

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1430

This Lease Contract ("**Lease**") is between the Idaho Water Resource Board ("**Board**"), and

LESSOR: CADA LP
23250 CADA LN
CALDWELL, ID 83607

RECEIVED

MAY 18 2022

**DEPARTMENT OF
WATER RESOURCES**

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on December 16, 2020.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
67-2365	9/26/1966	UNNAMED STREAM, tributary to TENNISON CREEK	2.00	506.4	126.6
Lease Totals			2.00	506.4	126.6

Summary of Water Rights Elements Rentable From the Bank

Water Right	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (Limited) (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
67-2365	2.00	506.4	126.6	0.016	4.0
Limit Totals	2.00	506.4	126.6	0.016	4.0

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

Minimum Payment Acceptable: Current Rental Rate

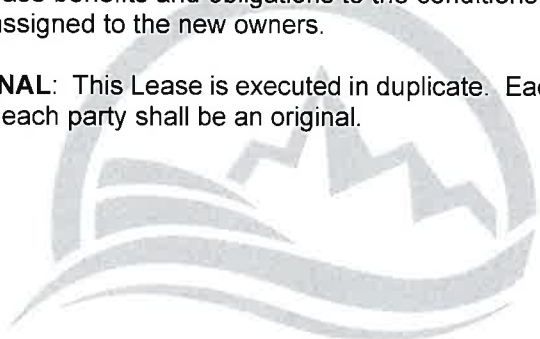
3. **TERM OF LEASE:** The term of this lease shall be January 1, 2021 to December 31, 2025. This Lease shall bind the parties and take effect when both parties have signed it.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.
5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.
6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.
7. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.



IDAHO DEPARTMENT OF
WATER RESOURCES



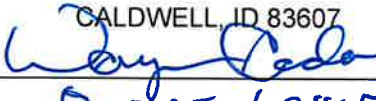
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

LESSOR: CADA LP
23250 CADA LN

CALDWELL, ID 83607

By 
Title Owner Lessor
Date 5/12/22

IDAHO WATER RESOURCE BOARD

322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By  Date 5/24/22
Brian Patton, Acting Administrator
Idaho Water Resource Board

Lease approved by IDWR  Date 5/24/22

IDAHO DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1430

ATTACHMENT A WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 67-2365

UNNAMED STREAM L Sec. 2 Twp 11N Rge 02W WASHINGTON County
2SEWNNE

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
67-2365	IRRIGATION	03/15	to	10/31	2.00 cfs	506.4 AF
	STOCKWATER	01/01	to	12/31	0.16 cfs	8.6 AF
Totals:					2.00 cfs	506.4 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: 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	
11N	02W	1						0.1 L4	32.0	3.2	16.0	16.0		7.7		1.7	2.6		79.3
11N	02W	2	2.8 L1	1.5 L2	8.0	34.0									1.0				47.3

PLACES OF USE TO BE IDLED UNDER THIS LEASE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	02W	1							X		X	X	X						
11N	02W	2	X	X L2	X	X													

Total Acres: 126.6

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1430

6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into 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.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
 - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. 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 place of use.
13. Use of water under this right 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. 67.
14. The unleased extent of stockwater use under water right 67-7281 on the lands authorized for stockwater under this lease are limited to a maximum diversion of 2.7 afa, from storage water.



Effective until December 31, 2025

[illegible]

-  Approved Lease Point of Diversion
-  Approved Lease Place of Use
-  Township/Range
-  Sections
-  QQ



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

DEC 16 2020

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Designated Applicant

Cado LP

(Select one owner – see item 1A on the application)

Water Right No.

67-2365

(One water right per application)

Is this application being submitted with a rental application as a lease/rental package?

Yes ☐ No ☒

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MINIMUM REQUIREMENT CHECKLIST

All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

Yes

Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*.

Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.

Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment N/A Yes

1A

Signatures and contact information for **all owners** of the water right to be leased or sold on this application.

1B

An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.

1C

*Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).

1D



Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.

2



Description of a water right portion offered to the Water Supply Bank.

3



A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.

4A



Written consent from irrigation district or water delivery company.

4G

Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.

