

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1066

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

LESSOR: JOHN & ANN WIND TRUST
12306 WHITECHAPEL WAY
NAMPA, ID 83686

RECEIVED
MAY 14 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 04, 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)
61-12084	2/28/1968	GROUND WATER	0.48	187	64.0
Combined Lease Totals			0.48	187	64.0

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

Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** The term of this lease shall be January 1, 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1066

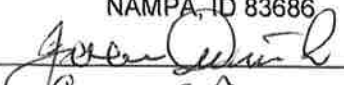
5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right 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.

JUN 08 2020

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**WATER SUPPLY BANK LEASE CONTRACT No. 1066**

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

LESSOR: JOHN & ANN WIND TRUST
12306 WHITECHAPEL WAY
Nampa, ID 83686

By 
Title OWNER
Date 6-3-2020

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 07/02/20

Lease approved by IDWR 

Date 07/02/20

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1066

**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): 61-12084

GROUND WATER	SENW	Sec. 19	Twp 04S	Rge 07E	ELMORE County
GROUND WATER	SWSE	Sec. 19	Twp 04S	Rge 07E	ELMORE County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From	to	To		
61-12084	IRRIGATION	04/10	to	10/20	0.48 cfs	187 AF
Totals:					0.48 cfs	187 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	
04S	07E	19	6.1	6.4	5.8	5.1	1.0							2.2	6.5	8.4			41.5
04S	07E	30		1.0	2.0	1.0	0.1			1.2	2.1			1.0	5.7	2.0	1.4	5.0	22.5

Total Acres: 64.0

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.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.

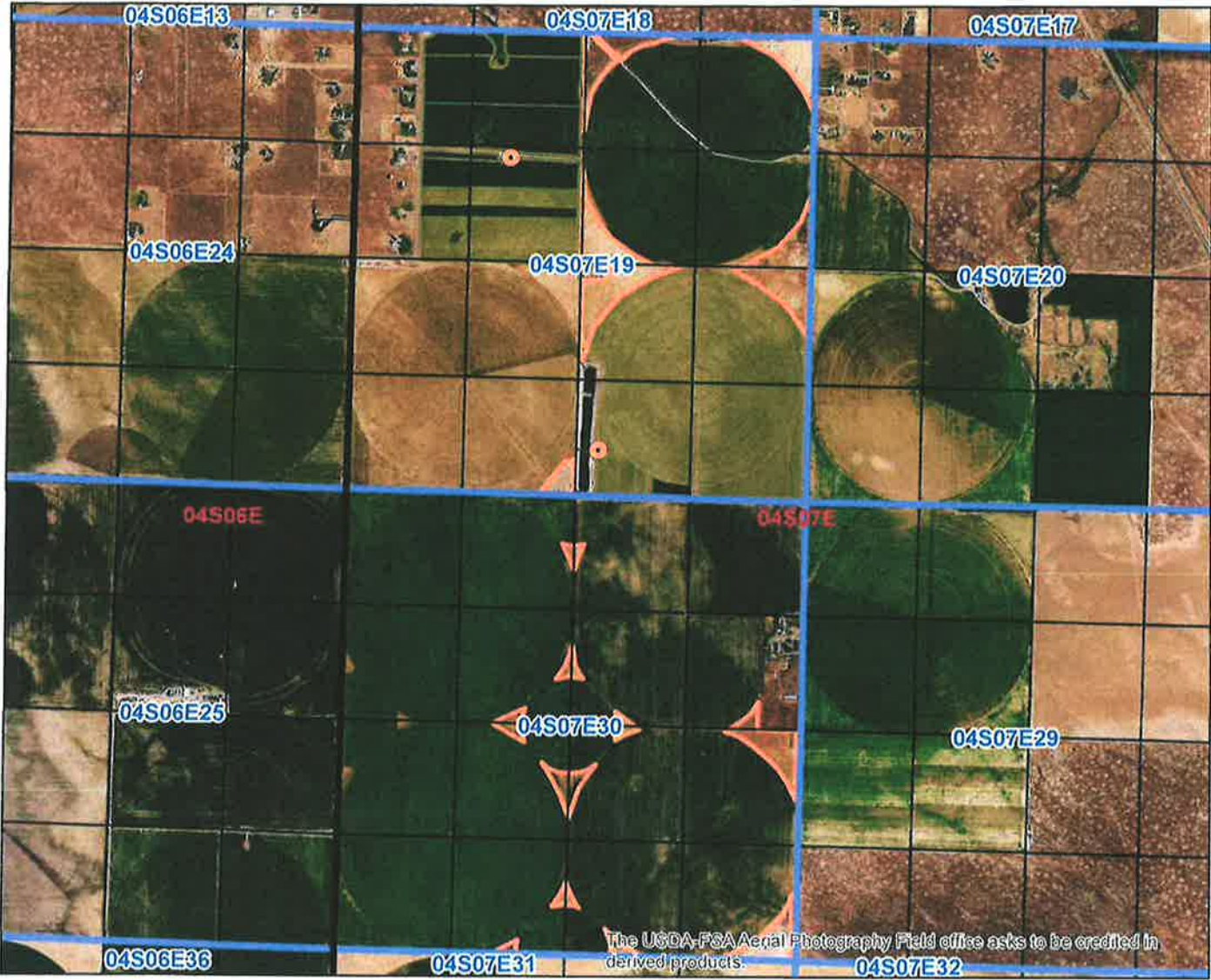
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1066

