RECEIVED
SEP 18 2023
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 767

This is to certify that:

TELFORD LANDS LLC
1450 W HWY 24
PAUL, ID 83347-8666

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)
34-13659	6/1/1889	BIG LOST RIVER, Tributary to Sinks	0.02	3.1	0.9	0.022	3.4
34-13661	6/1/1896	BIG LOST RIVER, Tributary to Sinks	0.02	3.1	0.9	0.024	3.4
Combined Limit Totals			**0.02**	**3.1**	**0.9**	**0.022**	**3.4**
34-618	9/1/1884	BIG LOST RIVER, Tributary to Sinks	0.07	9.9	2.9	0.024	3.4
34-7077	9/5/1974	GROUND WATER	0.16	14.3	4.1	0.039	3.5
34-7080B	9/23/1974	GROUND WATER	0.11	20.3	5.8	0.019	3.5
34-7092	1/14/1975	GROUND WATER	0.24	44.8	12.8	0.019	3.5
34-13842	12/17/1975	GROUND WATER	0.01	3.9	2.8	0.004	1.4
34-7121A	1/9/1976	GROUND WATER	0.01	3.4	5.8	0.002	0.6
34-7121B	1/9/1976	GROUND WATER	0.08	22.1	6.3	0.013	3.5
34-12376	6/1/1977	GROUND WATER	0.02	6.3	1.8	0.011	3.5
34-2330B	6/1/1977	GROUND WATER	0.04	8.8	2.5	0.016	3.5
34-7179	4/6/1982	GROUND WATER	0.06	24.1	43.2	0.001	0.6
34-13840	4/6/1982	GROUND WATER	0.02	4.9	1.4	0.014	3.5
Rental Combined Limit Totals			**0.86**	**151**	**43.2**	**0.020**	**3.5**

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2027. 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 2023, whichever occurs last.

Annual Rental Fee:

2023 - 2027: $347.76 annually

The rental fee is an administrative fee of $347.76 per year for years 2023 - 2027. Note that the renter is obligated to pay only the administrative fees associated with the water right(s): 34-618, 34-13659, 34-13661, 34-7077, 34-7080 B, 34-7092, 34-13842, 34-7121 A, 34-7121 B, 34-12376, 34-2330 B, 34-7179, 34-13840. The full fee and administrative fee required for this rental are calculated using more decimals than the rounded amounts recorded on this agreement.

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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.

Total Water Use Authorized Under Rental Agreement

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.75	151	43.2	0.017	3.5
Total	0.75	151	43.2	0.017	3.5

**** The authorized water usage reflects a reduction from the water right elements rented, to account for the diversion of ground water, only.***

Detailed water right conditions are attached.

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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:

Telford Lands LLC By [signature] 9-12-23
Signature of Renter Date

Mike Telford managing member
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 [signature] Date 9/25/23
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR [signature] Date 9/25/23

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DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 767

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENW Sec. 15, Twp 05N, Rge 26E, BUTTE County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	0.86 CFS	151 AF

SEASON OF USE

From	To
4/1	11/1

EXCEPT FOR THE FOLLOWING:

Water Right No.	From	To
34-13659	5/1	10/15
34-13661	5/1	10/15
34-618	5/1	10/15
34-7179	4/1	11/1
34-2330 B	4/1	10/31
34-7080 B	4/1	11/1
34-7121 B	4/1	11/1
34-7121 A	4/15	10/15
34-7092	4/15	10/15
34-7077	4/1	11/1
34-12376	4/1	10/31
34-13840	4/1	10/31
34-13842	4/1	11/1

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	
05N	26E	15					4.0	19.2	11.0	9.0									43.2

Total Acres: 43.2

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.

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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. 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. 34.
10. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
11. This rental agreement does not authorize the construction of a well.
12. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
13. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this rental. The right holder may divert ground water under this rental to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this rental if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
14. This rental 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.
15. Rental of Right nos. 34-13659 and 34-13661 when combined shall not exceed a total annual maximum diversion volume of 3.1 at the field headgate and the irrigation of 0.9 acres.
16. Rental of ground water Right nos. 34-2330B, 34-7080B, 34-7121A, 34-7121B, 34-7092, 34-7077, 34-7179, 34-12376, 34-13840 and 34-13842 when combined shall not exceed a total diversion rate of 0.75 cfs, a total annual maximum diversion volume of 151 af at the field headgate, and the irrigation of 43.2 acres.
17. Rental of Right nos. 34-618, 34-2330B, 34-7080B, 34-7121A, 34-7121B, 34-7092, 34-7077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed a total diversion rate of 0.86 cfs, a total annual maximum diversion volume of 151 af at the field headgate, and the irrigation of 43.2 acres.
18. Rental of Right nos. 34-2330B, 34-7080B, 34-7121A, 34-7121B, 34-7092, 34-7077, 34-7179, 34-12376, 34-13840 and 34-13842 from the rental diversion located in located in NWNENW Sec. 15 when combined with Right Nos 34-2401A and 34-4015 from the diversion located in located in NWNENW Sec. 15 SENWSW Sec. 34, T5N, R26E, and NESENW Sec. 3, T4N, R26E shall not exceed a total combined maximum diversion rate of 17.34 cfs.
19. Whenever water right no. 34-13659 is deliverable, fifty-five percent of the rental flow deliverable (up to 0.01 cfs) shall continue to be delivered into the West Side Canal, and forty-five percent of the rental flow deliverable (up to 0.01 cfs) can be delivered past the head of the West Side Canal under water right no. 34-13659.

