STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 27 2022
DEPARTMENT OF
WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 673

This is to certify that:

BLACK MESA FARMS LLC
PO BOX 82
GLENNS FERRY, ID 83623-0082

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)
2-10434	2/25/1963	SNAKE RIVER, Tributary of Columbia River	1.04	208	52.0	0.020	4.0
Rental Totals			**1.04**	**208**	**52.0**	**0.020**	**4.0**

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2022. 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: $4,160.00

The full fee for the rental of the above-described right(s) is $4,160.00 for 2022. The rental fee includes an administrative fee of $416.00 for 2022.

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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JAN 24 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 673

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:

for Black Mesa Farms — 11/29/2022

Signature of Renter — Date

Justin Wootan for Black Mesa Farms — 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 12/30/22

BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date 12/30/22

WATER RESOURCES

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 673

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER NWSW Sec. 9, Twp 06S, Rge 11E, ELMORE County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	1.04 CFS	208 AF

SEASON OF USE

4/1 to 10/31

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	
06S	10E	12					33	19											52

Total Acres: 52.0

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. 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.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

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WATER SUPPLY BANK RENTAL AGREEMENT No. 673

11. 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. 02.
12. 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.

WATER RESOURCES

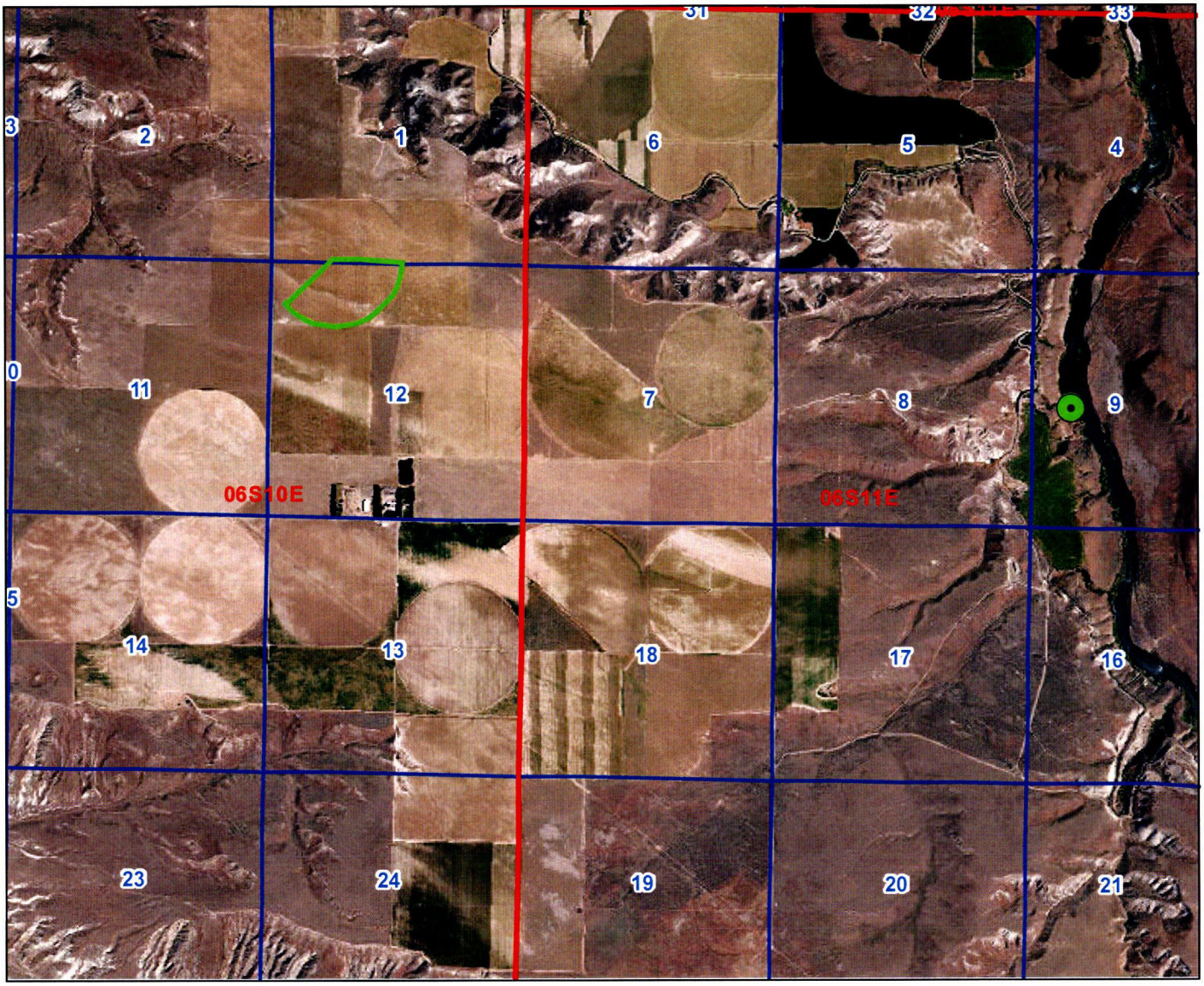
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JAN 24 2023

