

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 19 2021

DEPARTMENT OF
WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1389

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

LESSOR: UNITED STATES OF AMERICA ACTING
THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

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 17, 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)
73-12182	5/1/1917	BIG CREEK, tributary to PAHSIMEROI RIVER	0.16	Not Stated	10.6
73-12184	5/1/1917	BIG CREEK, tributary to PAHSIMEROI RIVER	0.13	Not Stated	8.5
73-12186	11/20/1885	BIG CREEK, tributary to PAHSIMEROI RIVER	0.25	Not Stated	12.7
73-12188	3/27/1888	BIG CREEK, tributary to PAHSIMEROI RIVER	0.17	Not Stated	8.5
73-12190	3/1/1890	BIG CREEK, tributary to PAHSIMEROI RIVER	0.25	Not Stated	12.7
73-12192	3/1/1890	MILL CREEK, tributary to BIG CREEK	0.25	Not Stated	12.7
Combined Limit Totals			0.96	Not Stated	26.4
Combined Lease Totals			0.96	92.4	26.4

SUPPORT DATA
IN FILE # 73-12182

WATER SUPPLY BANK LEASE CONTRACT No. 1389

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)
73-12182	0.16	37.1	10.6	0.02	3.5
73-12184	0.13	29.8	8.5	0.02	3.5
73-12186	0.25	44.5	12.7	0.02	3.5
73-12188	0.17	29.8	8.5	0.02	3.5
73-12190	0.25	44.5	12.7	0.02	3.5
73-12192	0.25	44.5	12.7	0.02	3.5
Combined Limit Totals	0.96	92.4	26.4	0.02	3.5

** The water right elements rentable have been reduced from the water right elements leased to account for combined limits*

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, 2023. 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

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

LESSOR: UNITED STATES OF AMERICA
ACTING THROUGH
USDI BUREAU OF LAND
MANAGEMENT IDAHO STATE
OFFICE 1387 S VINNELL WAY
BOISE, ID 83709-1657

By 
Title Water Rights Spec.
Date 7/19/2021

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 7/21/21

Lease approved by IDWR 

Date 7/21/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1389

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): 73-12182, 73-12184, 73-12188, 73-12190, 73-12186

BIG CREEK SESW Sec. 12 Twp 13N Rge 23E LEMHI County

Source and Location of Point(s) of Diversion for Water Right No(s): 73-12192

MILL CREEK NWNESW Sec. 12 Twp 13N Rge 23E LEMHI County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
73-12182	IRRIGATION	04/01	to	10/31	0.16 cfs	37.1 AF
73-12184	IRRIGATION	04/01	to	10/31	0.13 cfs	29.8 AF
73-12186	IRRIGATION	04/01	to	10/31	0.25 cfs	44.5 AF
73-12188	IRRIGATION	04/01	to	10/31	0.17 cfs	29.8 AF
73-12190	IRRIGATION	04/01	to	10/31	0.25 cfs	44.5 AF
73-12192	IRRIGATION	04/01	to	10/31	0.25 cfs	44.5 AF
Totals:					0.96 cfs	92.4 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	
13N	23E	3	26.4 L1																26.4

Total Acres: 26.4

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).

WATER SUPPLY BANK LEASE CONTRACT No. 1389

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. 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. 73.