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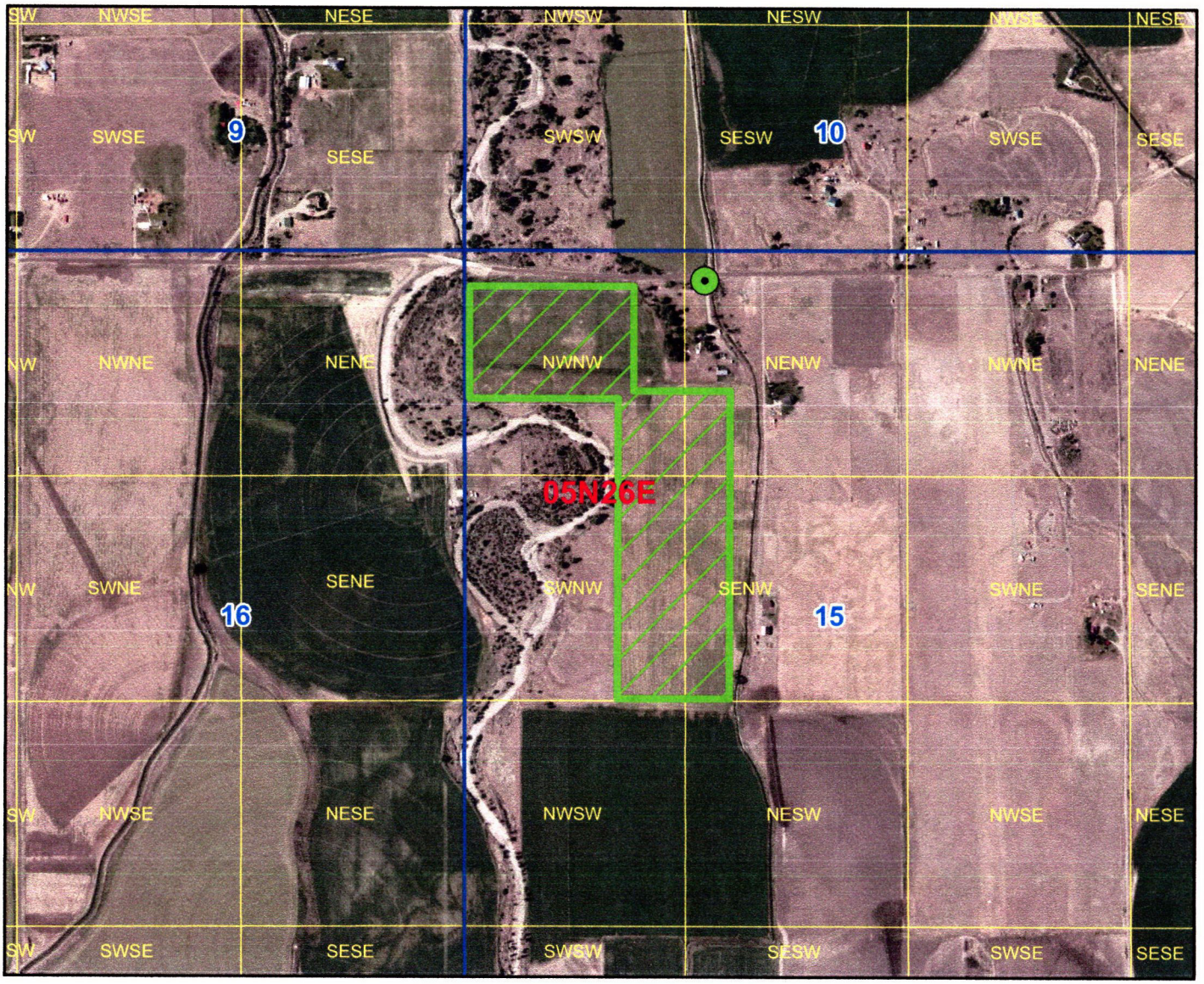
20. Whenever water right no. 34-13661 is deliverable, fifty-five percent of the rental flow deliverable (up to 0.01 cfs) shall continue to be delivered into the West Side Canal, and forty-five percent of the rental flow deliverable (up to 0.01 cfs) can be delivered past the head of the West Side Canal under water right no. 34-13661.
21. The period of use for irrigation described above for the rental of right nos. 34-618, 34-13659 and 34-13661 may be extended in seasons of unusual characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.
22. Prior to the diversion and use of water under this agreement, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
23. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
24. Rights 34-618, 34-2330B, 34-7080B, 34-7121A, 34-7121B, 34-7092, 34-7077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842, 34-13741, and 34-13743 when combined shall not exceed a the irrigation of 72.0 acres.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 767

Effective until December 31, 2027

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



Legend

- Water Supply Bank Rental POD
- Water Supply Bank Rental POU
- Township/Range
- Sections
- QQ

N

0 1,250 2,500 Feet

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED
DEC 27 2022
DEPARTMENT OF WATER RESOURCES

Applicant Name: Telford Lands 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)

2545

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Telford Lands LLC

Mailing Address 1450 W. Hwy 24 (Street) Paul (City) ID (State) 83347 (Zip Code)

Email Address telfordsunvalleyseed@gmail.com Phone Number (208) 431-5957

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 Robert L. Harris Professional Title Attorney

Organization Holden, Kidwell, Hahn & Crapo, P.L.L.C. Relationship to Applicant Attorney

Mailing Address PO Box 50130, Idaho Falls, ID 83405

Email Address rharris@holdenlegal.com Phone Number (208) 523-0620

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**:

Water will be used when surface water is no longer available at the property. Diversion amount below is only for ground water. Surface water will also be rented, but will not be used, because the surface water is stacked with the ground water rights.

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)
0.75 CFS	141.3 AF	0.75 CFS	141.3 AF	43.2 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		
1/1/2023	6/1/2023						☑ 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.***

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):
From an existing well to the place of use.

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
A0018630	Ground water	34-7037, 3405015, 34-2401A

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 43.2 (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:
34-13741 and 34-13743

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)
	SEE ATTACHED	SPREAD	SHEET			SEE ATTA	CHED SPR	EADSHEET
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	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**:

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

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
Robert L. Harris	Robert L. Harris	December 22, 2022
Signature of Representative	Printed Name of Representative	Date

Mail to:

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

TELFORD LANDS LLC WATER RIGHTS

ORIGINAL WATER RIGHT AMOUNTS

Water Right No.	Basis	Priority Date	Source	Beneficial Use	Point of Diversion	Individual Diversion Rate Limitation (cfs)	Combined Diversion Rate Limitation (cfs)	Individual Volume Limitation (AFA)	Combined Volume Limitation (AFA)	Individual Acre Limitation	Total Place of Use
34-618	Partial Decree	Sept. 1, 1884	Big Lost River	Irrigation	NWSESE, 5N, 26E, Sec. 4	3.2	3.37	n/a	486.5	139	2124
34-7179 (portion)	Partial Decree	Apr. 6, 1982	Ground Water	Irrigation	L2(NENWNE) 4N, 26E, Sec.4 (Dad's Place Well) L3 (NENENW), 4N, 26E, Sec. 5 (Niederer well) SWNWNW, 5N, 26E, Sec. 21 (Burnett Well) SENWSE, 5N, 26E, Sec. 29 (Babcock Well) SESWNE, 5N, 26E, Sec. 32 (N. McAffee Well) SENWSE, 5N, 26E, Sec. 32 (S. McAffee Well) L2(NWNWNE) 4N, 26E, Sec.4 (River 2 Well)	0.17		n/a			
34-7179 (portion)	Partial Decree	Apr. 6, 1982	Ground Water	Irrigation		2.61	37.03	1185.5	6947.5	none	
34-2330B	Partial Decree	June 1, 1977	Ground Water	Irrigation		1.75		429		122.5	
34-7077	Partial Decree	Sept. 5, 1974	Ground Water	Irrigation		8		700		200	
34-7080B	Partial Decree	Sept. 23, 1974	Ground Water	Irrigation		5.33		1001		286	
34-7092	Partial Decree	Jan. 14, 1975	Ground Water	Irrigation		12		2222.5		635	
34-7121A	Partial Decree	Jan. 9, 1976	Ground Water	Irrigation		0.46		169		286	
34-7121B	Partial Decree	Jan. 9, 1976	Ground Water	Irrigation		3.74		1106		316	
34-12376	Partial Decree	June 1, 1977	Ground Water	Irrigation		1.25		306.3		87.5	
34-13840	Partial Decree	Apr. 6, 1982	Ground Water	Irrigation		1.26		248.5		71	
34-13842	Partial Decree	Dec. 17, 1975	Ground Water	Irrigation		0.46		196.2		140	
34-13659	Partial Decree	June 1, 1889	Big Lost River	Irrigation	NWSESE, 5N, 26E, Sec. 4	0.97	None	None	150.5	43	
34-13661	Partial Decree	June 1, 1890	Big Lost River	Irrigation	NWSESE, 5N, 26E, Sec. 4	1	None	None			
				TOTALS		42.2	40.4	7564	7584.5	2326	2124