Department Use Only

Fee Amount \$

250.00

Received By:

ku

Date Received:

12.16.2020

Receipt #

C109662

W-9 received?

Yes ☐No ☒

(Route W-9 to Fiscal)

Name on W-9:

1872

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant Cada LP
Mailing Address 23250 Cada Ln. Caldwell Idaho 83607
Street City State Zip Code
Email Address _____ Phone Number 208-455-5050

- ☒ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

- ☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☐ No ☒
If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☐ No ☒
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☒ No ☐
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative _____ Organization _____
Professional Title _____ Email Address _____
Mailing Address _____ Phone Number _____

- ☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

- ☒ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

- ☒ The full water right is being offered to the Bank.

OR

- ☐ A part of the water right is being offered to the Bank.
If a portion of the water right is being offered, complete Attachment 2.

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled 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 idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☒
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to [Section 42-108, Idaho Code](#) and [IDAPA WSB Rule 37.02.03.25.02e](#).

- B. Please provide a description of the current water diversion and delivery system.

Dike, Pump, Pipe

- C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. Water rights 67-7281 & 67-7292 are currently authorized for

irrigation from storage with in the same permissible place of use.
The nature of uses under both rights is proposed for change to aesthetic storage on the accompanying tracts for applications

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☒

Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

- E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☒

If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.

- F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. Volumes and/or rates of water diverted are subject to water

availability which are generally sufficient in early season, then
gradually decreased as the season progresses

- G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒

If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See [Section 42-223, Idaho Code](#) for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?

If yes, describe. Yes ☐ No ☒

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

- A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒?
If lease, specify the years when the use of water will be suspended: 5 yrs to _____ (maximum lease period 5 calendar years).
(Year) (Year)
- B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.
- _____
- _____

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.


Signature of Designated Applicant

D. Wayne Cada
Printed Name

12/14/20
Date

Signature of Authorized Representative

Printed Name

Date

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



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 25, 2022

CADA LP
23250 CADA LN
CALDWELL, ID 83607

**RE: WATER SUPPLY BANK LEASE CONTRACT 1430
FOR WATER RIGHTS 67-2365**

Dear Lessor:

Water right **67-2365** was leased into the Water Supply Bank (Bank) as of January 1, 2021, in accordance with the enclosed executed lease contract. **Your water rights, as described on the lease contract, are considered leased into the Bank and should remain unused until they are formally released from the Bank.** More information and further restrictions placed on your water rights while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The rights will automatically be released from the Bank on **December 31, 2025**, unless the rights are released earlier by the Water Resource Board (Board). On behalf of the Board, the Department of Water Resources (Department) can evaluate an early release of the lease contract upon your request. To release the water rights from the Bank prior to the release date, submit a written request on the *Request to Release a Water Right from the Bank* form. This form is available on our public website at www.idwr.idaho.gov. **Please note your water rights may not be available for immediate release if they have been rented or are being considered for a future rental. Furthermore, it is at the discretion of the Department whether or not a water right can be released early from a lease contract.**

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

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure: Executed Lease Contract

c: IDWR- Western Region
Water District No. 67



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

April 29, 2022

CADA LP
23250 CADA LN
CALDWELL, ID 83607

**RE: REQUEST FOR RETURN OF SIGNED WATER SUPPLY BANK LEASE CONTRACTS 1430
FOR WATER RIGHT 1430**

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

Dear Applicant,

The Department of Water Resources (Department) mailed **two original Water Supply Bank Lease Contracts for your review and signature** on September 24, 2021. The signed contracts have not been returned to the Department.

Please sign both original Lease Contracts and return them to the Department within ten (10) days of this letter to complete processing. The Lease Contract is not considered final until both you and the Department have signed.

If the signed lease contracts are not received by the Department within the 10-day period, the lease application will be returned, and the application fee will not be refunded. You can reapply to lease the water right in the future by submitting new application form along with applicable fees.

Please note the forfeiture period is not tolled unless a right is accepted into the Bank, or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. If forfeiture is a concern, you may consider filing an Application for Extension of Time to Avoid Forfeiture of a Water Right form. This and other water right forms are available from the Department's web site at www.idwr.idaho.gov.

