

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1134

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

LESSOR: HARRY CRAWFORD
3384 W 3800 N
MOORE, ID 83255-8739

SUPPORT DATA
IN FILE # 34-282B

RECEIVED
FEB 25 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 09, 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)
34-856H	4/30/1884	BIG LOST RIVER, tributary to SINKS	0.80	Not Stated	85.0
34-282B	6/1/1897	BIG LOST RIVER, tributary to SINKS	0.40	Not Stated	85.0
Combined Lease Totals			1.20	Not Stated	85.0

Summary of Water Rights Elements Rentable From the Bank

Water Right	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (Limited) (AC)	Volume Per Acre (AF/AC)
34-856H	0.80	175	50.0	3.5
34-282B	0.40	123	35.0	3.5
Combined Lease Totals	1.20	298	85.0	3.5

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1134

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. 1134

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

LESSOR: HARRY CRAWFORD

3384 W 3800 N

MOORE, ID 83255-8739

By 

Title _____

Date 02-21-2020

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 03/18/20

Lease approved by IDWR 

Date 03/18/20

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1134

**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): 34-856H, 34-282B

BIG LOST RIVER	L 1NWNW	Sec. 30	Twp 06N	Rge 26E	CUSTER County
BIG LOST RIVER	NENWNE	Sec. 24	Twp 06N	Rge 25E	CUSTER County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
34-856H	IRRIGATION	05/01	to	10/15	0.80 cfs	Not Stated
34-282B	IRRIGATION	05/01	to	10/15	0.40 cfs	Not Stated
Totals:					1.20 cfs	Not Stated

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	26E	20							10			40	35						85

Total Acres: 85

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. 1134

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 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. 34.
13. 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).
14. 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.
15. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
16. Right 34-282B is limited to the irrigation of 35 acres within the authorized place of use in a single irrigation season.
17. Right 34-856H is limited to the irrigation of 50 acres within the authorized place of use in a single irrigation season.
18. Rights 34-282B and 34-856H when combined shall not exceed the irrigation of 85 acres.
19. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.

34-282B and 34-856H
Effective until December 31, 2024

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

- 

0 500 1,000 Feet

STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED

DEC 09 2019

DEPARTMENT OF
WATER RESOURCES

Designated Applicant

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

Harry Crawford

Water Right No.

34-856 H

(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 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Signatures and contact information for all owners of the water right to be leased or sold on this application. |
| 1B | <input type="checkbox"/> | <input checked="" type="checkbox"/> | An <u>Internal Revenue Service (IRS) Form W-9</u> for the Designated Applicant. |
| 1C | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <i>Notice of Change in Water Right Ownership</i> form (accessible from www.idwr.idaho.gov). |
| 1D | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 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 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Description of a water right portion offered to the Water Supply Bank. |
| 3 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Written consent from irrigation district or water delivery company. |
| 4G | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 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>250</u>	Received By: <u>ED</u>	Date Received: <u>12/9</u>	Receipt # <u>C108073</u>
W-9 received? Yes <input type="checkbox"/> No <input type="checkbox"/> (Route W-9 to Fiscal)		Name on W-9:	

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 Harry Crawford
Mailing Address 3384 W 3800N Moore Idaho 83255
Street City State Zip Code
Email Address crawhb@hotmail.com Phone Number 208-588-3326

☐ 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**.

