

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 985

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

LESSOR: CHARLOTTE PARKER
1970 E 600 N
SAINT ANTHONY, ID 83445-5307

RECEIVED

JUN 03 2019

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 April 01, 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)
21-7089	5/13/1976	GROUND WATER	1.92	336.0	96.0
21-12952	6/1/1977	GROUND WATER	0.60	107.0	31.0
Combined Lease Totals			1.92	443.0	127.0

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, 2019 to December 31, 2019. 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. 985

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.

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

LESSOR: CHARLOTTE PARKER
1970 E 600 N
SAINT ANTHONY, ID 83445-5307

By Charlotte Parker
Title _____
Date 5/28/19

IDAHO WATER RESOURCE BOARD

322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By Brian Patton
Brian Patton, Acting Administrator
Idaho Water Resource Board

Date 6/5/2019

Lease approved by IDWR Cheryl W. [Signature]

Date 6-5-2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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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): 21-7089, 21-12952

GROUND WATER L 1NENE Sec. 1 Twp 07N Rge 39E FREMONT County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
21-7089	IRRIGATION	05/15	to	11/01	1.92 cfs	336.0 AF
21-12952	IRRIGATION	04/01	to	10/31	0.60 cfs	107.0 AF
Totals:					1.92 cfs	443.0 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	
07N	39E	1	32.0	33.0	32.0	30.0													127.0
			L1	L2															

Total Acres: 127.0

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. 985

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 rights are 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. The use of water for irrigation under right 21-7089 may begin as early as April 1, provided other elements of the right are not exceeded. The use of water before May 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
13. Leased Right No 21-7089 is limited to the irrigation of 96 acres within the place of use described above in a single irrigation season.
14. Right No. 21-12952 is an enlargement of 31 acres within the place of use described for right 21-7089, pursuant to Section 42-1426, Idaho Code.
15. Leased Right Nos. 21-7089 and 21-12952 are limited to the irrigation of a combined total of 127 acres in a single irrigation season.
16. Leased Right Nos. 21-7089 and 21-12952 are limited to a total combined diversion rate of 1.92 cfs.
17. Water Right No 21-12952 is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
18. 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 right is within Water District No. 100.

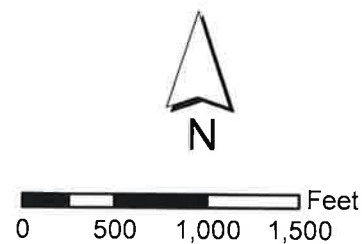
Idaho Water Resource Board
Water Supply Bank Lease Contract No. 985

21-7089 & 21-12952
Effective until December 31, 2019

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



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

APR 01 2019

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKDesignated Applicant Charlotte Parker

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

Water Right No. 31-7089

(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 \$ 500Received By: [Signature]Date Received: 4/1/19Receipt # C106192W-9 received? Yes ☒ No ☐

(Route W-9 to Fiscal)

Name on W-9: Charlotte Parker

1390

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 Charlotte Parker

Mailing Address 1970 E 600 N

St Anthony

ID

83445

Street

City

State

Zip Code

Email Address

parkerct112@gmail.com

Phone Number

208-624-7043

☒ 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 Kristin Moore

Organization Rocky Mountain Environmental Assoc. Inc

Professional Title Senior Water Rights Analyst

Email Address kristin.rmea@gmail.com

Mailing Address 482 Constitution Way Ste 303, Idaho Falls, ID 83402

Phone Number 208-524-2353

☐ 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.

A single well delivered water through a pivot sprinkler irrigation system.

- 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. Water right 21-12952 is an enlargement of this right and shares the same POU and POD. It is also being offered to the Bank. Canal water has recently been obtained through Egin Bench Canals Inc that now waters the property.

- 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. In 2016, the well collapsed and the land was no longer able to receive ground water under this right. This right was not used in conjunction with canal water. No enlargement.

- 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. Full use of the water right was used until 2016. All acres were irrigated. No measuring device was installed at the time to allow measurement of the diversion.

- G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒
If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

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

If yes, describe.

Yes ☐ No ☒

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

- A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒?

If lease, specify the years when the use of water will be suspended: 2019 to 2019 (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.