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No.673

Effective until December 31, 2022

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



N

Authorized Rental Point of Diversion

Authorized Rental Place of Use

Township/Range

Sections

0 Miles 1

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JAN 24 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 673

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER NWSW Sec. 9, Twp 06S, Rge 11E, ELMORE County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	1.04 CFS	208 AF

SEASON OF USE

4/1 to 10/31

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	
06S	10E	12					33	19											52

Total Acres: 52.0

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

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WATER SUPPLY BANK RENTAL AGREEMENT No. 673

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12. 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.

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Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
MAY 16 2022
DEPARTMENT OF
WATER RESOURCES

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

Applicant Name: Black Mesa Farms 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)

2374

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JUN 24 2022

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Black Mesa Farms LLC

Mailing Address PO Box 82 (Street) Glenns Ferry (City) ID (State) 83623 (Zip Code)

Email Address wootanj@gmail.com Phone Number 208-599-0081

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 _____ Professional Title _____

Organization _____ Relationship to Applicant _____

Mailing Address _____

Email Address _____ Phone Number _____

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**:

Our crop rotation left us 52 acres short for a full pivot. We traditionally have raised 660 acres of potatoes. Due to COVID processors have reduced volume contracts forcing us to look for alternative crops that supplement the loss of income. We have changed over potato acres to Organic Corn and would like to farm a full pivot.

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)
1.04 CFS	AF	CFS	3.5 AF	52 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?	
4/15/2022	5/30/2022	☑ 1	☐ 2	☐ 3	☐ 4	☐ 5	☑ 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.***

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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):

Black Mesa Farms has an existing system that would deliver from the Snake river to the plance of use on the farm. This system is shared with Walter Trail of Trail Ranches.

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
River Pumps	Snake River	2-4021, 2-103, 2-2209B

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 52 (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:

2-4021, 2-103, 2-2209B all diverted from the Snake River. These water right are already in use.

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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)
2-10434	Irrigation	5	1000	250		1.04	3.5	52
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	1.04	3.5	52
						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**:

We would like to rent the standard amount for 52 acres

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

We have met with John MC Callum and he was willing to rent this water to us.

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.

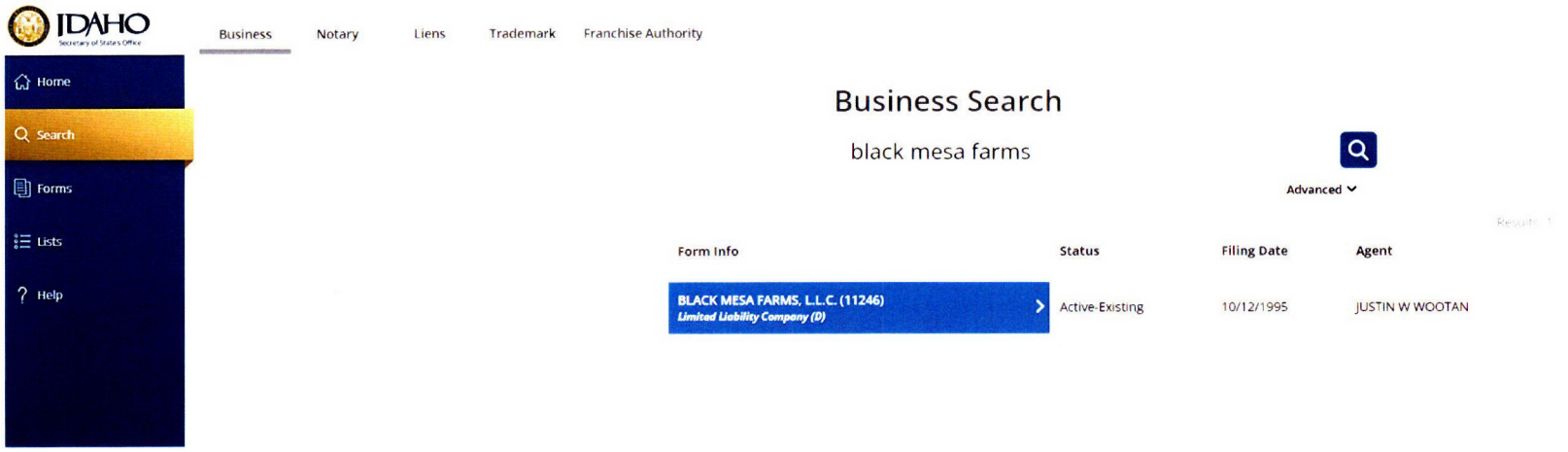
Signature of Applicant	Printed Name of Applicant	Date
	Justin Wooten for Black Mesa Farms	5/10/22
Signature of Representative	Printed Name of Representative	Date