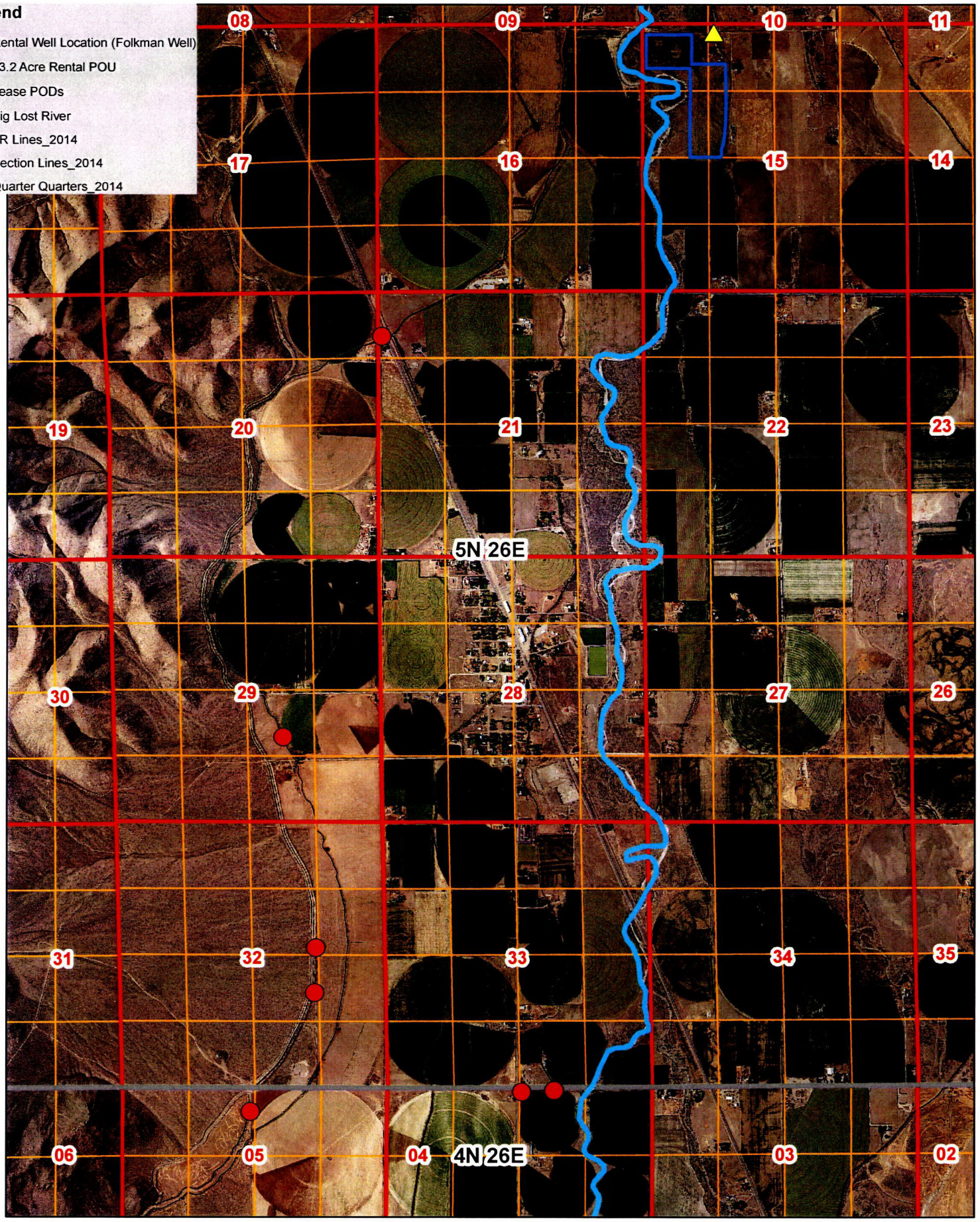
THE TOTAL ACRES LEASED IS 276.7 ACRES. AS A RATIO, 43.2/2124 = .02034% OF THE TOTAL ACRES LEASED. THIS IS THE RATIO USED TO CALCULATE THE WATER BANK DIVERSION, VOLUME, AND ACREAGE AMOUNTS. 0.02034

The diversion rate limitations for 34-618 and the portion of 34-7179 was calculated after review of the preliminary order appoving the prior transfer.

WATER BANK AMOUNTS

Water Right No.	Individual Diversion Rate Limitation (cfs) .0234% of TOTAL	Combined Diversion Rate Limitation (cfs) .0234% of TOTAL	Individual Volume Limitation (AFA) .0234% of TOTAL	Combined Volume Limitation (AFA) .0.02034% of TOTAL	Individual Acre Limitation .02034%% of TOTAL	Total Place of Use .02034% of TOTAL
34-618	0.07	0.07	n/a	9.89	2.83	43.20
34-7179 (portion)	0.00		n/a			
34-7179 (portion)	0.05	0.75	24.11	141.31	none	
34-2330B	0.04		8.73		2.49	
34-7077	0.16		14.24		4.07	
34-7080B	0.11		20.36		5.82	
34-7092	0.24		45.20		12.92	
34-7121A	0.01		3.44		5.82	
34-7121B	0.08		22.49		6.43	
34-12376	0.03		6.23		1.78	
34-13840	0.03		5.05		1.44	
34-13842	0.01		3.99		2.85	
34-13659	0.02	None	None	3.06	0.87	
34-13661	0.02	None	None			
TOTALS	0.86	0.82	153.84	154.26	47.31	43.20

TELFORD LAND LLC WSB RENTAL



Prepared by:
Robert L. Harris
021 NAIP Aerial Photo

0 0.475 0.95 1.9 Miles

TELFORD LAND[redacted] LLC WSB RENTA[redacted]



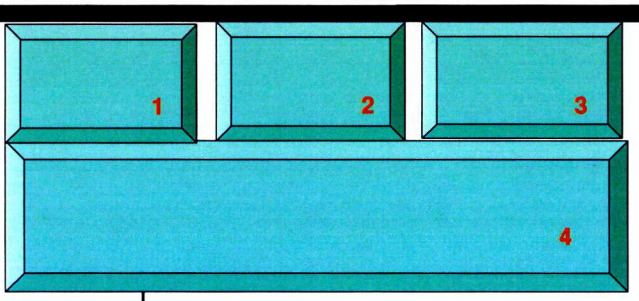
Prepared by:
Robert L. Harris
2021 NAIP Aerial Photo

0 0.05 0.1 0.2 Miles

ENHANCED GROUND-WATER RIGHTS TRANSF

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

Cells this color are set up for user entries



ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON		TRANSFER NO:	0
YEAR	1974	TRANSFER NAME:	
SEASON	SUMMER		Telford Lands

ENTER CELL LOCATIONS:	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	23	25	0	0
COLUMN	113	111	0	0