8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
 - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
13. The unleased extent of water use authorized under 61-12084 is limited to a diversion rate of 2.17 cfs and a diversion volume of 835.8 af for the irrigation of 286.5 acres within the authorized place of use in a single irrigation season.
14. Water rights 61-12086, when combined with the unleased extent of water right 61-12084 shall not exceed a total diversion rate of 6.61 cfs and a total annual maximum diversion volume of 2,822.5 af at the field headgate for the irrigation of 1,144 acres.
15. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/10 and after 10/20 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than April 17, 2001.
16. 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. 161.
17. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
18. Use of this right is combined with water from Mountain Home Irrigation District.
19. The following rights are diverted through points of diversion described above: 61-12084, 61-12086, 61-12085 & 61-12087.

Idaho Water Resource Board
Water Supply Bank Lease Contract No. 1066
61-12084
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



0 2,500 5,000 Feet

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

DEC 04 2019

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKDesignated Applicant John and Ann Wind Trust
(Select one owner – see item 1A on the application)Water Right No. 61-12084
(One water right per application)Is this application being submitted with a rental application as a lease/rental package? Yes ☒ No ☐

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

MINIMUM REQUIREMENT CHECKLIST

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

Yes

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

Attachment N/A Yes

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

Department Use Only

Fee Amount \$ <u>250</u>	Received By: <u>gmh</u>	Date Received: <u>12-4-19</u>	Receipt # <u>C108047</u>
W-9 received? Yes ☒ No ☐	(Route W-9 to Fiscal)	Name on W-9: <u>John + Ann Wind Trust</u>	

1517

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 John and Ann Wind Trust

Mailing Address 12306 Whitechapel Way, Nampa, ID 83686
Street City State Zip Code

Email Address _____ Phone Number 208-442-1480

- ☒ 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 Lori Graves Organization SPF Water Engineering

Professional Title Water Rights Specialist Email Address lgraves@spfwater.com

Mailing Address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Phone Number 208-383-4140

- ☐ 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.

Wells, pumps, sprinklers

- 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. See Attachment 4C

- 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. See Attachment 4C

- 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. Subject water has been in the water bank since 2015 under Contract #513.

- 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. Subject water has been in the water bank since 2015 under Contract #513.

- 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 to 2025 (maximum lease period 5 calendar years).
(Year) (Year)

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

Current rental rate _____

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

The Designated Applicant acknowledges the following:

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



Signature of Designated Applicant

JOHN WIND

Printed Name

11-21-19

Date



Signature of Authorized Representative

LOREI GRAVES

Printed Name

11/25/2019

Date

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

**STATE OF IDAHO
WATER RESOURCE BOARD**

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

ATTACHMENT 2

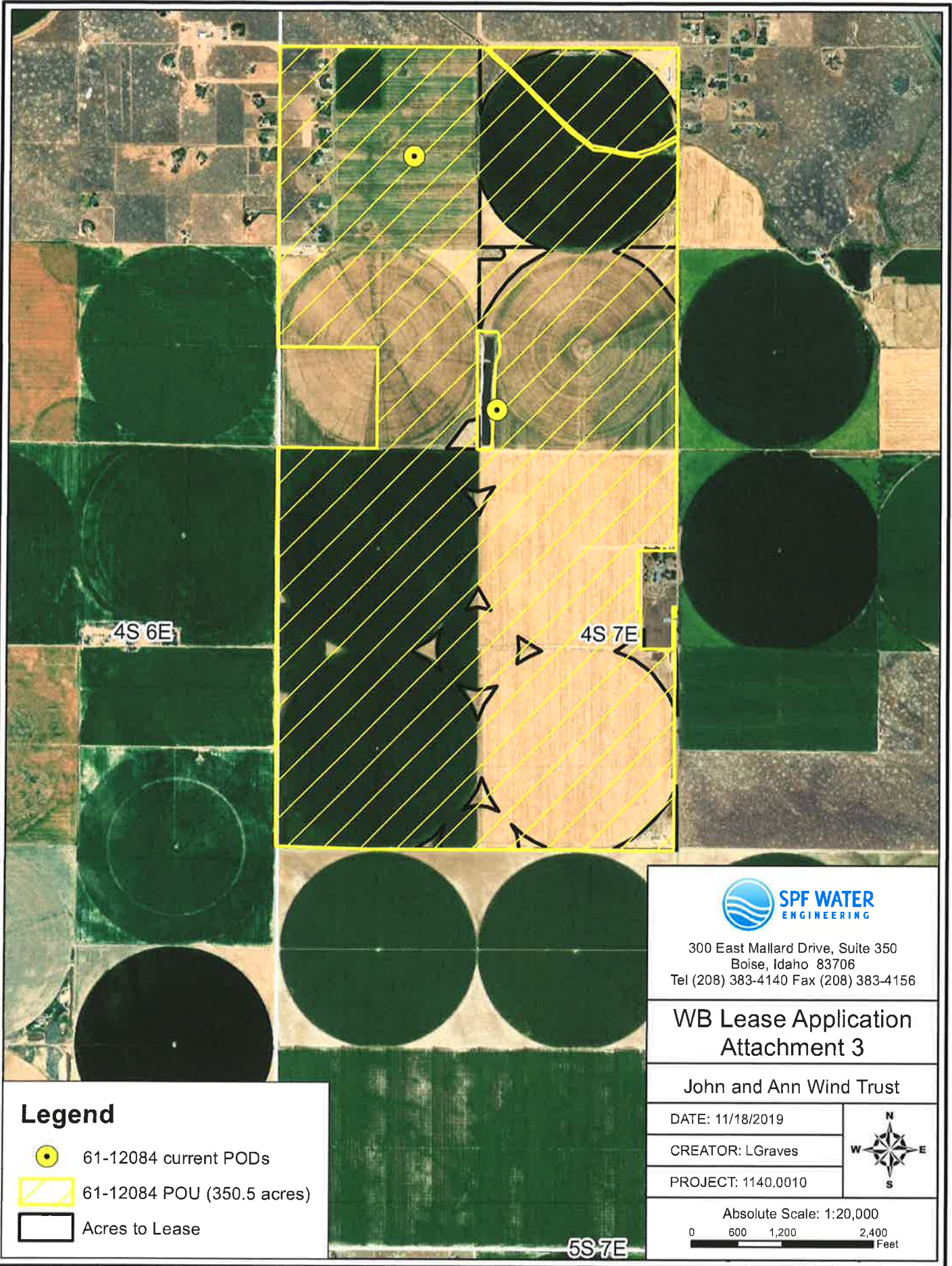
DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1. <u>Water Right Number</u>	<u>Nature of Use</u>	<u>Leased Rate</u> (cfs)	<u>Leased Volume</u> (af)	<u>Leased Acres</u> (ac)
61-12084	Irrigation	0.48	186.8	64
Total Amounts:				

2. Source of water Ground Water tributary to

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
4S	7E	19			NE	NE	Elmore
4S	7E	19			SE	NW	Elmore



Legend

-  61-12084 current PODs
-  61-12084 POU (350.5 acres)
-  Acres to Lease

300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

WB Lease Application Attachment 3

John and Ann Wind Trust

DATE: 11/18/2019

CREATOR: LGraves

PROJECT: 1140.0010

Absolute Scale: 1:20,000

0 600 1,200 2,400 Feet

ATTACHMENT 4C

Water rights 61-12084 and 61-12086 are authorized for ground water irrigation within the same 1208-acre place of use. Water right 61-12084 allows for irrigation of 350.5 acres and water right 61-12086 allows for irrigation of the remaining 857.5, which when combined cover all 1208 acres. Consequently, the water rights are not "stacked" rights. The property also receives 438.91 acres of surface water from Mountain Home Irrigation District (MHID). Therefore, 438.91 acres receive both surface and ground water supplies and ground water provides the only supply for the remaining 769.09 acres.