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

Sincerely,

Amanda Johnson-Veibell

Water Supply Bank



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

September 24, 2021

CADA LP
23250 CADA LN
CALDWELL, ID 83607

**RE: APPLICATION TO LEASE WATER RIGHTS 67-2365 TO THE WATER SUPPLY BANK
CONTRACT 1430**

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

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please sign and return ALL Lease Contracts within 14 days.** Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The right will automatically be released from the Bank on **December 31, 2025**, unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your right may not be available for immediate release if it has been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

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

Sincerely,

Amanda Johnson-Veibell

Amanda Johnson-Veibell
for
Water Supply Bank

Enclosures: Proposed Lease Contracts

Memorandum

To: Water Right 67-2365
From: Justin Ferguson / Mary Condon
Date: January 22, 2021 / July 19, 2021
Re: Water Supply Bank Lease Application 1872

Purpose/Narrative: An application was received by the Department from Mr. D. Wayne Cada on behalf of CADA LP on December 16, 2020 offering the whole portion of water right 67-2365 for lease to the Bank through 2025. Per the information provided in the lease application, Mr. Cada would like to lease the right back to the Bank to protect it from forfeiture for the next five years.

Prior to this application the water right had been leased to the Bank beginning in to 2016 through the end of 2020. While the right had been decreed in 2008 it appears Mr. Cada irrigated as recently as 2015 prior to the initial acceptance to the Bank.

Authority to File: The application was prepared and signed by Mr. D. Wayne Cada on behalf of CADA LP. Review of the Idaho Secretary of State information affirms Mr. Cada is an agent for the partnership. Further, current IDWR records indicate CADA LP as the current water right holder. As such, no concerns at this time.

Water Right Validity/Forfeiture Evaluation: Historically, the water right was decreed through the SRBA in 2008 and used through 2015. The right was then offered, in full, to the Bank from 2016 through the end of 2020. No concerns at this time.

Injury Evaluation: Review of satellite imagery, and further Sentinel imagery throughout 2020 growing season, showed signs of mid to heavy vegetation over the place of use leased. A letter requesting information regarding the heavy vegetation in 2020 and earlier, was sent on July 19, 2021. On August 2nd, Mr. Cada called my office and explained he had not been irrigating, but had planted hay and had one or two harvests per year. He further explained there was no irrigation equipment on the land and offered to submit photos of the property.

On August 9, 2021, I received an email from Mr. Cada's sister, Linda, with two pictures of the leased land (see attached email correspondence) which showed a field absent of irrigation equipment and relatively green, low-growth fields. It appears normal (early) rainfall, without the help of irrigation equipment, has allowed for some decent crop growing. There is no restriction for growing a crop on a leased place of use with only natural precipitation from the air, without the use of irrigation equipment or leased water rights, and as such does not invalidate the conditions of a lease. No injury through the lease of this water right is apparent.

Enlargement of Use: Leased place of use has no overlapping irrigation rights. Water right for lease includes Stockwater (not additive), which is overlapped on the leased place of use by Water Right 67-7281, Stockwater from Storage. Storage for Stockwater is in the pond outside of the leased POU. Mr. Cada does put cows on the field after the last cut of hay in the fall. No concerns of enlargement for lease of the water right for irrigation portion. To avoid an enlargement in stockwater use under water rights 67-2365 and 67-7281, a condition will be added to the lease acknowledging that the maximum use of water for stockwatering during this lease will be limited to 2.7 afa, from storage water. Rental may need further review to avoid enlargement.

Local Public Interest: Staff are unaware of any local public interests that are averse to the lease.

Beneficial Use/Conservation or Water Resources: The lease appears consistent with the conservation of water resources in Idaho.

Department/Watermaster Comments: Request for comments from WD 67 sent on ~~August 13, 2021~~ ^{September 23, 2021}. Per updated guidance, comments from IDWR Western Region are not necessary.

Water Supply Bank Evaluation: Based on the information presented by the applicant and pending any concerns or comments, staff recommend the lease proposal be approved for five years, from 2021 through 2025.