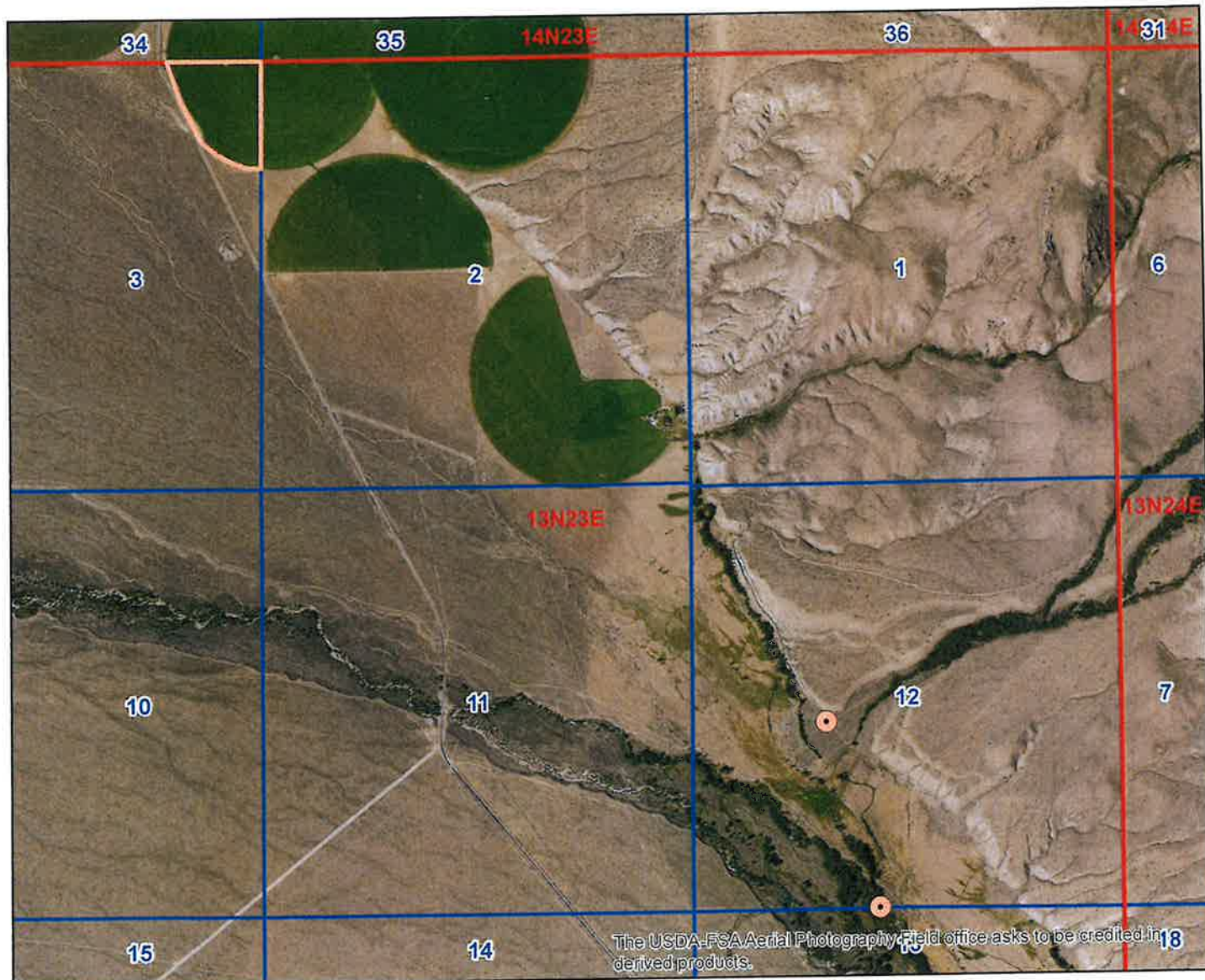
Idaho Water Resource Board

Water Supply Bank Lease Contract No. 1389

73-12182, 73-12184, 73-12186, 73-12188, 73-12190, & 73-12192

Effective until December 31, 2023

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



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

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



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

DEC 17 2020

DEPARTMENT OF
WATER RESOURCES

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

United States of America Acting through USDI
Designated Applicant Bureau of Land Management Idaho State Office **Water Right No.** 73-12186
 (Select one owner – see item 1A on the application) (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 <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 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 <u>Section 42-222(2), Idaho Code</u> . |

Department Use Only

Fee Amount \$ <u>750-</u>	Received By: <u>km</u>	Date Received: <u>12.17.2020</u>	Receipt # <u>2109674</u>
W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)		Name on W-9: <u>DOI Bureau of Land Management</u>	

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 United States of America Acting through USDI Bureau of Land Management ID State Office
Mailing Address 1387 S Vinnell Way Boise ID 83709-1657
Street City State Zip Code
Email Address _____ Phone Number 208-373-4000

☒ 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 Fred Price Organization BLM
Professional Title Water Rights Specialist Email Address fwprice@blm.gov
Mailing Address ID State Office, 1387 Vinnell Way, Boise, ID 83709-1657 Phone Number 208-373-3831

☐ 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.
Irrigation conveyance system owned and operated by Big Creek Ranch LLC, pursuant to SRBA "Stipulation to Resolve Objections" dated 11/1/2011.
- 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. Combined rights appurtenant to the 26.4 acres: 73-12182, 73-12184, 73-12186, 73-12188, 73-12190 and 73-12192
- 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. As decreed
- 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? Yes ☐ No ☒
If yes, describe.

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: 2021 to 2024 (maximum lease period 5 calendar years).
(Year) (Year) (3 years)
- 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.
Lease/rental of this water right is part of a BLM restoration project. Rental is to be subject to Department
administrative costs only.

