STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 18 2023
DEPARTMENT OF
WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 751

This is to certify that:

HERITAGE FARMS LLC
2043 E CENTER ST
POCATELLO, ID 83201-3300

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)
35-4062	5/1/1955	GROUND WATER	0.22	60.0	15.0	0.015	4.00
Combined Rental Totals			**0.22**	**60.0**	**15.0**	**0.015**	**4.00**

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2026. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2023, whichever occurs last.

Annual Rental Fee:

2023 - 2026: $1,380.00 annually

The full fee for the rental of the above-described right(s) is $1,380.00 per year for years 2023 - 2026. The rental fee includes an administrative fee of $138.00 per year for years 2023 - 2026.

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 751

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:

Dirk Driscoll — Signature of Renter

May 16, 2023 — Date

DIRK DRISCOLL — Printed Name

CEO — 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 5/19/23
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date 5/19/23

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 751

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESW Sec. 25, Twp 07S, Rge 29E, POWER County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	0.22 CFS	60.0 AF

SEASON OF USE

Water Right No.	From	To
35-4062	4/1	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	
07S	29E	36							11.0	4.0									15.0

Total Acres: 15.0

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. Prior to the diversion and use of water under this approval, the right holder shall install and maintain acceptable measuring device, including data logger, at the authorized point of diversion and 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.
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 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.
12. Use of water under this rental will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
13. This rental agreement does not authorize the construction of a well.
14. Prior to December 31 of each year, the Board may review this rental agreement to determine whether it is consistent with the management plan that may be approved for the Eastern Snake Plain Aquifer Ground Water Management Area ("ESPA GWMA Plan") pursuant to Idaho Code § 42-233b. The Board may cancel this rental agreement if the Board determines it is not consistent with the ESPA GWMA plan. If this rental agreement is canceled, the cancellation shall not take effect until December 31 of the year in which the rental agreement is canceled.

Idaho Department of Water Resources Receipt

Receipt ID: C116288

Payment Amount	$1,380.00	Date Received	5/18/2023	Region	STATE
Payment Type	Check	Check Number	72783		
Payer	DRISCOLL BROTHERS PARTNERSHIP				
Comments	WATER SUPPLY BANK RENTAL AGREEMENT RENTER NAME: HERITAGE FARMS LLC RENTAL AGREEMENT # 751 FOR WR # 35-4062 FOR YEAR 2023				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
$138.00	WATER BANK-DEPARTMENT SHARE	55113	0229	21		1205
$1,242.00	WATER BANK-OWNER SHARE	29512	0490	1		1205

KM

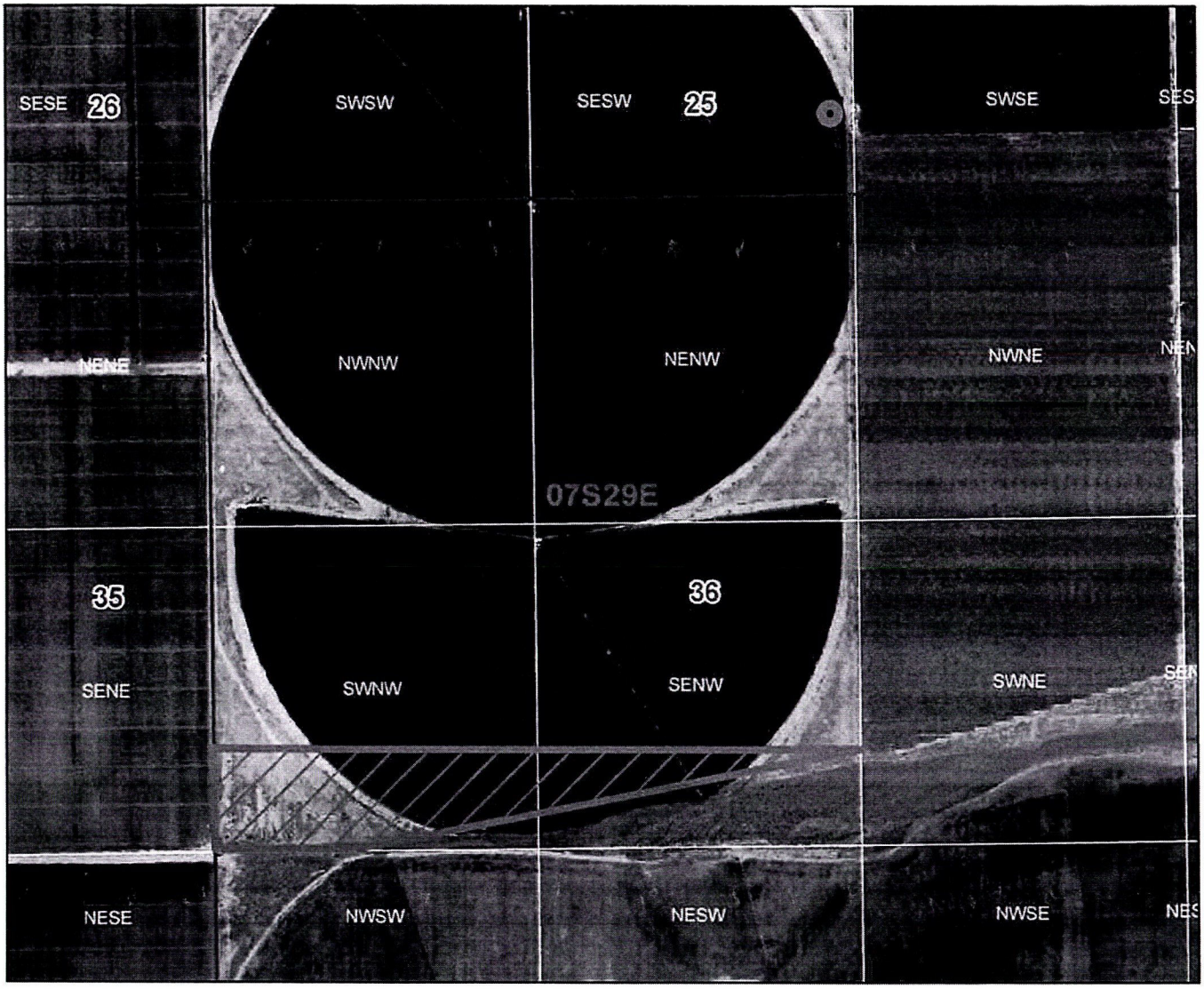
Signature Line (Department Representative)

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 751

Effective until December 31, 2026

This map depicts the **IRRIGATION 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
- Authorized Rental Place of Use
- Township/Range
- Sections
- QQ

N

0 0.15 0.3 Miles

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
MAR 14 2023
Department of Water Resources

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

Applicant Name: Heritage 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)			
		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)
35-4062

2569

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Heritage Farms, LLC

Mailing Address 2043 E. Center Street (Street) Pocatello (City) Idaho (State) 83201 (Zip Code)

Email Address dirk.driscoll@driscollbros.com Phone Number 208-226-5235

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 Thomas J. Budge Professional Title Attorney

Organization Racine Olson Relationship to Applicant Attorney

Mailing Address P.O. Box 1391, Pocatello, Idaho 83204-1391

Email Address tj@racineolson.com Phone Number 208-232-6101

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**:

Irrigation of 15 acres. A Transfer Application was recently submitted to change the POU of water right nos. 35-8804B, 35-8636, 35-2432D and 35-739 which will leave the bottom portion of the SWNW and SENW of Sec. 36, Township 7S, 29E without water. See map attached. This Application seeks to rent water for that section.

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)
0.3 CFS	60 AF	0.3 CFS	45 AF	15 AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
		☐ 1	☐ 2	☐ 3	☐ 4	☑ 5	☑ Process application as soon as possible	☐ Return application to applicant
04/01/2023	04/01/2023							

* ***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):
Existing groundwater well and mainlines used under water right no. 35-8804B, 35-8636, 35-2432D and 35-7391D.

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
Well	Groundwater	35-8804B, 35-8636, 35-2432D and 35-7391D

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 15 (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:
Water right nos. 35-8804B, 35-8636, 35-2432D and 35-7391D share the same point of diversion but are used to irrigate adjacent land per pending transfer application.

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)
35-4062	Irrigation	3.64	968	242		0.3	60	15
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	0.3 CFS	60 AF	15 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
Signature of Representative	Thomas J. Budge, Attorney	3-14-2023
	Printed Name of Representative	Date

Mail to:

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

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

Heritage Farms, LLC, an Idaho limited liability company (the "Company"), hereby appoints the law firm of Racine Olson, PLLP, 201 E. Center Street, P.O. Box 1391, Pocatello, Idaho 83204 (the "Firm"), its true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights. The Company allows the Firm to receive all information, opinions, and records regarding its water rights, and to sign and submit applications and other filings on its behalf. This Power of Attorney shall be in effect until the earlier to occur of (a) five years after the date of execution, or (b) the Company revokes this Power of Attorney in writing.

