

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 921

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

LESSOR: WOOD RIVER LAND TRUST CO
119 E BULLION ST
HAILEY, ID 83333

RECEIVED
FEB 04 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 January 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)
37-2386	5/27/1919	UNNAMED STREAM, tributary to WILLOW CREEK	0.40	70.0	20.0
37-2505	6/9/1949	GROUND WATER	0.80	140.0	40.0
Combined Limit Totals			0.80	140.0	40.0
Combined Lease Totals			0.80	140.0	40.0

Summary of Water Rights Elements Rentable From the Bank

Water Right	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (Limited) (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
37-2386	0.40	70.0	20.0	0.02	3.5
37-2505	0.80	140.0	40.0	0.02	3.5
Combined Limit Totals	0.80	140.0	40.0	0.02	3.5

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

SUPPORT DATA
IN FILE # 37-2386

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 921

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, 2023. This Lease shall bind the parties and take effect when both parties have signed it.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.
5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.
6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.
7. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 921

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

LESSOR: WOOD RIVER LAND TRUST CO
119 E BULLION ST
HAILEY, ID 83333

By 
Title Executive Director
Date 1/31/19

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 2/7/2019

Lease approved by IDWR 

Date 2-7-2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 921

ATTACHMENT A WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 37-2386

UNNAMED STREAM NWNENE Sec. 13 Twp 01S Rge 18E BLAINE County

Source and Location of Point(s) of Diversion for Water Right No(s): 37-2505

GROUND WATER NESWNE Sec. 13 Twp 01S Rge 18E BLAINE County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
37-2386	IRRIGATION	04/15	to	10/31	0.40 cfs	70.0 AF
37-2505	IRRIGATION	04/15	to	10/31	0.80 cfs	140.0 AF
Totals:					0.80 cfs	140.0 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	
01S	18E	13			13.0										2.0	25.0			40.0

Total Acres: 40.0

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

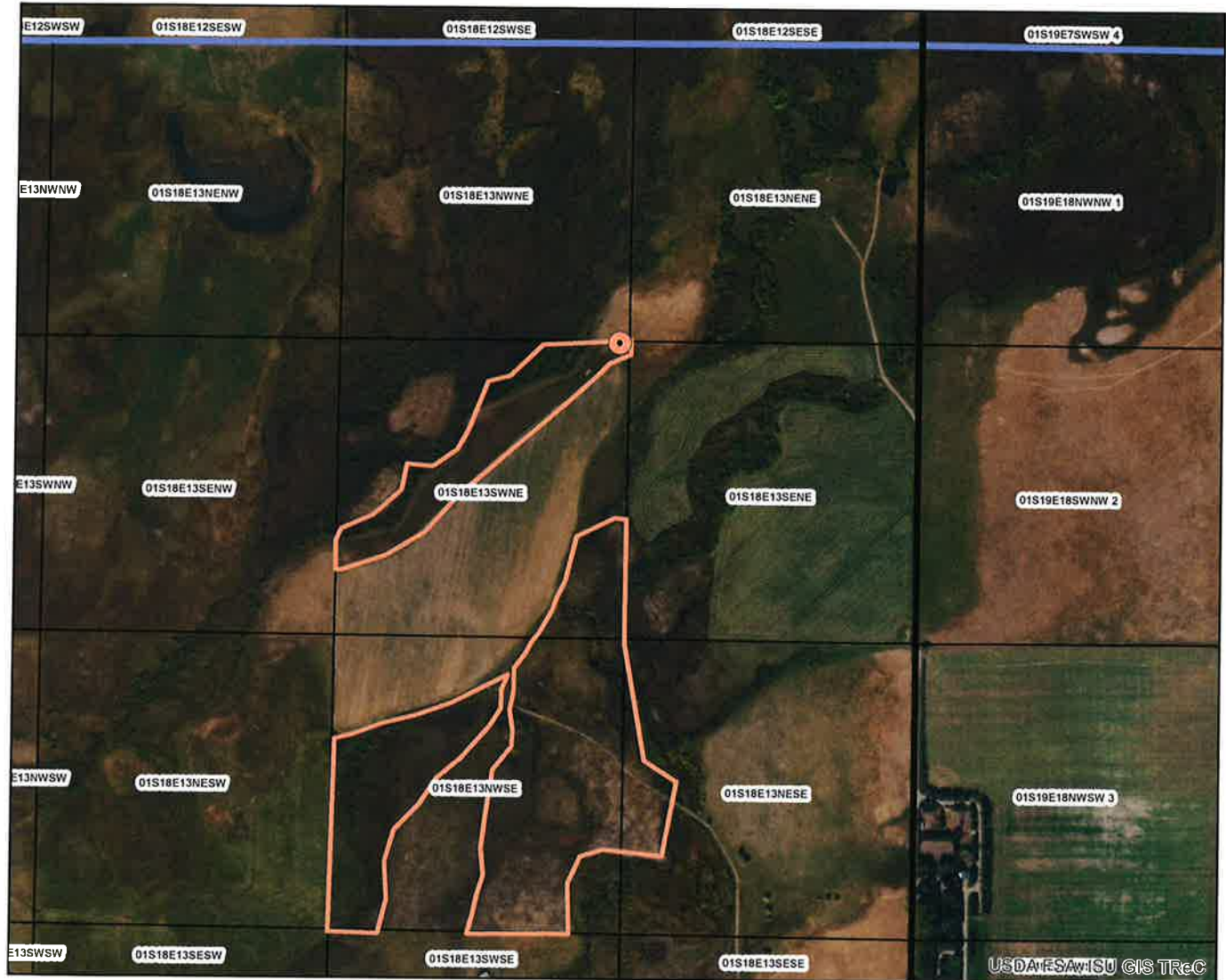
WATER SUPPLY BANK LEASE CONTRACT No. 921