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

Printed Name

Date

Signature of Authorized Representative

Printed Name

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). 73-12186

	Designated Applicant	Applicant #2	Applicant #3
Name	Fred Price		
Mailing Address	ID State Office 1387 Vinnell Way Boise, ID 83709-1657		
Phone Number	208-373-3831		
Email Address	fwprice@blm.gov		
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			



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

WATER RIGHT REPORT

10/16/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 73-12186

Owner Type

Current Owner

Name and Address

UNITED STATES OF AMERICA ACTING THROUGH
 USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL
 WAY
 BOISE, ID 83709-1657
 2083734000

Directors Report
Owner

WHITWORTH RANCHES INC
 PO BOX 167
 MAY, ID 83253
 2088764278

Original Owner

ALFONSO BARSLOW
 , ID

Original Owner

BIG CREEK RANCH LLC
 PO BOX 5987
 KETCHUM, ID 83340-5987
 (208) 788-1771

Priority Date: 11/20/1885

Basis: Decreed

Status: Active

Source

BIG CREEK

Tributary

PAHSIMEROI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.25 CFS	

Total Diversion | 0.2 cfs

Location of Point(s) of Diversion:

BIG CREEK | SESW | Sec. 12 | Township 13N | Range 23E | LEMHI County

IRRIGATION Use:

Acre Limit: 12.7

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
13N	23E	3	1	NENE	26.4									

Total Acres: 26.4

Conditions of Approval:

1. X27 This right is limited to the irrigation of 12.7 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 73-12182, 73-12184, 73-12186, 73-12188, 73-12190, and 73-12192 when combined shall not exceed a total diversion rate of 0.96 cfs and the irrigation of 26.4 acres.
3. R05 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. 73.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
7. 004 This right does not grant any right-of-way or easement across the land of another.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 12/30/2011

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 73

Generic Max Rate per Acre:

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 62.4

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

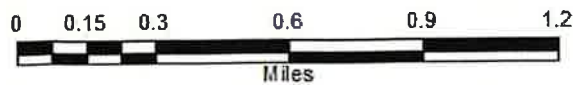
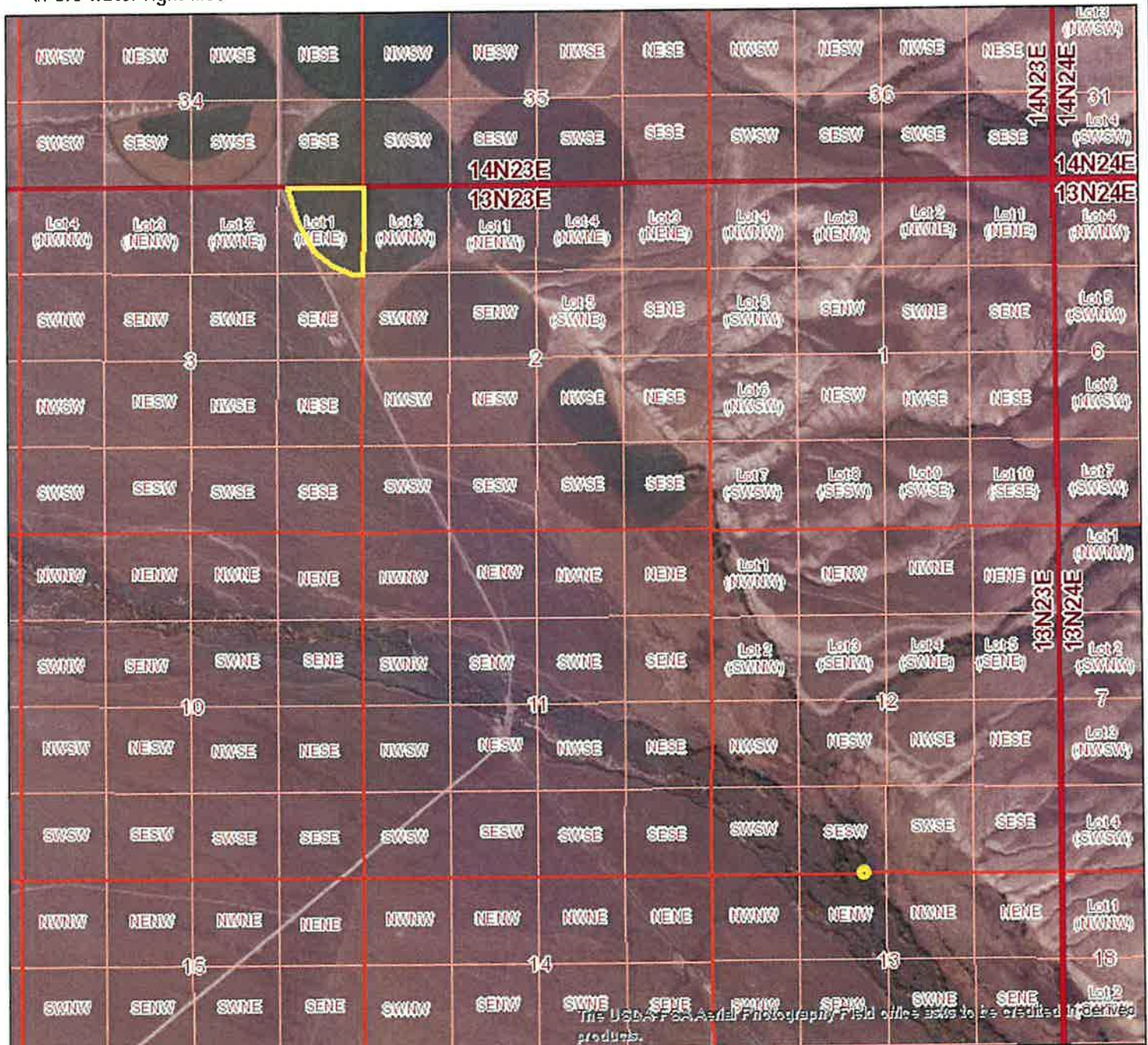
State of Idaho
Department of Water Resources

