

RECEIVED

DEC 20 2021

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**WATER SUPPLY BANK LEASE CONTRACT No. 1468**

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

LESSOR: EASTFIELD AT BELLEVUE FARMS HOA
PO BOX 301
BELLEVUE, ID 83313

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 November 05, 2021.
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)
37-11924B	3/24/1883	BIG WOOD RIVER, tributary to MALAD RIVER	0.060	Not Stated	3.6
37-11925B	7/10/1884	BIG WOOD RIVER, tributary to MALAD RIVER	0.004	Not Stated	3.6
37-11926B	9/18/1885	BIG WOOD RIVER, tributary to MALAD RIVER	0.030	Not Stated	3.6
37-11927B	6/12/1886	BIG WOOD RIVER, tributary to MALAD RIVER	0.004	Not Stated	3.6
37-11928B	6/15/1891	BIG WOOD RIVER, tributary to MALAD RIVER	0.090	Not Stated	3.6
37-2557Y	9/25/1954	GROUND WATER	0.070	12.60	3.6
Combined Lease Totals			0.258	Not Stated	3.6

SUPPORT DATA
ON FILE # 37-2557Y

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1468

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)
37-11924B	0.050	12.6	3.6	0.014	3.5
37-11925B	0.003	12.6	3.6	0.001	3.5
37-11926B	0.020	12.6	3.6	0.006	3.5
37-11927B	0.003	12.6	3.6	0.001	3.5
37-11928B	0.070	12.6	3.6	0.019	3.5
37-2557Y	0.070	12.6	3.6	0.019	3.5
Combined Limit Totals	0.216	12.6	3.6	0.072	3.5

** The water right elements rentable have been reduced from the water right elements leased to account for conveyance losses of 23 % on the surface water rights and include a defined volume for the surface water rights that is based on the regional field headgate irrigation standard of 3.5 afa/acre.*

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, 2022 to December 31, 2026. This Lease shall bind the parties and take effect when both parties have signed it.
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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1468

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

LESSOR: EASTFIELD AT BELLEVUE FARMS HOA

PO BOX 301

BELLEVUE, ID 83313

By

Title

Date


PRESIDENT
12/19/21

IDAHO WATER RESOURCE BOARD

322 East Front Street

P.O. Box 83720

Boise, ID 83720-0098

By

Brian Patton, Acting Administrator
Idaho Water Resource Board

Date

12/28/21

Lease approved by IDWR



Date

12/28/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1468

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): 37-2557Y

GROUND WATER NWSESW Sec. 7 Twp 01N Rge 19E BLAINE County

Source and Location of Point(s) of Diversion for Water Right No(s): 37-11924B, 37-11925B,

37-11926B, 37-11927B, 37-11928B

BIG WOOD RIVER NESWNW Sec. 36 Twp 02N Rge 18E BLAINE County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
37-2557Y	IRRIGATION	04/15	to	10/31	0.070 cfs	12.6 AF
37-11924B	IRRIGATION	04/15	to	10/31	0.050 cfs	Not Stated
37-11925B	IRRIGATION	04/15	to	10/31	0.003 cfs	Not Stated
37-11926B	IRRIGATION	04/15	to	10/31	0.020 cfs	Not Stated
37-11927B	IRRIGATION	04/15	to	10/31	0.003 cfs	Not Stated
37-11928B	IRRIGATION	04/15	to	10/31	0.070 cfs	Not Stated
Totals:					0.258 cfs	Not Stated

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	
01N	19E	18	0.8	2.8															3.6

