

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 865

This is to certify that:

MOSS FARMS INC
3286 N 3350 W
MOORE, ID 83255-8761

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)
34-452E	6/1/1885	BIG LOST RIVER, Tributary to Sinks	0.28	49.7	14.2	0.020	3.5
34-282C	6/1/1897	BIG LOST RIVER, Tributary to Sinks	0.22	39.6	11.3	0.020	3.5
34-2438	9/13/1961	GROUND WATER	0.51	89.3	25.5	0.020	3.5
34-10795	4/1/1977	GROUND WATER	0.09	15.8	30.0	0.003	0.5
Combined Limit Totals			0.51	105	30.0	0.017	3.5
Combined Rental Totals			0.75	105	30.0	0.026	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, 2028. 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 2024, whichever occurs last.

Annual Rental Fee:

2024 - 2028: \$2,415.00 annually

The full fee for the rental of the above-described right(s) is \$2,415.00 per year for years 2024 - 2028. The rental fee includes an administrative fee of \$241.50 per year for years 2024 - 2028.

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.

RECEIVED

JUL 08 2024

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 865

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:

Moss Farms inc Dennis Moss 7-5-24
Signature of Renter Date

Moss Farms inc. Dennis Moss President
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 Brian Patton 7/11/24
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board Date

Rental approved by IDWR TP 7/11/24
Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 865

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWSE	Sec. 14, Twp 06N, Rge 25E,	CUSTER County
BIG LOST RIVER	SENW	Sec. 32, Twp 06N, Rge 26E,	CUSTER County
GROUND WATER	SESW	Sec. 31, Twp 06N, Rge 26E,	BUTTE County
GROUND WATER	NWSE	Sec. 31, Twp 06N, Rge 26E,	BUTTE County

BENEFICIAL USE
IRRIGATION

DIVERSION RATE
0.75 CFS

VOLUME
105 AF

SEASON OF USE

From	To
04/01	11/01

EXCEPT FOR THE FOLLOWING:

Water Right No.	From	To
34-10795	04/01	10/31
34-2438	04/01	11/01
34-452 E	05/01	10/15
34-282 C	05/01	10/15

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	
06N	26E	31			21	5.4										3.6			30.0

Total Acres: 30.0

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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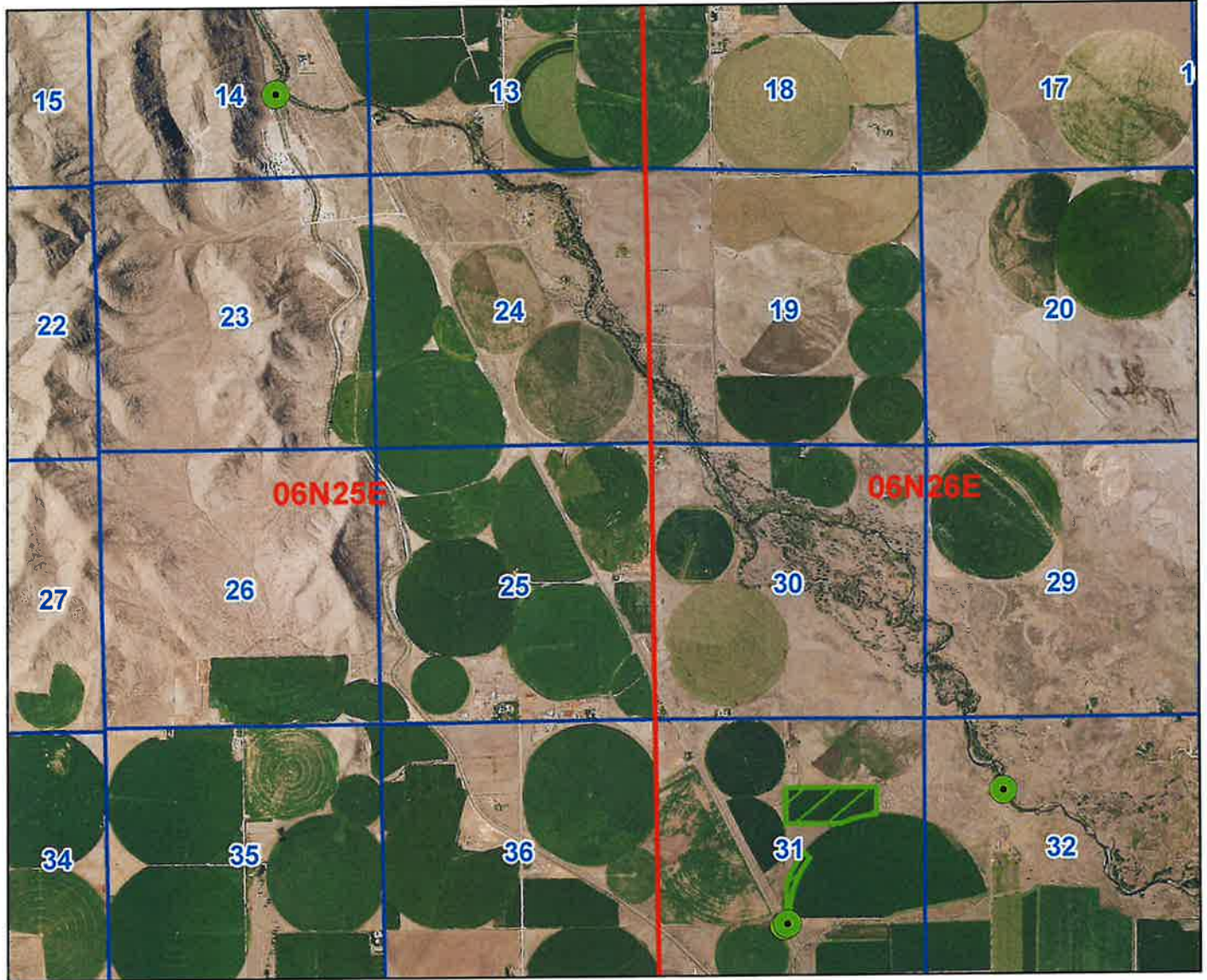
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. This rental agreement does not authorize the construction of a well.
10. Use of water under this agreement may be regulated by a watermaster with responsibility 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.
11. 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.
12. The period of use for irrigation under a rental of right 34-282C 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.
13. The period of use for irrigation under a rental of right 34-452E 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.
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. Right 34-10795 is based on an enlargement of right 34-2438 for 4.5 acres pursuant to Section 42-1426, Idaho Code.
16. Right 34-10795 is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
17. Rental of rights 34-2438 and 34-10795 when combined shall not exceed a total diversion rate of 0.51 cfs and a total annual maximum diversion volume of 105 af at the field headgate.
18. Rental of rights 34-282C, 34-452E, 34-2438, and 34-10795 when combined shall not exceed a total diversion rate of 0.75 cfs and the irrigation of 30.0 acres.
19. Rental of rights 34-282C and 34-452E when combined with rights 34-182 and 34-381A shall not exceed a total diversion rate of 4.5 cfs and the irrigation of 200.0 acres.
20. Rental of rights 34-2438 and 34-10795 when combined with rights 34-2379F and 34-14525 shall not exceed a total diversion rate of 3.26 cfs and the irrigation of 174.0 acres.
21. Rental of rights 34-282C, 34-452E, 34-2438, and 34-10795 when combined with rights 34-182, 34-381A, 34-2379F, and 34-14525 shall not exceed a total diversion rate of 5.20 cfs and the irrigation of 200.0 acres.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 865