Water Right

73-12186

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters





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 27, 2021

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE

**RE: WATER SUPPLY BANK LEASE CONTRACT 1389
FOR WATER RIGHTS 73-12182, 73-12184, 73-12186, 73-12188, 73-12190 & 73-12192**

Dear Lessor:

Water right **73-12182, 73-12184, 73-12186, 73-12188, 73-12190 & 73-12192** were 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, 2023**, 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



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 16, 2021

UNITED STATE OF AMERICA
ACTING THROUGH USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

RE: APPLICATION TO LEASE WATER RIGHTS 73-12182, 73-12184, 73-12186, 73-12188, 73-12190 & 73-12192 TO THE WATER SUPPLY BANK CONTRACT 1389

******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, 2023**, 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 Hersley

for
Water Supply Bank

Enclosures: Proposed Lease Contracts

C: SPF Water Engineering LLC

From: Tom Page <pageshouse@msn.com>
Sent: Monday, May 03, 2021 1:48 PM
To: Betts, David
Cc: Lori Graves; fwprice@blm.gov; Branz, Hannah M; Michael Page; John Brown
Subject: Re: Big Creek Ranch LLC - Application to lease no. 1878 (Water right no. 73-12181)

Hello David - Thanks for checking in on the water right application concerns. I've cc'd Hannah B from the Challis FO, along with John Brown (Big Creek Ranch Manager).

It sounds like Lori has spoken with you regarding the overlapping water rights, but I wanted to respond to your questions around the acres to be idled on private lands and the BLM.

Private land acres to be idled: These acres have been consistently flood-irrigated every year via control structures installed by BCR on the ditch leading from Big Creek to the houses. However, these pastures aren't grazed every year, so there is a fair amount of residual dry grass which may obscure the satellite photos. I'm happy to do a field visit if there is a need for verification on this point, or you can speak with Curtis Harwood/John Brown of BCR, who are the individuals doing this work each day (primarily Curtis). I will also say that since the efficiency projects that have gone in at this general location (new bubbler and other infrastructure, Mill Creek reconnect project, new headgate) there has been a drop in the overall diversion from Big Creek since 2011, from approximately 30 cfs nearly year-round (when such water was available), to approximately 12 cfs, which is the amount currently allowed through the pipe under the Mill Cr channel. So, the acres in question now receive less overall water for a shorter time period than under previous ownership, which may also be part of the reason it appears drier in the photos.

BLM acres to be idled: Currently there are two pivot stops on the half-pivot adjacent to the project area. I would expect that these stops will be removed from the half pivot and placed on the public/private boundary you reference, in order to create a 3/4 pivot, thus idling the BLM acreage. These 26.4 acres, initially irrigated by previous ownership, are part of a longstanding agricultural lease application that BCR submitted to the BLM in approximately 2012. It is my hope that if this water-lease application is approved for the next three years, that would be long enough to re-establish perennial plants on the project site, without creating another cheatgrass site on the idled 26.4 acres. If the BLM were to approve our ag-lease application, we would then ideally be able to run that pivot all the way round once again. If the lease were to be denied, I would assume that there would be some sort of perennial plant restoration project similar to what is ongoing to the southeast. We haven't received any indication from BLM as to when that application might be processed.

