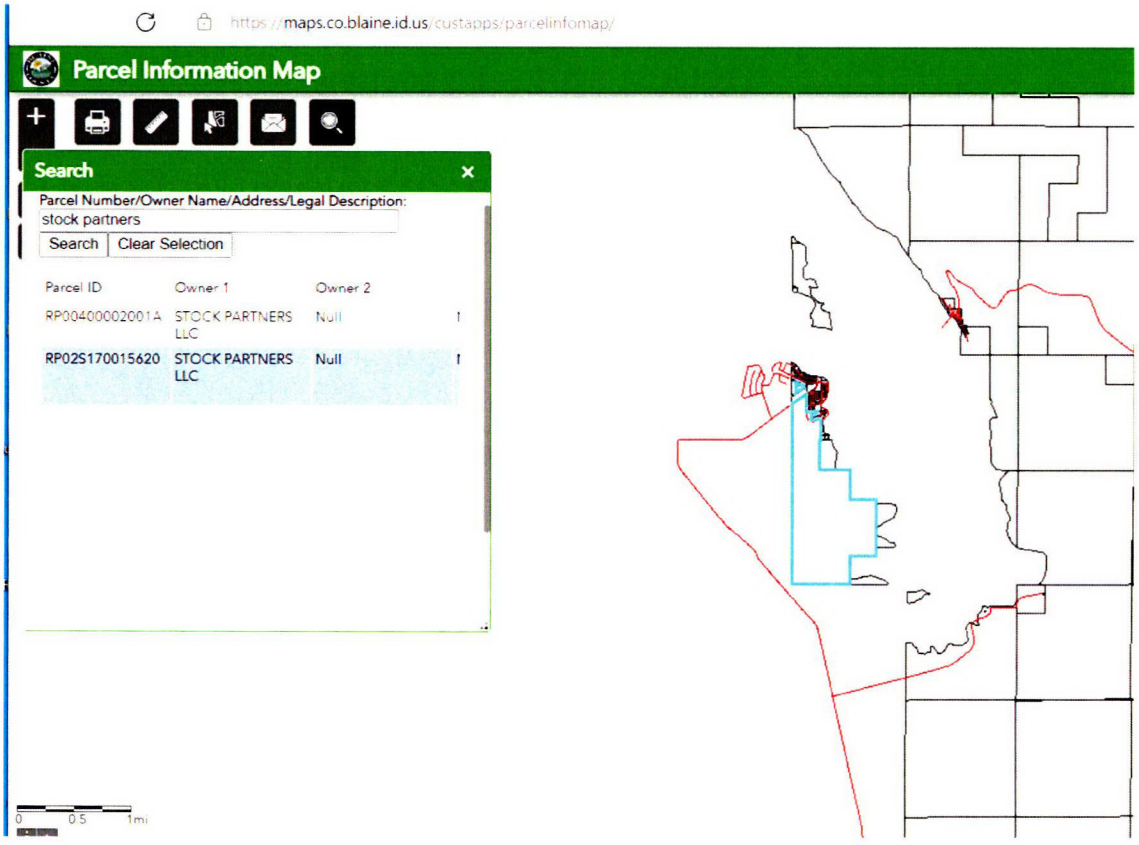
IDAHO DEPARTMENT OF WATER RESOURCES

Planning & Projects
Mackenzie.kienholz@idwr.idaho.gov
Phone: (208) 287-4822

SCANNED 2023

Parcel maps - GIS Services - Idaho State Tax Commission





SCANNED
JAN 24 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 640

RECEIVED
DEC 12 2022
DEPARTMENT OF
WATER RESOURCES

This is to certify that:

STOCK PARTNERS LLC
PO BOX 675
HEYBURN, ID 83336-0675

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 No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
37-11989	4/15/1957	SPRING, tributary to SINKS	0.50	655	219	0.002	3.0
37-22771	10/30/1974	GROUND WATER	2.65	655	219	0.012	3.0
Rental Totals			**3.15**	**655**	**219**	**0.012**	**3.0**

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2026. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2022, whichever occurs last.