The applicant is enrolling 64 acres of the primary-supply ground water right 61-12084 to the water supply bank.

Wolfe Brothers Inc. leases and farms the 1208 acres along with 40 adjoining acres in the SWSW, Section 19. The leaser has agreed to rent Wolfe Brothers Inc. 40 of the 64 acres for irrigation of the SWSW acres that currently do not have water right coverage and are outside MHID service area (see accompanying rental application). The water proposed for rent will be diverted from the same wells that serve water right 61-12084.

Deep Well pump
300HP



Premise Billing History

Discharges to big pond @ main
Pump Station

1/28/2020

To: WOLFE BROS INC / ACCOUNT#2202943417

Re: 04S07E1905 MOUNTAIN HOME ID 83647

Read Date	Days	Rate	KW Demand	KWH Usage	Amount
12/26/2019	31	I24SB	0	0	\$ 3.60
11/25/2019	31	I24SB	0	0	\$ 3.60
10/25/2019	30	I24SB	264	42920	\$ 2,957.37
09/25/2019	29	I24SB	261.6	19080	\$ 3,047.35
08/27/2019	32	I24SB	263.6	42040	\$ 4,440.36
07/26/2019	30	I24SB	263.2	48320	\$ 4,794.74
06/26/2019	29	I24SB	263.6	104720	\$ 8,065.22
05/28/2019	33	I24SB	0	0	\$ 3.63
04/25/2019	30	I24SB	264.8	25720	\$ 1,879.52
03/26/2019	32	I24SB	0	0	\$ 3.63
02/22/2019	29	I24SB	0	0	\$ 3.63
01/24/2019	31	I24SB	0	0	\$ 3.63
12/24/2018	28	I24SB	0	0	\$ 3.63
11/26/2018	32	I24SB	0	0	\$ 3.63
10/25/2018	30	I24SB	263.6	76200	\$ 5,561.26
09/25/2018	32	I24SB	263.6	106280	\$ 8,552.69
08/24/2018	29	I24SB	264.4	150800	\$11,271.28
07/26/2018	30	I24SB	264.4	178160	\$12,942.02
06/26/2018	32	I24SB	265.6	174920	\$12,870.86
05/25/2018	30	I24SB	265.2	79680	\$ 6,085.75
04/25/2018	30	I24SB	264.8	74840	\$ 5,716.30
03/26/2018	31	I24SB	0	0	\$ 3.63
02/23/2018	31	I24SB	0	0	\$ 3.63
01/23/2018	32	I24SB	0	0	\$ 3.63
12/22/2017	28	I24SB	0	0	\$ 3.63
11/24/2017	30	I24SB	0	0	\$ 3.63
10/25/2017	30	I24SB	266	18520	\$ 1,417.30
09/25/2017	32	I24SB	265.6	22080	\$ 3,468.64
08/24/2017	29	I24SB	266	67680	\$ 6,464.31
07/26/2017	33	I24SB	266.8	140400	\$11,143.78