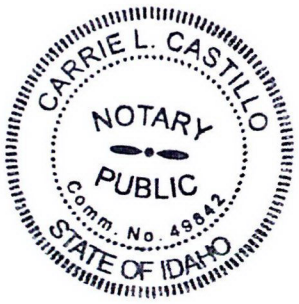
DATED this 18 day of November, 2022.

Heritage Farms, LLC, an Idaho limited liability company

By: _____
Dirk Driscoll, Chief Executive Officer

STATE OF IDAHO)
: ss.
County of Bannock)

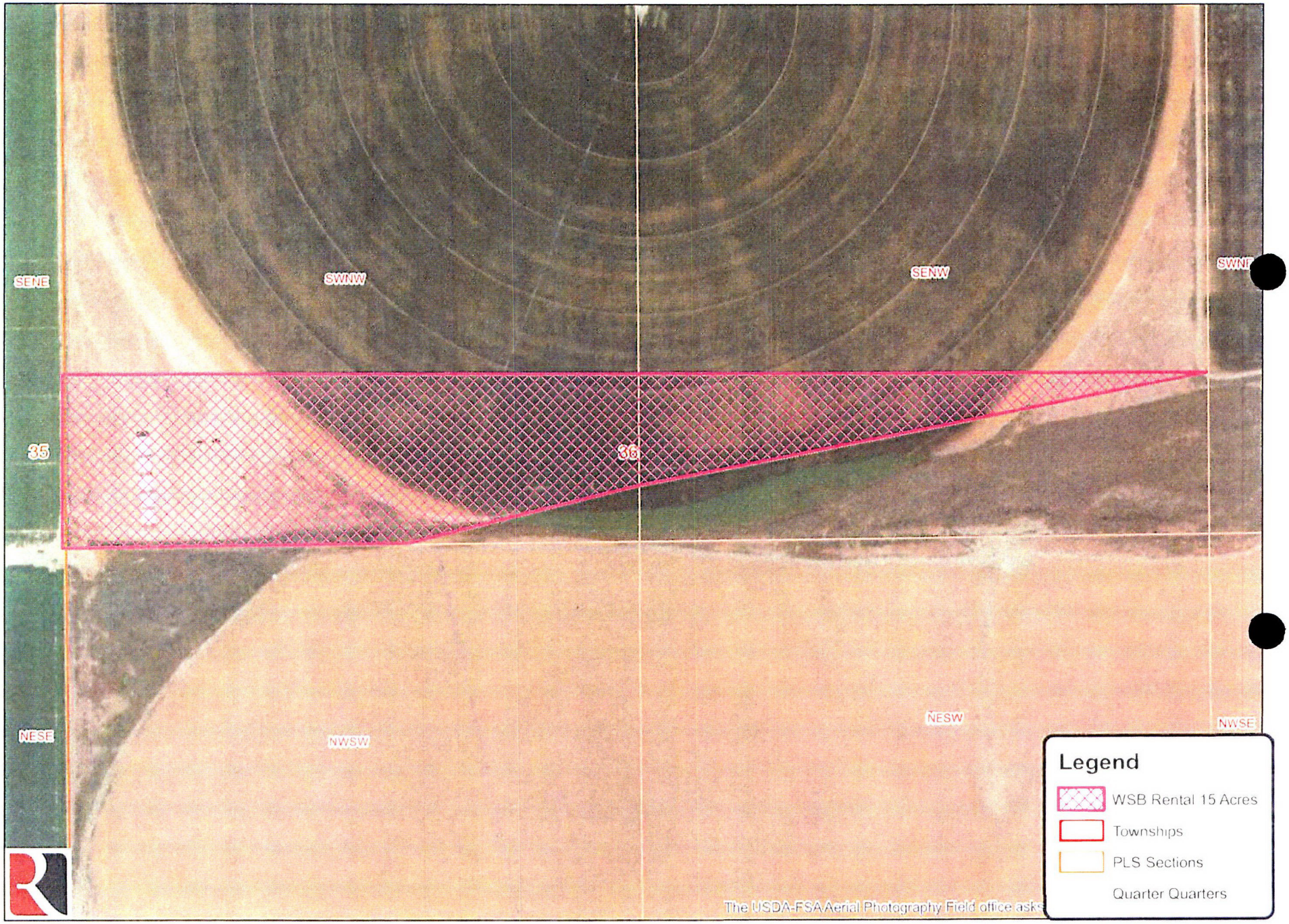
This record was acknowledged before me on this 18 day of November, 2022, by Dirk Driscoll as Chief Executive Officer of Heritage Farms, LLC, an Idaho limited liability company.



_____
NOTARY PUBLIC FOR IDAHO
My Commission Expires: 5/1/2025

Attachment 2

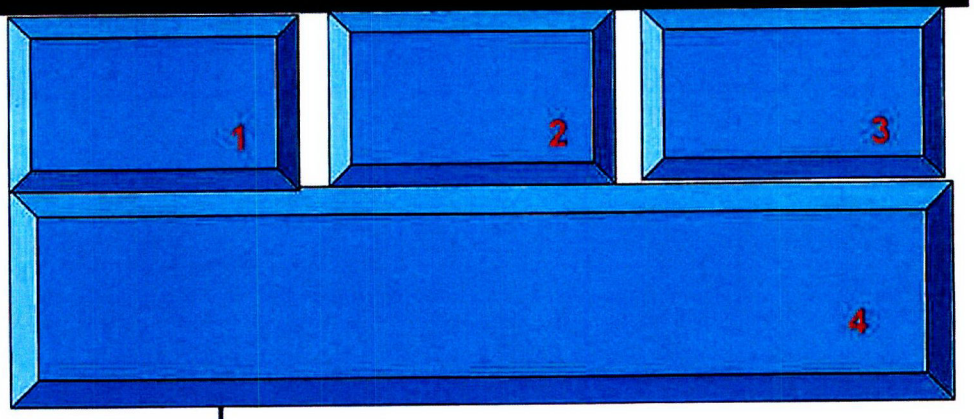
Heritage Farms, LLC - WSB Rental - 15 Acres



ENHANCED GROUND-WATER RIGHTS T

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

Cells this color are set up for user entries



ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON	TRANSFER NO: 0
YEAR 1955	TRANSFER NAME:
SEASON SPRING	Heritage Farms

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	90	72	0	0
COLUMN	93	132	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 W With Transfer AF/TRIMESTER
SPR 1955	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1955	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1955	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1956	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1956	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1956	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1957	0.00	15.00	15.00	0.00	0.00	0.00

SUM 1957	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1957	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1958	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1958	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1958	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1959	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1959	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1959	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1960	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1960	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1960	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1961	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1961	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1961	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1962	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1962	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1962	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1963	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1963	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1963	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1964	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1964	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1964	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1965	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1965	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1965	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1966	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1966	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1966	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1967	0.00	15.00	15.00	0.00	0.00	0.00

SUM 1967	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1967	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1968	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1968	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1968	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1969	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1969	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1969	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1970	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1970	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1970	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1971	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1971	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1971	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1972	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1972	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1972	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1973	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1973	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1973	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1974	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1974	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1974	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1975	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1975	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1975	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1976	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1976	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1976	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1977	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1977	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1977	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1978	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1978	0.00	15.00	15.00	0.00	0.00	0.00

WIN 1978	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1979	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1979	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1979	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1980	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1980	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1980	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1981	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1981	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1981	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1982	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1982	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1982	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1983	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1983	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1983	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1984	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1984	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1984	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1985	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1985	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1985	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1986	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1986	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1986	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1987	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1987	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1987	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1988	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1988	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1988	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1989	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1989	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1989	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1990	0.00	15.00	15.00	0.00	0.00	0.00

SUM 1990	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1990	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1991	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1991	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1991	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1992	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1992	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1992	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1993	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1993	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1993	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1994	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1994	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1994	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1995	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1995	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1995	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1996	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1996	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1996	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1997	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1997	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1997	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1998	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1998	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1998	0.00	15.00	15.00	0.00	0.00	0.00
SPR 1999	0.00	15.00	15.00	0.00	0.00	0.00
SUM 1999	0.00	15.00	15.00	0.00	0.00	0.00
WIN 1999	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2000	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2000	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2000	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2001	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2001	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2001	0.00	15.00	15.00	0.00	0.00	0.00