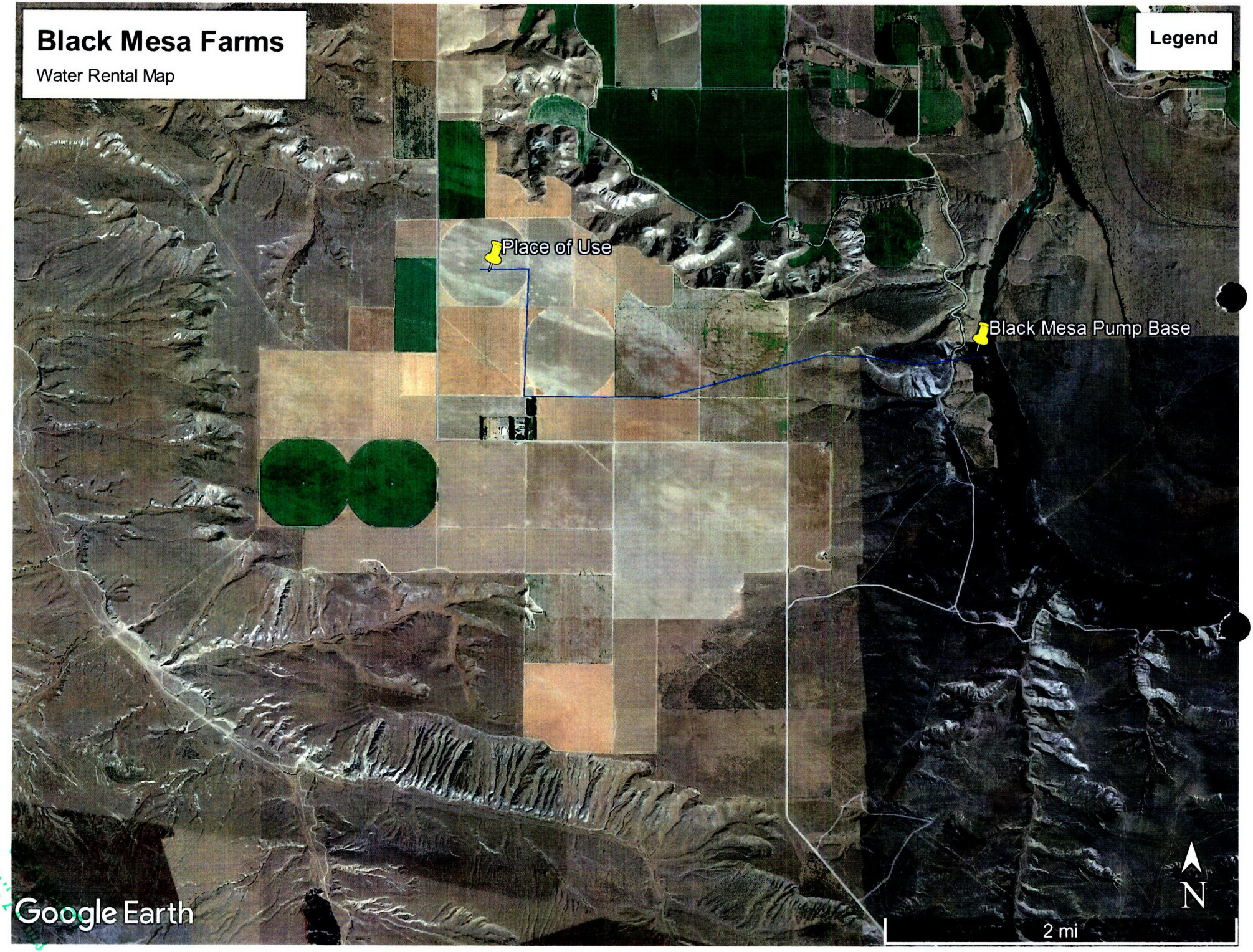
Mail to:

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

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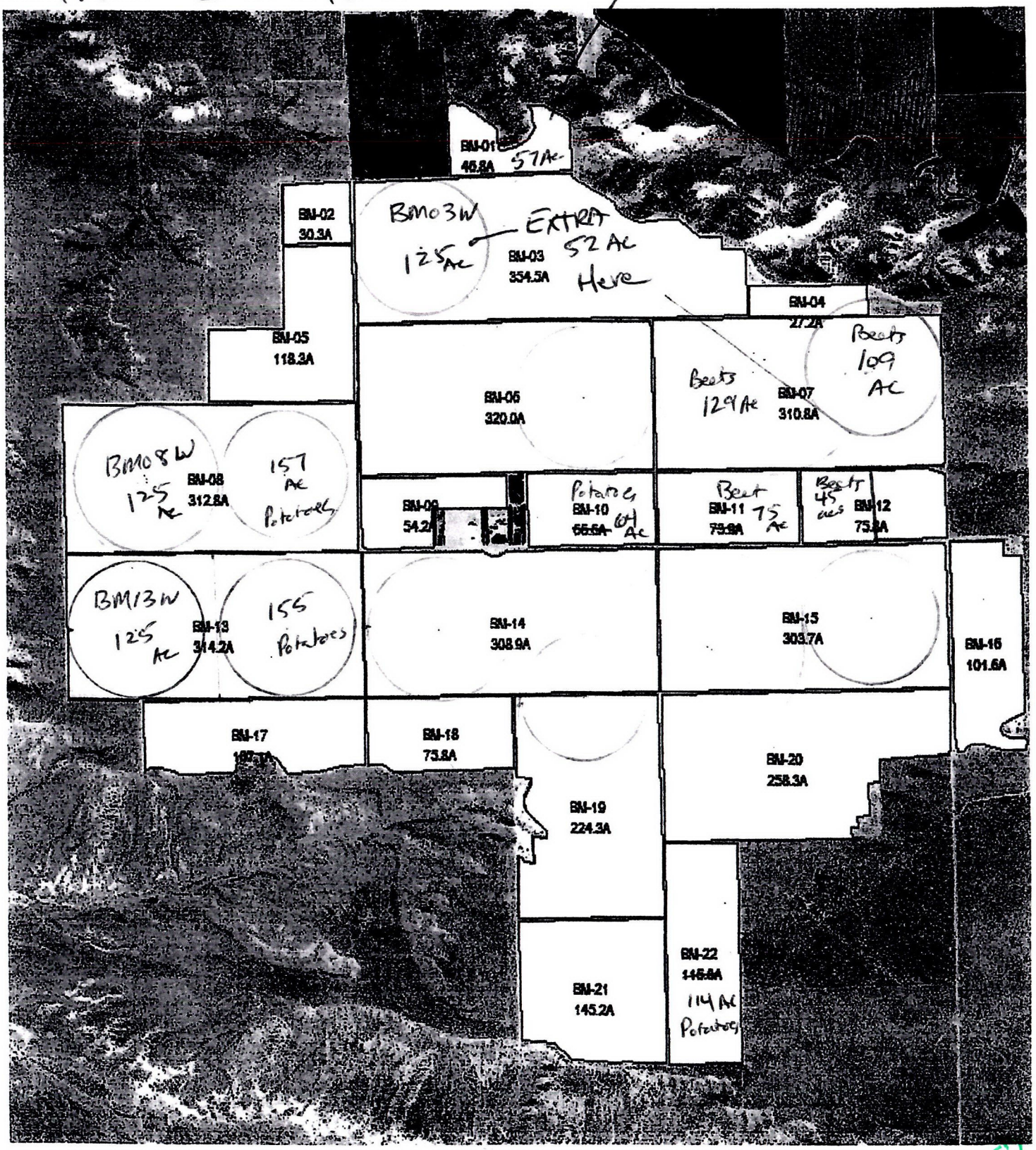
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IDAHO
Secretary of State's Office
Business
Notary
Liens
Trademark
Franchise Authority
Home
Search
Forms
Lists
Help
Business Search
black mesa farms
Advanced
