STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1091

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

LESSOR: DAVID E JOHNSON
PO BOX 2531
HAILEY, ID 83333

SUPPORT DATA
IN FILE # 37-21844

RECEIVED
OCT 08 2020
DEPARTMENT OF WATER RESOURCES

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.

2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on December 17, 2019.

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)
37-21861	3/24/1883	BIG WOOD RIVER, tributary to MALAD RIVER	0.09	Not Stated	5.4
37-21878	7/10/1884	BIG WOOD RIVER, tributary to MALAD RIVER	0.01	Not Stated	5.4
37-21895	9/18/1885	BIG WOOD RIVER, tributary to MALAD RIVER	0.05	Not Stated	5.4
37-21912	6/12/1886	BIG WOOD RIVER, tributary to MALAD RIVER	0.01	Not Stated	5.4
37-21929	6/15/1891	BIG WOOD RIVER, tributary to MALAD RIVER	0.14	Not Stated	5.4
37-21844	9/25/1954	GROUND WATER	0.03	4.9	5.4
Combined Lease Totals			**0.32**	**4.9**	**28.4**

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)
37-21861	0.07	18.9	5.4	0.02	3.5
37-21878	0.01	18.9	5.4	0.02	3.5
37-21895	0.04	18.9	5.4	0.01	3.5
37-21912	0.01	18.9	5.4	0.01	3.5
37-21929	0.11	18.9	5.4	0.01	3.5
37-21844	0.02	4.9	1.4	0.02	3.5
Combined Limit Totals	**0.26**	18.9	**5.4**	**0.23**	**3.5**

**** The water right elements rentable have been reduced from the water right elements leased to account for combined limits and a 20% conveyance loss***

WATER SUPPLY BANK LEASE CONTRACT No. 1091

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, 2020 to December 31, 2024. 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. 1091

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

LESSOR: DAVID E JOHNSON
PO BOX 2531
HAILEY, ID 83333

By _____
Title Designated Applicant
Date 10-5-2020

IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By _____ Date 10/14/20
Brian Patton, Acting Administrator
Idaho Water Resource Board

Lease approved by IDWR _____ Date 10/14/20

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1091

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): 37-21844

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

Source and Location of Point(s) of Diversion for Water Right No(s): 37-21861, 37-21878, 37-21895, 37-21912, 37-21929

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		
37-21844	IRRIGATION	04/15	to	10/31	0.03 cfs	4.9 AF
37-21861	IRRIGATION	04/15	to	10/31	0.09 cfs	Not Stated
37-21878	IRRIGATION	04/15	to	10/31	0.01 cfs	Not Stated
37-21895	IRRIGATION	04/15	to	10/31	0.05 cfs	Not Stated
37-21912	IRRIGATION	04/15	to	10/31	0.01 cfs	Not Stated
37-21929	IRRIGATION	04/15	to	10/31	0.14 cfs	Not Stated
				Totals:	0.32 cfs	4.9 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	
01N	19E	7												5.4					5.4

Total Acres: 5.4

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).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.