34-856 H

State of Idaho
Department of Water Resources

T6N R 26E Sec 20

Water Right

34-856H

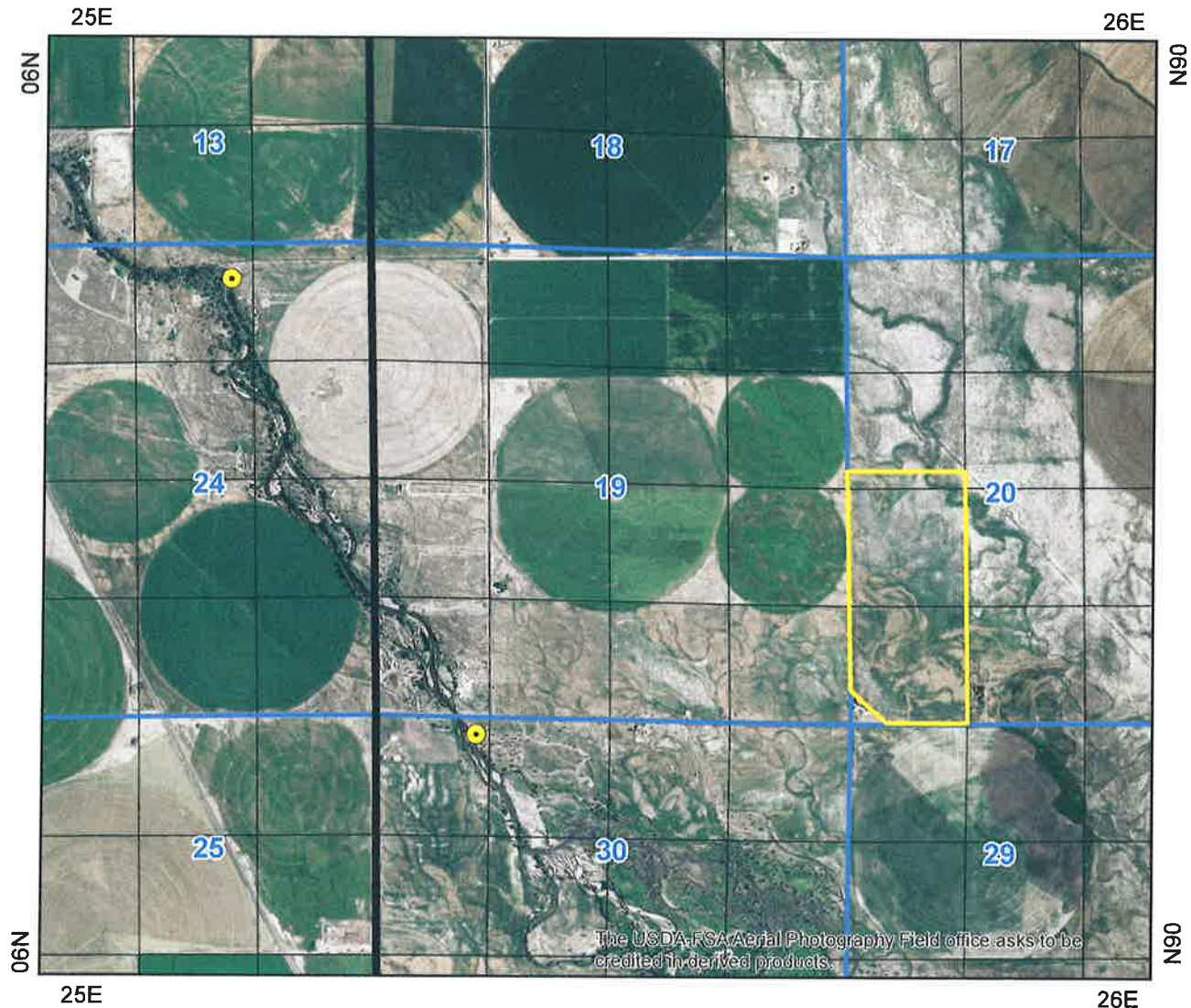
Attachment 3

SW NW 10
NW SW 40
SW SW 35

IRRIGATION

85 acres

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.



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

0 0.225 0.45 0.9 Miles



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.

Lower Burnett diversion out of Big Lost River then delivered down the Lower Burnett Canal

- 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. 34-282 B

- 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. 2014 0.8cfs, 2015 0cfs, 2016 70.4cfs, 2017 114.4cfs, 2018 93.6cfs,

These are totals for both this right (34-856 H) and right 34-282 B since the water District 34 does not differentiate them.

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

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

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

If yes, describe.

Yes ☐ No ☒

**STATE OF IDAHO
WATER RESOURCE BOARD**

Attachment 1A

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). 34-282B, 34-856H

	Designated Applicant	Applicant #2	Applicant #3
Name	Harry Crawford	Beverly Crawford	
Mailing Address	3384 W 3800 N Moore, ID 83255	Same	
Phone Number	208-588-3326	Same	
Email Address	crawhb@hotmail.com	Same	
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	<i>Harry Crawford</i>	<i>Beverly Crawford</i>	

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

STATE OF IDAHO
WATER RESOURCE BOARD

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 2024 (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.