Annual Rental Fee:

2022: $1,310.00 annually
2023 - 2026: $1,506.50 annually

The full fee for the rental of the above-described right(s) is $1,310.00 per year for years 2022 - 2022 and $1,506.50 per year for years 2023 - 2026. The rental fee includes an administrative fee of $1,310.00 per year for years 2022 - 2022 and $1,506.50 per year for years 2023 - 2026. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 37-22771 and 34-11989.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Detailed water right conditions are attached.

SCANNED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 640

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

Signature of Renter _____ Date 12/7/22

Brooke Mitchell _____ Gm _____
Printed Name Title

*Title required 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 _____ Date 12/13/22
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date 12/13/22

SIGNED
JAN 04 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 640

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec. 1, Twp 02S, Rge 17E,	BLAINE County
GROUND WATER	SWSE	Sec. 11, Twp 02S, Rge 17E,	CAMAS County
SPRING	NWSESE	Sec. 11, Twp 02S, Rge 17E	CAMAS County
SPRING	NWNWSE	Sec. 11, Twp 02S, Rge 17E	CAMAS County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	2.65 CFS	655 AF

SEASON OF USE

From	To
5/1	10/1

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	17E	35											24	25					49
02S	17E	2			3.4		26 L3	31 L4	18	33	35	20				3.6			170

Total Acres: 219

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

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. 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.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. 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.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

SCANNED

WATER SUPPLY BANK RENTAL AGREEMENT No. 640

10. Use of water under this right may 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. 37.
11. The two ponds established by the storage of water under right 37-11989 shall not exceed a total capacity of 20.5 acre-feet or a total surface area of 5.35 acre(s). The two ponds may be refilled multiple times in a single year.
12. Right 37-22771 authorizes the diversion of an annual total of 34.5 acre-feet to be used for the replacement of losses caused by evaporation from the ponds authorized under right 37-21301.
13. The ponds established by the storage of water under rights 37-21301 and 37-22771 shall not exceed a total capacity of 81.6 acre-feet or a total surface area of 18.99 acres.
14. The ponds established by the storage of water under rights 37-11989, 37-12000, 37-21301, and 37-22771 shall not exceed a total capacity of 93.6 acre-feet or a total surface area of 24.34 acres.
15. Rights 37-11989 and 37-22771 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
16. Right 37-2211, when combined with the unleased portions and rented portions of rights 37-11989 and 37-22771 shall not exceed the irrigation of 748.5 acres.
17. Right 37-2211, when combined with the unleased portion and the rented portion of right 37-11989 shall not exceed a total diversion rate of 1.70 cfs.
18. The period of use for the irrigation described in this approval under right 37-22771 may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the decree on February 3, 2010.
19. This rental agreement does not authorize the construction of a well.

SCANNED
2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 640

RECEIVED
Nov 22, 2022
DEPARTMENT OF
WATER RESOURCES

This is to certify that:

STOCK PARTNERS LLC
PO BOX 675
HEYBURN, ID 83336-0675

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 No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
37-11989	4/15/1957	SPRING, tributary to SINKS	0.50	655	219	0.002	3.0
37-22771	10/30/1974	GROUND WATER	2.65	655	219	0.012	3.0
Rental Totals			**3.15**	**655**	**219**	**0.012**	**3.0**

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2026. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2022, whichever occurs last.

Annual Rental Fee:

2022: $1,310.00 annually
2023 - 2026: $1,506.50 annually

The full fee for the rental of the above-described right(s) is $1,310.00 per year for years 2022 - 2022 and $1,506.50 per year for years 2023 - 2026. The rental fee includes an administrative fee of $1,310.00 per year for years 2022 - 2022 and $1,506.50 per year for years 2023 - 2026. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 37-22771 and 34-11989.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Detailed water right conditions are attached.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 640

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

Signature of Renter _____ Date 10/17/2022

Karl Studer _____ Manager
Printed Name Title

*Title required 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 _____ Date _____
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 640