WATER SUPPLY BANK LEASE CONTRACT No. 1091

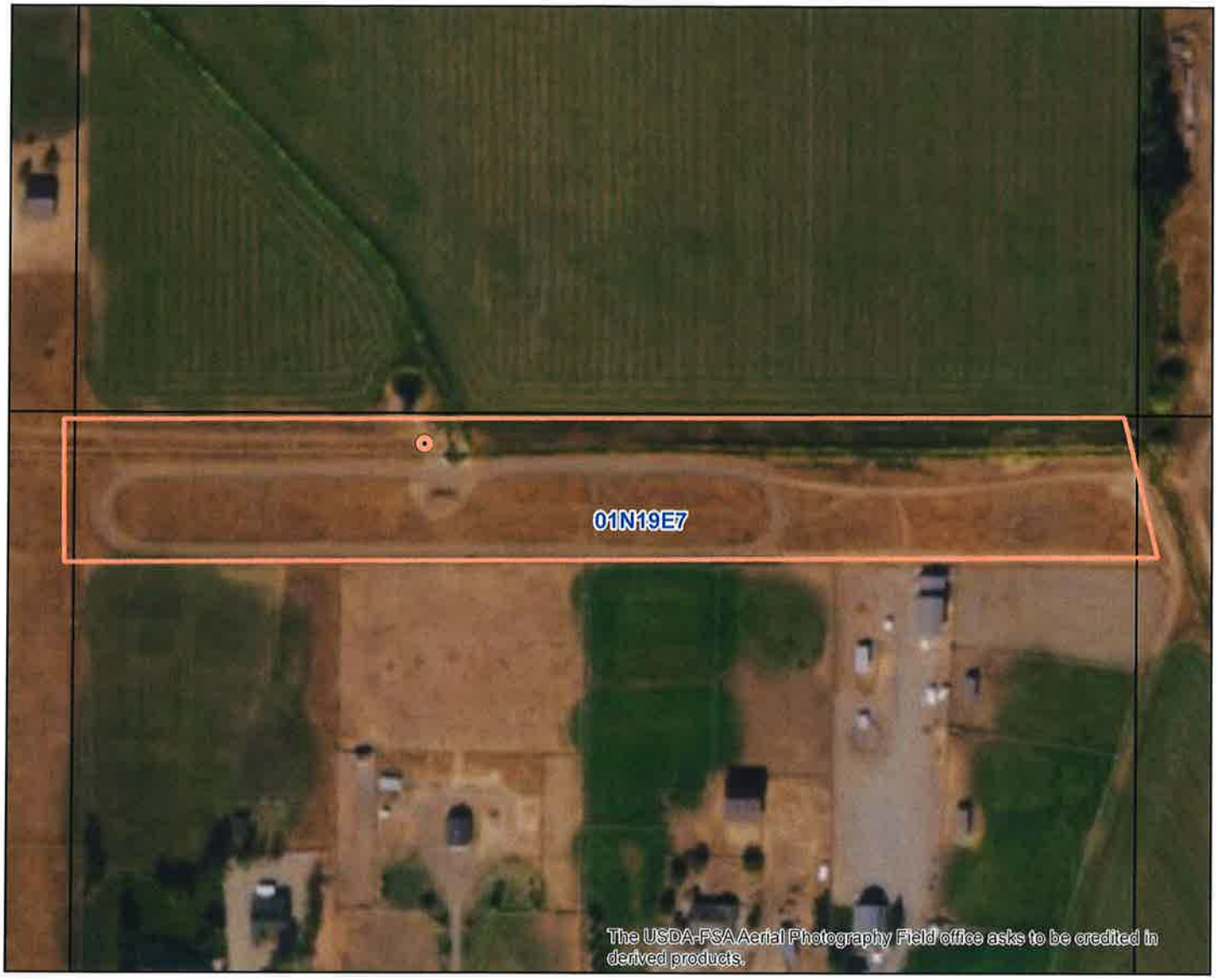
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right 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. Property is also known as Lot 13B, Blk 4, Bellevue Farms Subdivision.
13. Right Nos. 37-21844, 37-21861, 37-21878, 37-21895, 37-21912 and 37-21929 are limited to the irrigation of a combined total of 5.4 acres in a single irrigation season.
14. Water right 37-21844 is limited to the irrigation of 1.4 acres within the authorized place of use in a single irrigation season.
15. Use of water under this agreement may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
16. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Idaho Water Resource Board

Water Supply Bank Lease Contract No. 1091

37-21844, 37-21861, 37-21895, 37-21912, & 37-21929
Effective until December 31, 2024

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

N

0 250 500 Feet

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
DEC 17 2019
DEPARTMENT OF WATER RESOURCES

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

Designated Applicant David E & Christina L Johnson
(Select one owner – see item 1A on the application)

Water Right No. 37-21895
(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.**

MIMUMUM REQUIREMENT CHECKLIST

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

	Yes	
	☑	Completed *Application to Sell or Lease a Water Right to the Water Supply Bank.*
	☑	Application filing fee of $250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is $500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
	☑	Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment	N/A	Yes	
1A	☐	☑	Signatures and contact information for ***all owners*** of the water right to be leased or sold on this application.
1B	☐	☑	An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.
1C	☑	☐	*Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
1D	☑	☐	Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
2	☑	☐	Description of a water right portion offered to the Water Supply Bank.
3	☐	☑	A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.
4A	☐	☑	Written consent from irrigation district or water delivery company.
4G	☑	☐	Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.

Department Use Only

Fee Amount $ 500.00	Received By: KM	Date Received: 12-17-19	Receipt # C 108108
W-9 received? Yes ☑ No ☐	(Route W-9 to Fiscal)	Name on W-9: David E Johnson	

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 David E Johnson

Mailing Address PO Box 2531 Hailey, ID 83333
Street City State Zip Code

Email Address cjanddj87@gmail.com Phone Number (208) 309-0965

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

OR

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

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

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

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

Name of Representative _____ Organization _____

Professional Title _____ Email Address _____

Mailing Address _____ Phone Number _____

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

OR

☐ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☑ The full water right is being offered to the Bank.