Charlotte Parker
Signature of Designated Applicant

Charlotte Parker
Printed Name

3/25/19
Date

Signature of Authorized Representative

Printed Name

Date

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

TO: IDAHO DEPARTMENT OF WATER RESOURCES

FROM: CHARLOTTE PARKER

RE: Authorized Representatives

Rocky Mountain Environmental Associates, Inc.
482 Constitution Way 303
Idaho Falls, ID 83402
(208) 524-2353 / (208) 524-1795 Fax

The following are designated representative of Rocky Mountain Environmental Associates, Inc.:

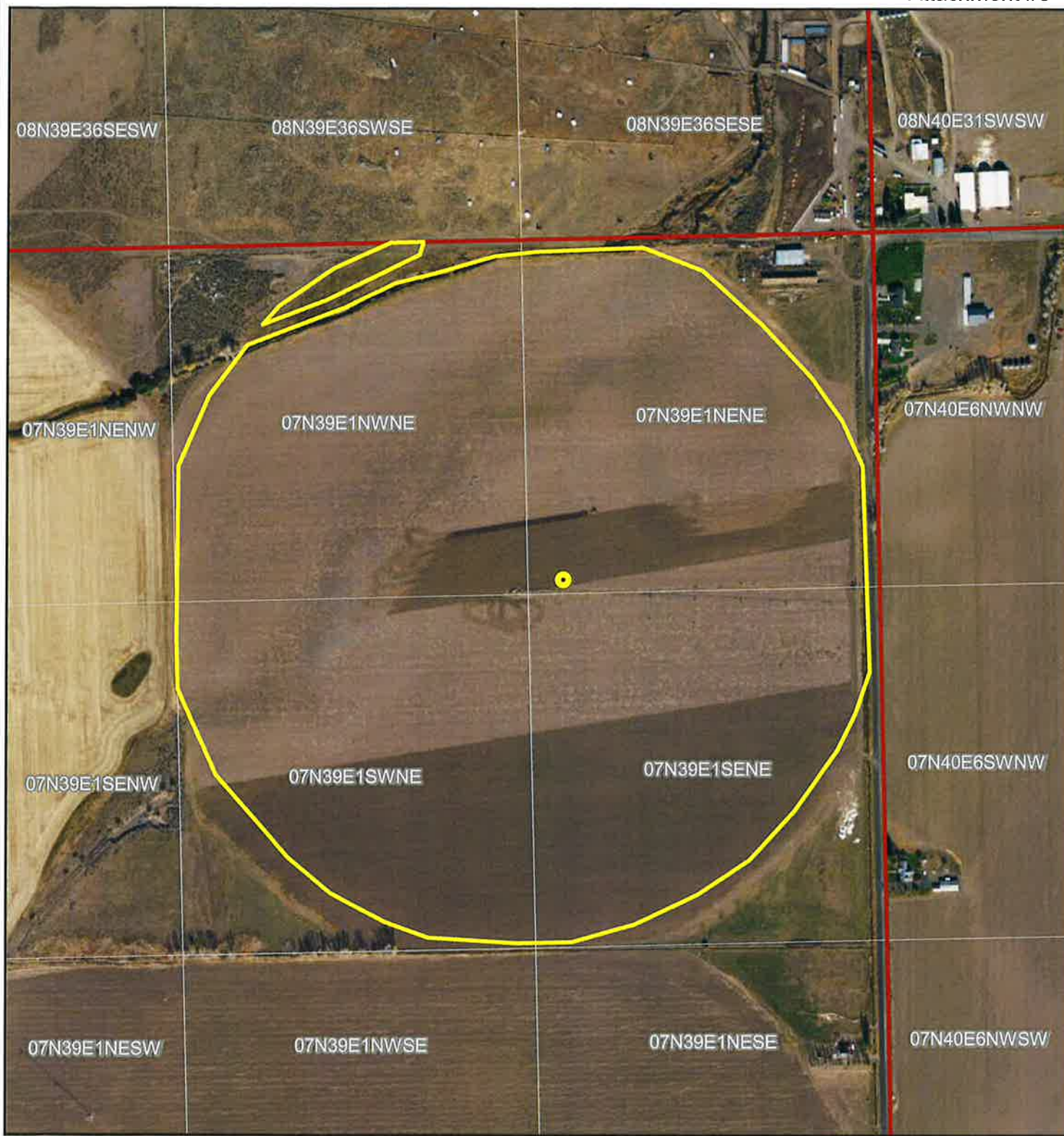
John R. Rice, Jr. President
W. Roger Warner Vice-President
Kristin M. Moore Senior Water Rights Analyst (PRIMARY CONTACT)
Chad Jensen Staff Water Rights Analyst