Due to the fact that we are renting back our own leased water rights, I believe that as a Renter we will pay 10% of the "current rental rate" which will be retained by IWRB for administration

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

Harry Crawford
Printed Name

11/29/19
Date

Signature of Authorized Representative

Printed Name

Date

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

RE: Water Supply Bank letter

34-856 H

Attachment

4 A

W3

Water District 34 <waterdist34@atcnet.net>

Wed 12/4/2019 12:02 PM

You

To whom it may concern,

I Lucas Yockey, as Water Master for Water District 34 have no objections to the leasing of water rights 34-282B and 34-856H to the Water Supply Bank. I also have no objection to the rental of such rights to Harry Crawford at the proposed POD and POU.

If you should have any questions feel free to contact me.

Thank you

Lucas Yockey
Water Master 34
208-589-3138

34-856 H

Usage 34-856 H Application

Attachment 4F

WB

Water District 34 <waterdist34@atcnet.net>

Wed 11/27/2019 2:15 PM

You v

2014	(0.8) cfs
2015	(0) cfs
2016	(70.4) cfs
2017	(114.4) cfs
2018	(93.6) cfs

Cindy Smyer
Water District #34
P.O. Box 53
Mackay, ID 83251
Office: (208)588-3137
Fax: (208)588-3130

For Both
34-856 H
and
34-282 B



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

March 24, 2020

HARRY CRAWFORD
3384 W 3800 N
MOORE, ID 83255-8739

**RE: WATER SUPPLY BANK LEASE CONTRACT 1134
FOR WATER RIGHTS 34-856H, 34-282B**

Dear Lessor:

Water rights **34-856H, 34-282B** 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,

Water Supply Bank

Enclosure: Executed Lease Contract

c: James Cefalo – IDWR Eastern Region
Lucas Yockey – Water District 34
Tim Luke – IDWR Compliance Bureau



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

February 14, 2020

HARRY CRAWFORD
3384 W 3800 N
MOORE, ID 83255-8739

**RE: APPLICATION TO LEASE WATER RIGHT 34-856H, 34-282B TO THE WATER SUPPLY BANK
CONTRACT 1134**

******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 Vaher
Water Supply Bank

Enclosures: Proposed Lease Contracts
Receipt # C108073

Dalgleish, Alex

From: Dalgleish, Alex
Sent: Tuesday, January 21, 2020 4:02 PM
To: Cefalo, James
Cc: Luke, Tim
Subject: Lease/Rental Package 34-282B & 34-856H
Attachments: RE: Big Lost Irrigation District Consent ; Crawford Lease Map.pdf; Rental 1532 Move Map.pdf; Lease Review Memo.docx

James,

I am seeking comment on the proposed lease/rental of rights 34-282B and 34-856H from 2020 through 2024. Please see the attachments and respond with any comments or concerns within 7 days, by 1/28/2020.

If no response is received, IDWR will assume you do not object to the applications.

Thank you,

Alex Dalgleish
Water Resource Agent
Phone (208) 287-4913
alex.dalgleish@idwr.idaho.gov

Dalgleish, Alex

From: Lucas Yockey <watermaster34@atcnet.net>
Sent: Tuesday, January 21, 2020 10:45 AM
To: Dalgleish, Alex
Subject: RE: Lease/Rental of rights 34-282B & 34-856H

His annual volume was an accumulation of water diverted under his natural flow rights out of the big lost river.

Lucas Yockey
Watermaster
Water District 34
Cell:(208)589-3138
Office:(208)588-3137
Fax:(208)588-3130

From: [Dalgleish, Alex](#)
Sent: Friday, January 17, 2020 10:28 AM
To: watermaster34@atcnet.net
Subject: Lease/Rental of rights 34-282B & 34-856H

Good Morning Lucas,

I had another question regarding the lease of rights 34-282B & 34-856H. Mr. Crawford states on his lease applications that annual volumes of water have been diverted in the last 5 years to accomplish beneficial use authorized under the two rights.