Form Info
Status
Filing Date
Agent
BLACK MESA FARMS, L.L.C. (11246)
Limited Liability Company (D)
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Black Mesa Farms
Water Rental Map
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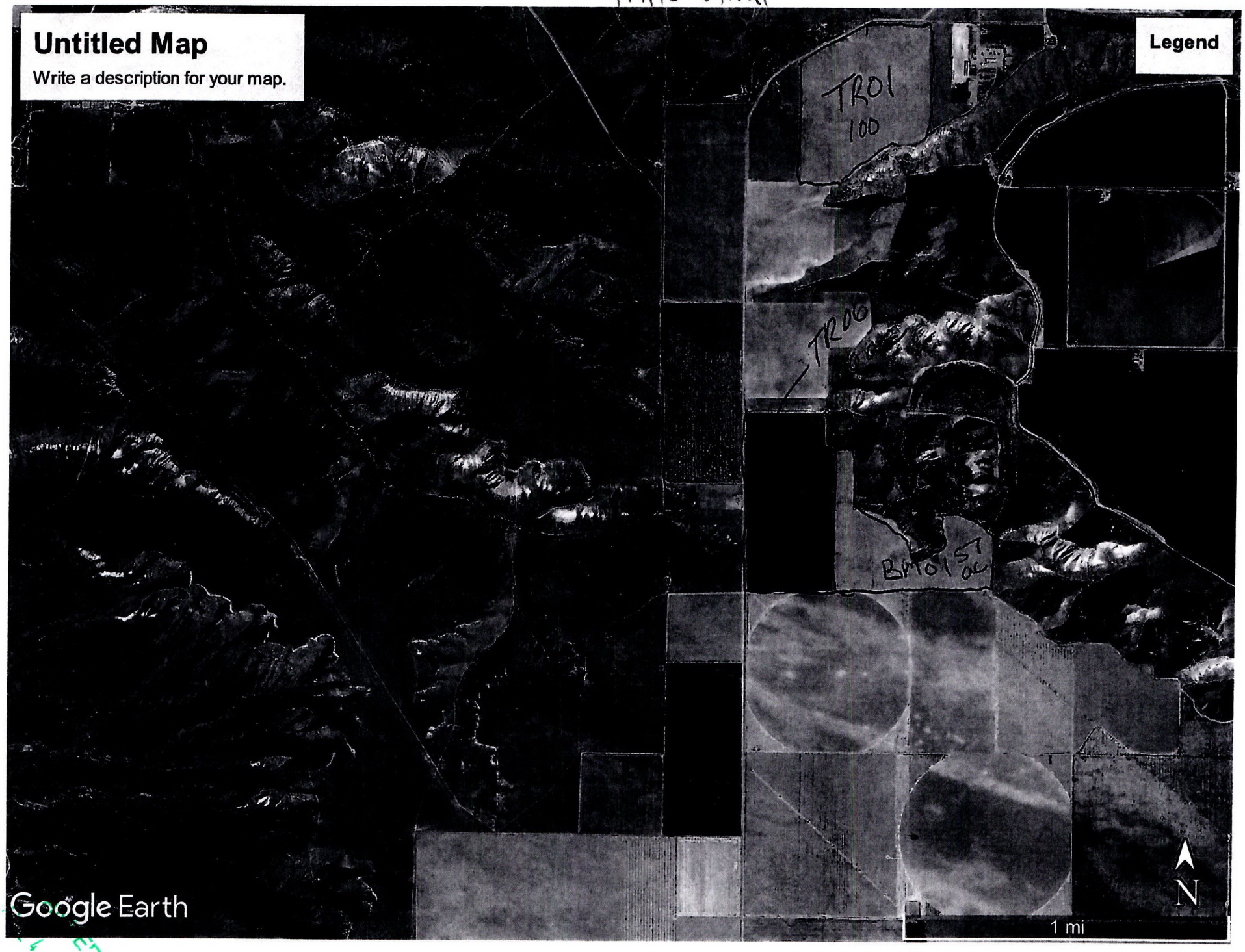
BMF 2-103
BMF 2-2209B > 838 Ac
Trails 2-4021 600 Ac
Rental WATER 2-10434 52Ac