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	FROM1 WELL Without Transfer AF/TRIMESTER	FROM2 WELL With Transfer AF/TRIMESTER	FROM2 WELL Without Transfer AF/TRIMESTER	FROM3 WELL With Transfer AF/TRIMESTER	FROM3 WELL Without Transfer AF/TRIMESTER
SUM 1974	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 1974	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 1975	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 1975	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 1975	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 1976	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 1976	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 1976	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 1977	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 1977	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 1977	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 1978	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 1978	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 1978	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 1979	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 1979	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 1979	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 1980	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 1980	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 1980	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 1981	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 1981	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 1981	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 1982	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 1982	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 1982	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 1983	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 1983	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 1983	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 1984	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 1984	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 1984	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 1985	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 1985	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 1985	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 1986	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 1986	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 1986	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 1987	0.00	47.10	47.10	0.00	0.00	0.00	0.00

SPR 2011	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2011	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2011	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2012	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2012	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2012	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2013	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2013	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2013	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2014	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2014	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2014	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2015	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2015	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2015	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2016	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2016	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2016	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2017	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2017	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2017	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2018	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2018	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2018	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2019	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2019	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2019	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2020	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2020	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2020	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2021	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2021	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2021	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2022	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2022	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2022	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2023	47.10	0.00	47.10	0.00	0.00	0.00	0.00
SUM 2023	47.10	0.00	47.10	0.00	0.00	0.00	0.00
WIN 2023	47.10	0.00	47.10	0.00	0.00	0.00	0.00
SPR 2024	47.10	0.00	47.10	0.00	0.00	0.00	0.00
SUM 2024	47.10	0.00	47.10	0.00	0.00	0.00	0.00
WIN 2024	47.10	0.00	47.10	0.00	0.00	0.00	0.00
SPR 2025	47.10	0.00	47.10	0.00	0.00	0.00	0.00
SUM 2025	47.10	0.00	47.10	0.00	0.00	0.00	0.00
WIN 2025	47.10	0.00	47.10	0.00	0.00	0.00	0.00
SPR 2026	47.10	0.00	47.10	0.00	0.00	0.00	0.00
SUM 2026	47.10	0.00	47.10	0.00	0.00	0.00	0.00
WIN 2026	47.10	0.00	47.10	0.00	0.00	0.00	0.00
SPR 2027	47.10	0.00	47.10	0.00	0.00	0.00	0.00
SUM 2027	47.10	0.00	47.10	0.00	0.00	0.00	0.00
WIN 2027	47.10	0.00	47.10	0.00	0.00	0.00	0.00
SPR 2028	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2028	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2028	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2029	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2029	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2029	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2030	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2030	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2030	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2031	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2031	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2031	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2032	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2032	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2032	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2033	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2033	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2033	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2034	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2034	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2034	0.00	47.10	47.10	0.00	0.00	0.00	0.00

SPR 2107	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2107	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2107	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2108	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2108	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2108	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2109	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2109	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2109	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2110	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2110	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2110	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2111	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2111	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2111	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2112	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2112	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2112	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2113	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2113	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2113	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2114	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2114	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2114	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2115	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2115	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2115	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2116	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2116	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2116	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2117	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2117	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2117	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2118	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2118	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2118	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2119	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2119	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2119	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2120	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2120	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2120	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2121	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2121	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2121	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2122	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2122	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2122	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2123	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SUM 2123	0.00	47.10	47.10	0.00	0.00	0.00	0.00
WIN 2123	0.00	47.10	47.10	0.00	0.00	0.00	0.00
SPR 2124	0.00	47.10	47.10	0.00	0.00	0.00	0.00

Enter First Time Step of Transfer: SPR 2023

Match: 147 Match: 456

	AtR	HtS	StNB	NBtN	NtM	DWtB	BtTS	TS	TStM	M	MtB	Total
Preexisting Effects @ SS (Last Time Step):	0.59	0.92	4.52	18.67	1.17	3.74	3.04	1.38	1.29	1.48	0.19	37.00
Steady State - Value of Dep. @ Last Time Step:	0.59	0.92	4.53	18.69	1.17	3.75	3.04	1.38	1.29	1.48	0.19	37.03
Preexisting Effects @ Transient State (Max Value Timestep):	0.59	0.92	4.52	18.67	1.17	3.74	3.04	1.38	1.29	1.48	0.19	37.00
Transient State - Max. Value of Dep. After Transfer:	0.59	0.92	4.53	18.69	1.17	3.75	3.04	1.38	1.29	1.48	0.19	37.03
Steady State Change:	0.00	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Transient State Change:	0.00	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT		Model Node
Transfer: Proposed Steady State Impacts following Transfer								
Transfer 1: Worst Case Transient State Impacts following Transfer								
0	0	0	0	1/0/1900	0	0.0	0	0
0	0	0	0	1/0/1900	0	0.0	0	0

Impact by Reach (AF/Trimester)

	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
	0.59	0.92	4.52	18.67	1.17	3.74	3.04	1.38	1.29	1.48	0.19
	0.59	0.92	4.53	18.69	1.17	3.75	3.04	1.38	1.29	1.48	0.19
	0.59	0.92	4.52	18.67	1.17	3.74	3.04	1.38	1.29	1.48	0.19
	0.59	0.92	4.53	18.69	1.17	3.75	3.04	1.38	1.29	1.48	0.19
Steady State Analysis											
Mitigation Check 1 - >10% of Historical:	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%
Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total:	1.6%	2.5%	12.2%	50.5%	3.2%	10.1%	8.2%	3.7%	3.5%	4.0%	0.5%
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Transient State Analysis											
Mitigation Check 1 - >10% of Historical:	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%
Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CONSENT TO WATER SUPPLY BANK RENTAL

I, the undersigned am familiar with the Water Supply Bank Lease/Rental Applications which are being submitted to the Idaho Department of Water Resources by Telford Lands LLC which involve placing approximately 43.2 acres of water from several water rights on a portion of my property. I consent to the placement of these water rights on my property as requested in the Water Supply Bank Rental Application.

JARED TELFORD

Date: 12-20-2022

2/4, 2023

To: Idaho Department of Water Resources

From: Big Lost River Irrigation District

Subject: Telford Lands LLC Water Bank Consent: Water Right Nos. 34-618, 34-13659, and 34-13661.

The Big Lost River Irrigation District ("BLRID") is the owner and operator of the Moore Diversion and Canal. Telford Lands LLC owns Water Right Nos. 34-618, 34-13659, and 34-13661 (the "Water Rights"), which authorize diversion of water from the Big Lost River, and has a valid transport agreement for these water rights to be delivered through the Moore Diversion and Canal. It is our understanding that Telford Lands LLC has submitted water bank applications to allow a stacked portion the Water Rights as well as a stacked portion of ground water rights allocated to between approximately 80 to 123.2 acres of water rights allocated to pivot corners to be used on already irrigated lands that the water right acres are not currently appurtenant to. The use of water on different acres will not require any changes to how the Water Rights will be diverted and conveyed through the BLRID system, and therefore, will not have an impact on water deliveries through our system. BLRID has no objection to Telford Lands LLC's water bank applications that will run from 2023 through 2027, and I have the authority on behalf of BLRID provide this consent.