OR

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

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

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

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

B. Please provide a description of the current water diversion and delivery system.
From canal head gate along Gannet Road heading south through irrigation ditch to pump pond located on Bellevue Farms Subdivision Block 4 Lot 13B (site of application water rights). Head gate and pump pond serves other water rights.

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. 37-21844 (ground), 37-21861, 37-21878, 37-21912, and 37-21929.

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. Place of use not irrigated.

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. These same water rights were previously leased to the water supply bank within the 5-year grace period following the adjudication process.

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: 2020 (Year) to 2024 (Year) (maximum lease period 5 calendar 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.
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	David E Johnson Printed Name	11-24-19 Date
Signature of Authorized Representative	Printed Name	Date

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

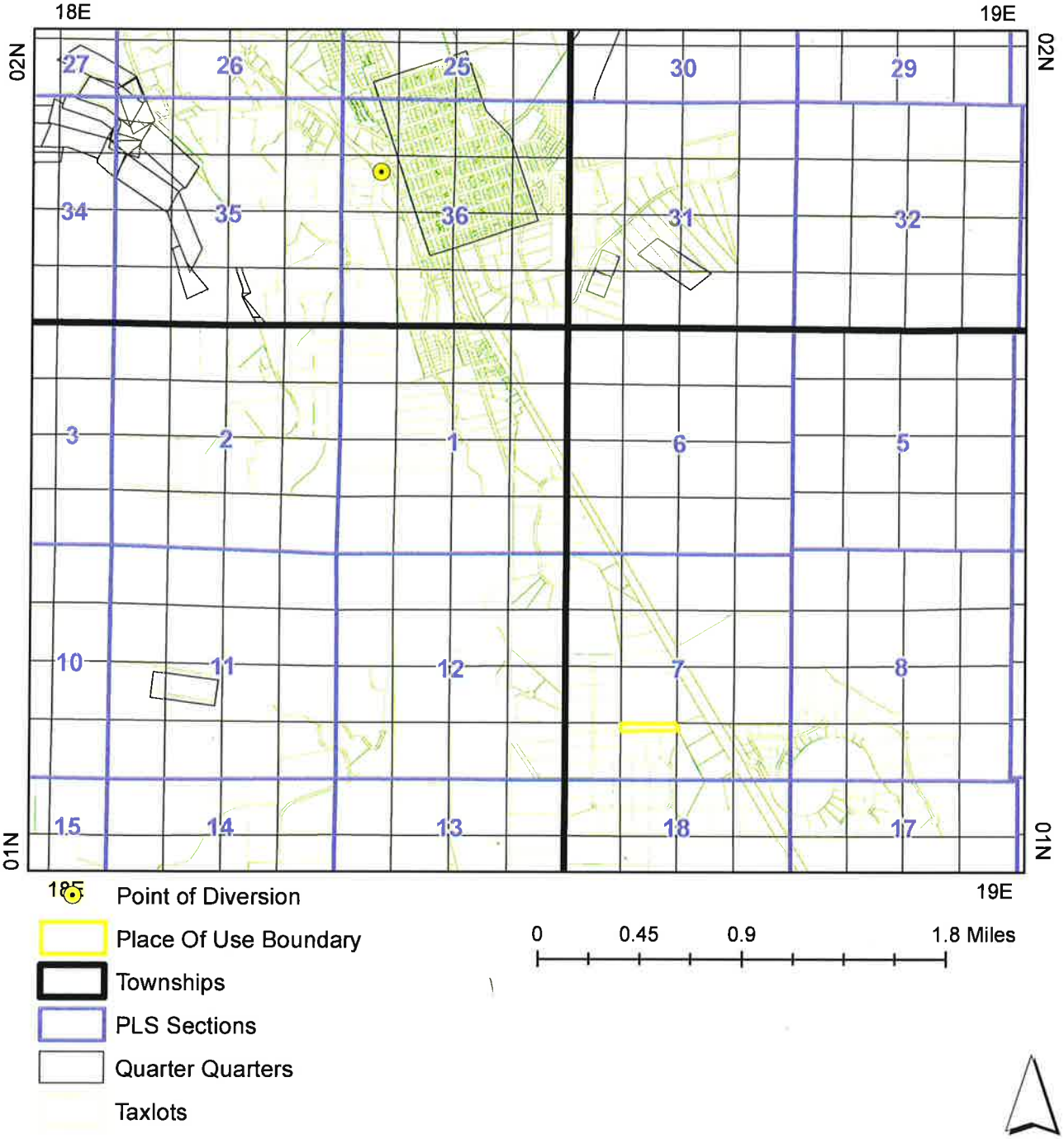
State of Idaho
Department of Water Resources

Water Right

37-21895

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.