2022



SCANNED
JUL 24 2023

TRAIL RANCH


Untitled Map
Write a description for your map.
Legend
TR01
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BM01 ST
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WSB Mailing Checklist for Rentals

(For use on all new rental applications)

Key: Who Completes What?
CLERICAL STAFF: ~~MC~~ MK
REVIEWER:

Received Date: May 16th, 2022
Latest Start Date: May 30th, 2022
Renter: Black Mesa Farms LLC
Rental Expiration Date 12/31/2022
Lease/Rental Package Y (N)

Application #2374 Agreement # 603

Water Right	Lease Contract ID
# 2-10434	1106
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	

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:
Dedicated or Rotation for 53 Ac.

Mailings (per application)	Original	CC	Email or Address
Renter: Black Mesa	☑	☐	
Attorney:	☐	☐	
Consultants			
Name:	☐	☐	
Conveyence Entity: (final only)		☐	
Ex. Irrigation Dist. of Canal Co.			
(Ground) Water Dist: 02 (final only)		☑	
Other: (final only)		☐	
WD Snake 01, Boise, Payette, and Bear River			
Region: Western (final only)		☑	
Watermaster: (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

BLACK MESA FARMS LLC
PO BOX 82
GLENNS FERRY, ID 83623-0082

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 2-10434, AGREEMENT 673

Dear Renter:

Please find enclosed a receipt in the amount of **$4,160.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 208 acre-feet of water for irrigation of 52 acres during 2022. 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 $3,744.00 of the rental fee will be paid to the lessor(s) and 10% or $416.00 will be retained by the Department to offset administrative costs for 2022.

Please note, the above rental agreement concluded at the end of **2022**. Once the rental agreement concludes, any diversion or use of water under this rental will no longer be authorized. If you wish to rent water in the future and have not already done so, you can download and complete an Application to Rent Water Rights from the Water Supply Bank by visiting the Department's website at http://idwr.idaho.gov.

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. W050917
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Western Regional Office

SCANNED
JAN 24 2023

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

December 14, 2022

BLACK MESA FARMS LLC
PO BOX 82
GLENNS FERRY, ID 83623-0082

RE: REQUEST FOR RETURN OF SIGNED RENTAL AGREEMENT 673 AND PAYMENT FOR WATER RIGHT(S) 2-10434

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

Dear Applicant:

The Department of Water Resources ("Department") mailed a **Water Supply Bank Rental Agreement ("Agreement") for your review and signature** on November 15, 2022. The signed agreement and annual rental fee has not been returned to the Department.

Please sign the rental agreement and return it with the rental payment in the amount of $4,160.00 within ten (10) days of this letter to complete processing. Diversion and use of the water right(s) is not authorized under the proposed agreement until it has been signed by both the renter and the Department. Any use associated with your proposed rental request before it has been executed is considered unauthorized and, if occurring, will be subject to any necessary enforcement action.

If the signed rental agreement and fee is not received by the department within the 10-day period, the rental application will be returned, and the proposed rental right(s) made available for other rental applicants. You can reapply to rent water from the Bank again in the future by submitting a new rental application form that will be processed in turn with other pending applications.

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

SCANNED
JAN 24 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little Director Gary Spackman

November 15, 2022

BLACK MESA FARMS LLC
PO BOX 82
GLENNS FERRY, ID 83623-0082

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK WATER RIGHT NO(S). 2-10434 AGREEMENT 673

*****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 $4,160.00 per year was calculated based on the current rental rate of $20.00 per acre-foot times a diversion volume of 208 acre-feet.

Please send a check for $4,160.00 for 2022 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement**, **within 14 days** so I can complete processing. 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.

Pursuant to the Water Supply Bank Rules, 90% or $3,744.00 of the rental fee will be paid to the lessor(s) and 10% or $416.00 will be retained by the Department to offset administrative costs for **2022**.

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

c: IDWR Front Desk

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MEMORANDUM FOR AGREEMENT # 673

To: Water Right(s) 2-10434

From: Mary Condon

Date: October 18-28, 2022

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

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PURPOSE/NARRATIVE: Application to rent additional 52 acres of irrigation in 2022 for growing corn within a 125 acre pivot, received on May 16, 2022. Existing rights at the rental POU are 2-103, 2-2209B and 2-4021, all from the Snake River.