Effective until December 31, 2028

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



0 4,450 8,900 Feet

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

JAN 08 2024

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK

Applicant Name: Moss Farms Inc.

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)

34-282C	34-2438
34-452E	34-10795

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Moss Farms Inc.

Mailing Address 3286 North 3350 West, Moore, Idaho 83255

Street

City

State

Zip Code

Email Address mx222moss@aol.com

Phone Number 208-406-1600

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 Kristin Moore Professional Title Senior Water Rights Analyst

Organization Rocky Mountain Environmental Assoc. Inc Relationship to Applicant consultant

Mailing Address 482 Constitution Way Ste 303, Idaho Falls, ID 83402

Email Address kristin.rmea@gmail.com

Phone Number 208-524-2353

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**:

Existing surface water rights at proposed location are not always sufficient for irrigation due to delivery and curtailment. Applicant proposes to rent the additional water rights to supplement existing 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)
0.83 CFS	115 AF	0.66 CFS	83 AF	33 AC

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

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

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
4/15/2024	6/1/2024	☐ 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.

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):

Surface water is delivered through either the 3 in 1 Ditch or a pump on the Big Lost River. Ground water is diverted through a well on the property. All water is comingled into the irrigation system.

- 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
Pump: SENW S32 6N 26E	Big Lost River	34-182, 34-381A
Well: NESESW S31 6N 26	Ground Water	34-2379F, 34-14525

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 33 (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:
34-182 and 34-381A from the Big Lost River both overlap the proposed rental place of use. Other rights included in the same system are 34-2379F and 34-14525.

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)
34-282C	Irrigation	0.27		13.6		0.27		13.6
34-452E	Irrigation	0.28		14.2		0.28		14.2
34-2438	Irrigation	0.57	99.8	28.5		0.57	99.8	28.5
34-10795	Irrigation	0.09	15.8	33		0.09	15.8	33
		0.83	115.5	33		0.83	115.5	33
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	0.83	115.5	33
						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**:

NA

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:
Rented these water rights from 2014 - 2023

- 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.