Sat 8/7/2021 11:05 AM
Linda Cada <lcada@uscapitalidaho.com>
Wayne Cada Ranch

To: Condon, Mary

Follow up. Start by Monday, August 9, 2021. Due by Monday, August 9, 2021.
You replied to this message on 8/9/2021 7:42 AM.

Hi Mary - My brother-in-law, Wayne Cada, ask that I send you the attached photos. Can you please reply your confirmation of receipt so he knows you received them? Thanks so much. Linda Cada





August 2, 2021

RECEIVED

AUG 03 2021

DEPARTMENT OF
WATER RESOURCES

WSB Lease Application 1872

Mary

In response to your letter.

I, Wayne Cada have not done any irrigation on my land. I have no irrigation equipment and do not plan to irrigate any of this land. I take my first cutting off, and what little 2nd cutting there is and pasture the rest with my fall calving cows. Water in pond is being used for fish & wildlife and stockwater only.

Wayne Cada

Pictures to follow:



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 20, 2021

CADA LP
23250 CADA LANE
CALDWELL, ID 83607

RESPONSE DEADLINE:
August 10, 2021

RE: Action Required on WSB Lease Application 1872

Dear Applicant,

The Department of Water Resources (Department) has conducted a preliminary review of your application to lease water right 67-2365 to the Water Supply Bank and determined that your application requires further investigation. The following items are required to continue processing your application:

- Description of vegetation in Place of Use for idled Water Right 67-2365
 - o Sentinel imagery shows heavy vegetation fading to light vegetation from May 2019 to September 2019
 - o This water right was leased to the bank from 2016 thru 2020, and the irrigation portion to remain idled during that time
 - o Application to again lease Water Right 67-2365 to the water bank received December 16, 2020.

To continue processing your application, our office requires a written explanation for heavy vegetation in the idled water right place of use to evaluate whether possible irrigation occurred while leased to the bank.

Please provide us with the above requested information within 30 days (deadline of August 10, 2021), so that we can continue processing of your application. If we do not hear from you prior to the established deadline, your application will be returned and your filing fee refunded.

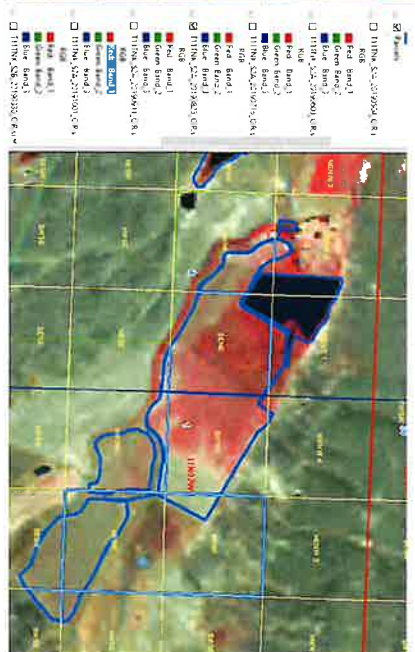
If you have any questions, please contact me at (208) 287-4936.