Map produced on February 13, 2015

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

ATTACHMENT 1A

1 of 4

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). 37-21861, 37-21878, 37-21895, 37-21912, 37-21929, and 37-21844 (ground)

	Designated Applicant	Applicant #2	Applicant #3
Name	David E Johnson Christina L Johnson	Doug Baker	Lori Sewell Peter Zack Sewell
Mailing Address	PO Box 2531 Hailey, ID 83333	PO Box 3158 Hailey, ID 83333	PO Box 3175 Hailey, ID 83333
Phone Number	(208) 309-0965	(208) 788-5953	(208) 788-4784
Email Address	cjanddj87@gmail.com		zlsewell@gmail.com
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	David E Johnson	D Baker	Lori Sewell Peter Zack Sewell

	Applicant #4	Applicant #5	Applicant #6
Name	Jared R Williams Revocable Trust	Kathleen McKay Philip Vanderhoef	Stephen A Balcos
Mailing Address	PO Box 99658 Seattle, WA 98139	5069 Harold Place NE Seattle, WA 98105	427 Glendale Rd Bellevue, ID 83313
Phone Number	(206) 972-1343	(206) 749-2373	(206) 898-2543
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		Kathleen McKay P. Vanderhoef	Stephen Angelo Balcos

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

ATTACHMENT 1A

2 of 4

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). 37-21861, 37-21878, 37-21895, 37-21912, 37-21929, and 37-21844 (ground)

	Designated Applicant	Applicant #2	Applicant #3
Name	David E Johnson Christina L Johnson	Erik Heiden Brina Yates	Cheri K Scovell David K Scovell
Mailing Address	PO Box 2531 Hailey, ID 83333	PO Box 4290 Hailey, ID 83333	PO Box 923 Medford, OR 97501-0066
Phone Number	(208) 309-0965	(208) 720-2629	(541) 391-6546
Email Address	cjanddj87@gmail.com		
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			

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

ATTACHMENT 1A

3 of 4

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). 37-21861, 37-21878, 37-21895, 37-21912, 37-21929, and 37-21844 (ground)

	Designated Applicant	Applicant #2	Applicant #3
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Mailing Address	PO Box 2531 Hailey, ID 83333	PO Box 3158 Hailey, ID 83333	PO Box 3175 Hailey, ID 83333
Phone Number	(208) 309-0965	(208) 788-5953	(208) 788-4784
Email Address	cjanddj87@gmail.com		
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	David E Johnson		

	Applicant #4	Applicant #5	Applicant #6
Name	Jared R Williams Revocable Trust	Kathleen McKay Philip Vanderhoef	Stephen A Balcos
Mailing Address	PO Box 99658 Seattle, WA 98139	5069 Harold Place NE Seattle, WA 98105	427 Glendale Rd Bellevue, ID 83313
Phone Number	(206) 972-1343	(206) 749-2373	(206) 898-2543
Email Address	jared_williams@comcast.net		
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	Jared R Williams		

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). 37-21861, 37-21878, 37-21895, 37-21912, 37-21929, and 37-21844 (ground)

	Designated Applicant	Applicant #2	Applicant #3
Name	David E Johnson Christina L Johnson	Erik Heiden Brina Yates	Cheri K Scovell David K Scovell
Mailing Address	PO Box 2531 Hailey, ID 83333	PO Box 4290 Hailey, ID 83333	PO Box 923 Medford, OR 97501-0066
Phone Number	(208) 309-0965	(208) 720-2629	(541) 391-6546
Email Address	cjanddj87@gmail.com		ckscovell@gmail.com
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	[signature]		[signature] Cheri K Scovell

	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			

RECEIVED
DEC 17 2019
DEPARTMENT OF
WATER RESOURCES

Triangle Irrigation District

P.O. Box 424

Bellevue, Idaho 83313

At the Triangle Irrigation District Board meeting on December 11, 2019, the directors accepted the water bank application from David and Christina Johnson to and with the condition of a 20% 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.