Po Box 70 (83707)
1221 W Idaho St.
Boise, ID 83713



06/23/2017	30	I24SB	266	138280	\$10,944.86
05/24/2017	29	I24SB	265.6	28160	\$ 2,105.95
04/25/2017	29	I24SB	266.8	30640	\$ 2,291.80
03/27/2017	32	I24SB	0	0	\$ 3.64
02/23/2017	30	I24SB	0	0	\$ 3.64
01/24/2017	32	I24SB	0	0	\$ 3.64
12/23/2016	30	I24SB	0	0	\$ 3.64
11/23/2016	30	I24SB	0	0	\$ 3.64
10/24/2016	31	I24SB	266.8	34720	\$ 2,601.48
09/23/2016	30	I24SB	266.8	134960	\$10,586.74
08/24/2016	30	I24SB	266	181920	\$13,531.02
07/25/2016	32	I24SB	269.6	122000	\$ 9,795.39
06/23/2016	30	I24SB	269.6	114720	\$ 9,304.60
05/24/2016	29	I24SB	268.4	52520	\$ 3,868.25
04/25/2016	31	I24SB	266	47320	\$ 3,485.61
03/25/2016	30	I24SB	0	0	\$ 3.64
02/24/2016	29	I24SB	0	0	\$ 3.64
01/26/2016	29	I24SB	0	0	\$ 3.64
12/28/2015	33	I24SB	0	0	\$ 3.64
11/25/2015	29	I24SB	0	0	\$ 3.64
10/27/2015	32	I24SB	270	86440	\$ 6,364.20
09/25/2015	31	I24SB	266.4	69400	\$ 6,371.62
08/25/2015	12	I24SB	269.2	60560	\$ 4,659.83

If you have any questions, please call our business office at 1-800-488-6151.

Thank you.

Idaho Power Co
Customer Service Center

Po Box 70 (83707)
1221 W Idaho St.
Boise, ID 83713

Pump well 300 HP



Old-Well

Premise Billing History

Replaced by 04507E 1905

1/28/2020

To: WOLFE BROS INC / ACCOUNT#2202943417

Re: 04S07E1903 MOUNTAIN HOME ID 83647

Read Date	Days	Rate	KW Demand	KWH Usage	Amount
08/06/2015	28	124SB	232	137720	\$10,316.97
07/09/2015	30	124SB	253.6	124640	\$ 9,682.30
06/09/2015	32	124SB	260	106440	\$ 8,670.78
05/08/2015	29	124SB	262.8	112520	\$ 8,376.42
04/09/2015	30	124SB	256.8	77840	\$ 5,795.83
03/10/2015	34	124SB	0	0	\$ 3.64
02/04/2015	27	124SB	0	0	\$ 3.64
01/08/2015	30	124SB	0	0	\$ 3.64

If you have any questions, please call our business office at 1-800-488-6151.

Thank you.

Idaho Power Co
Customer Service Center

Po Box 70 (83707)
1221 W Idaho St.
Boise, ID 83713

This a 300Hp Deep Well
 100 Horse pressure pump
 Pulls from little pond



Premise Billing History Over flow goes to big pond

1/28/2020

To: WOLFE BROS INC / ACCOUNT#2202943417

Re: 04S07E1902 MOUNTAIN HOME ID 83647

Read Date	Days	Rate	KW Demand	KWH Usage	Amount
12/26/2019	31	I24SB	0	0	\$ 3.60
11/25/2019	31	I24SB	0	0	\$ 3.60
10/25/2019	30	I24SB	11.2	7800	\$ 540.39
09/25/2019	29	I24SB	293.2	71960	\$ 6,373.33
08/27/2019	32	I24SB	297.6	138400	\$ 8,551.58
07/26/2019	30	I24SB	305.2	129160	\$ 7,222.02
06/26/2019	29	I24SB	308.8	142320	\$ 9,505.45
05/28/2019	33	I24SB	309.2	112360	\$ 8,198.60
04/25/2019	30	I24SB	311.6	131200	\$ 9,572.68
03/26/2019	32	I24SB	0	0	\$ 3.63
02/22/2019	29	I24SB	0	0	\$ 3.63
01/24/2019	31	I24SB	0	0	\$ 3.63
12/24/2018	28	I24SB	0	0	\$ 3.63
11/26/2018	32	I24SB	0	0	\$ 3.63
10/25/2018	30	I24SB	262.4	29480	\$ 2,153.75
09/25/2018	32	I24SB	289.2	108840	\$ 8,902.17
08/24/2018	29	I24SB	291.6	131960	\$ 8,672.25
07/26/2018	30	I24SB	290.4	195400	\$11,260.62
06/26/2018	32	I24SB	295.2	193640	\$13,107.97
05/25/2018	30	I24SB	309.6	87360	\$ 6,671.99
04/25/2018	30	I24SB	311.2	123320	\$ 9,416.87
03/26/2018	31	I24SB	0	0	\$ 3.63
02/23/2018	31	I24SB	0	0	\$ 3.63
01/23/2018	32	I24SB	0	0	\$ 3.63
12/22/2017	28	I24SB	0	0	\$ 3.63
11/24/2017	30	I24SB	0	0	\$ 3.63
10/25/2017	30	I24SB	262.8	1720	\$ 134.93
09/25/2017	32	I24SB	305.6	108920	\$ 9,428.43
08/24/2017	29	I24SB	298.4	117320	\$ 8,297.07
07/26/2017	33	I24SB	306.8	171560	\$10,621.50