Total Acres: 3.6

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. 1468

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. Water diverted from Headgate #45 delivered through District Canal for water rights 37-11924B, 37-11925B, 37-11926B, 37-11927B & 37-11928B.
13. The rights listed below are limited to the irrigation of a combined total of 43.3 acres in a single irrigation season. Combined Right Nos.: 37-11924B, 37-11925B, 37-11926B, 37-11927B, 37-11928B, and 37-2557Y.
14. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to water right 37-2557Y.
15. This right to divert groundwater (37-2557Y) shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
16. The rights listed below 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 lands in the place of use. Combined Right Nos.: 37-2557Y, 37-11924B, 37-11925B, 37-11926B, 37-11927B, and 37-11928B.
17. A portion of this right provides conveyance for other right holders in the shared delivery of water through the Irrigation District #45 canal. To prevent injury to other water right holders, the watermaster shall deliver 23% or 0.042 cfs of the leased portion of this right into the Irrigation District #45 Canal whether it is rented or not.
18. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

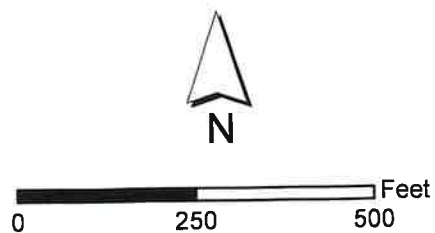
Idaho Water Resource Board
Water Supply Bank Lease Contract No. 1468

37-2557Y, 37-11924B, 37-11925B,
37-11926B, 37-11927B & 37-11928B
Effective until December 31, 2026

This map depicts the **place of use to be idled** pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



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



Idaho Water Resource Board
Water Supply Bank Lease Contract No. 1468

37-11924B, 37-11925B,
37-11926B, 37-11927B & 37-11928B
Effective until December 31, 2026

This map depicts the **surface water point of diversion** pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



○ Approved Lease Point of Diversion

□ Approved Lease Place of Use

□ Township/Range

□ Sections

□ QQ



0 250 500 Feet

Idaho Water Resource Board
Water Supply Bank Lease Contract No. 1468

37-2557Y

Effective until December 31, 2026

This map depicts the **ground water point of diversion** pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



Approved Lease Point of Diversion

Approved Lease Place of Use

Township/Range

Sections

QQ



0 250 500 Feet

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK

RECEIVED

NOV 05 2021

DEPARTMENT OF
WATER RESOURCES

Designated Applicant Eastfield at Bellvue Farms HOA
(Select one owner – see item 1A on the application)

Water Right No. 37-11927B
(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 <i>all owners</i> of the water right to be leased or sold on this application. |
| 1B | ☐ | ☒ | An <u>Internal Revenue Service (IRS) Form W-9</u> for the Designated Applicant. |
| 1C | ☒ | ☐ | <i>Notice of Change in Water Right Ownership</i> form (accessible from <u>www.idwr.idaho.gov</u>). |
| 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: <u>www.idwr.idaho.gov</u> . |
| 4A | ☐ | ☒ | Written consent from irrigation district or water delivery company. |
| 4G | ☒ | ☐ | Evidence demonstrating the water right has not been forfeited pursuant to <u>Section 42-222(2), Idaho Code</u> . |

Department Use Only

Fee Amount \$ <u>500</u>	Received By: <u>Ku</u>	Date Received: <u>11.5.21</u>	Receipt # <u>C111260</u>
W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)		Name on W-9: <u>Eastfield at Bellvue Farms Homeowners Association Inc</u>	

2191

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 Eastfield at Bellevue Farms HOA

Mailing Address <u>P.O. Box 301</u>	<u>Bellevue</u>	ID <u>83313</u>	
Street	City	State	Zip Code

Email Address margiebalcos@outlook.com Phone Number 206-851-4237

- ☒ 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 Margaret Balcos Organization Eastfield at Bellevue Farms HOA

Professional Title Secretary Email Address margiebalcos@outlook.com

Mailing Address P.O. Box 301 Bellevue, ID 83313 Phone Number 206-851-4237

- ☐ 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.

Current water diversion is from the Big Wood River ad delivered by Water Irrigation District #45 (head gate 45)

- 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. 37-11924B, 37-11925B, 37-11926B, 37-11928B, 37-2557Y

- 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.