This authorizes these individuals to act as Representatives on behalf of Charlotte Parker. These representatives may submit information for Mrs. Parker, but are not authorized to sign for her. This designation is only for the Water Banking of water rights 21-7089 and 21-12952.

Charlotte Parker
Signature

Charlotte Parker
Printed Name

3/26/19
Date

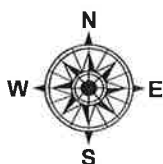


0 400 800 1,600 Feet

2017 Aerial Photography

Legend

- WR POD
- WR POU
- Twp & Rng
- Section
- QQ



Water Rights 21-7089 & 21-12952

Charlotte Parker

RMEA #19-0033

by: KM

Date: 3/15/2019





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

June 6, 2019

CHARLOTTE PARKER
1970 E 600 N
ST ANTHONY ID 83445-5307

**RE: WATER SUPPLY BANK LEASE CONTRACT 985
FOR WATER RIGHTS 21-7089 & 21-12952**

Dear Lessor:

Water rights **21-7089 & 21-12952** were leased into the Water Supply Bank (Bank) as of June 5, 2019, 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, 2019**, 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 287-4800.

Sincerely,

Water Supply Bank

Enclosure: Executed Lease Contract

c: James Cefalo - IDWR Eastern Region
Blake Jordan - Water District 100
Kristin Moore- Rocky Mountain Environmental



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 21, 2019

CHARLOTTE PARKER
1970 E 600 N
SAINT ANTHONY ID 83445-5307

RE: APPLICATIONS TO LEASE WATER RIGHTS 21-7089 and 21-12952
TO THE WATER SUPPLY BANK - CONTRACT 985

****TIME SENSITIVE RESPONSE REQUIRED****

Dear Applicant:

The Department of Water Resources has completed its review of your applications to lease the above-mentioned water rights 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 rights will automatically be released from the Bank on **December 31, 2019**, unless the rights are released earlier by the Board, or upon your request. To release the 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. 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 rights may not be available for immediate release if they have 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 287-4800.

Sincerely,


Water Supply Bank

Enclosures: Proposed Lease Contracts
Receipt # C106492

c: Kristin Moore – Rocky Mountain Environmental

Webster, Clay

From: Condon, Mary
Sent: Monday, May 20, 2019 10:05 AM
To: Webster, Clay
Subject: FW: Rental Review - Egbert 2019

FYI-

From: Jordan, Blake
Sent: Monday, May 20, 2019 7:51 AM
To: Condon, Mary
Subject: RE: Rental Review - Egbert 2019

Hi Mary,

I have no concerns with this WSB rental.

Thanks,
Blake

From: Condon, Mary
Sent: Friday, May 17, 2019 2:43 PM
To: Jordan, Blake <Blake.Jordan@idwr.idaho.gov>; Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: Rental Review - Egbert 2019

Good afternoon and happy Friday!

Please see the attached WSB rental review memo and move map and kindly respond with comments or concerns in the next 10 days.

There is a second rental for Egbert I am working on, but I am waiting on additional information from the consultant.

Best,
Mary

Mary Condon
Contractor
for
Water Supply Bank
Idaho Department of Water Resources

MEMORANDUM FOR APPLICATION # 1390

To: Water Right(s) 21-7089 & 21-12952

From: Mary Condon

DRAFT

Date: May 9, 2019

Re: Review & Analysis of Application to Lease Water to the State Water Supply Bank

PURPOSE/NARRATIVE: Applications to lease entire water rights received on April 1, 2019, for a first time, one year lease. Right 21-12952 is an enlargement of right 21-7089, additive in volume and acres, but not rate.