Kevin Whitcomb

Printed Name: KEVIN WHITCOMB

Title: General Manager

WSB Mailing Checklist for Rentals

(For use on all new rental applications)

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

Received Date: 12/27/22
Latest Start Date: 6/1/23
Renter: Telford Lands
Rental Expiration Date 2027
Lease/Rental Package (Y) N

executed 9/25/23

Application # 3545 Agreement # 167

Water Right	Lease Contract ID
# 34-618	
# -2330B	
# -7077	
# -7080B	
# -7092	
# -7121A	
# -7121B	16645
# -7179	
# -12376	
# -13659	
# -13661	
# -13840	
# -13842	
#	

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: See also App 3256

43.2 acres

Self serve - Admin Fee only

Mailings (per application)	Original	CC	Email or Address
Renter: Telford Lands	☒	☐	
Attorney: Rob Harris	☐	☒	(Big Lost River) BLR
Consultants Name:	☐	☐	
Conveyence Entity: BLRID (Ex. Irrigation Dist. of Canal Co.)	(final only)	☐	
(Ground) Water Dist: 34	(final only)	☒	
Other: BLRGWD (WD Snake 01, Boise, Payette, and Bear River)	(final only)	☒	(Mike Telford - BLRGWD
Region: Eastern	(final only)	☒	
Watermaster: Preston Marcroft - 34	(final only)	☐	Presmarc@mackayschools.org
Compliance:	(final only)	☐	

Resolving NOV? Y / N
#

Call up Date: 5/17/23

DO NOT SCAN

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WATER RESOURCES

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Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 25, 2023

TELFORD LANDS LLC
1450 W HWY 24
PAUL, ID 83347-8666

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-618, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-2330B, 34-12376, 34-31659, 34-13661, 34-13840 & 34-13842, AGREEMENT 767

Dear Renter:

Please find enclosed a receipt in the amount of **$347.76** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 151 acre-feet of water for irrigation of 43.2 acres during 2023. 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 the renter of the right(s), **you are only obligated to pay the 10% administrative fee or $347.76** for 2023.

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

Sincerely,

Mackenzie Kienholz
Water Supply Bank Specialist

Enclosures: Receipt No. C117057
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR - Eastern Region Office
Robert L. Harris – Holden, Kidwell, Hahn & Crapo, PLLC
Water District No. 34
Big Lost River GWD

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Governor Brad Little Director Gary Spackman

August 3, 2023

TELFORD LANDS LLC
1450 W HWY 24
PAUL, ID 83347-8666

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK - AGREEMENT 767

*****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 $347.76 per year was calculated based on the current rental rate of $23.00 per acre-foot times a diversion volume of 151.2 acre-feet.

Please send a check for $347.76 for 2023 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 you are only required to pay 10% of the fee, the $347.76 fee will be retained by the Department to offset administrative costs for 2023.

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

Sincerely,

Water Supply Bank

Enclosure: Rental Agreement
cc: Rob Harris, Holden Kidwell Hahn & Crapo PLLC (via email)

MEMORANDUM FOR APPLICATION # 2545/ AGREEMENT # 767

To: Water Right(s): 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, 34-13842, 34-13659, 34-13661

From: Mary Condon

Date: April 6, 2023 – June 8, 2023

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

---

PURPOSE/NARRATIVE: Application to Rent Water received on 12/27/2022 for irrigation beginning in 2023-2027 as companion package. Requested rights are to provide supplemental ground water when existing surface water is no longer available.

AUTHORITY TO FILE: Application to rent from Telford Lands, submitted on behalf of the client by their legal representative, Robert Harris, along with a consent letter from the landowner and from the Big Lost River Irrigation District (BLRID). No concerns with authority to file.

WATER RIGHT VALIDITY: Rights requested are valid and available for the rental period requested, 2023-2027. No concerns with validity.

INJURY TO OTHER WATER RIGHTS: Rental request is for supplemental ground water on lands currently only serviced by surface water rights 34-13741 & 34-13743 held by the parcel owner. Ground water diversion rights 34-2401A, 34-4015 and 34-7037 are authorized from well requested for rental, known as the 'Folkman' well, and are also only held by the renter and limited to their additive maximum rate of 17.34 CFS. Previously approved transfer 82318 in 2019 combined rights 34-2401A and 34-4015 from the Folkman well with right 34-7037 from the two Island Wells, and combined with other rights 34-2459 et al., from much lower in the basin. Due to concerns raised during protest of the transfer and the final stipulated agreement between the applicant and protestants, a WSB request for additional information on how this rental of additional water higher in the basin and increasing diversions from the Folkman well will not cause injury was sent to the applicant on April 18, 2023. A reply from the attorney for the applicant requested the rental not actually increase the rate on the Folkman well when combined with the two Island wells and the diversion of those appurtenant rights to different place of use. A condition on the rental that the rental when combined with existing rights on the rental diversion will not exceed the maximum diversion of those rights sufficiently addresses injury concerns. See Table 1 at end for WMIS data on Folkman and two Island Wells.

The rental and leased water right diversions are in the Big Lost River Basin Ground Water Management Area (GWMA) as part of the Big Lost River Aquifer, which is a tributary aquifer to the Eastern Snake Plain Aquifer (ESPA). With regard to the Big Lost River Basin, the lease and rental diversions are both within the Moore Diversion to Arco Diversion River Reach. The Big Lost River Basin is largely within the ESPA model boundary, but outside of the ESPA GWMA. ESPA modeling was provided with the rental application but was not data entered correctly, nor did it include the multiple 'From' wells. Verification via a run of the model with the correct trimester consumptive use from the multiple wells passed without mitigation required. No injury to other water rights is expected through this rental with appropriate water right conditions.

ENLARGEMENT OF USE: Rental request to provide supplemental ground water when existing surface water on the rental place (priority dates of 1886 for 72 acres and 1912 for 72 acres, combined limited to 72 acres) is curtailed. The leased surface rights requested have priorities of 1884, 1889 and 1896. These three surface rights are not primary to the entire PPU in which

they were developed, only providing a tenth of the acres. As such, the ground water rights to be rented have historically provided more than 90% of the primary irrigation. No enlargement is expected from the rental of the requested rights for use as supplemental irrigation.

LOCAL PUBLIC INTEREST: The Big Lost River basin is conjunctively managed, and the lease and rental POU/POD are within the Big Lost River Ground Water District. The local public is concerned with moving ground water diversions up basin and the impacts which may occur to rising water, but the distance or zones in which moves will or will not occur are well documented in recent transfers in the Big Lost River area, through hydrologic studies of the area, and in IDAPA 37.03.12, Rule 25. Notification of the rental proposal was sent to Darrell E. McDonald by postal mail pursuant to IDAPA 37.02.03, Rule 30.02, on June 8, 2023.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rental appears consistent with the conservation of water resources in Idaho since the rental is for supplemental ground water when surface water is out of priority and irrigation is a beneficial use.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is within Eastern Region and the Big Lost River Ground Water District, is subject to Water District # 34, and is within the Big Lost River Irrigation District. Requests for comment from regional manager and watermaster sent on June 1, 2023. The watermaster approved of the rental on June 7, 2023.