- 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: 2022 to 2026 (maximum lease period 5 calendar years).
(Year) (Year)

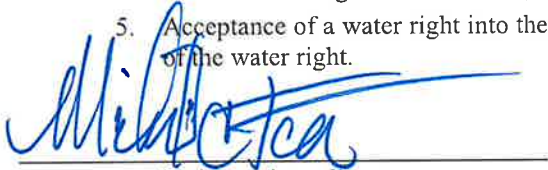
B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

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

Mike Tackett President Eastfield @ BFHOA
Printed Name

9/14/21
Date


Signature of Authorized Representative

Margaret Balcos Secretary
Printed Name

9.14.21
Date

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

**STATE OF IDAHO
WATER RESOURCE BOARD**

ATTACHMENT 1A

Additional Water Right Holders Party to the Lease Application

For the water right on this application, list all owners (individuals or business entities) of the right or the property to which it is appurtenant. All water right holders must sign a Water Supply Bank Lease Application. However, only the Designated Applicant needs to provide a completed IRS Form W-9 (Attachment 1B). **All correspondence and any financial payment associated with the rental of this water right will be directed to the Designated Applicant.** If additional space is needed to list any other water right holders, attach a second copy of Attachment 1A.

If submitting multiple applications, it is only necessary to complete one Attachment 1A for the group of applications. List each water right below.

Water Right No(s). _____

	Designated Applicant	Applicant #2	Applicant #3
Name			
Mailing Address			
Phone Number			
Email Address			
Applicant Declaration	As Designated Applicant, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

	Applicant #4	Applicant #5	Applicant #6
Name			
Mailing Address			
Phone Number			
Email Address			
Applicant Declaration	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

**STATE OF IDAHO
WATER RESOURCE BOARD**

Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

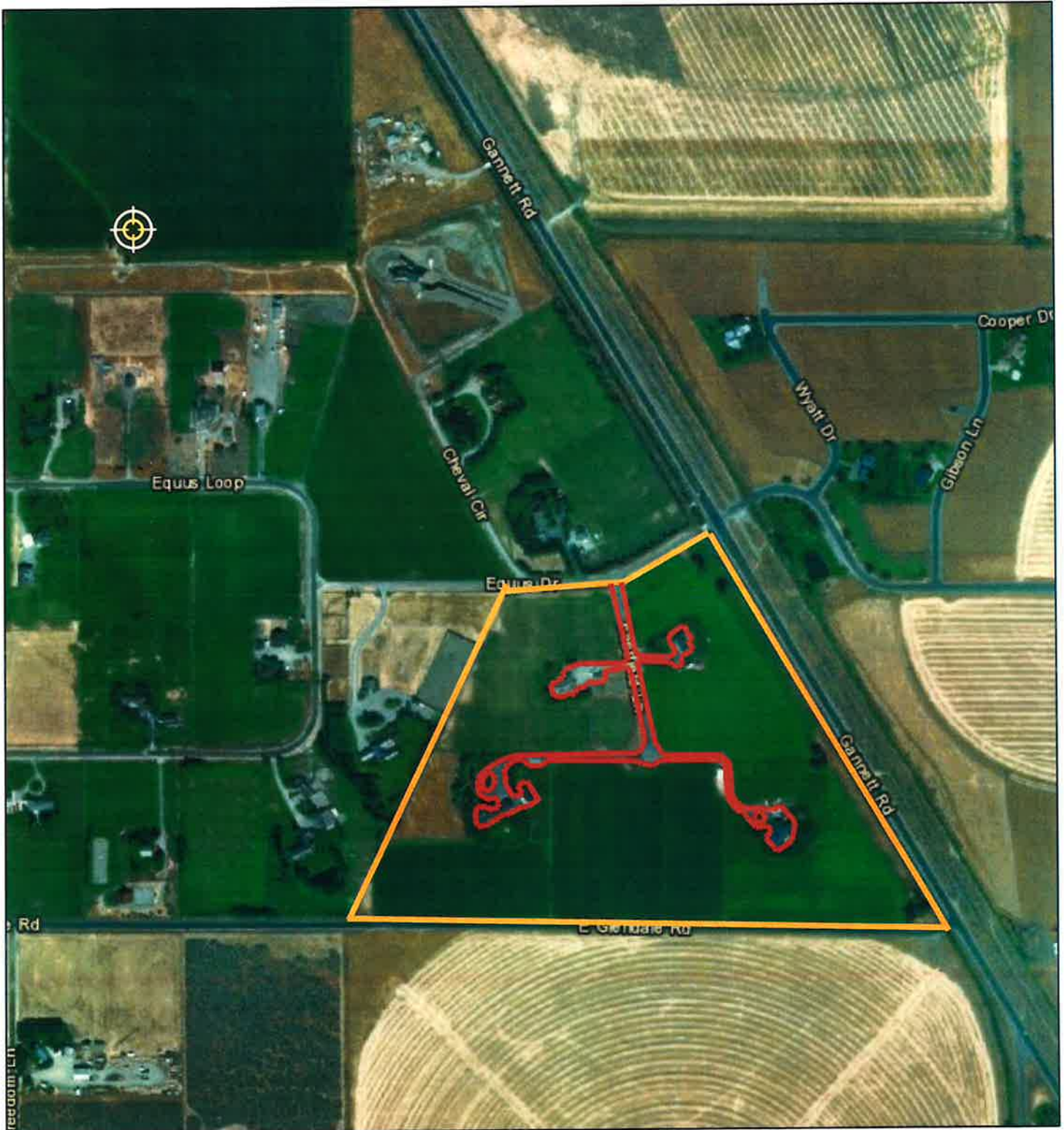
1. <u>Water Right Number</u>	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
<u>37-11927B</u>	<u>IRRIGATION</u>	<u>MARKET</u>	*	*
Total Amounts:				