AUTHORITY TO FILE: Applications to lease are signed by the owner of the right, Charlotte Parker, and representative, Kristen Moore of Rocky Mountain Environmental. At the time of lease submittal, the late husband, J. Blair Parker, was also listed as owner. After the department requested a lessor designation form for the lease application, Charlotte replied with a request to remove J. Blair Parker's name along with his death certificate, which has since been processed by the department.

County tax lot parcel information lists both Charlotte and J. Blair Parker as the owners of the land appurtenant to the rights for lease, with the exception of 24 acres in the SENE corner which are parceled out to other owners. Per the water right proof report, they have 30 acres worth of water rights in the SENE; however, they only own 15 to 16 acres worth of land in the qq. As of the 2018 sentinel imagery, the pivot is still being fully irrigated and no domestic dwellings have yet to be placed on the parcels in the SENE. While ownership of the land is not necessary, future reviewers for lease and rental may consider any additional use on the lands and their source. No concerns with authority to file.

WATER RIGHT VALIDITY: Water right 21-7089 has a priority date of 1976, and was decreed in 2011. Water right 21-12952 is an expansion of right 21-7089, with an expansion priority date of 2004, and was also decreed in 2011. These rights were conveyed to the Parkers through a sell of the lands in 2011, and updated through a change of ownership in 2018.

The conveyance document in the water right records states there are also shares of Fremont-Madison Storage water and St Anthony Union canal in addition to water right 21-12952 (21-7089 is not specifically listed). Lease application states surface water has not been used in conjunction with the groundwater rights, and that the groundwater well collapsed in 2016 so they obtained Egin Bench Canal, Inc., shares with which they have been using since 2017. Review of Landsat 2015 imagery (pre-well failure) shows vegetation was grown on the groundwater right POU. No concerns with validity of the water right and portion offered to the bank.

INJURY TO OTHER WATER RIGHTS: The groundwater rights offered are not supplemental to any surface water rights, nor (per the lease application) have they ever been used in conjunction with surface water rights. Lease of this water right would not cause injury to other water rights. Proper review to prevent injury if rented.

ENLARGEMENT OF USE: Leased POU is within the Egin Bench Canal, Inc., service area, and the lease application states they are now using shares from the Egin Bench Canal, Inc., instead of the groundwater due to the well collapse in 2016. WMIS number 200601 for the well in which these two groundwater rights are diverted from has a comment in 2018 that the irrigation has

been moved from groundwater to surface water. Other site visits and data available dating back to 1998 mentions no use of any surface water.

A portion of the Egin Bench Canal, Inc., rights are currently leased to the bank; however, these two rights were not mentioned as overlapping groundwater rights in the analysis of proposed idled lands. Current lease POU in ArcMap for Egin Bench under contract 378 is their entire PPU instead of the 9% idled acres.

No enlargement through the lease of these two groundwater rights is apparent.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The lease appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is subject to Water District # 100 – St. Anthony-Rexburg Area, the ESPA GWMA and the Henry's Fork GWD.

Email requesting comment from Watermaster and Eastern Region sent on May 9, 2019.

Buyer, Remington

Subject: FW: Lease Review - Basin 21 - Parker

From: Jordan, Blake

Sent: Monday, May 13, 2019 8:03 AM

To: Condon, Mary <Mary.Condon@idwr.idaho.gov>

Subject: RE: Lease Review - Basin 21 - Parker

Hi Mary,

I have no concerns with lease. I found a typo in your memo. See below. Should be WD 100

Thanks,
Blake

DEPARTMENT STAFF OR WATERMASTER COMMENTS
thony-Rexburg Area, the ESPA GWMA and the Henry's

From: Condon, Mary

Sent: Thursday, May 09, 2019 4:14 PM

To: Jordan, Blake <Blake.Jordan@idwr.idaho.gov>; Cefalo, James <James.Cefalo@idwr.idaho.gov>; Olenichak, Tony <Tony.Olenichak@idwr.idaho.gov>

Subject: Lease Review - Basin 21 - Parker

Good afternoon,

Please see the attached review memo and map for this first time lease, and kindly respond with your comments or concerns within 10 days.

Best,
Mary

Mary Condon
Contractor
for
Water Supply Bank
Idaho Department of Water Resources