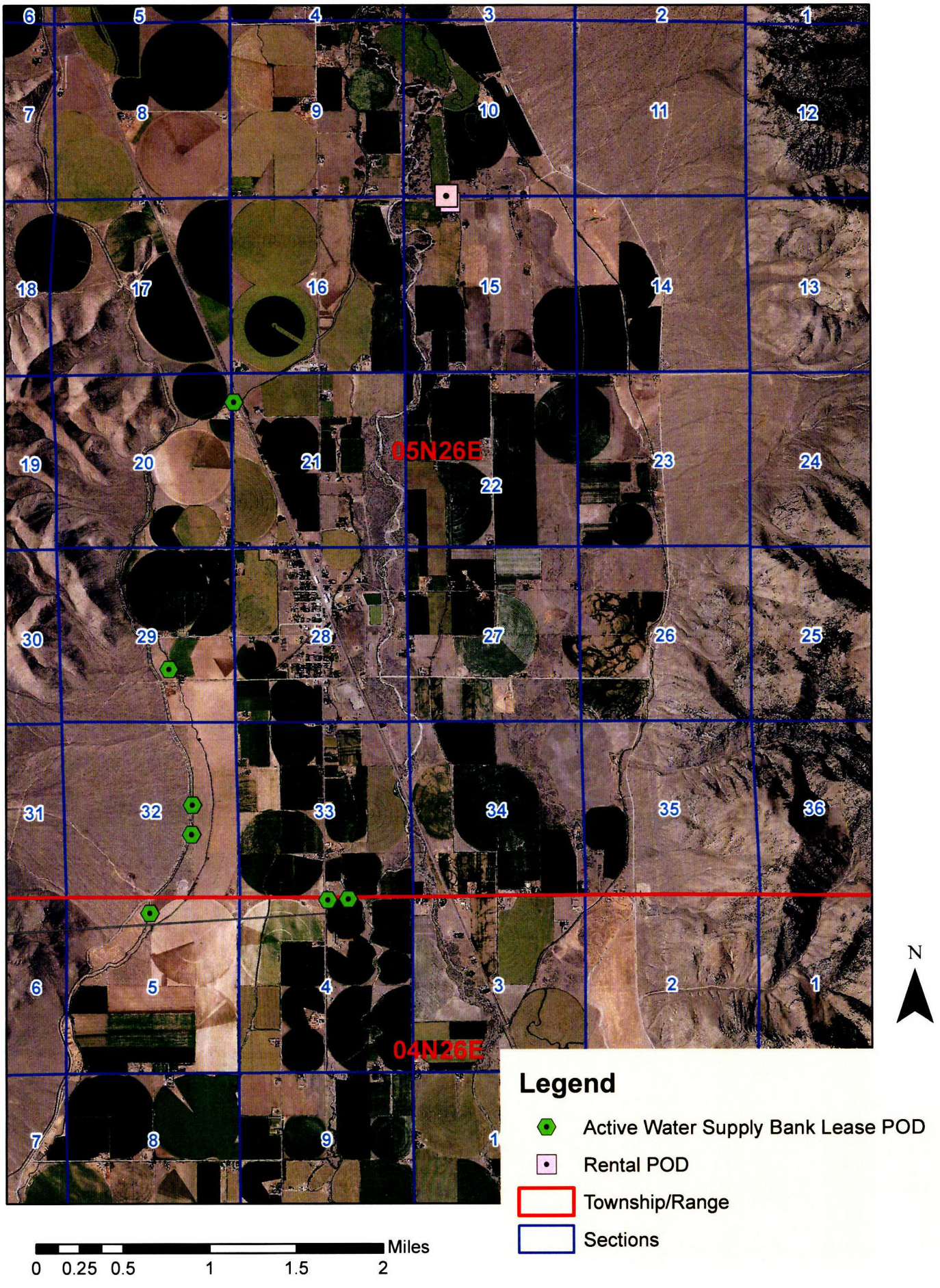
WRs	Acres	Rate	Vol	CFS/AC	AF/AC
34-2401A	188	3.7	658	0.01968	3.5
34-4015	277	1.64	969.5	0.00592	3.5
34-7037	1664	12	5824	0.00721	3.5
limited	2129	17.34	5349	0.00814	2.5

		Folkman A0018630		N. Island 1 A0007516		S. Island 2 A0000484		All three wells		
	Year	CFS	Volume	CFS	Volume	CFS	Volume	**Add CFS**	*	**Add Vol**
	2022	0	0	7.5	1191.54	7.92	1625.59	**15.42**	**15.42**	**2817.13**
	2021	1.7	300.72	8.34	2053.24	7.23	1691.54	**17.27**	**17.27**	**4045.5**
	2020	0	0	8.34	1814.97	8.34	1295.63	**16.68**	**16.68**	**3110.6**
Approved xfer	2019	5.92	0	9.8	920.04	6.96	499.04	**22.68**	**16.76**	**1419.08**
	2018	5.92	152.5	9.5	1078.89	6.9	467.99	**22.32**	**22.32**	**1699.38**
	2017	5.92	0	6.36	85.57	6.89	695.68	**19.17**	**19.17**	**781.25**
	2016	5.92	501.67	6.36	1408.21	7.14	1539.13	**19.42**	**19.42**	**3449.01**
	2015	0	0	7.14	1254.01	6.67	1312.85	**13.81**	**13.81**	**2566.86**
	2014	6.56	719.14	6.3	1099.45	7.6	2051.45	**20.46**	**20.46**	**3870.04**

*(numberical values in red)- rate recorded in WMIS is questionable as repetative or zero time/vol

Table 1. WMIS data for Folkman (rental POD), North Island and South Island wells

Move Map Telford Rental Application 2545



IDAHO DEPARTMENT
WATER RESOURCES

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Governor Brad Little

Director Gary Spackman

June 8, 2023

DARRELL E MCDONALD
PO BOX 102
ARCO ID 83213

RE: NOTIFICATION OF WATER SUPPLY BANK APPLICATION IN THE NAME OF TELFORD LANDS LLC

Dear Mr. Darrell McDonald:

The Department of Water Resources ("Department") has received an application to rent water right(s) from the Water Supply Bank ("WSB", "Bank") during 2023 until 2027 in the name of Telford Lands, LLC. The rental application proposes to divert leased ground water rights from a well, locally known as the Folkman Well. The Bank review criteria for reviewing and accepting rental applications is within Idaho Code §§ 42-1763 and 42-1764, and IDAPA 37.02.03.30, Water Supply Bank Rules.

A review of approved transfers involving water rights authorized from the Folkman Well reveals you may have some concerns with additional diversions or ground water withdrawals from said Folkman Well. After some consultation with the applicant's representative, they have requested the rental rate not be an additional/additive rate from the well above what is currently authorized by existing water rights from the well. This request is satisfactory to the Department and the rental is unlikely to cause any increase in diversions from what is currently authorized under permanent water rights from the well.

This letter to you is notice of the proposed rental, which is not intended to increase ground water diversions above what is currently authorized from the proposed rental diversion and will provide supplemental ground water for irrigation.