2. Source of water Big Wood River tributary to Malad River

3. Point(s) of diversion:

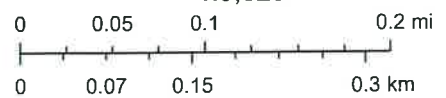
Twp	Rge	Sec	Lot	¼	¼	¼	County
02N	18E	36	*	*	*	*	Blaine County

Water Rights



9/20/2021, 4:48:53 PM

1:9,028



 PLACE OF USE BOUNDARY

 AREA OF WATER RIGHTS TO BE BANKED

 POINT OF DIVERSION

Esri, HERE, IPC, Esri, HERE, Garmin, IPC, Maxar

TRIANGLE IRRIGATION DISTRICT

P.O. BOX 424

BELLEVUE, IDAHO 83313

At the Triangle Irrigation District Board meeting on September 24, 2021 , the directors accepted the water bank application from Eastfield HOA, subject to and with the condition of a 23 % hold back in the system and on the further condition that there be no adverse impact on the minimum stream flow in the river and that carriage loss sufficient to convey water to the Triangle Irrigation District head gate must be left in the river if the water right is to be leased upstream.

A handwritten signature in blue ink, appearing to read "Sarah Gardner", is centered on the page. The signature is fluid and cursive.

Sarah Gardner

President and Director

**CERTIFICATE OF ACTION TAKEN BY
THE WOOD RIVER VALLEY IRRIGATION DISTRICT #45**

**P.O. Box 2223
Hailey, Id 83333**

The undersigned hereby certifies that at the Wood River Valley Irrigation District #45 meeting on October 12th, 2021, The directors accepted the water bank application from Eastfield at Bellevue Farms HOA for Water Rights 37-11924B, 37-11925B, 37-11926B, 37-11927B, 37-11928B, and 37-2557Y subject to and with the continuing condition of a 23 % percent hold back in the system and on the further condition that there be no adverse impact on the minimum stream flow in the river and that carriage loss sufficient to convey water to the Wood River Valley Irrigation District #45 head gate must be left in the river if the water is to be leased upstream.

DATED: October 12th, 2021

A handwritten signature in dark ink, appearing to read "David Johnson", written over a horizontal line.