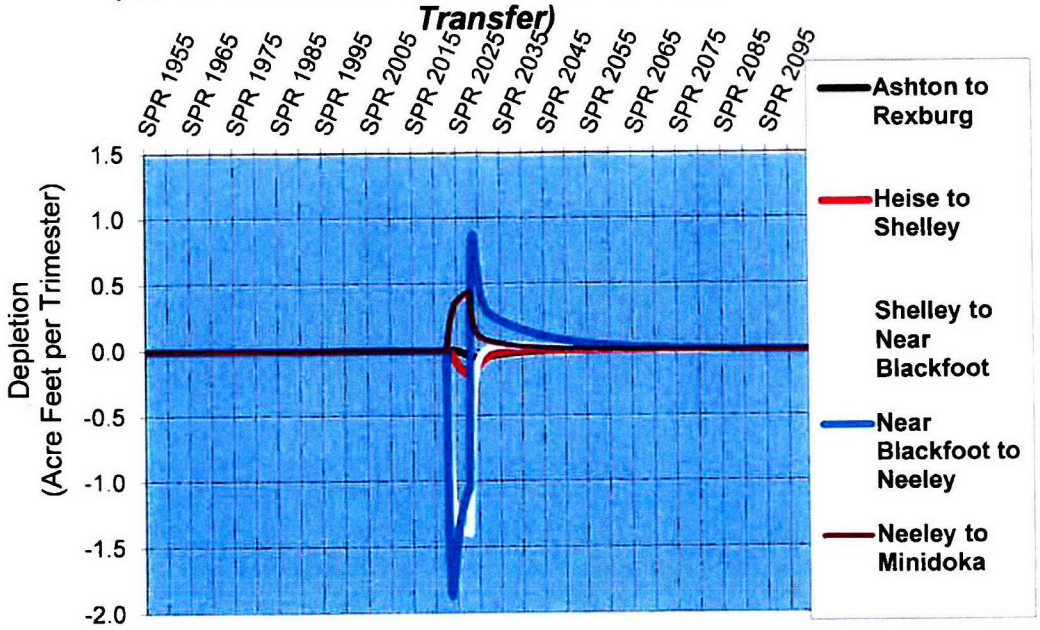
SPR 2002	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2002	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2002	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2003	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2003	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2003	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2004	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2004	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2004	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2005	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2005	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2005	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2006	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2006	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2006	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2007	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2007	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2007	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2008	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2008	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2008	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2009	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2009	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2009	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2010	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2010	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2010	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2011	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2011	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2011	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2012	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2012	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2012	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2013	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2013	0.00	15.00	15.00	0.00	0.00	0.00

WIN 2013	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2014	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2014	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2014	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2015	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2015	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2015	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2016	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2016	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2016	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2017	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2017	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2017	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2018	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2018	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2018	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2019	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2019	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2019	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2020	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2020	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2020	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2021	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2021	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2021	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2022	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2022	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2022	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2023	15.00	0.00	15.00	0.00	0.00	0.00
SUM 2023	15.00	0.00	15.00	0.00	0.00	0.00
WIN 2023	15.00	0.00	15.00	0.00	0.00	0.00
SPR 2024	15.00	0.00	15.00	0.00	0.00	0.00
SUM 2024	15.00	0.00	15.00	0.00	0.00	0.00
WIN 2024	15.00	0.00	15.00	0.00	0.00	0.00
SPR 2025	15.00	0.00	15.00	0.00	0.00	0.00

SUM 2025	15.00	0.00	15.00	0.00	0.00	0.00
WIN 2025	15.00	0.00	15.00	0.00	0.00	0.00
SPR 2026	15.00	0.00	15.00	0.00	0.00	0.00
SUM 2026	15.00	0.00	15.00	0.00	0.00	0.00
WIN 2026	15.00	0.00	15.00	0.00	0.00	0.00
SPR 2027	15.00	0.00	15.00	0.00	0.00	0.00
SUM 2027	15.00	0.00	15.00	0.00	0.00	0.00
WIN 2027	15.00	0.00	15.00	0.00	0.00	0.00
SPR 2028	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2028	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2028	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2029	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2029	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2029	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2030	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2030	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2030	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2031	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2031	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2031	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2032	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2032	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2032	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2033	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2033	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2033	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2034	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2034	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2034	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2035	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2035	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2035	0.00	15.00	15.00	0.00	0.00	0.00
SPR 2036	0.00	15.00	15.00	0.00	0.00	0.00
SUM 2036	0.00	15.00	15.00	0.00	0.00	0.00
WIN 2036	0.00	15.00	15.00	0.00	0.00	0.00

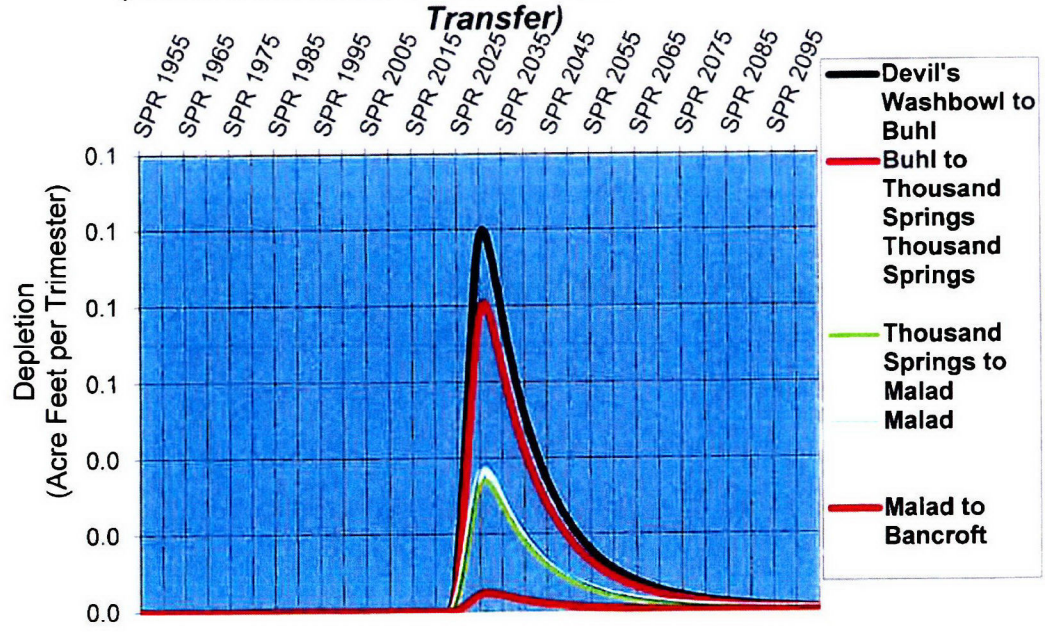
Net Transfer Effect Above Milner

(Total Effect With Transfer - Total Effect Without Transfer)



Net Transfer Effect Below Milner

(Total Effect With Transfer - Total Effect Without Transfer)



WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT		Model Node	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
Transfer 1: Proposed Steady State Impacts following Transfer																			
???	???	275.6	68.9	1/1/1960	8S26E-3	275.6	91.9	SP082075	0.35	0.61	3.37	10.10	0.14	0.14	0.12	0.05	0.05	0.06	0.01
???	???	275.6	68.9	1/1/1960	8S26E-3	275.6	91.9	SP068066	0.35	0.61	3.37	10.11	0.14	0.14	0.12	0.05	0.05	0.06	0.01
Transfer 1: Worst Case Transient State Impacts following Transfer																			
???	???	275.6	68.9	1/1/1960	8S26E-3	275.6	91.9	SP082075	0.35	0.61	3.37	10.10	0.14	0.14	0.12	0.05	0.05	0.06	0.01
???	???	275.6	68.9	1/1/1960	8S26E-3	275.6	91.9	SP068066	0.35	0.61	3.40	10.97	0.58	0.24	0.19	0.09	0.08	0.09	0.01

Steady State Analysis	Mitigation Check 1 - >10% of Historical:	0.0%	0.0%	0.0%	0.0%	0.2%	0.5%	0.5%	0.5%	0.5%	0.5%	0.6%
	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:	2.4%	4.1%	22.4%	67.4%	0.9%	1.0%	0.8%	0.4%	0.3%	0.4%	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
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	0.1%	0.3%	1.1%	8.6%	321.3%	68.8%	68.6%	68.5%	68.3%	67.9%	63.4%
	Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	0.0	0.9	0.4	0.1	0.1	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	0.9	0.4	0.1	0.1	0.0	0.0	0.0	0.0

Read Me

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
JAN 24 2023
DEPARTMENT OF WATER RESOURCES

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

Applicant Name: Heritage 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)			
		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)
2569

SUPERSEDED

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Heritage Farms, LLC

Mailing Address 2043 E. Center Street (Street) Pocatello (City) Idaho (State) 83201 (Zip Code)

Email Address dirk.driscoll@driscollbros.com Phone Number 208-226-5235

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 Thomas J. Budge Professional Title Attorney

Organization Racine Olson Relationship to Applicant Attorney

Mailing Address P.O. Box 1391, Pocatello, Idaho 83204-1391

Email Address tj@racineolson.com Phone Number 208-232-6101

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**:

Irrigation of 15 acres.