AUTHORITY TO FILE: Application to rent is from Black Mesa Farms, and Justin Wooten signed the application. Justin is listed as an agent for the company in the 2021 annual filing with the Idaho Secretary of State. Review of parcel information for the rental POU is in the name of Black Mesa, and other existing rights by Black Mesa are diverted through the proposed rental POD. No concerns with authority to file.

WATER RIGHT VALIDITY: This right was decreed in 2008 and has been in the bank since 1991 through 2019 and 2020 through 2024. No concerns with validity.

INJURY TO OTHER WATER RIGHTS: Rental of this water is from the Snake River, near the Bliss diversion and before King Hill. Movement from the leased PODs to the rental POD is 7 and 3 miles downstream. No injury to other rights is expected through this rental.

ENLARGEMENT OF USE: Leased right 2-10434 was severed from the land while under lease and was not used with other rights or shares used on the legal description for the place of use. Other rights or shares on the leased place of use are right 37-8588, developed in 1992 after right 2-10434 was leased to the bank, and surface shares from North Snake Canal Co (NSCC).

Season of use and available extension for shoulder season, as well as maximum duty of water for existing POU rights and requested right 2-10434 are similar. No enlargement of right 2-10434 or existing rights when combined with a rental of 2-10434 is expected through this rental.

Process	BasinNumber	SequenceNumber	Basis	Status	PriorityDate	Rate	Volume	TotalAcres	AcreLimit	cfs/ac	vol/ac	SourceList
Lease - all	2	10434	Decreed	Active	2/25/1963	5	1000	1087	250	0.02	4	SNAKE RIVER
Rental	2	10434	Decreed	Active	2/25/1963	1.04	208	208	52	0.02	4	SNAKE RIVER
	2	103	Decreed	Active	5/10/1965	3.96		1296.9	198	0.02		SNAKE RIVER
Existing @	2	2209 B	Decreed	Active	2/25/1963	12.8	2142	1296.9	640	0.02	3.347	SNAKE RIVER
Rental POU	2	4021	Decreed	Active	5/10/1965	12		599	600	0.02		SNAKE RIVER
					additive	28.76	5752		1438	0.02	4	
					fall limit		487.5		838			

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 for organic corn is a beneficial use and appears consistent with the conservation of water resources in Idaho.

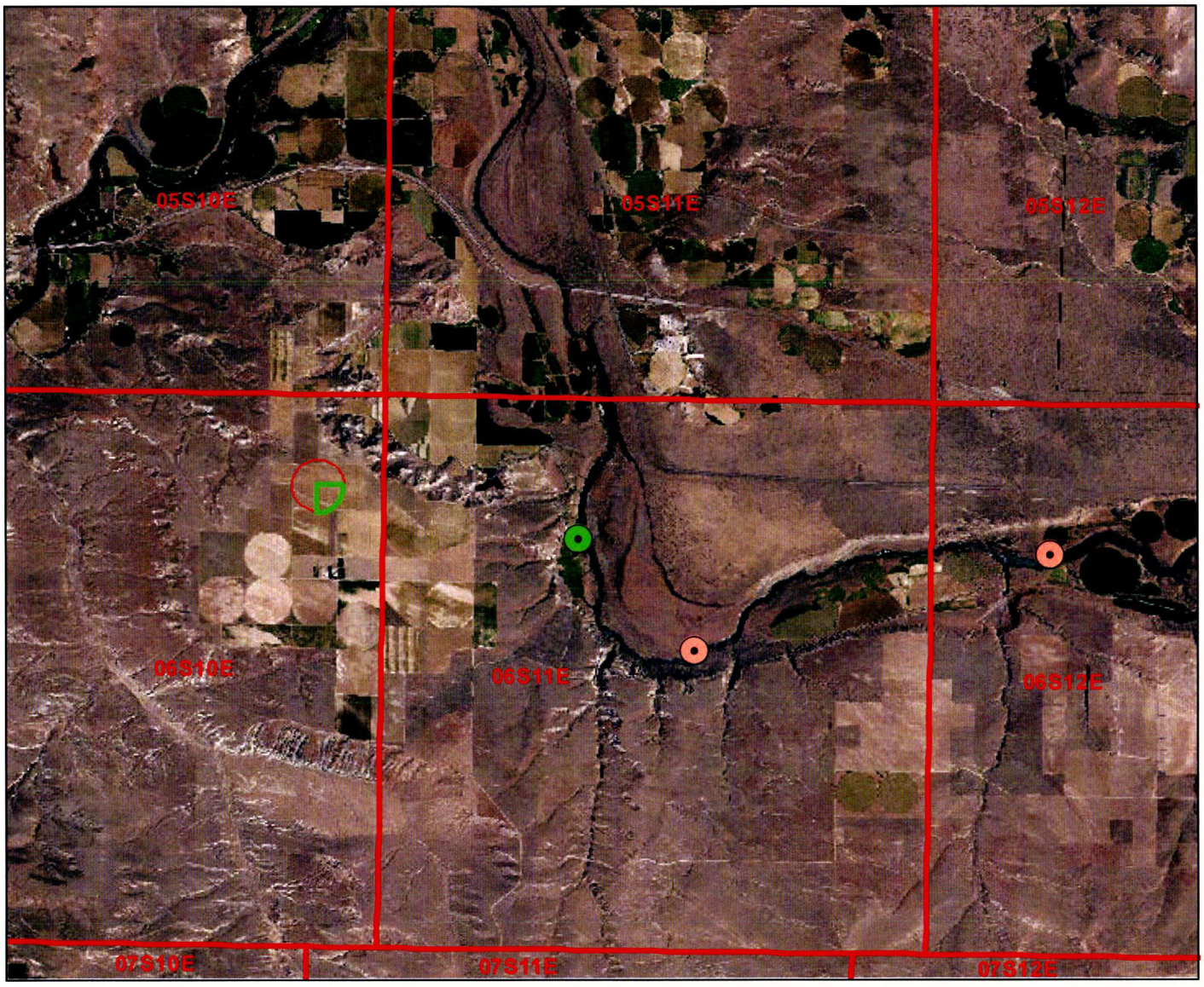
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DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is located in Western Region and subject to Water District # 02. A request for comments or concerns to the WM and regional manager was sent on October 31, 2022.