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

Sincerely,

Mary Condon
Water Supply Bank Coordinator

Enclosure: WSB Rental Application 2545 – copy

From: Preston Marcroft
To: Condon, Mary
Cc: Cefalo, James
Subject: Re: Telford WSB Rental 43.2 acres
Date: Wednesday, June 7, 2023 11:16:30 AM
Attachments: image001.png

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Yes, I approve.

On Thu, Jun 1, 2023 at 12:32 PM Condon, Mary <Mary.Condon@idwr.idaho.gov> wrote:

> Good afternoon,
>
> Please see the attached rental review memo and move map for 43.2 acres of supplemental ground water irrigation for 5 years, and kindly reply with comments or concerns within 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

Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

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PO Box 50130
Idaho Falls, Idaho 83405
Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
rharris@holdenlegal.com

May 18, 2023

Mary Condon
Water Supply Bank Coordinator
Idaho Department of Water Resources
P O 83720
Boise, ID 83720-0098
Mary.Condon@idwr.idaho.gov

RE: Response to Letter Dated April 18, 2023, Requesting Additional Information for Water Supply Bank Rental of 43.2 Acres Submitted by Telford Lands LLC.

Dear Mary:

This letter is in response to your letter dated April 18, 2023, requesting additional information for a combined lease rental of 43.2 acres of water rights to be diverted from what is locally known as the "Folkman Well." Your letter describes some of the history associated with this particular well, as well as the stipulation executed in 2019 to resolve Transfer No. 82318, between Telford Lands LLC and Darrell E. McDonald. Your letter requests that information is provided to you in the form of permission from Mr. McDonald, as well as evidence to support increase in ground water diversions of 1 cfs for the 43.2-acre rental from the Folkman Well and that it will not injure other water users.

With respect to the request for permission from Mr. McDonald to increase the diversion rate on the Folkman Well through rental of ground water, we have included a copy of the fully executed *Stipulation for Withdrawal of Protest* (the "*Stipulation*") for your reference. Paragraph 2 of the *Stipulation* contains conditions which we believe your initial letter was based upon, and based upon our review of this provision, we do not agree with your interpretation of this provision. The plain language of the provision only requires permission from Mr. McDonald if one of five particular water rights (34-2459, 34-2460, 34-2461, 34-2462, 34-10925) is proposed to be diverted from the Folkman Well. None of these water rights are identified in lease/rental package we have submitted to the Department.

The following sentence in the *Stipulation* provides that Telford will "**notify** Darrell E. McDonald in writing upon any application with the Department **which requests permission to divert more than 17.34 cfs in total from the Folkman Well and the two Island Wells**,

including, but not limited to applications to rent water from the Water Supply Bank." (emphasis added). The plain language of this provision only requires Telford to notify Mr. McDonald in writing if there is a request for permission to divert more than 17.34 cfs in total from the Folkman Well and the two Island Wells. This provision and does not require Mr. McDonald's written permission.

In terms of the notification requirement, Telford has no desire to divert more than 17.34 cfs from the Folkman and Island Wells. As a condition of the Water Supply Bank approval, we have no problem with—and here specifically request—that the Department limit the diversion of water from the Folkman Well and the Island Wells under the water rights proposed to be rented for use at the Folkman Well in conjunction with the existing water rights that authorize 17.34 cfs to be diverted to the Folkman Well and the two Island Wells (WR Nos. 34-2401A, 34-7037, and 34-4015).[1] With this limiting condition, there is no need to notify Mr. McDonald. And even if notification is required, and we do not believe it is required for the reasons set forth above, in terms of notification, the *Stipulation* does not require direct mailing to Mr. McDonald. Your letter indicates that this Water Supply Bank application will be advertised, which we disagree should be done, and this will provide Mr. McDonald an opportunity to object to the Water Supply Bank as he becomes aware of it. We note that there are no rules found within IDAPA 37.02.03 that authorize advertisement for "public comment" and believe that such advertisement exceeds IDWR's authority. Nevertheless, given the statement in your letter, the lease/rental proposal will be advertised and provides sufficient notice for Mr. McDonald.

Secondly, your letter requests information as to whether the diversion of an additional 1.0 cfs from the Folkman Well requested under the rental will not injure other water rights. As an initial matter, the limiting condition underlined above will limit the diversion of water from the Folkman Well to what is already authorized. Accordingly, there will be no injury to other water users. The rental will, in effect, only authorize the use of water for the 43.2 acres identified but will not increase the overall authorized diversion of water from the Folkman Well and the Island Wells.

Further, as shown on the enclosed map, the Folkman Well is in an adjacent model cell to the model cell that covers the Burnett Well, one of the authorized points of diversion for the water rights proposed to be rented for the diversion of water from the Folkman Well. It is an accepted Department policy that no ESPA analysis is required if the current points of diversion and the new points of diversion are located within the same or adjacent model cells. See *Administrator's Memorandum*, Transfer Processing No. 24, December 21, 2009, at 13. As shown on the enclosed map, the Burnett Well and the Folkman Well are approximately 1.25 miles apart from each other. From an overall standpoint, this will have no injurious effect on other water users, and while there may be potential for some localized drawdown, there are few wells near the Folkman Well. Given

[1] The Island Wells are equipped with variable speed drives and can be adjusted, if necessary, to ensure that no more than 17.34 cfs is diverted from all three wells (the two Island Wells and the Folkman Well).

the relatively small diversion rate proposed in the water supply bank rental, coupled with the anticipated runoff in the Big Lost River for this year, we do not anticipate any injury to any water users. More importantly, however, given the limiting condition described above and that no modeling or injury analysis is typically required for transfer applications that proposed to divert within the same or adjacent model cells, there will not be injury to other water users.

Based on the foregoing information, we request that the Department continue processing these applications. As stated above, the decision to publish for public comment is not authorized within the applicable IDAPA rules and believe this process exceeds the authority of the Department. Publication for public comment is effectively publication for protests under Idaho Code § 42-222, and a Water Supply Bank rental is not a transfer application under this statute. Nevertheless, should the Department elect to publish for public comment, we maintain that this Water Supply Bank rental should be approved as applied for. If you have any questions concerning the contents of this letter, please let me know.

Best regards,

Robert L. Harris

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

\\law\data\wpdata\rlh\16450 telford lands llc\020 2023 water rights\2023.05.18 ltr to condon.docx

From: Rob Harris
To: Condon, Mary
Cc: telfordsunvalleyseed@gmail.com
Subject: RE: Telford Lands LLC WSB Applications
Date: Thursday, May 18, 2023 3:14:59 PM
Attachments: image001.png
2023.05.18 Ltr to Condon Att.pdf

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Mary:

Please see the attached letter in response to your letter referenced and attached to the email below.

Let me know if you have any questions. Because of the attachment to this email, please confirmt that you received it.

Thanks,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, ID 83405-0130
Phone: (208) 523-0620
Fax: (208) 523-9518
E-Mail: rharris@holdenlegal.com

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From: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Sent: Monday, April 17, 2023 5:21 PM
To: Rob Harris <rharris@holdenlegal.com>
Cc: telfordsunvalleyseed@gmail.com
Subject: RE: Telford Lands LLC WSB Applications

Greetings, Mr. Harris,

Please see the attached request for additional information on the rental application requesting 43.2 acres for Telford Lands, also going out in tomorrow's mail. I have finished my review for the other rental request for 80 acres with a recommendation for approval and will prepare the rental agreement to forward to a Water Right Section Supervisor later this week for final review.