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. The unleased portion of right 37-2505 shall not exceed irrigation of 30 acres.
13. Rights 37-2386 and 37-2505 when combined shall provide no more than .02 cfs per acre.
14. Water right 37-2386 authorizes and is limited to the irrigation of 20 total acres within the place of use described in any one irrigation season.
15. 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. 37.

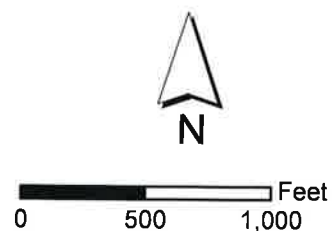
Idaho Water Resource Board
Water Supply Bank Lease Contract No. 921

37-2505
Effective until December 31, 2023

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 *DE*

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

JAN 04 2019

DEPARTMENT OF
WATER RESOURCESDesignated Applicant Wood River Land Trust Co./Scott Boettger

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

Water Right No. 37-2386

(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>AW</u>	Date Received: <u>1.4.19</u>	Receipt # <u>C106086</u>
W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)		Name on W-9: <u>Wood River Land Trust Co.</u>	

1295

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 Wood River Land Trust Co.

Mailing Address 119 E. Bullion St. Hailey, Idaho 83333

Street City State Zip Code

Email Address sboettger@woodriverlandtrust.org Phone Number 208-788-3947

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

OR

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

- B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☐ No ☒

If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐

If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☐ No ☒

If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative _____ Organization _____

Professional Title _____ Email Address _____

Mailing Address _____ Phone Number _____

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

OR

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

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

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

OR

☐ A part of the water right is being offered to the Bank.

If a portion of the water right is being offered, **complete Attachment 2.**

3. MAP

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

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☒
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).
If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.
- B. Please provide a description of the current water diversion and delivery system.
Water has been historically delivered to the property through an irrigation ditch. This water right was banked from 2014 through 2018.
- 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. Rights 37-2386 and 37-2505 are combined and have the same place of use.
- 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. 30 acres within place of use will continue to be irrigated by a portion of 37-2505
- 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. Water banked 2014-2018
- 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. Fifth Judicial District in County of Twin Falls issued partial decree for this right on June 4, 2009, so there has been no cause for forfeiture.
- 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 ☒
There has been no change since our last water bank application.

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 2023 (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