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)
CFS	AF	CFS	AF	15 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?	
04/01/2023	04/01/2023	☐ 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.***

SUPERSEDED

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):
Existing groundwater well and mainlines used under water right no. 35-8804B, 35-8636, 35-2432D and 35-7391D.

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
Well	Groundwater	35-8804B, 35-8636, 35-2432D and 35-7391D

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 15 (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:
Water right nos. 35-8804B, 35-8636, 35-2432D and 35-7391D.

SUPERSEDED

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)
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**:

SUPERSEDED

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:

Water rented for 2017 and 2018 under WSB Rental Agreement No. 162. Applicant was unable to secure a permanent right during the prior rental but still intends to secure a permanent right.

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
T J Budge	Thomas J. Budge	1/19/2023
Signature of Representative	Printed Name of Representative	Date

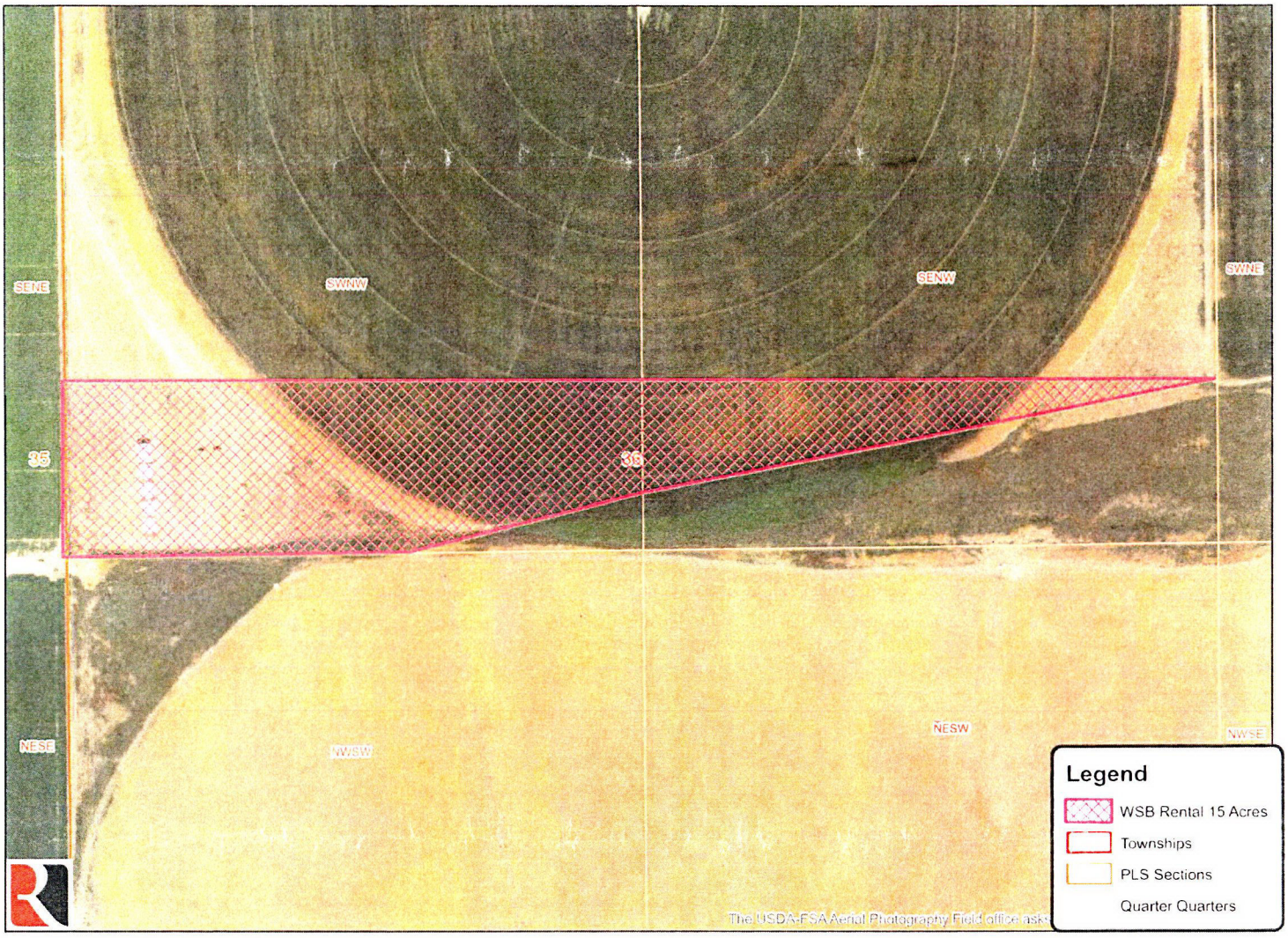
Mail to:

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

SUPERSEDED

Attachment 2

Heritage Farms, LLC - WSB Rental - 15 Acres



SUPERSEDED

WSB Mailing Checklist for Rentals

(For use on all new rental applications)

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

Received Date: 1/24/2023 → 3/14/23
Latest Start Date: 4/1/2023
Renter: Heritage Farms LLC
Rental Expiration Date 12/31/2026
Lease/Rental Package Y (N)

ESPA

Application # 2569
Agreement # 751

Water Right	Lease Contract ID
# 35-4062	1526
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	

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 call up 3/13/23
WSB Action Request for deficiencies	☐

Comments:
irrigation 15 acres
~~prev agreement # 1602~~
no WRs identified (or available @ time of submission)

Mailings (per application)	Original	CC	Email or Address
✓ Renter: Heritage Farms LLC	☒	☐	
Attorney:	☐	☐	
Consultants ✓ Name: TJ Budge	☐	☒	
Conveyence Entity: (Ex. Irrigation Dist. of Canal Co.)	(final only)	☐	
(Ground) Water ✓ Dist: WD120, Aberdeen-Am. Falls GWD	(final only)	☒	AAF GWD: Heather Rice
✓ Other: ESPA GWMA, Bingham GWD (WD Snake 01, Boise, Payette, and Bear River)	(final only)	☒	Bingham GWD: Alan Jackson
✓ Region: Eastern	(final only)	☒	
✓ Watermaster: Blake Jordan	(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

May 23, 2023

HERITAGE FARMS LLC
2043 E CENTER ST
POCATELLO, ID 83201-3300

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 35-4062, AGREEMENT 751

Dear Renter:

Please find enclosed a receipt in the amount of **$1,380.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 60 acre-feet of water for irrigation of 15.0 acres during 2023 - 2026. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or $1,242.00 of the rental fee will be paid to the lessor(s) and 10% or $138.00 will be retained by the Department to offset administrative costs for <start year>.

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

Sincerely,

Water Supply Bank

Enclosures: Receipt No. C116288
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR Eastern Regional Office
Thomas Budge, Racine Olson

Parker, Cody

To: Marston, Sascha; Cefalo, James; tj@racineolson.com; Jordan, Blake; heatherr@afagroundwater.com; alanj@binghamgroundwater.com

Subject: WSB Rental Agreement 751 and Receipt

Attachments: 2463_001.pdf

Good morning,

Attached is an executed Water Supply Bank rental agreement for Heritage Farms LLC. Please let me know if you have any questions or need more information.

Thank you

Cody Parker
Water Rights Supervisor
208-287-4910

Idaho Dept. of Water Resources
322 E Front St, PO Box 83720, Boise ID 83720
idwr.idaho.gov

RACINE OLSON
ATTORNEYS

RECEIVED
MAY 18 2023
DEPARTMENT OF
WATER RESOURCES

May 16, 2023

Idaho Water Supply Bank
Idaho Department of Water Resources
322 E Front Street
Boise, Idaho 83702

Re: Application to Rent Water
Water Right No. 35-4062 Agreement 751

To whom it may concern:

Enclosed please find the signed rental agreement, together with a check in the amount of $1,380.00 for 2023. Thank you for your assistance. Please feel free to contact me if you have any questions.

Sincerely,

T. J. BUDGE

201 E. Center St. | P.O Box 1391 | Pocatello, ID 83204
P: (208) 232-6101 | F: (208) 232-6109 | racineolson.com
Offices in Boise and Pocatello

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

May 11, 2023

HERITAGE FARMS LLC
2043 E CENTER ST
POCATELLO, ID 83201-3300

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 35-4062 AGREEMENT 751

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

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, together with the rental fee described below, the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

A rental fee of $1,380.00 per year was calculated based on the current rental rate of $23.00 per acre-foot times a diversion volume of 60 acre-feet.