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec. 1, Twp 02S, Rge 17E,	BLAINE County
GROUND WATER	SWSE	Sec. 11, Twp 02S, Rge 17E,	CAMAS County
SPRING	NWSESE	Sec. 11, Twp 02S, Rge 17E	CAMAS County
SPRING	NWNWSE	Sec. 11, Twp 02S, Rge 17E	CAMAS County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	2.65 CFS	655 AF

SEASON OF USE

From	To
5/1	10/1

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	17E	35											24	25					49
02S	17E	2			3.4		26 L3	31 L4	18	33	35	20				3.6			170

Total Acres: 219

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

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. 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.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. 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.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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WATER SUPPLY BANK RENTAL AGREEMENT No. 640

10. Use of water under this right may 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. 37.
11. The two ponds established by the storage of water under right 37-11989 shall not exceed a total capacity of 20.5 acre-feet or a total surface area of 5.35 acre(s). The two ponds may be refilled multiple times in a single year.
12. Right 37-22771 authorizes the diversion of an annual total of 34.5 acre-feet to be used for the replacement of losses caused by evaporation from the ponds authorized under right 37-21301.
13. The ponds established by the storage of water under rights 37-21301 and 37-22771 shall not exceed a total capacity of 81.6 acre-feet or a total surface area of 18.99 acres.
14. The ponds established by the storage of water under rights 37-11989, 37-12000, 37-21301, and 37-22771 shall not exceed a total capacity of 93.6 acre-feet or a total surface area of 24.34 acres.
15. Rights 37-11989 and 37-22771 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
16. Right 37-2211, when combined with the unleased portions and rented portions of rights 37-11989 and 37-22771 shall not exceed the irrigation of 748.5 acres.
17. Right 37-2211, when combined with the unleased portion and the rented portion of right 37-11989 shall not exceed a total diversion rate of 1.70 cfs.
18. The period of use for the irrigation described in this approval under right 37-22771 may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the decree on February 3, 2010.
19. This rental agreement does not authorize the construction of a well.

SCANNED

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little Director Gary Spackman

November 22, 2022

RECEIVED
DEC 12 2022
DEPARTMENT OF
WATER RESOURCES

STOCK PARTNERS LLC
PO BOX 675
HEYBURN, I D83336-0675

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-11989 AND 37-22771, AGREEMENT 6640

*****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 **$1,310.00** was calculated based on the current rental rate of $20.00 per acre-foot times a diversion volume of 655 acre-feet for 2022. Since you have a private agreement with the water right owner, **you are only obligated to pay the 10% administrative fee or $1,310.00 for 2022.** An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for $155.40 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

If you have any questions, please contact this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure(s)

c: IDWR Front Desk
Greg Sullivan

SCANNED

MEMORANDUM

DATE: September 16, 2022

TO: 37-11989, 37-22771, Lease Application 2286, Rental Application 2287

FROM: Phill Hummer (Water Rights Supervisor)

RE: Overlapping Spring and Groundwater Rights

Summary and Enlargement

This memo provides an update and additional information to the 2022 water supply bank lease and rental process for applications filed by Stock Partners LLC (Lease App No 2286 and Rental 2287). The September 6, 2022 Memo titled *Enlargement and Possibility of Rental* that details why right 37-22771 can't be leased and rented for use on a separate place of use than right 37-11989. A copy was sent via email to Greg Sullivan (Brockway Engineering PLLC, representing Stock Partners LLC) on September 9, 2022. The content of the memo and potential options to accomplish the proposed rental were discussed during a teleconference on September 13, 2022.

The separation of the groundwater from the overlapping senior spring right (37-11989) would cause an enlargement because additional acres and additional water beyond the amount historically used under the combined beneficial use would occur. It is my understanding that right 37-11989 was not offered for lease in the past because water from the spring flows into a pond and is stored such that diversion and appropriation of the spring water could not cease and be idled as required by a water supply lease contract.

During the September 9, 2022 discussion meeting, Mr. Sullivan presented their understanding of the current diversion system for spring water. They stated that a pump in the spring fed pond are connected to the mainline used for irrigation throughout Stock Partners LLC property and that when available the water from the spring could be diverted and applied through this system to the acres proposed for irrigation in rental application 2287. Since the diversion system is in place such that spring water and groundwater can be applied to the same acres, a change to the place of use of both rights 37-11989 and 37-22771 can be approved. The use of spring water under 37-11989 will occur when water is available similar to the historic use of the spring prior to the change to the place of use.