Sarah Gardner

President and Director

RECEIVED
DEC 17 2019
DEPARTMENT OF
WATER RESOURCES

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 December 10th, 2019, The directors accepted the water bank application from Bellevue Farms Subdivision Block 4 Lot 13B subject to and with the continuing condition of a 20 % 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: December 10th, 2019

Signature
David Johnson, President and Director

Signature
Clare Casey, Director

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

October 14, 2020

DAVID E JOHNSON
PO BOX 2531
HAILEY, ID 83333

RE: WATER SUPPLY BANK LEASE CONTRACT 1091
FOR WATER RIGHTS 37-21861, 37-21878, 37-21895, 37-21912, 37-21929, & 37-21844

Dear Lessor:

Water rights **37-21861, 37-21878, 37-21895, 37-21912, 37-21929, & 37-21844** were leased into the Water Supply Bank (Bank) as of January 1, 2020, 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, 2024,** unless the rights are released earlier by the Water Resource Board (Board). On behalf of the Board, the Department of Water Resources (Department) can evaluate an early release of the lease contract upon your request. To release the water rights from the Bank prior to the release date, submit a written request on the *Request to Release a Water Right from the Bank* form. This form is available on our public website at www.idwr.idaho.gov. **Please note your water rights may not be available for immediate release if they have been rented or are being considered for a future rental. Furthermore, it is at the discretion of the Department whether or not a water right can be released early from a lease contract.**

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

Sincerely,

Amanda Johnson Veibell

for
Water Supply Bank

Enclosure: Executed Lease Contract

c: IDWR- Southern Region
Water District 37

State of Ida
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

September 29, 2020

DAVID E JOHNSON
PO BOX 2531
HAILEY, ID 83333

RE: APPLICATION TO LEASE WATER RIGHT 37-21861, 37-21878, 37-21895, 37-21912, 37-21929, & 37-21844 TO THE WATER SUPPLY BANK
CONTRACT 1091

******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, 2024,** unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at http://www.idwr.idaho.gov. Please note your right may not be available for immediate release if it has been rented.

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

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

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

Sincerely,

Amanda Johnson Veibell
for
Water Supply Bank

Enclosures: Proposed Lease Contracts
Receipt # C108108

Ferguson, Justin

From: Ferguson, Justin
Sent: Wednesday, January 8, 2020 1:17 PM
To: Skinner, Corey; watermanager@cableone.net
Subject: WSB Lease - Wendy Chase, David Johnson, City of Hailey
Attachments: Lease Review Memo.docx; Draft Lease Contract City of Hailey 37-906.docx; Lease City of Hailey 37-906.pdf; Draft Lease David Johnson.docx; Lease Map David Johnson.pdf; Lease Review Memo.docx; Lease Wendy Chase 37-2468C.pdf; Draft Lease Contract Chase 37-2468C.docx; Lease Review Memo.docx

Afternoon!

Attached are the draft lease contract, map, and review memo for the City of Hailey, David Johnson, and Wend Chase. Please let me know within 7 days if you have any comments or concerns

Thank you!

Memorandum

To: Water Rights 37-21844, 37-21861, 37-218895, 37-21912, & 37-21929

From: Justin Ferguson

Date: December 30, 2019

Re: Water Supply Bank Lease Application 1545

Purpose/Narrative: Applications to lease the full portions of water rights 37-21844, 37-21861, 37-218895, 37-21912, & 37-21929 were received by the Department on December 17, 2019. These rights are all overlapping and are limited to a 5.4 acre place of use within the Triangle Irrigation District/Wood River Valley Irrigation District 45. These rights have been leased to the Bank before, beginning in 2015 through 2019 and have been offered again through December 31, 2024.

Authority to File: The applications were signed and submitted by Mr. David Johnson. Attachment 1A was provided signed by all owners assigning Mr. Johnson as the designated applicant. No concerns of authority to file.

Water Right Validity/Forfeiture Evaluation: These rights were decreed through the SRBA in 2010 and leases into the Bank in 2015. Because a five year period of non-use has not elapsed since the time of decree the rights remain valid. While leasing the rights to the Bank does toll the five year forfeiture period, it does not reset it. Further information may be necessary to determine the extent of use if the rights are not offered again to the Bank upon the lease expiration in 2024.

Injury Evaluation: No injury is apparent through lease alone, a 20% conveyance loss holdback has been requested by the irrigation districts to prevent any injury to other users within the system.

Enlargement of Use: No enlargement is evident through the lease alone, proper rental review should protect against enlargement.

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

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

Department/Watermaster Comments: Watermaster and IDWR Southern Region comments were requested January 8, 2020. Consent from both irrigation districts was provided with the application.

Water Supply Bank Evaluation: Based on the information presented by the applicant, staff recommend the application be approved.