Please send a check for $1,380.00 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, 90% or $1,242.00 of the rental fee will be paid to the lessor(s) and 10% or $138.00 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

c: IDWR Front Desk

MEMORANDUM FOR AGREEMENT #751

To: Water Right(s) 35-4062

From: Mackenzie Kienholz

Date: 4/20/2023

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

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PURPOSE/NARRATIVE: Rental application #2569 was submitted by T.J. Budge (Racine Olson) on behalf of Heritage Farms, LLC and was received by the Department on January 24, 2023. This rental is in the ESPA GWMA. No water rights were identified on the original application as is required for rentals in the ESPA. A letter was sent to the representative requesting they identify available water rights and ESPA modeling. Review staff also sent a list of potentially available water rights that may be able to satisfy the rental. One of these rights, 35-4062 was modeled successfully by the representative and an amended application was received on March 14, 2023 requesting to rent 15.0 acres from groundwater irrigation right 35-4062 for 2023-2026. The proposed rental POU is for acres that will no longer be covered by a water right pending the approval of transfer #87631 that will change the POUs of 35-8804B, 35-8636, 35-2432D, 35-7208, and 35-7391D. While the transfer has not been finalized at the time of this review, no protests were received and there were no watermaster comments in opposition of the transfer.

This rental is in the ESPA GWMA, WD #120, and the Aberdeen-American Falls GWD.
Water right 35-4062 is in the ESPA GWMA, WD #120, and the Bingham GWD.

AUTHORITY TO FILE: Application #2569 was signed by the representative, Thomas J. Budge. A notarized document was included giving Mr. Budge authority to sign and submit applications to IDWR. This document was signed by Dirk Driscoll, Chief Executive Officer. Dirk Driscoll is listed as a member on Heritage Farms, LLC's most recent IDSOS filing (1/3/2023). The rental POD and POU are on land owned by Heritage Farms, LLC, and the POD only diverts rights owner by Heritage Farms, LLC. No concerns with authority to file.

WATER RIGHT VALIDITY: From lease review memo dated 5/5/2022:

"35-4062 was decreed in 2002 for 242 acres. In 2006, 197.8 acres of the right was enrolled in a set-aside program that protected the right from forfeiture under §42-223. Additionally, there was 176.8 af of allowed volume (the volume that may still be used) as a result of the program, or 44.2 acres that were not protected under §42-223. The agreement ended 9/30/2021.

Google Climate Engine analysis indicates approximately 29.2 acres continued to be irrigated for the duration of the set-aside agreement. Therefore, 15.0 of the 44.2 acres not protected from forfeiture by the set-aside program cannot be accepted into the Bank at this time. The total number of acres acceptable for lease is 227. See Appendix A for Google Climate Engine details.

Of the 15.0 acres, 11 were not accepted in the NWNE and the remaining 4.0 were not accepted in the SWNW Lot 2. This is based on aerial imagery from 2006, when the right was put into the set-aside program, and the number of acres authorized by the right in those ¼ ¼ 's."

The lease POU does not appear to have been irrigated in 2022. No concerns with water right validity.

INJURY TO OTHER WATER RIGHTS: Both the lease and rental are in the ESPA GWMA and WD #120. There will be no change in source or change in aquifer for this rental.

Because this rental is within the ESPA GWMA, water modeling was completed using ETRAN V3.4. The consumptive use for the rental location is 3.0 af/acre/year. Data entry was completed as shown in Figure 1. Modeling indicated that renting the full 15.0 acres worth of water from 2023-2026 will not require any mitigation, see Figure 2 below.

Figure 1. Data entry for ETRAN Modeling run.

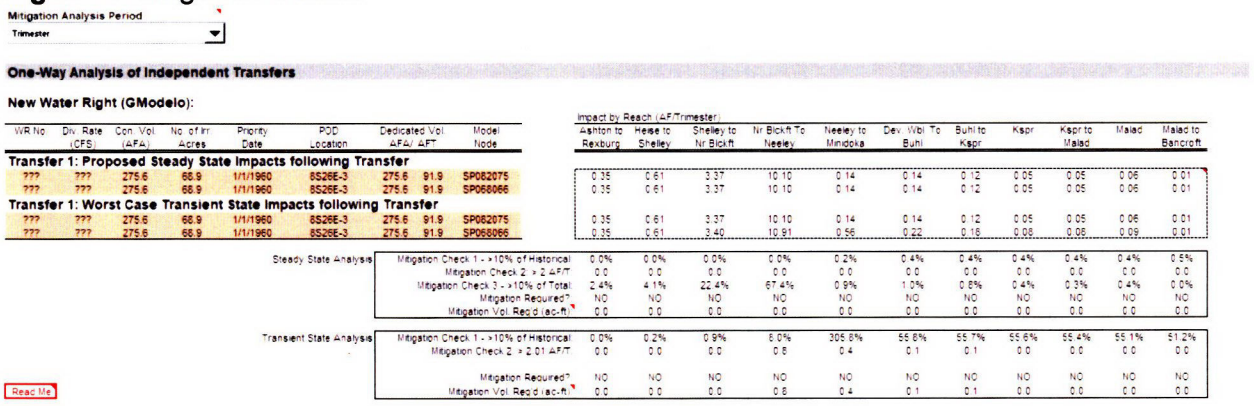
YEAR	1954	TRANSFER NAME:	CALCULATE EFFECTS
SEASON	SPRING	Heritage Farms	

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	90	72	0	0
COLUMN	93	132	0	0

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1954	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 1954	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1954	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 1955	0.00	15.00	15.00	0.00	0.00	0.00	0.00
SUM 1955	0.00	15.00	15.00	0.00	0.00	0.00	0.00
WIN 1955	0.00	15.00	15.00	0.00	0.00	0.00	0.00
SPR 2022	0.00	15.00	15.00	0.00	0.00	0.00	0.00
SUM 2022	0.00	15.00	15.00	0.00	0.00	0.00	0.00
WIN 2022	0.00	15.00	15.00	0.00	0.00	0.00	0.00
SPR 2023	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SUM 2023	15.00	0.00	15.00	0.00	0.00	0.00	0.00
WIN 2023	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SPR 2024	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SUM 2024	15.00	0.00	15.00	0.00	0.00	0.00	0.00
WIN 2024	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SPR 2025	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SUM 2025	15.00	0.00	15.00	0.00	0.00	0.00	0.00
WIN 2025	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SPR 2026	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SUM 2026	15.00	0.00	15.00	0.00	0.00	0.00	0.00
WIN 2026	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SPR 2027	0.00	15.00	15.00	0.00	0.00	0.00	0.00
SUM 2027	0.00	15.00	15.00	0.00	0.00	0.00	0.00
WIN 2027	0.00	15.00	15.00	0.00	0.00	0.00	0.00

Figure 2. Mitigation results.