Hope this helps and let me know if there's anything else you need.

Tom Page
Big Creek Ranch
208-721-8987

From: Betts, David <David.Betts@idwr.idaho.gov>
Sent: Friday, April 30, 2021 3:12 PM
To: pageshouse@msn.com <pageshouse@msn.com>
Cc: Lori Graves <LGraves@spfwater.com>; fwprice@blm.gov <fwprice@blm.gov>
Subject: Big Creek Ranch LLC - Application to lease no. 1878 (Water right no. 73-12181)

Dear Applicants,

There are a few concerns with Big Creek Ranch's application to lease to the Water Supply Bank (application no. 1878) and the associated lease-rental package that was submitted together with the Bureau of Land Management (BLM).

Overlapping water rights

Big Creek Ranch's application proposes to lease water right 73-12181, which shares a combined place of use with 11 other water rights. Although the overlapping rights have individual acre limits, these limits are not additive. As such, a single water right cannot be separated for use without risk of enlargement. I cannot recommend the lease of water right 73-12181 on its own.

If Big Creek Ranch wants to pursue this lease, a set of stacked rights should be submitted together for rental. Big Creek Ranch can select from two different groups within the 469.5 acre combined place of use:

1. Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, and 73-12191, which are authorized to irrigate a combined 433.5 acres
2. Rights 73-12212, 73-12213, 73-12214, 73-12215, 73-12216 and 73-12217, which are authorized to irrigate a combined 36 acres.

An equal proportion of each of the overlapping rights in a given set should be proposed for lease. The quantities from each right would be based on the desired total number of acres for lease (e.g. 35.6 acres) as a proportion of the overall combined acre limit of their set of water rights (433.5 acres or 36 acres).

Acres to be idled for the lease

I am having difficulty confirming that the proposed acres for lease have been irrigated during the past 5 years. My assessment is based on the acres identified in the map of the place of use submitted with the lease application (attached). It is possible that some irrigation has occurred on these acres, but the extent of irrigation is not clear. Using satellite imagery, I am unable to distinguish between actively irrigated lands and greening that may have occurred because of waste water run-off or seepage from the surrounding canals and stream channels. The difficulty in determining the extent of irrigation that has occurred in the past will make it difficult for the Department and Water District staff to confirm that the acres are being idled for the duration of the proposed lease. Before a rental is approved, the Water Supply Bank makes an assessment as to whether or not the leased rights are being idled.

Please provide information on how the acres proposed for lease have been irrigated in the past. What are Big Creek Ranch's plans to ensure that sufficient acres are being idled to provide the water to rent?

Idling of BLM's acres

During my initial review of the lease-rental package, concerns were submitted by the watermaster about the acres to be idled by the BLM (lease application no. 1884). The BLM proposes to idle a 26.4 acre portion of a pivot. I am addressing my questions to you, because Lori Graves stated in the cover letter for these applications that Big Creek Ranch manages the point of diversion and the irrigation works for these rights. Water district staff asked for information on how Big Creek Ranch plans to idle that portion of the pivot. Will you use pivot stops, or walk the pivot dry over that quarter? Please provide the Department with additional information on how the BLM acres will be idled.

Thank you for your attention to these matters. If we do not receive the necessary information by May 15, the lease application will be denied because it cannot be processed without the requested information. Your responses will help the Water Supply Bank maintain the beneficial uses of Idaho's water resources.