Regards,

Mary Condon
Water Supply Bank Specialist

Enclosure: Sentinel Imagery, May-September 2019

Sentinel imagery review

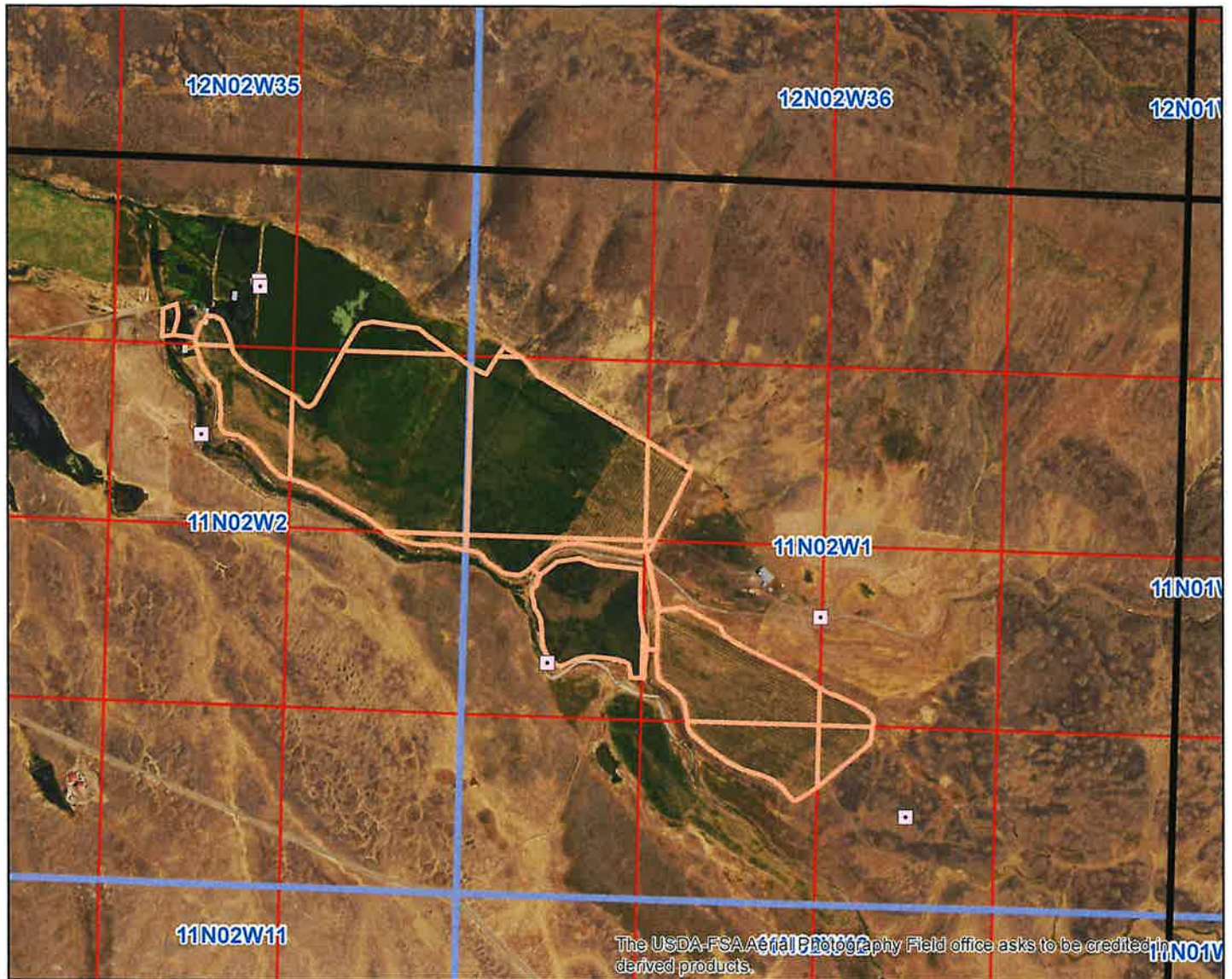


8/25/2019

9/14/2019



POU 67-2365 - Irrigation
POU 67-7292 - Stockwater from storage
2019 Imagery



-  Approved Lease Point of Diversion
 Approved Lease Place of Use
 Township/Range
 Sections
 QQ



0 20 40 Feet



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 31, 2020

CADA LP
23250 CADA LANE
CALDWELL, ID 83607

RESPONSE DEADLINE:
February 1, 2021

RE: Action Required on WSB Lease Application 1872

Dear Applicant,

The Department of Water Resources (Department) has conducted a preliminary review of your application to lease water right 67-2365 to the Water Supply Bank and determined that your application is incomplete. The following items are required to continue processing your application:

- a completed lease application with all questions answered, for each water right being offered to the Bank
 - o Specifically, page 4 of your application with a signature of the authorized representative for CADA LP
- a completed W-9 form so that, should your water right be rented during the contract duration, the Department can issue you a warrant in the amount due to you

To continue processing your application, our office requires a completed lease application form with a signature of the authorized representative for CADA LP. Please provide us with the above requested information within 30 days (deadline of February 1, 2021), so that we can continue processing of your application. If we do not hear from you prior to the established deadline, your application will be returned and your filing fee refunded.

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

Regards,

A handwritten signature in black ink, appearing to read 'JF'.

Justin Ferguson
Water Supply Bank Specialist