Mr. Crawford states that the following annual volumes have been diverted:

2014: 0.8 cfs
2015: 0 cfs
2016: 70.4 cfs
2017: 114.4 cfs
2018: 93.6 cfs

As manager of BLRID and Watermaster of District # 34, I thought you could possibly tell me if the volumes of water diverted are from the BLRID irrigation water rights?

Thanks,

Alex Dalgleish
Water Resource Agent
Phone (208) 287-4913
alex.dalgleish@idwr.idaho.gov

Dalglish, Alex

From: Lucas Yockey <watermaster34@atcnet.net>
Sent: Tuesday, January 21, 2020 10:41 AM
To: Dalglish, Alex
Subject: RE: Big Lost Irrigation District Consent

To Whom it Concerns,

The Big Lost River Irrigation District does not oppose the lease of Water Rights 34-282B and 34-856H into the Water Supply Bank from the 2020-2024 season. If you have any questions or need further clarification feel free to contact me.

Thank You

Lucas Yockey
General Manager
Big Lost River Irrigation District
208-589-3138

From: [Dalglish, Alex](#)
Sent: Thursday, January 16, 2020 1:54 PM
To: watermaster34@atcnet.net
Subject: Big Lost Irrigation District Consent

Lucas,

I'm contacting you in order to get written consent on behalf of the Big Lost River Irrigation District regarding the lease of water rights 34-282B & 34-856H into the Water Supply Bank (Bank). Harry Crawford proposes to lease the rights into the Bank for 5 years, from 2020 through 2024.

Thank you,

Alex Dalglish
Water Resource Agent
Phone (208) 287-4913
alex.dalglish@idwr.idaho.gov

AFTER RECORDING MAIL TO:

First American Title Company
PO Box 868
Blackfoot, Idaho 83221

**CORRECTION QUITCLAIM DEED CORRECTING LEGAL DESCRIPTION ON
INSTRUMENT NO. 49289. (BUTTE COUNTY)**

File No.: **405239-B (Id)**

Date: **February 27, 2012**

For Value Received, **John Michael Beller and Barbara Ann Beller, husband and wife**, do(es) hereby convey, release, remise, and forever quit claim unto **Harry Crawford and Beverly Crawford, husband and wife**, whose address is **3384 West 3800 North, Moore, Idaho 83255**, herein after called the Grantee, the following described premises situated in **Butte County, Idaho**, to-wit:

TRACT 1:

SECTION 20:

That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Township 6 NORTH, RANGE 26 EAST, BOISE MERIDIAN, CUSTER AND BUTTE COUNTIES, IDAHO.

EXCEPTING THEREFROM:

Beginning at the Southwest corner of said Section 20; thence North 330 feet; thence Southeasterly in a straight line to a point on the South Section line of said Section 20, which point is 330 feet East from the Southwest corner of said Section 20; thence West along the South line of said Section 20 a distance of 330 feet to the Point of Beginning.

ALSO EXCEPTING:

Commencing at the Southwest corner of Section 20; thence N 00°39'14" W 330.00 feet along the West line of said Section 20 to the point of beginning; thence continuing along said West line N 00°39'14" W 59.67 feet, said point being the intersection of an existing fence line and said West line; thence S 47°43'07" E 578.16 feet along said fence line to the South line of Section 20, said point being an extension of an existing fence line and the said South line; thence S 89°54'32" W 93.31 feet along said South line; thence N 45°22'21" W 468.98 feet to the West line of said Section 20 and the point of beginning.

TRACT 2:

Beginning at the NW corner of the SW $\frac{1}{4}$ of Section 20, Township 6 North, Range 26 East, Boise Meridian, Butte and Custer County, Idaho, and running thence East along said boundary 1320 feet to a metal rod No. PLS 3577 and the Point of Beginning; thence North 195 feet; thence West 1320 feet; thence South 195 feet; thence East 1320 feet to the Point of Beginning.

together with its appurtenances.

Date: 01/31/2012

Warranty Deed
- continued

File No.: 405239-8 (1d)



John Michael Beller


Barbara Ann Beller

STATE OF Idaho)
SS.
COUNTY OF Bonneville)

On this 1st day of February, 2012, before me, a Notary Public in and for said State, personally appeared John Michael Beller and Barbara Ann Beller, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.




Notary Public for the State of Idaho
Residing at: Paris Valley
My Commission Expires: 8-1-17