Dave Betts - *Water Resource Agent*

Water Rights Section | Idaho Department of Water Resources

322 East Front St | P.O. Box 83720 | Boise, ID 83720

Phone: (208) 287-4826 | email: david.betts@idwr.idaho.gov

WATER SUPPLY BANK		Quick Tools	
Lease Review Checklist		Decreed Year	No Forfeiture Concerns Thru:
Applicant(s) Name: BLM		2011	2017
Memo Date: April 7, 2021		2012	2018
Water Right Number(s): 73-12182, 73-12184, 73-12186, 73-12188, 73-12190, 73-12192		2013	2019
		2014	2020
		2015	2021
Reviewers Name: D.Betts			
1	Fill out WSB Data Entry Checklist for Leases (Front of File)	Check box	COMMENTS/CONCERNS:
		x	
2	Reason for lease of water rights (Brief description of lease proposal in narrative)		
	Portion of right		
	All of right	x	
3	Check GWMA/CGWA/ADC and basin 63 areas of concern (note area in comments)	x	No areas of concern
		Yes	No
4	Rentable? (If no explain in comments or narrative)	x	
5	Authority to file		
	Current owner or designated applicant	x	Fred Price (BLM)
	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?	x	
7	Injury to other water rights		
	If the POD is through a delivery entity, was consent provided?	x	filed with owner of diverting works
	If the POD is through a delivery entity, was holdback required? (percentage in comments)		x
	Any other concerns		x
8	Enlargement concerns	Check box	
	Complete a POU comparison overlap analysis	x	all overlapping rights for lease
	Complete a combined limits review	x	0.96 cfs for 26.4 acres irrigation
	Complete POD overlap analysis (if there is an overlap add condition to lease)	x	
		Yes	No
	Are there overlapping rights that need to be placed in the bank also?	x	all overlapping rights included
	Will the place of use continue to receive water? (if yes explain in comments)		x
9	Local Public Interest		
	Does the processor know of any problems this action will cause for the local public?		x
10	Have you contacted regional office and watermaster for comment/concerns?	x	
	Send the watermaster comment request form or e-mail request	x	request emailed on 03/26
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		x
13	Narrative: This lease application (no. 1884), combined with lease application no. 1878 are proposed for use by rental application no. 1877 to satisfy a proposed restoration project for the Bureau of Land Management. This lease proposes the entire portion of a combined 26.4 acres of irrigation of the overlapping water rights. The proposed lease is for 3 years (2021 - 2023). The combined place of use has been irrigated during the previous 5 years. Validity is not a concern. If this lease is approved, the changes to the locations of the points of diversion and the places of use to satisfy the corresponding rental would be small. Because the proposed changes are small, there does not appear to be a risk of injury or enlargement. The Region and WD 73 did not respond to my request for comments. The watermaster for WD 170 said they have no objections because all six stacked rights are proposed for lease.		

Betts, David

From: Yenter, Cindy
Sent: Tuesday, April 06, 2021 10:43 AM
To: Betts, David
Cc: Buyer, Remington; Cefalo, James; tedoneal1954@gmail.com
Subject: FW: Proposed Lease-Rental package - Basin 73 - BLM & Page

Dave - After a closer look, I see that BLM has submitted for lease 1884 all six stacked rights (73-12182 et al) on that quarter-pivot for lease of 26.4 acres – I do not object to this lease.

The BLM proposal does raise a question that I'd like answered: How does Page intend to prevent irrigation of those lands? (Page I'm sure has the ag lease from BLM) Is he putting up pivot stops, or walking the pivot dry over that quarter?

The Page lease proposal 1878 of 73-12181 may not be processed as filed. This right is stacked and combined with other rights. Page must lease a portion of all 6 stacked rights which carry the combined limit of 433.5 acres (12181, 12183, 12185, 12187, 12189, 12191). He cannot simply pull 36 acres from 12181 and reduce the total acres irrigated.

Do you suppose that Page intended to lease 12212, 12213, 12214, 12215, 12216 and 12217? If not, he should have. These six, also in the same PPU, have a combined acreage of 36 ac, combined flow of 1.32 cfs, and are additive with the 433.5 for a total acreage limit of 469.5 ac in the PPU. I believe these six could be leased independent of the other six, and they appear to be splits from the same rights so the priorities would be the same. I would support the revised lease of the above six rights 12212 et al.

The problems with stacked right is that we no longer know the relationship between all the stacked rights, or the historic proportional use in priority. The rights have been placed in a PPU and used together so long that those relationships are blurry. We can't assume that any of these rights may be used alone without causing an enlargement of use. Unstacking like this would not be permitted in a transfer unless the applicant can show how enlargement will not occur. That is unlikely here; unstacking cannot be permitted in the lease. The solution is to take proportional splits of all stacked rights, or to lease the entire package of rights.

I am still concerned that the 36 specific acres at the south end of the Page property which are proposed to be unirrigated during the lease period, do not appear irrigated for at least 5 years. Because this is a PPU and most of the rest of the PPU is regularly irrigated, perhaps this is not a problem. All rights under both leases do in fact use the same pods from Big Creek and Mill Creek.

Finally, what is the total rental request? Will the same PODs be used or are different diversions proposed? Based on both leases I'm presuming about 62 acres, but you haven't sent the rental packet over yet.