Po Box 70 (83707)
 1221 W Idaho St.
 Boise, ID 83713



06/23/2017	30	I24SB	313.2	195760	\$14,069.67
05/24/2017	29	I24SB	315.2	39840	\$ 2,977.94
04/25/2017	29	I24SB	314.4	39080	\$ 2,922.09
03/27/2017	32	I24SB	0	0	\$ 3.64
02/23/2017	30	I24SB	0	0	\$ 3.64
01/24/2017	32	I24SB	0	0	\$ 3.64
12/23/2016	30	I24SB	0	0	\$ 3.64
11/23/2016	30	I24SB	0	0	\$ 3.64
10/24/2016	31	I24SB	264.4	13400	\$ 1,006.26
09/23/2016	30	I24SB	301.6	140240	\$11,191.28
08/24/2016	30	I24SB	293.2	179320	\$11,598.44
07/25/2016	32	I24SB	313.2	163840	\$ 9,950.37
06/23/2016	30	I24SB	313.2	136400	\$10,215.68
05/24/2016	29	I24SB	315.6	110200	\$ 8,112.55
04/25/2016	31	I24SB	315.2	160960	\$11,847.65
03/25/2016	30	I24SB	0	0	\$ 3.64
02/24/2016	29	I24SB	0	0	\$ 3.64
01/26/2016	29	I24SB	0	0	\$ 3.64
12/28/2015	33	I24SB	0	0	\$ 3.64
11/25/2015	29	I24SB	0	0	\$ 3.64
10/27/2015	32	I24SB	311.6	82160	\$ 6,049.27
09/25/2015	31	I24SB	303.6	143200	\$11,215.52
08/25/2015	29	I24SB	256	168160	\$10,731.89
07/27/2015	32	I24SB	251.6	185880	\$10,767.91
06/25/2015	29	I24SB	313.2	182960	\$12,655.41
05/27/2015	30	I24SB	319.6	215520	\$16,040.82
04/27/2015	32	I24SB	323.2	183600	\$13,665.61
03/26/2015	29	I24SB	322	25040	\$ 1,866.91
02/25/2015	30	I24SB	0	0	\$ 3.64
01/26/2015	31	I24SB	0	0	\$ 3.64

If you have any questions, please call our business office at 1-800-488-6151.

Thank you.

Idaho Power Co
Customer Service Center

Po Box 70 (83707)
1221 W Idaho St
Boise, ID 83713



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 6, 2020

JOHN & ANN WIND TRUST
12306 WHITECHAPEL WAY
NAMPA, ID 83686

**RE: WATER SUPPLY BANK LEASE CONTRACT 1066
FOR WATER RIGHTS 61-12084**

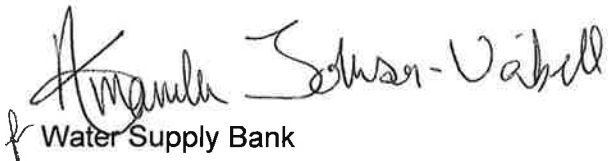
Dear Lessor:

Water rights **61-12084** was 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,


f Water Supply Bank

Enclosure: Executed Lease Contract

c: IDWR- WESTERN REGION
WATER DISTRICT NO. 161

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, May 28, 2020 3:49 PM
To: Lori Graves (lgraves@spfwater.com)
Subject: Lease Contract 1066 for John & Ann Wind Trust
Attachments: 20200528154121.pdf

The Department only received one contract for the John and Ann Wind Trust, water right 61-12084. The Department needs to have two original signature pages. Would you please have your client sign the attached pages and return the originals to the Department. The lease contracts will not be executed until we have two signed contracts. Thanks.

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



SPF WATER
ENGINEERING

RECEIVED

MAY 14 2020

DEPARTMENT OF
WATER RESOURCES

May 12, 2020

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

Subject: *John and Ann Wind Trust Lease Signed Contract No. 1066*

Dear Justin,

Enclosed is a signed lease contract for the John and Ann Wind Trust for renewal of a 64-acre portion of water right 61-12084.