Dennis Moss
Signature of Applicant

Dennis Moss
Printed Name of Applicant

Jan 1 2024
Date

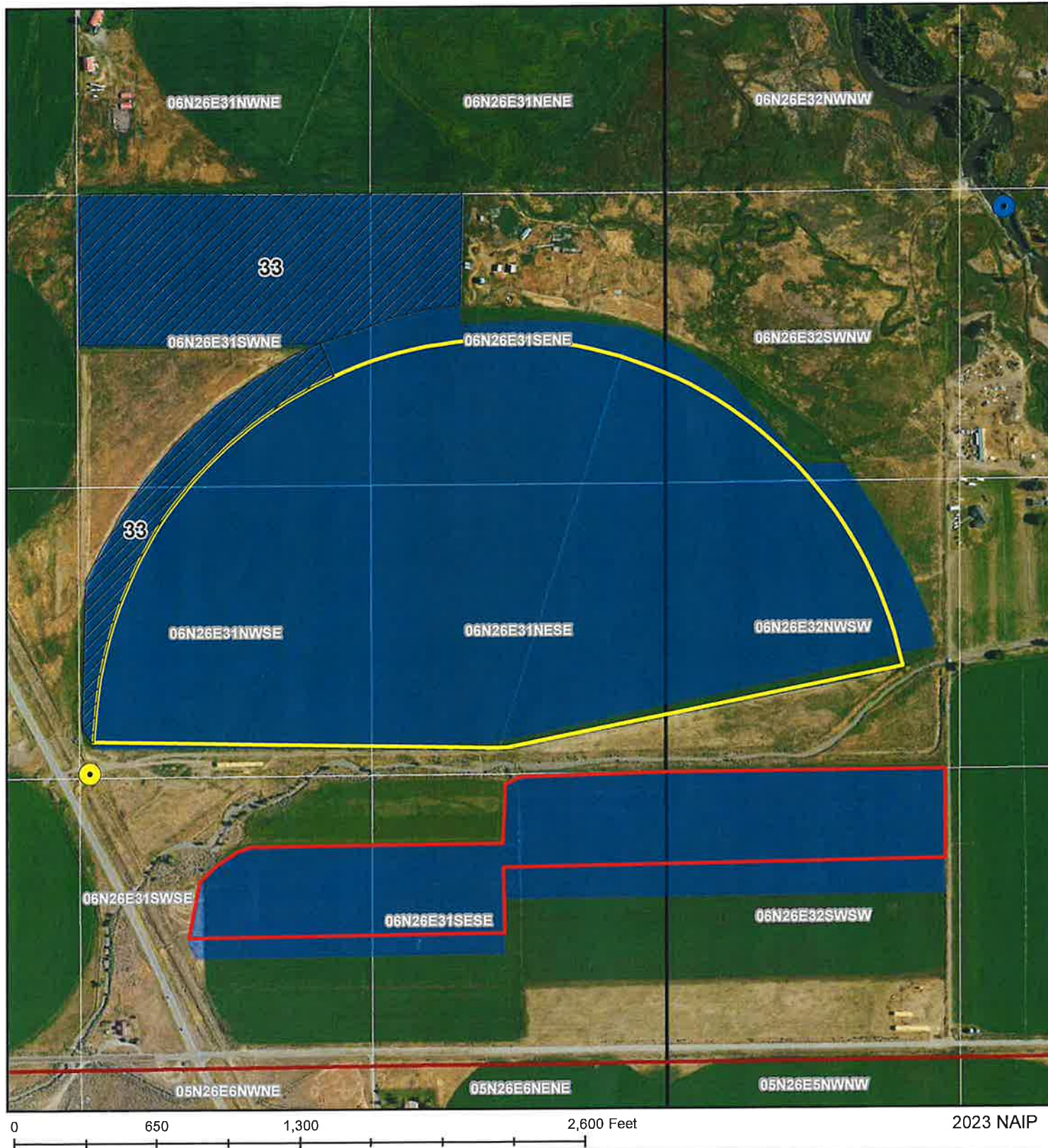
Signature of Representative

Printed Name of Representative

Date

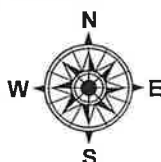
Mail to:

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



Legend

- Big Lost River Pump
- Existing Well
- Proposed Rental POU
- WR POU 34-14525
- WR POU 34-2379F GW
- WR POU 34-182 Big Lost River
- Twp & Rng
- Section
- QQ



Water Right Rental Location

Moss Farms Inc

RMEA #14-0063

by: KM

Date: 1/3/2024



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

Eastern Snake Plain Aquifer Modeling Analysis

Rental of Water Rights 34-282C and 34-10795

The Applicant proposes to rent 33 acres (115 afa) for the 2024-2028 irrigation. Using the ETRAN 3.3 to simulate the depletions of transferring 27.5 AF/trimester (33 ac * 2.5 afa / 3 trimesters) to the proposed point of diversion, the affects do not exceed the threshold of 2.0 af/trimester. No mitigation is required.

Figures 1-3 include excerpts from the ESPAM 2.1 simulation.

Figure 1. Data Entry

ENHANCED GROUND-WATER RIGHTS TRANSFER
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON
YEAR: 1961 TRANSFER NO: 34-2438, 37-10795
SEASON: SUMMER TRANSFER NAME: McDonald to Mos

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	20	18	27	45
COLUMN	112	113	157	30