Signature

David Johnson, President and Director

A handwritten signature in dark ink, appearing to read "Greg Clark", written over a horizontal line.

Signature

Greg Clark, Director



0004146504

**STATE OF IDAHO**

Office of the secretary of state, Lawrence Denney

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 #: 0004146504

Date Filed: 1/28/2021 12:28:00 PM

Entity Name and Mailing Address:

Entity Name: EASTFIELD, AT BELLEVUE FARMS HOMEOWNERS ASSOCIATION, INC.

The file number of this entity on the records of the Idaho Secretary of State is: 0000376553

Address: PO BOX 301
BELLEVUE, ID 83313-0301

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: C122757

The registered agent on record is:

Registered Agent: MARGARET A BALCOS
Registered Agent
Physical Address
119 EASTFIELD LANE
BELLEVUE, ID 83313
Mailing Address

Corporate Officers and Directors:

Name	Title	Business Address
+ Mike Tackett	President	P O BOX 2533 HAILEY, ID 83333
+ Elizabeth Patterson	Vice President	P.O. BOX 3733 BELLEVUE, ID 83313
+ Margaret Balcos	Secretary	PO BOX 1216 BELLEVUE, ID 83313-1199
+ Margaret Balcos	Treasurer	PO BOX 1216 BELLEVUE, ID 83313-1199

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

Job Title: Secretary/Treasurer

Margaret A Balcos

Sign Here

01/28/2021

Date

B0576-6472 01/28/2021 12:28 PM Received by ID Secretary of State Lawrence Denney



WATER RESOURCES

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

Governor Brad Little

Director Gary Spackman

December 29, 2021

EASTFIELD AT BELLEVUE FARMS HOA
PO BOX 301
BELLEVUE ID 83313

**RE: WATER SUPPLY BANK LEASE CONTRACT 1468
FOR WATER RIGHTS 37-2557Y, 37-11924B, 37-11925B, 37-11926B, 37-11927B & 37-11928B**

Dear Lessor:

Water rights 37-2557Y, 37-11924B, 37-11925B, 37-11926B, 37-11927B & 37-11928B were leased into the Water Supply Bank (Bank) as of January 1, 2022, 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, 2026**, 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,

Jean Hershey

for
Water Supply Bank

Enclosure: Executed Lease Contract

c: IDWR- Southern Region
Water District No. 37
Wood River Irrigation District
Triangle Irrigation District

Eastfield at Bellevue Farms HOA

Date: December 17, 2021

RECEIVED

DEC 20 2021

DEPARTMENT OF
WATER RESOURCES

To Whom it May Concern,

Please find enclosed the paperwork and the signatures requested to complete our application to bank our multiple water rights for our HOA. Please let me know if you need any further information or signatures.

Sincerely,



Margaret Balcos

Secretary/Treasurer Eastfield at Bellevue Farms HOA
206-851-4237
margiebalcos@outlook.com
PO Box 301
Bellevue, ID 83313

Governor Brad Little

Director Gary Spackman

December 9, 2021

EASTFIELD AT BELLEVUE FARMS HOA
PO BOX 301
BELLEVUE ID 83313

**RE: APPLICATION TO LEASE WATER RIGHTS 37-2557Y, 37-11924B, 37-11925B, 37-11925B,
37-11927B & 37-11928B TO THE WATER SUPPLY BANK CONTRACT 1468**

******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, 2026**, 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,

Jean Hershey

for
Water Supply Bank

Enclosures: Proposed Lease Contracts

WATER SUPPLY BANK

Lease Review Checklist

Applicant(s) Name: Eastfield at Bellevue Farms HOA

Memo Date: December 8, 2021

Water Right Number(s): 37-2557Y, 37-11924B, 37-11925B, 37-11926B, 37-11927B, 37-11928B

Reviewers Name: Jean

Quick Tools

Decreed Year	No Forfeiture Concerns Thru:
2011	2017
2012	2018
2013	2019
2014	2020
2015	2021