*Cindy Yenter
IDWR Salmon Field Office
102 S Warpath
Salmon ID 83467
208-742-0655
208-731-0901 cell*

From: Yenter, Cindy
Sent: Monday, April 5, 2021 4:21 PM
To: Betts, David <David.Betts@idwr.idaho.gov>
Subject: RE: Proposed Lease-Rental package - Basin 73 - BLM

David, at first glance both leases appear to have serious enlargement issues, as there are numerous overlaps on both Page and BLM, and overlapping rights don't appear to be included on the leases. Was this addressed in the applications or have you done a full water right analysis? I also don't see good evidence of irrigation on the Page acres since about 2009, so I would question lease eligibility. I will look harder at the overlaps and get back with you.

From: Betts, David
Sent: Friday, March 26, 2021 4:58 PM
To: Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>; Cefalo, James <James.Cefalo@idwr.idaho.gov>; Ted O'Neal
(tedoneal1954@gmail.com) <tedoneal1954@gmail.com>
Subject: Proposed Lease-Rental package - Basin 73 - BLM

The Bureau of Land Management and Big Creek Ranch have submitted applications to lease and an application to rent. The applications are to assist with a restoration project by the BLM.

Please review the attached documents and let me know if you have any concerns or comments about the proposed leases or rental.

Thank you for your help,

--
Dave Betts - *Water Resource Agent*
Water Rights Section | Idaho Department of Water Resources
322 East Front St | P.O. Box 83720 | Boise, ID 83720
Phone: (208) 287-4826 | email: david.betts@idwr.idaho.gov

Betts, David

From: Betts, David
Sent: Friday, March 26, 2021 4:58 PM
To: Yenter, Cindy; Cefalo, James; Ted O'Neal (tedoneal1954@gmail.com)
Subject: Proposed Lease-Rental package - Basin 73 - BLM
Attachments: Lease - Big Creek Ranch - 73-12181.pdf; Lease Application Review Checklist - 73-12181 Big Creek Ranch.xls; Lease Application Review Checklist - 73-12182 et al - BLM.XLS; Lease_BLM_2021.pdf; Rental - BLM - 2021.pdf; Rental Review Memo - BLM.DOCX

The Bureau of Land Management and Big Creek Ranch have submitted applications to lease and an application to rent. The applications are to assist with a restoration project by the BLM.

Please review the attached documents and let me know if you have any concerns or comments about the proposed leases or rental.

Thank you for your help,

--
Dave Betts - *Water Resource Agent*
Water Rights Section | Idaho Department of Water Resources
322 East Front St | P.O. Box 83720 | Boise, ID 83720
Phone: (208) 287-4826 | email: david.betts@idwr.idaho.gov



SPF WATER
ENGINEERING

December 14, 2020

RECEIVED

DEC 17 2020

DEPARTMENT OF
WATER RESOURCES

Justin Ferguson
IDWR State Office
PO Box 83720
Boise, ID 83720-0098

**Subject: Notice of Change in Water Right Ownership
Water Bank Lease Application – Big Creek Ranch
Water Bank Lease and Rental Applications - BLM**

Dear Justin,

In accordance with our discussion, enclosed on behalf of the Bureau of Land Management (BLM) and Big Creek Ranch LLC (BCR) are the following:

Notice of Change in Water Right Ownership – BCR

Pursuant to Stipulation to Resolve Objections, SRBA Case No. 39576, BLM has quitclaimed to BCR water rights 73-12212 through 73-12217. These rights are currently appurtenant to BCR lands and irrigated with BCR's irrigation conveyance system per approved transfer no. 78574. (IDWR filing fee \$175)

Water Bank Lease Application (1) – BCR

Including the quitclaimed BLM rights above, BCR has 12 water rights that, when combined, authorize irrigation of 469.5 acres within a 572.9-acre permissible place of use (ppu). The water rights each have acre limits and are not considered stacked. For simplicity, water right 73-12181 was chosen for lease of 35.6 of the 469.5 acres to the water bank for three years. The 35.6 acres, along with 26.4 acres leased under BLM water rights described below, will be rented by BLM to establish native seedlings within a 62-acre restoration project area. Upon lease approval, BCR's remaining 11 associated water rights will be limited to irrigation of 433.9 acres within the 572.9-acre ppu for the 3-year requested lease period. (IDWR filing fee \$250)

In compliance with water rights' condition no. 206, the enclosed aerial photo map for the lease application can serve as an updated "206 map" indicating the 469.5-acres to be irrigated for the next 3 years upon lease approval. Electronic shape files can be provided upon request.