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SUM 1961	0	28	28	0	0	0	0
WIN 1961	0	28	28	0	0	0	0
SPR 1962	0	28	28	0	0	0	0
SPR 2023	0	28	28	0	0	0	0
SUM 2023	0	28	28	0	0	0	0
WIN 2023	0	28	28	0	0	0	0
SPR 2024	28	0	28	0	0	0	0
SUM 2024	28	0	28	0	0	0	0
WIN 2024	28	0	28	0	0	0	0
SPR 2025	28	0	28	0	0	0	0
SUM 2025	28	0	28	0	0	0	0
WIN 2025	28	0	28	0	0	0	0
SPR 2026	28	0	28	0	0	0	0
SUM 2026	28	0	28	0	0	0	0
WIN 2026	28	0	28	0	0	0	0
SPR 2027	28	0	28	0	0	0	0
SUM 2027	28	0	28	0	0	0	0
WIN 2027	28	0	28	0	0	0	0
SPR 2028	28	0	28	0	0	0	0
SUM 2028	28	0	28	0	0	0	0
WIN 2028	28	0	28	0	0	0	0
SPR 2029	0	28	28	0	0	0	0
SUM 2029	0	28	28	0	0	0	0
WIN 2029	0	28	28	0	0	0	0
SPR 2030	0	28	28	0	0	0	0
SPR 2110	0	25	25	0	0	0	0
SUM 2110	0	25	25	0	0	0	0
WIN 2110	0	25	25	0	0	0	0
SPR 2111	0	25	25	0	0	0	0

Figure 2. Net Transfer Graphs

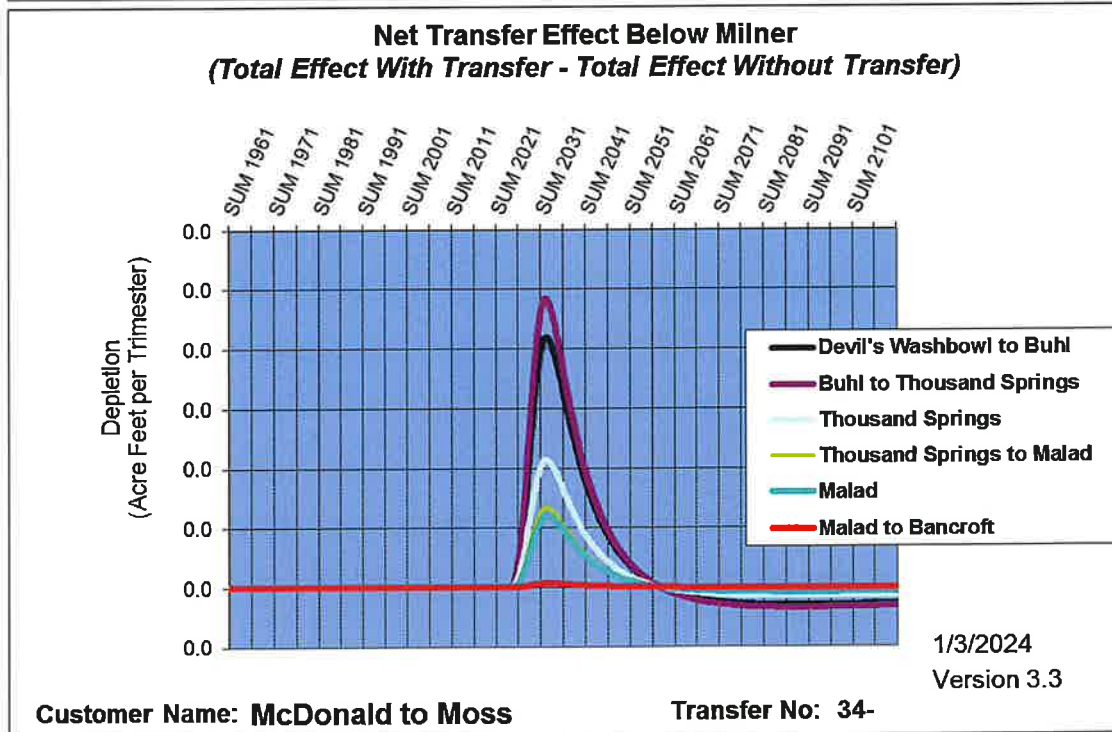
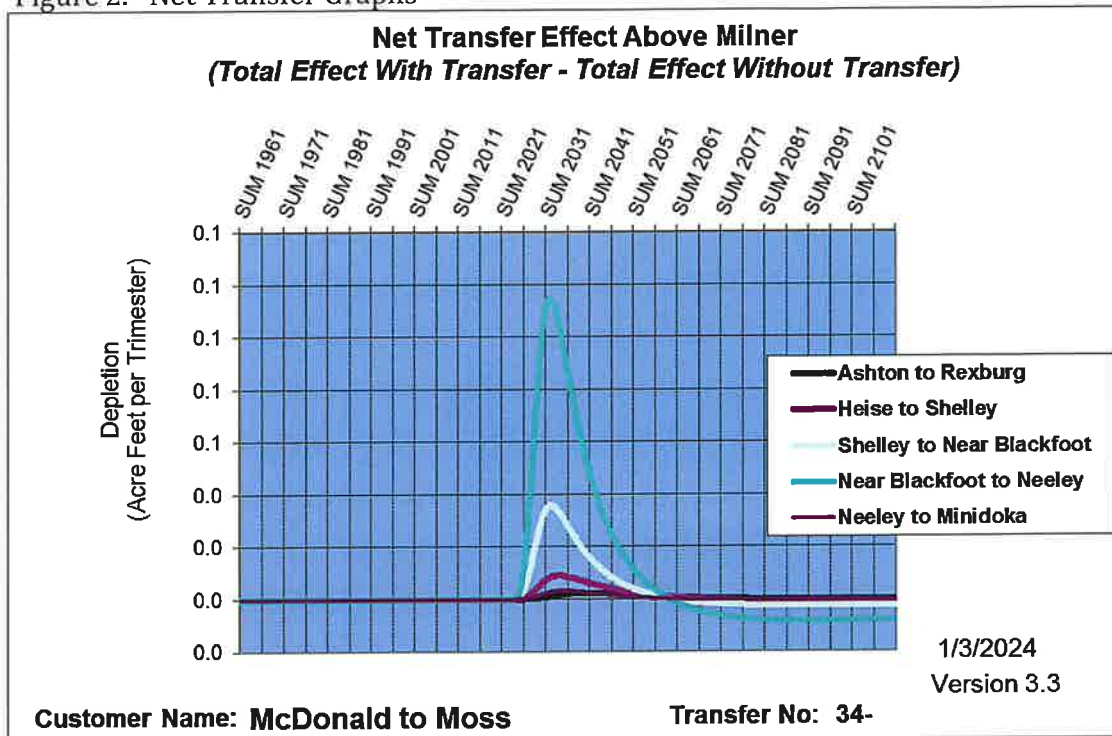