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Idaho Water Resource Board

Move Map 2-10434
Rental Black Mesa Farms



- Active Water Supply Bank Lease POD
- Authorized Rental Point of Diversion
- Authorized Rental Place of Use
- Township/Range
- Sections
- QQ

N

0 — 2.5 Miles

SCANNED
JAN 24 2023

Condon, Mary

From: Condon, Mary
Sent: Monday, October 31, 2022 9:45 AM
To: Whitney, Rob; Miller, Nick
Subject: Rental for Black Mesa Farms
Attachments: Move Map Black Mesa.pdf; Rental Review Memo - Black Mesa.docx

Good morning,

Please see the rental review and move map for Black Mesa Farms, and kindly respond with comments or concerns in 10 days.

Best,
Mary

Mary Condon
Water Supply Bank Coordinator
IDAHO DEPARTMENT OF WATER RESOURCES
Planning & Projects
mary.condon@idwr.idaho.gov
Direct: (208) 287-4936

SCANNED JAN 24 2023

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Governor Brad Little

Director Gary Spackman

June 14th, 2022

BLACK MESA FARMS LLC
PO BOX 82
GLENNS FERRY ID 83623

RE: APPLICATION(S) 2374 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 from the Idaho Water Resource Board's Water Supply Bank (Bank) to irrigate 52 acres. Filing a Bank rental application does not automatically result in approval.

Before a rental application can be approved, the rental request must be reviewed, a rental agreement must be prepared, the agreement must be approved by the applicant and the Department, and the rental fee must be paid. To maximize the number of rental applications processed while managing competing priorities, the Department begins accepting rental applications on November 1 for use in the next calendar year, and it processes as many applications as it can before the start of the irrigation season in March or April. Once the irrigation season begins, Department staff members are reassigned to address field work and other duties. Consequently, few rental applications are processed after May 1.

Because your application was received near the beginning of the irrigation season, which is now underway, the Department may not be able to process your application prior to the latest possible start date on your application. Your application will remain in the order it was received for review, unless you request it be returned, or the irrigation season ends prior to finalization of a review.

In future years, we encourage you to file your rental applications as soon as possible after November 1 to improve the chances that they will be processed.

Water Supply Bank Processing for application status may be found on the Department's website at https://idwr.idaho.gov/iwrb/programs/water-supply-bank/reports/

If you have questions regarding this matter, please contact me at 287-4936.

Sincerely,

for Mary Condon
Water Supply Bank

SCANNED