Please let me know if you have any questions,
Mary

Mary Condon
Water Supply Bank Coordinator
IDAHO DEPARTMENT OF WATER RESOURCES

From: Condon, Mary
Sent: Monday, March 27, 2023 10:16 AM
To: Rob Harris <rharris@holdenlegal.com>; Cheever, Skyler <Skyler.Cheever@idwr.idaho.gov>
Cc: telfordsunvalleyseed@gmail.com; Bank <Bank@idwr.idaho.gov>
Subject: RE: Telford Lands LLC WSB Applications

Rob,

Thanks for the update! Skyler and I will discuss and reach out if we have any questions.

Best,
Mary

Mary Condon
Water Supply Bank Coordinator
IDAHO DEPARTMENT OF WATER RESOURCES

From: Rob Harris <rharris@holdenlegal.com>
Sent: Monday, March 27, 2023 10:06 AM

To: 'clay.webster@idwr.idaho.gov' <clay.webster@idwr.idaho.gov>; Condon, Mary <Mary.Condon@idwr.idaho.gov>; Cheever, Skyler <Skyler.Cheever@idwr.idaho.gov>
Cc: telfordsunvalleyseed@gmail.com
Subject: Telford Lands LLC WSB Applications

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All:

Based on the latest water supply bank processing spreadsheet, each of you have been assigned to applications I submitted on behalf of my client, Telford Lands LLC. The applications have been assigned the identification numbers of 2256, 2545, and 2255.

The water rights subject to these WSB applications were subject to a transfer to correct/amend the POU of the rights. You may already be aware of this, but I wanted to make sure, that the transfer approval was issued on March 14, 2023 (Transfer No. 87389). To the extent this transfer held up processing the WSB applications, that should no longer be an issue. If you have any questions concerning these applications, let me know. We appreciate your continued work on these applications.

Thanks,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, ID 83405-0130
Phone: (208) 523-0620
Fax: (208) 523-9518
E-Mail: rharris@holdenlegal.com

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WATER RESOURCES

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Governor Brad Little

Director Gary Spackman

April 18, 2023

TELFORD LANDS LLC
1450 W HWY 24
PAUL ID 83347

RE: ADDITIONAL INFORMATION REQUEST FOR PROCESSING APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK

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

Dear Applicant:

The Department of Water Resources ("Department") acknowledges receipt of your Application to Rent Water from the Water Supply Bank ("Bank") for 43.2 acres. A preliminary review of your application has been completed and it has been determined that additional information is required to continue processing.

The rental request for 43.2 acres proposes to use an existing well, also known as the "Folkman" well, in which ground water rights 34-2401A and 34-4015 are diverted from. Previously approved transfer 82318 on these rights and the combination with other rights historically diverted down basin was protested due to concerns on increasing ground water pumping up basin, and part of the stipulated resolution included a statement in the agreement that any additional request, including through a water supply bank rental, requires permission from Mr. Darrell E. McDonald. This permission was not included in the rental application package, nor was there any information or evaluation to show how injury would not occur through renting additional ground water up basin at the rental diversion. Additionally, the same agreement and transfer approval limited the Folkman and two Island wells to a maximum rate of 17.34 CFS to avoid injury to other rights.

Further, there were a number of protests in 1982 against the proposed change in diversion to then claim 34-4015 where the owner requested to add the 'Folkman' well up basin along with right 34-2401A down basin. This is similar in nature to later transfer 82318 summarized above. The change request was to divert from either or both historic wells to deliver water down basin to the place of use developed under 34-4015, thereby increasing the acres irrigable by added right 34-2401A. The approved transfer allowed adding the 'Folkman' well from 34-2401A to include 34-4015, but in order to avoid injury to other rights the approved change did not allow the use under 34-2401A to be moved downstream and the approval ultimately diminished the historic use under the right when combined with 34-4015.

Since there is a history of public interest and injury concerns associated with the well proposed for the rental request and with moves proposing to increase diversions of ground water up basin or down basin with the rights at the proposed rental diversion, additional information from the rental applicant is necessary to show how there will not be injury to other water rights through such a similar move as renting water up basin and diverting from the 'Folkman' well. Finally, publication for public comment will be necessary prior to any approval similar to this rental

request, and if additional information is received from the applicant, the proposed rental will be advertised and open to public comment.

Please provide the following information within thirty (30) days of the date of this letter or the application will be denied:

- Permission from Mr. Darrell E. McDonald to increase the diversion rate on the Folkman well through a rental of ground water
- Evidence to support increasing ground water diversions by 1 CFS for the 43.2 acre rental proposal from the "Folkman" well will not injure other water users

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

Sincerely,

Mary Condon
Water Supply Bank Coordinator

c: Robert Harris – Holden, Kidwell, Hahn & Crapo, P.L.L.C.

From: Cefalo, James
To: Condon, Mary
Subject: RE: Telford rental - Folkman well
Date: Thursday, April 6, 2023 4:38:02 PM

Mary,

I think it is important for Mr. Telford to confirm that he has notified Darrell E. McDonald of the WSB Rental application, as contemplated in their private agreement. IDWR does not have enforcement authority over that provision of the agreement, because it is not listed in water right 34-2401A. If Telford declines to provide evidence of notice, I think we should forward a copy of the application to Darrell E. McDonald and his attorney (Jim Speck).

As to your question about moving ground water diversions up the valley, I will decline to provide comment. That is a frequent issue raised in contested cases in the valley where I am the hearing officer. I would note that Gary issued a decision on that topic in the Parkinson Farms transfer.

James

From: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Sent: Thursday, April 6, 2023 8:20 AM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: Telford rental - Folkman well

Good morning, James,

I am reviewing a rental request from Telford (attached) which seeks to rent a 43.2 acre portion of Telford rights 34-618, et al., for surface and ground water to a different POU currently only serviced by surface water rights 34-13741 & 34-13743. The rental POD they are proposing to rent the ground water from, the Folkman well, was involved in transfer 82318 on right 34-2401A, et. al, which as you are aware has an extension of time until 2024 to complete drilling the new Hansen well. The stipulated agreement signed by the parties of the protest included item 2, not to exceed 17.34 cfs from the Folkman well with the Island wells, and that any rental proposal by Telford from the Folkman well would require permission from Mr. McDonald. The proof report conditions on rights 34-2401A, 34-4015 and 34-7037 originally from the well also include the 17.34 cfs limitation between the three wells.

Do you have concerns about this rental proposal, and is there anything about the recent transfer and/or stipulated agreement that I need to consider in this proposal? The GW rights to be rented can be delivered via the Moore diversion, same as the two existing SW rights at the rental POU, so it seems permissible to consider but it will increase GW diversions slightly higher in the valley at the rental POD. The rental well is 3.5 and 4.3 miles north of the lower leased GW PODs.

I have another rental for Telford I'll send to you today with my review memo & move map formally requesting comment or concerns.

Thank you,
Mary