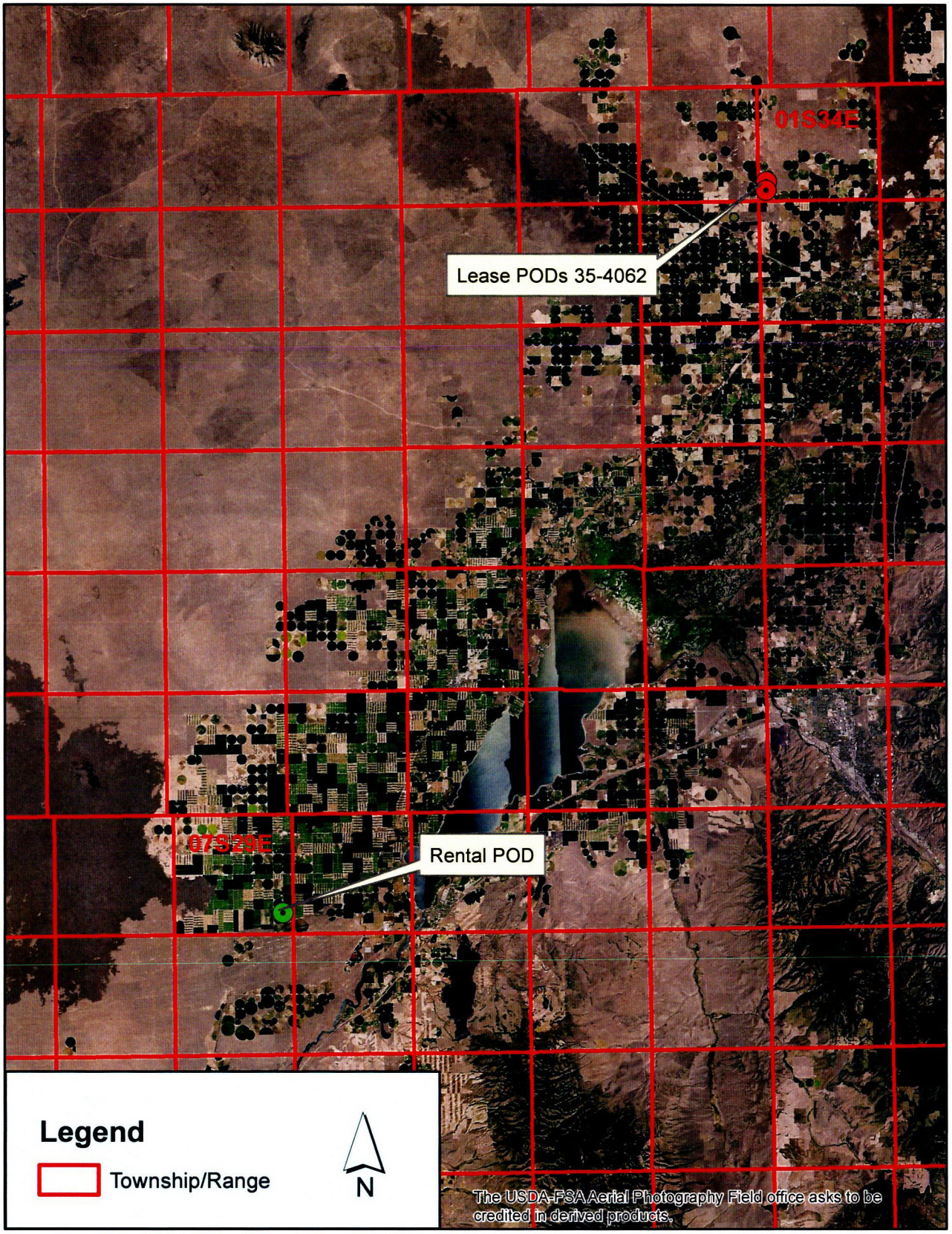
ENLARGEMENT OF USE: The current duty of all existing water rights diverted from the rental POD is about 0.0158 cfs/acre; one suite of rights has a duty of 0.013 cfs/acre and the other has a duty of 0.017 cfs.acre. The amounts of rented water will correspond to a duty of about 0.0147 cfs/acre. While this is lower than the existing average, the total average duty will only decrease to 0.0155. When rounded to the appropriate significant figures, but the existing rights and the rights with the addition of rental water will have a duty of 0.016 cfs/acre rounded. The rental place of use will not be overlapped by any water rights upon the approval of transfer #87631. No concerns with enlargement of use.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental POD is subject to Water District #120. A request for comments was sent to the WD #120 watermaster, the Aberdeen American Falls GWD, the Bingham GWD, and the IDWR Eastern Regional office on 4/20/2023.

WSB Rental Application #2569, Heritage Farms 2023-2026



Etran V3.4 Modeling Run for Heritage Farms LLC 2023

Renting 15 acres of WR 35-4062 for 2023-2026

YEAR	1954	TRANSFER NAME:	CALCULATE EFFECTS
SEASON	SPRING	Heritage Farms	

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	90	72	0	0
COLUMN	93	132	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
SPR 1954	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 1954	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1954	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 1955	0.00	15.00	15.00	0.00	0.00	0.00	0.00
SUM 1955	0.00	15.00	15.00	0.00	0.00	0.00	0.00
WIN 1955	0.00	15.00	15.00	0.00	0.00	0.00	0.00
SPR 2022	0.00	15.00	15.00	0.00	0.00	0.00	0.00
SUM 2022	0.00	15.00	15.00	0.00	0.00	0.00	0.00
WIN 2022	0.00	15.00	15.00	0.00	0.00	0.00	0.00
SPR 2023	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SUM 2023	15.00	0.00	15.00	0.00	0.00	0.00	0.00
WIN 2023	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SPR 2024	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SUM 2024	15.00	0.00	15.00	0.00	0.00	0.00	0.00
WIN 2024	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SPR 2025	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SUM 2025	15.00	0.00	15.00	0.00	0.00	0.00	0.00
WIN 2025	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SPR 2026	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SUM 2026	15.00	0.00	15.00	0.00	0.00	0.00	0.00
WIN 2026	15.00	0.00	15.00	0.00	0.00	0.00	0.00
SPR 2027	0.00	15.00	15.00	0.00	0.00	0.00	0.00
SUM 2027	0.00	15.00	15.00	0.00	0.00	0.00	0.00
WIN 2027	0.00	15.00	15.00	0.00	0.00	0.00	0.00

p of Transfer: SPR 2023

Match 208 Match 456

	AtR	HtS	StNB	NBtN	NtM	DWtB	BtTS	TS	TStM	M	MtB	Total	
ıst Time Step)	0.35	0.61	3.37	10.10	0.14	0.14	0.12	0.05	0.05	0.06	0.01	14.99	Total Effects without Trar
ast Time Step	0.35	0.61	3.37	10.10	0.14	0.14	0.12	0.05	0.05	0.06	0.01	15.00	Total Effects with Transfe
ılue Timestep)	0.35	0.61	3.37	10.10	0.14	0.14	0.12	0.05	0.05	0.06	0.01	14.99	Total Effects without Trar
After Transfer	0.35	0.61	3.40	10.91	0.56	0.22	0.18	0.08	0.08	0.09	0.01	16.48	Total Effects with Transfe
State Change	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
State Change	0.00	0.00	0.03	0.80	0.42	0.08	0.06	0.03	0.03	0.03	0.00		

Mitigation Analysis Period

Trimester

One-Way Analysis of Independent Transfers

New Water Right (GModelo):

WR No	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol AFA/ AFT		Model Node
Transfer 1: Proposed Steady State Impacts following Transfer								
???	???	275.6	66.9	1/1/1960	6S26E-3	275.6	91.9	SP082075
???	???	275.6	66.9	1/1/1960	6S26E-3	275.6	91.9	SP068066
Transfer 1: Worst Case Transient State Impacts following Transfer								
???	???	275.6	66.9	1/1/1960	6S26E-3	275.6	91.9	SP082075
???	???	275.6	66.9	1/1/1960	6S26E-3	275.6	91.9	SP068066

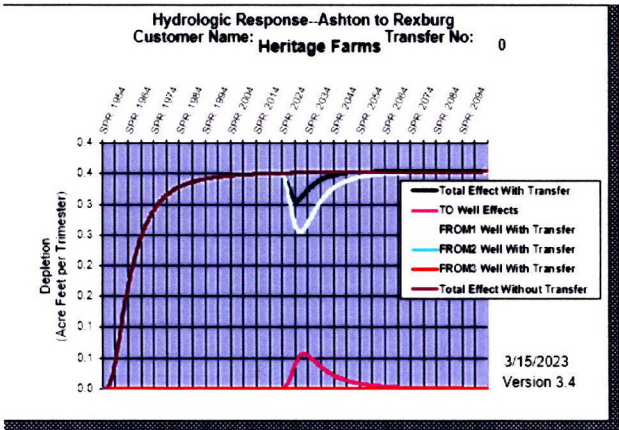
Impact by Reach (AF/Trimester):

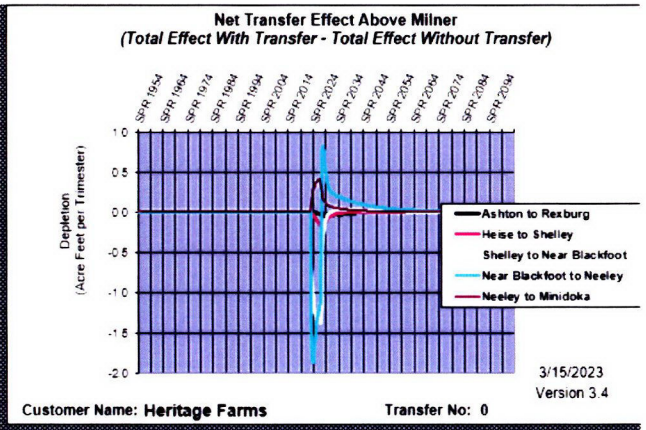
Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
0.35	0.61	3.37	10.10	0.14	0.14	0.12	0.05	0.05	0.06	0.01
0.35	0.61	3.37	10.10	0.14	0.14	0.12	0.05	0.05	0.06	0.01
0.35	0.61	3.37	10.10	0.14	0.14	0.12	0.05	0.05	0.06	0.01
0.35	0.61	3.40	10.91	0.56	0.22	0.18	0.06	0.06	0.09	0.01