Figure 3. Calculated Effects

	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Neeley to Neeley	Dev. Wbl. Minidoka	Buhl to Buhl	Kspr Kspr	Kspr to Malad	Malad Malad	Malad to Bancroft	
SUM 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2028	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2028	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2028	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2029	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2029	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2029	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2030	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2030	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2030	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2031	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2031	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0

er First Time Step of Transfer: SPR 2024												
Match: 189		Match: 456										
	AtR	HS	StNB	NBtN	NtM	DWtB	BlTS	TS	TStM	M	MtB	Total
Effects @ SS (Last Time Step):	0.31	0.91	2.73	8.56	0.30	1.51	1.72	0.76	0.48	0.44	0.03	17.75
Value of Dep. @ Last Time Step:	0.31	0.91	2.73	8.55	0.30	1.51	1.72	0.76	0.48	0.44	0.03	17.73
ient State (Max Value Timestep):	0.31	0.91	2.73	8.56	0.30	1.51	1.72	0.76	0.48	0.44	0.03	17.75
Max. Value of Dep. After Transfer:	0.31	0.91	2.73	8.55	0.30	1.51	1.72	0.76	0.48	0.44	0.03	17.73
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	



0005568151



STATE OF IDAHO
Office of the secretary of state, Phil McGrane
ANNUAL REPORT

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

For Office Use Only

-FILED-

File #: 0005568151

Date Filed: 1/22/2024 1:39:47 PM

Entity Name and Mailing Address:

Entity Name: MOSS FARMS, INC
The file number of this entity on the records of the Idaho Secretary of State is: 0000548556
Address: PO BOX 1811
IDAHO FALLS, ID 83403-1811

Entity Details:

Entity Status: Active-Good Standing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: C181399

The registered agent on record is:

Registered Agent: DENNIS MOSS
Registered Agent
Physical Address
3286 N 3350 W
MOORE, ID 83255
Mailing Address

Corporate Officers and Directors:

Name	Title	Business Address
Dennis Moss	President	3286 N 3350 W MOORE, ID 83255

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

Job Title: Registered Agent

Dennis Moss

Sign Here

01/22/2024

Date

B0875-1174 01/22/2024 1:39 PM Received by Office of the Idaho Secretary of State



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Mathew Weaver

July 1, 2024

MOSS FARMS INC
3286 N 3350 W
MOORE, ID 83255-8761

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 34-452E,34-282C,34-2438,34-10795AGREEMENT 865**

*****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 \$2,415 **per year** was calculated based on the current rental rate of \$23.00 per acre-foot times a diversion volume of 105 acre-feet. The annual rental fee for 2025 is due by December 31, 2024. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check in the amount of \$2415 for 2024 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

Pursuant to the Water Supply Bank Rules, 90% or \$2173.50 of the rental fee will be paid to the lessor(s) and 10% or \$241.50 will be retained by the Department to offset administrative costs for **2024**.

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

Sincerely,

Catalina Beck

for
Water Supply Bank

Enclosure(s)

c: IDWR Front Desk
Representative (via email)

Beck, Catalina

From: Beck, Catalina
Sent: Monday, July 1, 2024 10:11 AM
To: CHAD.RMEA@GMAIL.COM
Subject: WSB Rental Agreement 865For Moss Farms Inc
Attachments: R2.1 Proposed Rental Agreement Cover Letter- 90-10% fees.docx; Report, Rental Agreement - 865 v2.docx

Good Morning,

Here is a copy of WSB Rental Agreement 865 for Moss Farms Inc 2024-2028. Rental agreement 865 was sent out for signatures.



Catalina Beck
Technical Records Specialist I
208-287-4920
Catalina.beck@idwr.idaho.gov

Idaho Dept. of Water Resources
322 E FRONT ST STE 648, BOISE ID 83702-7371

MEMORANDUM FOR APPLICATION # 2893 / AGREEMENT # 865

To: Water Right(s) 34-282C, 34-452E, 34-2438, 34-10795

From: Mary Condon

Date: May 14, 2024

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

PURPOSE/NARRATIVE: Repeat application to rent additional senior surface water and supplemental ground water for another five years in the Big Lost River basin, received on January 8, 2024, with a requested start date of 4/15/2024, for the water rights 34-282C, 34-452E, 34-2438, 34-10795. Ground water points of diversion for the rental and the requested leased rights are within the Eastern Snake Plain Aquifer (ESPA) model boundary but are not within the Ground Water Management Area (GWMA).