Water Bank Lease Applications (6) – BLM

As described above, BLM wish to lease all the 26.4 acres authorized under water rights 73-12182, 73-12184, 73-12186, 73-12188, 73-12190 and 73-12192 to the water bank for 3 years to be rented for the restoration project area. The 26.4 acres are currently irrigated with the BCR irrigation system. (IDWR filing fee \$500)

Water Bank Rental Application – BLM

To complete the lease/rental package, BLM wish to rent the 35.6 Big Creek Ranch acres proposed for lease and the 26.4 BLM acres proposed for lease to allow irrigation of native seedlings within a 62-acre restoration project area. The same irrigation conveyance system used for all BLM/BCR leased acres will be used for the project area acres. Per agreement between BLM and BCR, costs associated with rental of this water will be paid by BCR and only include the Department's administrative costs.

Check no. 3931 for \$175 is enclosed for the ownership change notice and check no. 3961 for \$750 is enclosed for the BLM and BCR water bank lease applications. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,



Lori Graves
Water Rights Specialist

Cc: Tom Page, Big Creek Ranch LLC
Fred Price, BLM Authorized Water Rights Agent

Enclosures

SPF file number: 836.0200

Form 1221-2
(June 1969)



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho State Office

Release 1-346

Date
September 22, 2011

MANUAL TRANSMITTAL SHEET

Subject: **1203 – DELEGATION OF AUTHORITY**

1. Explanation of Material Transmitted: This manual supplement updates delegations of authority and related procedures to the State Office, District Offices, and Field Offices and National Landscape Conservation System (NLCS) Managers (Mgr) and staff. It includes a new column for the NLCS Mgr.
2. Reports Required: None.
3. Material Superseded: The manual supplement release superseded by this release is listed under REMOVE below. This release also supersedes any Idaho Instruction Memorandum dated before this transmittal.
4. Filing Instructions: File as directed below.

REMOVE

1203 – All Pages (Release 1-343)
(Total: 61 Sheets)

INSERT

1203 (Release 1-346)
(Total: 91 Sheets)

Peter J. Ditton for

Steven A. Ellis
State Director

Distribution

1203 - DELEGATION OF AUTHORITY

Code /or Reg.	Activity	Authority Delegated To										
		SD	DSD	Br Chief	DM	FM	NLCS Mgr	AO/SSM	All Sup	SSPA	DFMO	MRF
6525	Approve cooperative management programs jointly with State wildlife agencies pursuant to the Sikes Act, as amended.	X			X	X	X					
6600 FISH, WILDLIFE, AND SPECIAL STATUS PLANT RESOURCES INVENTORY AND MONITORING												
6602	Approve wildlife inventory and monitoring plans.	X			X	X	X					
6620	Approve Habitat Management Plans.	X			X	X	X					
6800 WILDLIFE POPULATION MANAGEMENT												
6840	Conduct endangered species consultation per Section 7 of Endangered Species Act of 1973, as amended.	X			X	X	X					
7250 WATER RIGHTS												
7250	Settle water rights issues. 1) Special delegation to DSD for Resource Services and the Special Project Team (Water Rights). See Instruction Memorandum No. ID-2001-063, Subject: Water Rights Delegation of Authority.	X	1									
8000 RECREATION PROGRAMS												
8000	Authorize recreation use and specify terms and conditions of such use (exceptions are provided for in the regulations).	X			X	X	X					
8100 CULTURAL RESOURCE MANAGEMENT												
8110	Carry out matters of responsibility of BLM relating to determination of eligibility for nomination to the National Register under 36 CFR 63.	X			X	X	X					
8110	Carry out matters of responsibility of BLM relating to nomination to the National Register under 36 CFR 60.	X			X	X	X					

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657

In Reply Refer To:
7250/1230 (933) P

July 27, 2001

EMS
Instruction Memorandum No. ID-2001-063
Expires: 09/30/2002

To: ICT

From: State Director

Subject: Water Rights Delegation of Authority

Idaho State Office 1203 - Delegation of Authority Manual Supplement is amended to add a delegated authority to both the Deputy State Director for Resource Services and the Branch Chief for Lands and Minerals to negotiate and settle Snake River Basin Adjudication (SRBA) water rights issues. The SRBA water rights team leader (Gary Madenford) and senior water rights specialist (Fred Price) will continue to have authority to represent the BLM regarding all water rights issues.

This delegation is effective immediately. The Idaho Delegation of Authority Supplement will be revised to reflect these changes.

Contact Jimmie Buxton if you have comments or questions regarding this issue.

Signed by:
Martha G. Hahn

Authenticated by:
Susanna M. Henry
Staff Assistant (ID-933)

cc:
ISO Water Rights Team
Larry Brown, DOJ Attorney
Mel Matlock (950)
Bill Ferry, Field Solicitor - Boise