Combined Diversion Rate Issue

Water Right 37-11989 authorizes diversion to storage of 1.70 cfs from a spring. The right is limited to 1.70 cfs when combined with right 37-2211. Right 37-2211 authorizes the use of 1.70 cfs from a separate spring for irrigation of 85.0 acres within the 748.5 acre permissible place of use. Mr. Sullivan asserts the 85 acres of irrigation authorized by right 37-2211 is separate from the acres proposed to be changed in this lease/rental package. IDWR agrees portions of the permissible place of use can be irrigated solely with rights 37-11989 and 37-

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22771, and can therefore be separated. However, right 37-2211 and 37-11989 are limited to a combined diversion rate which can't be separated.

Although portions of right 37-11989 and 37-22771 are proposed for lease they are part of a lease and rental application package. The acres proposed for lease into the water supply bank will not be idled as is normally required in a traditional lease contract. The acres will be irrigated under the proposed rental agreement. The diversion rate for the portion of right 37-22771 will be equal to a proportional amount, 1.70 cfs * (219 ac/748.5 ac) = 0.497 cfs. The unleased portion shall be limited to the remain rate, 1.70 cfs – 0.497 cfs = 1.20 cfs. The combined diversion rate limit of rights 37-2211 and 37-11989 do not need to be reduced on the lease contract *in this specific situation* because the rights are part of a co-mingled system owned and operated by the same owner and the rental agreement will be condition such that Stock Partners LLC will need to continue to adhere to the 1.70 cfs combined limit.

Stock Partners LLC through representatives, has submitted the necessary application form and fee. There are no other concerns with accepting 219 acres of both rights 37-11989 and 37-22771 for lease, and approving the rental of those portions.

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MEMORANDUM FOR AGREEMENT # 640

To: Water Right(s) 37-22771

From: Mary Condon

Date: June 28, 2022

Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

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PURPOSE/NARRATIVE: Companion applications to lease and rent back on different pivots for ground water right 37-22771, received on January 21, 2022, for 5 years from 2022-2026.

AUTHORITY TO FILE: Parcel information for the rental place of use and two PODs are in the name of Stock Partners. Water right leased and to be rented also in the name of Stock Partners. Application to rent was submitted by Greg Sullivan of Brockway Engineering, and the amended signature page received on March 15, 2022 is signed by Emily Studer, the registered agent for the company on the latest Idaho Secretary of State Annual Report. No concerns with authority to file.

WATER RIGHT VALIDITY: Ground water right 37-22771 is fully evaluated in the lease application 2286 review memo for this companion package, where the acres offered for lease and rental for irrigation have been protected from forfeiture through the Water Supply Bank since 2015. The right was decreed in 2010. No concerns with validity.

INJURY TO OTHER WATER RIGHTS: Injury to other water rights in connection to this rental are not expected.

ENLARGEMENT OF USE: Lease and rental of 37-22771 would be at the same rate and volume per acre. The lease application 2286 review memo details the historical background for this right and that the acres offered for lease for irrigation were used as primary source from ground water, and this right should not be considered stacked with other surface water rights 37-2211 and 37-11989 for irrigation in excess of 204.1 acres, equal to 544.4 acres irrigated primarily with ground water. Combined limits through the rental of 37-22771 for 219 acres of irrigation and the unleased portion of 37-22771 equal to 544.4 acres of irrigation, when used with 37-2211 and 37-11989 shall not exceed the total irrigation of 748.5 acres. Use of surface water rights 37-2211 and 37-11989 are not authorized through this rental on the rented POU under 37-22771, nor are they authorized for irrigation on the leased acres under 37-22771. No enlargement through the rental of this for different pivots from the owner of the right is expected.

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: The location for the rental PD is subject to Water District # 37 and is within Southern Region. Request for comment sent to watermaster and Southern Region manager on June 29, 2022.

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JAN 24 2023