AUTHORITY TO FILE: Rental application was signed by Dennis Moss, who has signatory authority for Moss Farms according to the 2024 Annual Report on the Idaho Secretary of State website, and prepared by their consultant, Kristin Moore with Rocky Mtn Environmental. Parcel under rental place of use (POU) is in the name of the rental applicant, according to current county tax lot data. Conditions on the surface water rights include surface water is delivered via the 3 in 1 ditch that is operated by the Big Lost Irrigation District (BLRID) or from the Big Lost River via pump. A letter from BLRID was not included with the rental application, but the lease and rental diversions are within the same system reaches. A request for consent from the BLRID was solicited on May 17, 2024, via email. No other concerns with authority to file.

WATER RIGHT VALIDITY: 30 acres worth of the water rights requested for this rental are leased into the bank for five years, 2024 through 2028, and were leased into the bank and rented for this same renter in 2014-2018 and again in 2019-2023. No concerns with validity.

INJURY TO OTHER WATER RIGHTS: Rental diversions are within the Big Lost River basin, which is conjunctively managed for surface and ground water. Rental request is to bolster surface water supplies on existing irrigated grounds, as well as provide supplemental ground water supplies when surface water is curtailed. ESPA impact analysis modeling was provided for this rental but did not include consideration of the previous two rentals for the same purpose from the same water rights since 2015. Water modeling analysis on impacts to Snake River reaches for all fifteen years was conducted during this rental review, and confirmed no mitigation is necessary. No injury to other water rights is expected.

ENLARGEMENT OF USE: Lease and rental POU and PODs are relatively close and are within the same basin. Existing surface water rights 34-182 and 34-381A and ground water rights 34-2379F and 34-14525 on the rental POU are limited to 5.2 cfs for 200 acres, with a condition that when combined with other rights that they do not exceed 0.02 cfs per acre and 3.5 acre-feet per year, which would result in a maximum annual diversion of only 4 cfs for 200 acres. The ground water rate and acres will be additive to the existing ground water rights through this rental, while the overall maximum annual rate, volume, and acres from both sources will remain limited to the existing rights since the rented acres are proposed to be stacked on existing rights rather than adding additional lands for irrigation. No enlargement through this rental is apparent.

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

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rental is for a beneficial use.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is within Eastern Region of the state and is subject to Water District # 34. A request for comment was sent via email to the watermaster and regional manager on May 17, 2024.

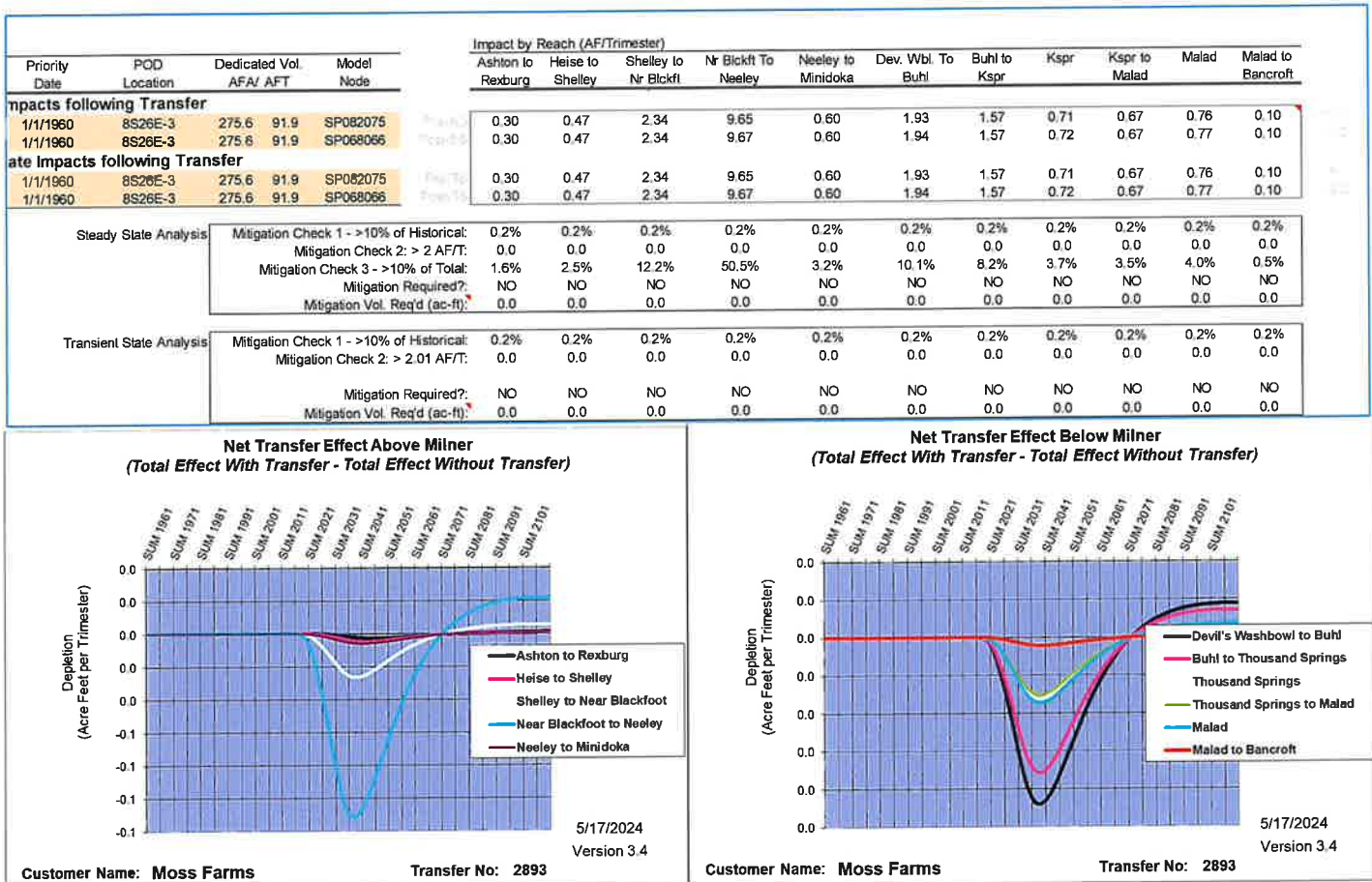
ESPA Analysis:

TO Well: 18, 113 – 30 acres ($30 \times 2.5 = 75$) / 3 = 25 af/trimester

FROM Well: 20, 112 – 25 acres Sep 1961 ($25 \times 2.5 = 62.5$) / 3 = 20.8 af/trimester

1 – 30 acres Apr 1977 ($30 \times 2.5 = 75$) / 3 = 25 af/trimester

Previous rentals of same water rights at rental POD: RA 58, 2015-2018; RA 325, 2019-2023



ENTER STARTING DATE FOR
SIMULATION. THEN PUSH

"UPDATE DATES" BUTTON

YEAR

SEASON

1961

SUMMER

TRANSFER NO:

2893

TRANSFER NAME:

Moss Farms

CALCULATE EFFECTS

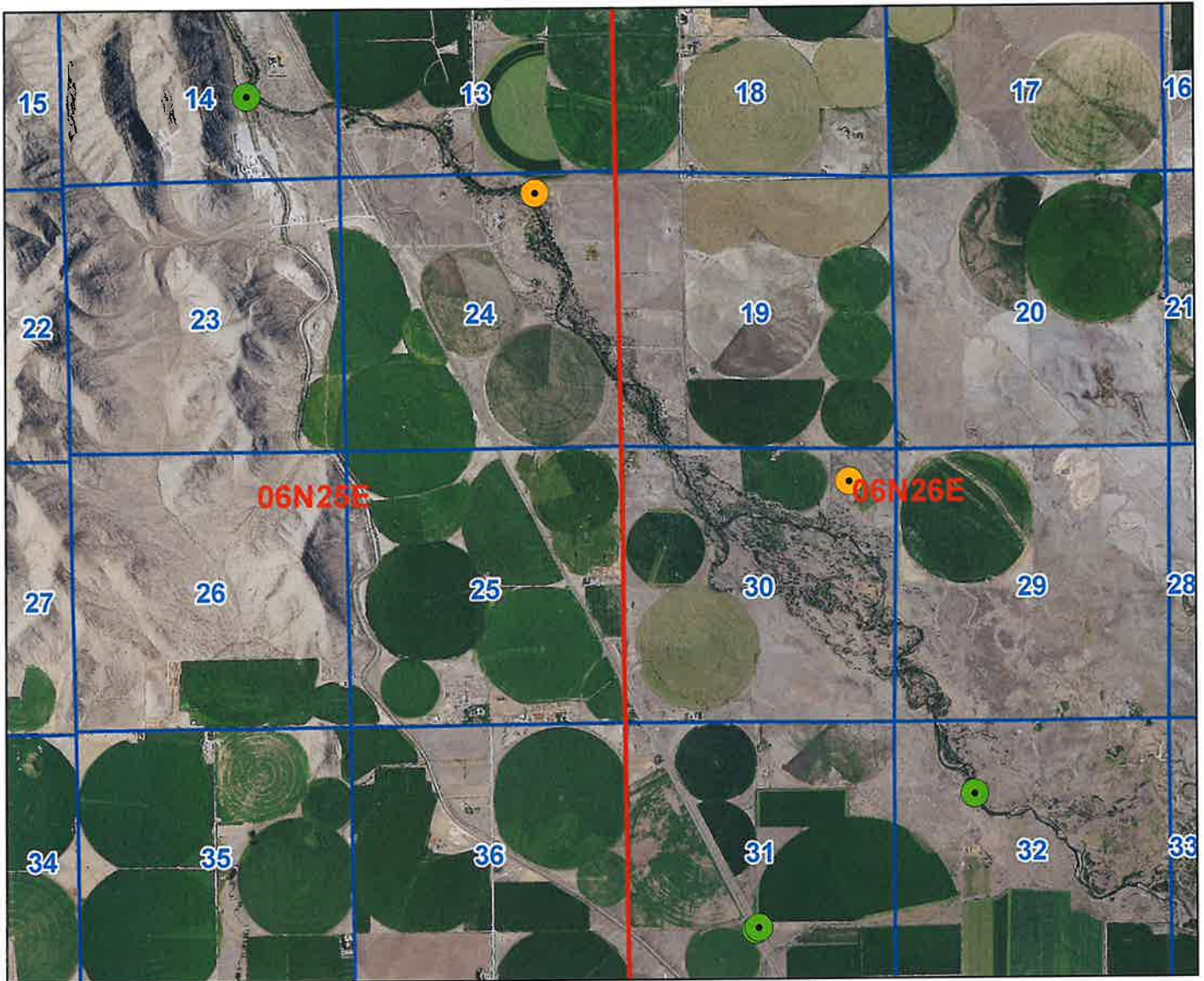
ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	18	20	0	0
COLUMN	113	112	0	0