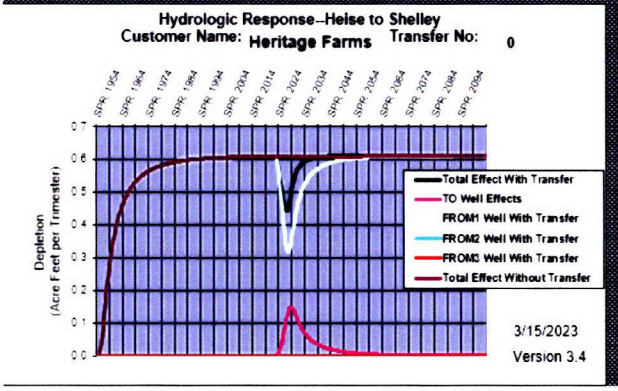
Steady State Analysis	Mitigation Check 1 - >10% of Historical	0.0%	0.0%	0.0%	0.0%	0.2%	0.4%	0.4%	0.4%	0.4%	0.4%	0.5%
	Mitigation Check 2 - > 2 AF/T	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Check 3 - >10% of Total	2.4%	4.1%	22.4%	67.4%	0.9%	1.0%	0.8%	0.4%	0.3%	0.4%	0.0%
	Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Reqd (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	0.0%	0.2%	0.9%	6.0%	305.8%	56.8%	55.7%	55.6%	55.4%	55.1%	51.2%
	Mitigation Check 2 - > 2.01 AF/T	0.0	0.0	0.0	0.6	0.4	0.1	0.1	0.0	0.0	0.0	0.0
	Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Reqd (ac-ft)	0.0	0.0	0.0	0.6	0.4	0.1	0.1	0.0	0.0	0.0	0.0