Please let me know if there are any questions. Thanks Justin.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Billy Wolfe

Enclosures

SPF file numbers: 1140.0010



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

May 4, 2020

JOHN & ANN WIND TRUST
12306 WHITECHAPEL WAY
NAMPA, ID 83686

**RE: APPLICATION TO LEASE WATER RIGHT 61-12084 TO THE WATER SUPPLY BANK
CONTRACT 1066**

******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.

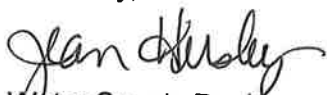
The right will automatically be released from the Bank on **December 31, 2024**, unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. 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,


for Water Supply Bank

Enclosures: Proposed Lease Contracts

Memorandum

To: Water Right 61-12084

From: Justin Ferguson

Date: January 7, 2020

Re: Water Supply Bank Lease Application 1517

Purpose/Narrative: The Department received an application on behalf of the John and Ann Wind Trust December 4, 2019 requesting to lease portions of water right 61-12084 into the Water Supply Bank. Previously this right had been leased to the Bank, from 2015 through the end of 2019.

Review of the previous memo for lease 513 indicates that there are rate and volume limits on both this right, 61-12084, and 61-12086. While the volume and rate limits are not additive, the acreage is with a total of 1208 acres. Within the combined place of use for the two rights there is also 61-12087 which shares a combined limit with 61-12085 instead of the rights sharing the same place of use.

Authority to File: The application was prepared and submitted by Lori Graves of SPF on behalf of the John and Ann Wind Trust. Mr. John Wind signed the application on behalf of the Trust. No concerns of applicant's authority to file.

Water Right Validity/Forfeiture Evaluation: This water right was decreed in 2001 and placed into the Bank in 2015 through 2019. Review of satellite imagery indicates that, previous to the prior lease there had been some irrigation of the acreage being proposed for lease.

Review of the historical imagery and the water right back file shows that should the lease lapse there may be a question of the water rights continued validity without evidence of irrigation of the acreage being leased to the Bank.

Injury Evaluation: No injury is apparent through this lease.

Enlargement of Use: No enlargement is evident through the lease, conditions will be added to the contract such that the combined limits of the associated rights are preserved.

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 Western Region comments were requested January 7, 2020

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



Ferguson, Justin

From: Ferguson, Justin
Sent: Tuesday, January 7, 2020 12:50 PM
To: Miller, Nick
Subject: WSB Lease Contract - Barry Peterson & The John & Ann Wind Trust
Attachments: Draft Lease Contract John and Ann Wind Trust 61-12084.docx; John and Ann Wind Trust 61-12084.pdf; Lease Review Memo.docx; Peterson 61-12145, 61-12147, 61-12310.pdf; Draft Lease Contract Peterson 61-12145, 61-12147, 61-12310.docx; Lease Review Memo.docx

Afternoon!

Attached are the draft lease contract, map, and review memo for Barry Peterson and The John & Ann Wind Trust. Please let me know if you have any comments or concerns

Thank you!



SPF WATER
ENGINEERING

December 3, 2019

RECEIVED

DEC 04 2019

DEPARTMENT OF
WATER RESOURCES

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

Subject: *John and Ann Wind Trust Lease Application*
Wolfe Bros. Water Supply Bank Rental Applications (2)

Dear Justin,

As a lease/rental package, enclosed is a lease application from the John and Ann Wind Trust for renewal of a 64-acre portion of water right 61-12084 that's been leased to the bank since 2015 and a water bank rental application from Wolfe Bros. Inc. requesting rental of 40 acres of the 64 acres offered for lease as done since 2015. Check No.1068 is enclosed for the lease application's \$250 filing fee.

Also enclosed on behalf of Wolfe Brothers Inc. is a rental application requesting another 3 years rental of water right 2-7061 currently leased to the Bank. Wolfe Brothers lease the ground under 3-year contract.

Please let me know if there are any questions. Thanks Justin.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lori Graves".

Lori Graves
Water Rights Specialist

Cc: Billy Wolfe

Enclosures

SPF file numbers: 1140.0010, 1320.0010, 1320.0030