	Check box	COMMENTS/CONCERNS:	
1 Fill out WSB Data Entry Checklist for Leases (Front of File)	☒		
2 Reason for lease of water rights (Brief description of lease proposal in narrative)			
Portion of right	☒		
All of right	☐		
3 Check GWMA/CGWA/ADC and basin 63 areas of concern (note area in comments)			
	Yes	No	
4 Rentable? (If no explain in comments or narrative)	☒		
5 Authority to file			
Current owner or designated applicant	☒		
SOS Web site checked for business entity	☒		
Other (explain in comments)			
6 Water Right validity			
Decreed/Licensed/Statutory claim date (write in comments section)			2011
Past irrigation to ensure forfeiture is not an issue if decreed or licensed over 7 years ago (consider transfers that changed the POU, rentals to the POU etc.)			
Has this right previously been leased to the bank or in CREP?	☒		
7 Injury to other water rights			
If the POD is through a delivery entity, was consent provided?	☒		
If the POD is through a delivery entity, was holdback required? (percentage in comments)	☒		23%
Any other concerns		☒	
8 Enlargement concerns			
Complete a POU comparison overlap analysis	☒		
Complete a combined limits review	☒		
Complete POD overlap analysis (if there is an overlap add condition to lease)	☒		
	Yes	No	
Are there overlapping rights that need to be placed in the bank also?		☒	
Will the place of use continue to receive water? (if yes explain in comments)		☒	
9 Local Public Interest			
Does the processor know of any problems this action will cause for the local public?		☒	
10 Have you contacted regional office and watermaster for comment/concerns?	☒		
Send the watermaster comment request form or e-mail request	☒		
11 Area Headgate requirement (write in Comments)			3.5
12 Is water right involved in any other department action? Pull file and check database () Ownership Change () Transfer () Mitigation () Other - Explain in comments		☒	

Narrative: The Department received these applications on November 5, 2021. The applicant wishes to place a portion of the right in the Bank. A map was included with the application with the acres that are being offered to the Bank highlighted. No acres were listed on the applications. I spoke with Margie Balcos, secretary of the HOA. She explained the acres being leased are the roads and homes. The previous lease had 5.1 acres leased but a 1.5 acre parcel that was included in the previous lease will be irrigated. This lease will be for 3.6 acres for each water right with a total of 3.6 acres. These rights were decreed in 2011. They were placed in the Bank in 2017-2021. There are no issues with forfeiture. The rights completely overlap and are limited to the irrigation of 46.9 acres. The surface water rights are delivered through the WRID #45 and they, along with Triangle Irrigation, are requiring a 23% holdback for conveyance loss. These rights are currently within WD 37.

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, December 7, 2021 11:35 AM
To: Margie Balcos
Subject: WSB Lease Applications for Eastfield at Bellevue Farms HOA
Attachments: Pages from WSB Lease Application _ 2191 WR _ 37-2557Y.pdf

The Department of Water Resources is reviewing the WSB Lease Applications for the Eastfield at Bellevue Farms HOA. Water rights 37-2557Y, 37-11924B, 37-11925B, 37-11926B, 37-11927B & 37-11928B. The total number of acres that you would like leased to the Bank was not specified on any of the applications. I have included attachment 2 for your benefit.

Please let me know how many acres you would like leased to the Bank within 30 days. If I don't hear from you within 30 days, your applications will be returned unprocessed. Thank you.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

Eastfield at Bellevue Farms HOA

Date: November 2, 2021

RECEIVED

NOV 05 2021

DEPARTMENT OF
WATER RESOURCES

To Whom it May Concern,

Please find attached the renewal of our application to bank our water rights. Please confirm receipt and if there is any further information you require from me. I believe all required documents are attached.

Thank You for Your Consideration and Time,

Sincerely,



Margaret Balcos

Secretary/Treasurer Eastfield at Bellevue Farms HOA
206-851-4237
margiebalcos@outlook.com
PO Box 301
Bellevue, ID 83313