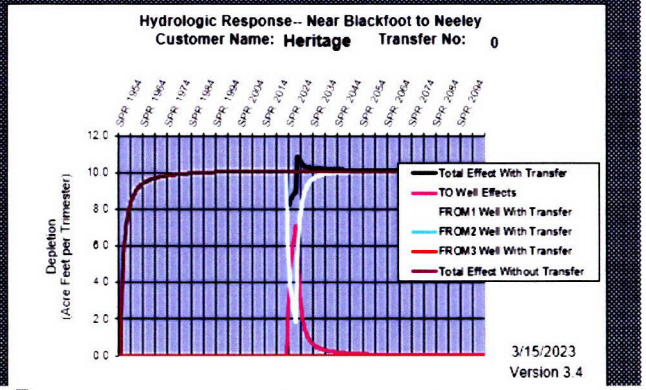
Read Me

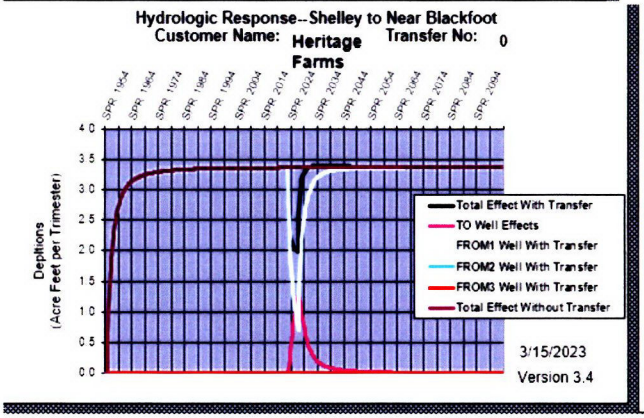
Graphs Above Milner

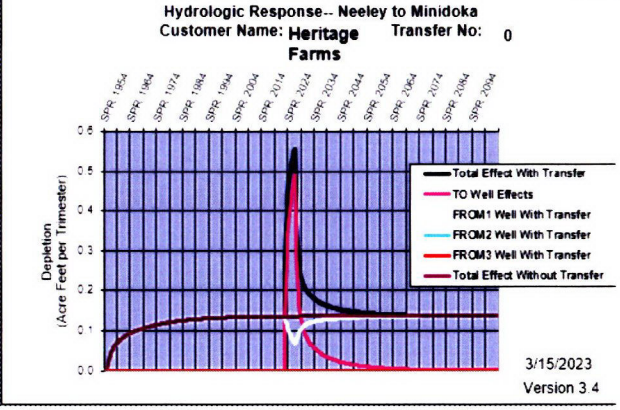




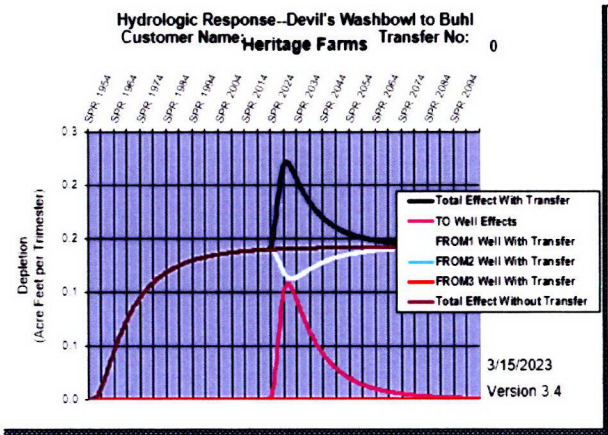


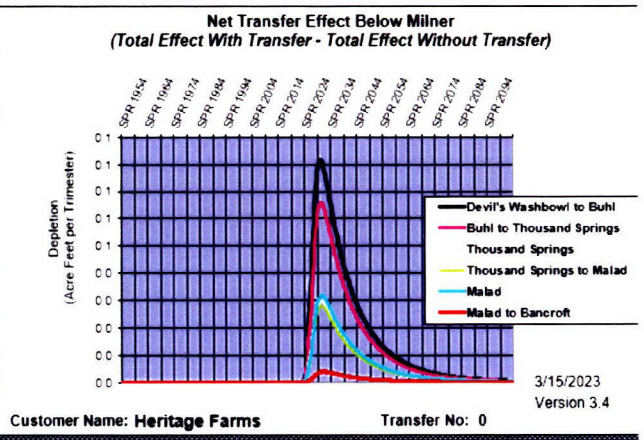


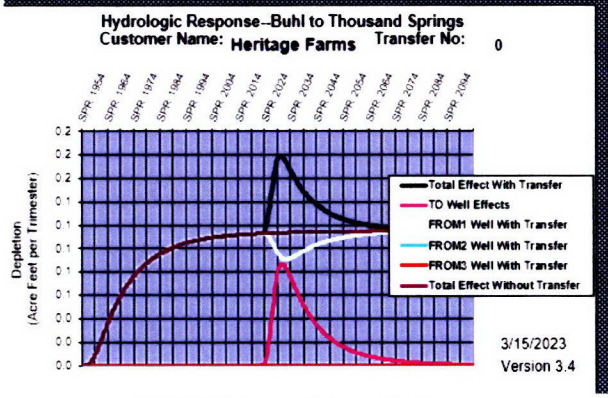


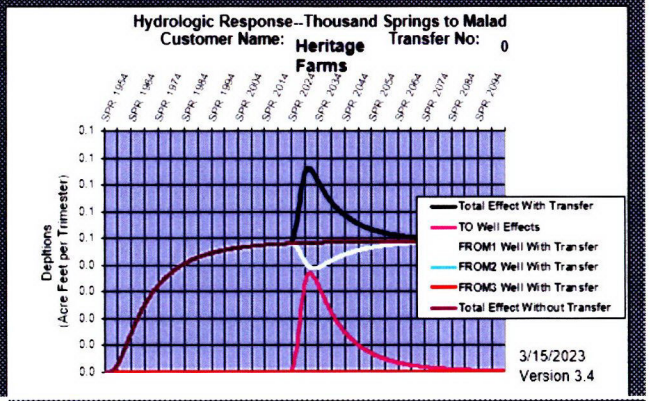


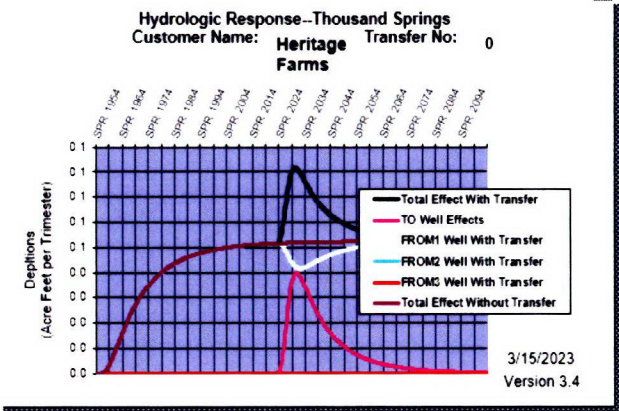
Graphs Below Milner

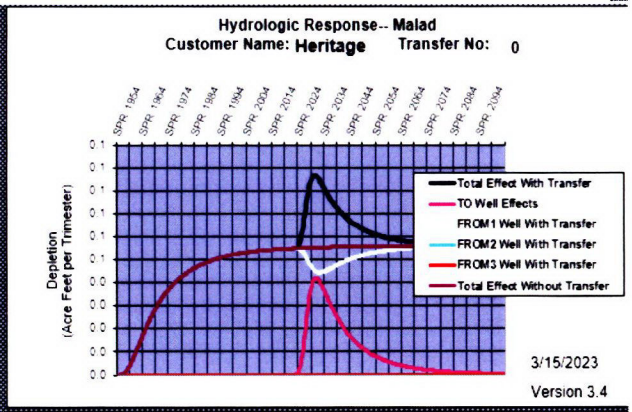


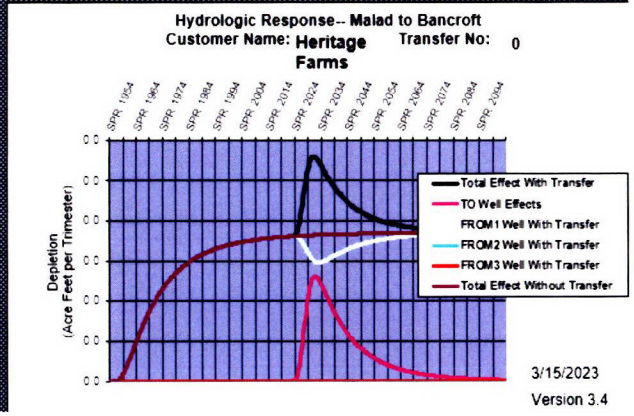












Kienholz, Mackenzie

From: Kienholz, Mackenzie
Sent: Wednesday, March 15, 2023 8:31 AM
To: Tessa Sparrow
Cc: tj@racineolson.com; Dirk Driscoll
Subject: RE: Water Supply Bank Application - Heritage Farms LLC Information Request

Hi Tessa,

Thank you for sending this. I double checked the modeling and got the same results as you. Right 35-4062 is only available through 2026, but I'm glad it modeled well. I will note that the application is now ready for a full review.

Thank you,

Mackenzie Kienholz
Water Supply Bank Specialist

IDAHO DEPARTMENT OF WATER RESOURCES

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

From: Tessa Sparrow <tessa@racineolson.com>
Sent: Tuesday, March 14, 2023 3:49 PM
To: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Cc: tj@racineolson.com; Dirk Driscoll <dirk.driscoll@driscollbros.com>
Subject: Water Supply Bank Application - Heritage Farms LLC Information Request

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

Hi Mackenzie,

Attached please find the Amended Water Supply Bank Rental Application for Heritage Farms LLC. Please contact me if you have any questions or need any further information.

Thank you for your assistance!

Sincerely,

Tessa Sparrow
Paralegal

201 E. Center Street / P.O. Box 1391
Pocatello, Idaho 83204
(208)232-6101 - Phone
(208)232-6109 - Fax

racineolson.com

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Kienholz, Mackenzie

From: Kienholz, Mackenzie
Sent: Tuesday, March 14, 2023 2:50 PM
To: Tessa Sparrow
Subject: RE: Water Supply Bank Application - Heritage Farms LLC Information Request

Follow Up Flag: Follow up
Due By: Friday, March 17, 2023 8:00 AM
Flag Status: Completed

Good afternoon Tessa,

Have suitable water rights been identified for this Water Supply Bank rental application? If not, I will return the application and it can be resubmitted once rights are identified.

Thank you,
Mackenzie

From: Tessa Sparrow <tessa@racineolson.com>
Sent: Friday, March 10, 2023 10:16 AM
To: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Subject: RE: Water Supply Bank Application - Heritage Farms LLC Information Request

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Great, I am hoping to get it to you the first of next week.

Thank you!

Tessa Sparrow
Legal Assistant

201 E. Center Street / P.O. Box 1391
Pocatello, Idaho 83204
(208)232-6101 - Phone
(208)232-6109 - Fax

racineolson.com

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From: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Sent: Friday, March 10, 2023 10:14 AM
To: Tessa Sparrow <tessa@racineolson.com>
Subject: RE: Water Supply Bank Application - Heritage Farms LLC Information Request

Hi Tessa,

Sending them to me is just fine.

Thank you,
Mackenzie

From: Tessa Sparrow <tessa@racineolson.com>
Sent: Friday, March 10, 2023 10:01 AM
To: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Subject: RE: Water Supply Bank Application - Heritage Farms LLC Information Request

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

Hi Mckenzie!

Can we submit the amended application to you through email, or do I need to mail in the original?

Tessa Sparrow
Legal Assistant

201 E. Center Street / P.O. Box 1391
Pocatello, Idaho 83204
(208)232-6101 - Phone
(208)232-6109 - Fax

racineolson.com

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From: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Sent: Wednesday, March 1, 2023 9:54 AM
To: Tessa Sparrow <tessa@racineolson.com>
Subject: FW: Water Supply Bank Application - Heritage Farms LLC Information Request

Hi Tessa,

This is the email I had sent to T.J. about potential water right options for Water Supply Bank Rental Application #2569 for Heritage Farms. Please feel free to reach out with any questions.

Best,
Mackenzie

From: Kienholz, Mackenzie
Sent: Thursday, February 9, 2023 9:56 AM
To: TJ Budge <tj@racineolson.com>
Subject: Water Supply Bank Application - Heritage Farms LLC Information Request

Hello T.J.,

Please see the attached letter requesting more information for Water Supply Bank Rental Application #2569 for Heritage Farms, LLC, a copy of which is being mailed today. After a preliminary look at available water rights, 35-13861 looks to have 9.7 acres available and may model for you. The problem with this right is that it has a 1981 priority. Otherwise, 35-4062 has 0.22 cfs, 15 acres, and 60 af left and a 1955 priority if it will model. Besides those rights there isn't much else available right now for where the rental is located. Please let me know if you have any questions.

Best,

Mackenzie Kienholz
Water Supply Bank Specialist

IDAHO DEPARTMENT OF WATER RESOURCES

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

Kienholz, Mackenzie

From: Kienholz, Mackenzie
Sent: Thursday, February 9, 2023 9:56 AM
To: TJ Budge
Subject: Water Supply Bank Application - Heritage Farms LLC Information Request
Attachments: Rental App 2569 Acknowledgement - Need Additional Info.pdf

Follow Up Flag: Follow up
Due By: Monday, March 13, 2023 8:00 AM
Flag Status: Flagged

Hello T.J.,

Please see the attached letter requesting more information for Water Supply Bank Rental Application #2569 for Heritage Farms, LLC, a copy of which is being mailed today. After a preliminary look at available water rights, 35-13861 looks to have 9.7 acres available and may model for you. The problem with this right is that it has a 1981 priority. Otherwise, 35-4062 has 0.22 cfs, 15 acres, and 60 af left and a 1955 priority if it will model. Besides those rights there isn't much else available right now for where the rental is located. Please let me know if you have any questions.

Best,

Mackenzie Kienholz
Water Supply Bank Specialist

IDAHO DEPARTMENT OF WATER RESOURCES

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

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

February 9, 2023

HERITAGE FARMS LLC
2043 E CENTER STREET
POCATELLO ID 83201

RE: ADDITIONAL INFORMATION REQUEST FOR PROCESSING APPLICATION #2569 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"). A preliminary review of your application has been completed and it has been determined that additional information is required to continue processing.

Please provide the following information within 30 days of the date of this letter or the application will be returned:

- A more detailed description of the purpose for the rental, Items 3A and 3L on the application. Portions of the 15.0 acres requested, as shown on the map submitted with the application, are covered by applicant's existing water rights.
- Minimum rate and volume needed to accomplish intended purposes, application Item 3B.
- Identification of available water rights in the ESPA and associated water modeling, application Items 3G & 3H.
- Documentation showing that the listed representative (Thomas J. Budge) is authorized to sign on behalf of Heritage Farms LLC, or a new signature page signed by an authorized member of the company.
- Explanation of how Rental Agreement No. 162 is related to this application, application item 5A. Agreement No. 162 covered different acres than are being requested through Application #2569.

Please provide the required information within thirty (30) days. If sufficient information is not received within 30 days, your application will be returned to you unprocessed and you will have to re-file your application.

Sincerely,

Mackenzie Kienholz
Water Supply Bank Specialist

c: Thomas J. Budge – Racine Olson

RACINE OLSON
ATTORNEYS

RECEIVED
JAN 24 2023
DEPARTMENT OF
WATER RESOURCES

January 19, 2023

Idaho Water Supply Bank
Idaho Department of Water Resources
322 E Front Street
Boise, Idaho 83702

Re: Application to Rent Water

To whom it may concern:

Enclosed please find for filing the original Application to Rent Water from the Water Supply Bank. At the time this application is submitted there did not appear to be water available to rent. However, we anticipate additional water rights being leased into the Bank over the coming months and so we are submitting this rental application in an effort to secure water that may become available. If any water rights come in that are available, please let us know and we will do the modeling at that time.

Thank you for your assistance. Please feel free to contact me if you have any questions.

Sincerely,

T. J. BUDGE

2569

201 E. Center St. | P.O Box 1391 | Pocatello, ID 83204
P: (208) 232-6101 | F: (208) 232-6109 | racineolson.com
Offices in Boise and Pocatello