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use	With Transfer	Without Transfer	With Transfer	Without Transfer	With Transfer	Without Transfer
	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER
SUM 1961	0.00	20.80	20.80	0.00	0.00	0.00	0.00
WIN 1961	0.00	20.80	20.80	0.00	0.00	0.00	0.00
SPR 1962	0.00	20.80	20.80	0.00	0.00	0.00	0.00
SUM 1962	0.00	20.80	20.80	0.00	0.00	0.00	0.00
WIN 1962	0.00	20.80	20.80	0.00	0.00	0.00	0.00
SPR 1963	0.00	20.80	20.80	0.00	0.00	0.00	0.00
SUM 1963	0.00	20.80	20.80	0.00	0.00	0.00	0.00
WIN 1963	0.00	20.80	20.80	0.00	0.00	0.00	0.00
SPR 1976	0.00	20.80	20.80	0.00	0.00	0.00	0.00
SUM 1976	0.00	20.80	20.80	0.00	0.00	0.00	0.00
WIN 1976	0.00	20.80	20.80	0.00	0.00	0.00	0.00
SPR 1977	0.00	25.00	25.00	0.00	0.00	0.00	0.00
SUM 1977	0.00	25.00	25.00	0.00	0.00	0.00	0.00
WIN 1977	0.00	25.00	25.00	0.00	0.00	0.00	0.00
WIN 2014	0.00	25.00	25.00	0.00	0.00	0.00	0.00
SPR 2015	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2015	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2015	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2016	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2016	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2016	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2017	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2017	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2017	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2018	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2018	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2018	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2019	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2019	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2019	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2020	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2020	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2020	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2021	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2021	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2021	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2022	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2022	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2022	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2023	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2023	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2023	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2024	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2024	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2024	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2025	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2025	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2025	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2026	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2026	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2026	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2027	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2027	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2027	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2028	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SUM 2028	25.00	0.00	25.00	0.00	0.00	0.00	0.00
WIN 2028	25.00	0.00	25.00	0.00	0.00	0.00	0.00
SPR 2029	0.00	25.00	25.00	0.00	0.00	0.00	0.00
SUM 2029	0.00	25.00	25.00	0.00	0.00	0.00	0.00
WIN 2029	0.00	25.00	25.00	0.00	0.00	0.00	0.00

Idaho Water Resource Board

Move Map - McDonald to Moss Farms



Legend

- Active Water Supply Bank Lease POD
- Water Supply Bank Rental POD
- Township/Range
- Sections



0 4,450 8,900 Feet

Kienholz, Mackenzie

From: Kristin Moore <kristin.rmea@gmail.com>
Sent: Monday, January 22, 2024 11:47 AM
To: Kienholz, Mackenzie
Subject: RE: Confirmation of Acreage Requested - WSB Rental Application for Moss Farms Inc

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.

Yes, proceed with 30 acres. Thank you.

Kristin Moore

Senior Water Rights Analyst
482 Constitution Way, Ste 303, Idaho Falls, ID 83402
E-Mail: kristin.rmea@gmail.com
VOICE: 208-524-2353, Ext #104 ||| FAX: 208-524-1795



CONFIDENTIALITY NOTICE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of this communication to other than the intended recipient is strictly prohibited. If you have received this communication in error, please notify us immediately by reply email to the sender or collect telephone call to (208) 524-2353. *Thank you.*

From: Kienholz, Mackenzie [mailto:Mackenzie.Kienholz@idwr.idaho.gov]
Sent: Friday, January 12, 2024 12:57 PM
To: Kristin Moore <kristin.rmea@gmail.com>
Subject: Confirmation of Acreage Requested - WSB Rental Application for Moss Farms Inc

Hi Kristin,

I am completing intake for the WSB rental application submitted for Moss Farms, Inc. You noted that 33 acres are requested, but the water rights selected authorize 30 acres. The previous rental agreement for these acres (#325) authorized 30 acres and appeared to be sufficient. Should I adjust the request for this application to 30 acres? No additional modeling or information would be required, just your confirmation.

Thank you,

Mackenzie Kienholz
Water Supply Bank Specialist



Planning & Projects

Mackenzie.kienholz@idwr.idaho.gov

Phone: (208) 287-4822