Scott Boettger

Printed Name

12/14/18

Date

Signature of Authorized Representative

Printed Name

Date

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

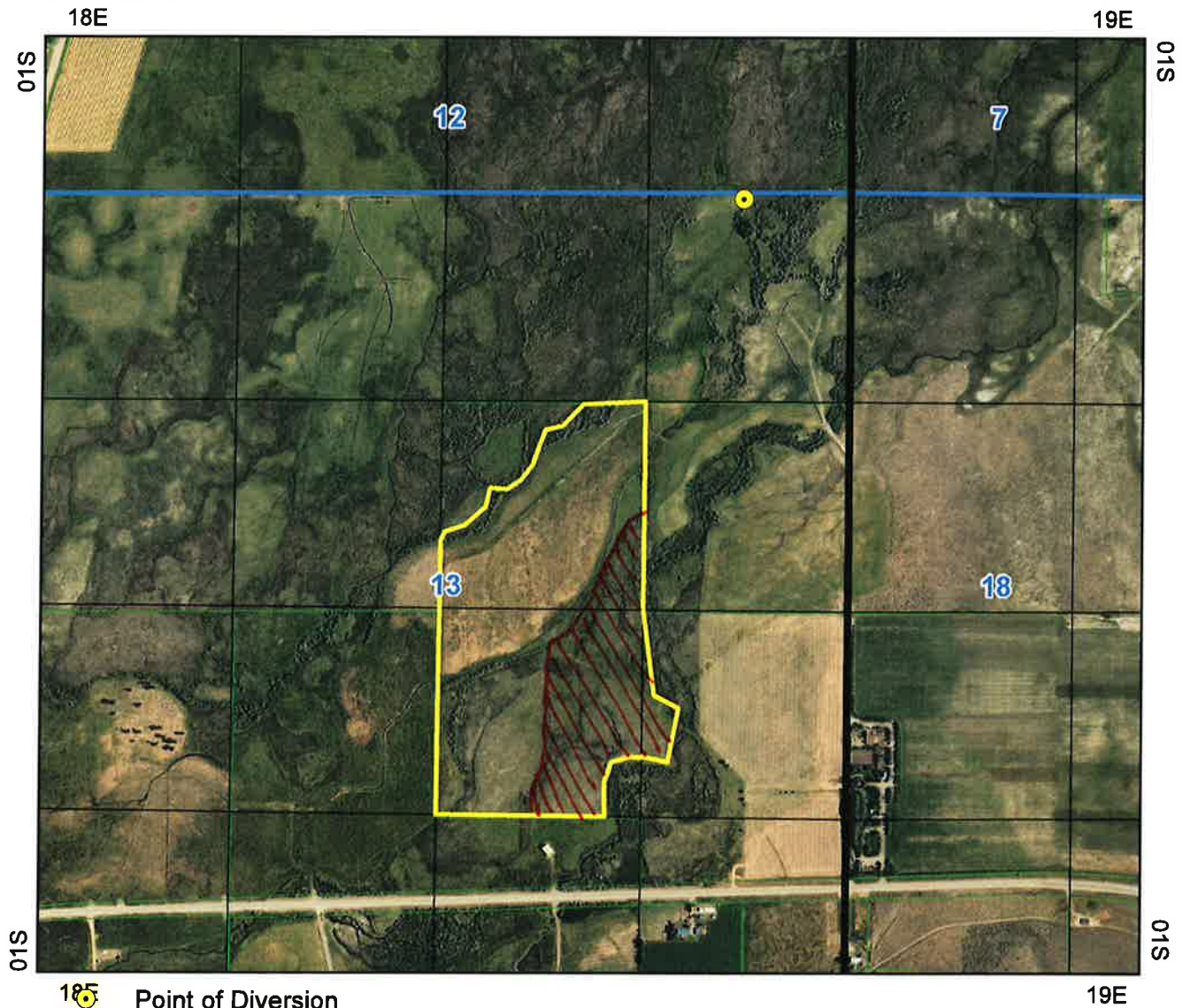
State of Idaho
Department of Water Resources

Water Right

37-2386

IRRIGATION

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



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

0 0.125 0.25 0.5 Miles

 = acres to water bank



No. C 106731 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Due no later than Jun 30, 2018 Annual Report Form 1. Mailing Address: Correct in this box if needed. WOOD RIVER LAND TRUST COMPANY CYD PEARCE 119 E BULLION ST HAILEY ID 83333 USA	2. Registered Agent and Address (NO PO BOX) SCOTT BOETTGER 119 E BULLION ST HAILEY ID 83333 3. <u>New</u> Registered Agent Signature:*
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4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
PRESIDENT	KATHIE LEVISON	P.O. BOX 6462	KETCHUM	ID	USA	83340
DIRECTOR	TRENT JONES	P.O. BOX 2913	SUN VALLEY	ID	USA	83353
DIRECTOR	DAVID ANDERSON	P.O. BOX 5917	KETCHUM	ID	USA	83340
TREASURER	DAVE WOODWARD	P.O. BOX 7680	KETCHUM	ID	USA	83340
DIRECTOR	JOHN FRENCH	P.O. BOX 9320	HAILEY	ID	USA	83333
DIRECTOR	REBECCA PATTON	1001 FOREST AVE.	PALO ALTO	CA	USA	94301
DIRECTOR	SCOTT BOETTGER	119 E BULLION	HAILEY	ID	USA	83333
DIRECTOR	RICK DAVIS	PO BOX 281	HAILEY	ID	USA	83333
PRESIDENT	RICHARD CARR	PO BOX 9040	KETCHUM	ID	USA	83340
SECRETARY	BARRY BUNSHOFT	PO BOX 2818	SUN VALLEY	ID	USA	83353
DIRECTOR	DAN SMITH	109 W. CROY STREET	HAILEY	ID	USA	83333
DIRECTOR	GAYLE STEVENSON	PO BOX 1184	SUN VALLEY	ID	USA	83353
DIRECTOR	SARAH MICHAEL	PO BOX 3060	SUN VALLEY	ID	USA	83353
DIRECTOR	TRISH KAHLR	PO BOX 1971	KETCHUM	ID	USA	83340
DIRECTOR	ROBERT ORDAL	1000 SECOND AVE. #1750	SEATTLE	WA	USA	98104

5. Organized Under the Laws of: ID C 106731	6. Annual Report must be signed.* Signature: Scott Boettger Name (type or print): Scott Boettger Date: 04/23/2018 Title: Executive Directot
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Processed 04/23/2018 * Electronically provided signatures are accepted as original signatures.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-02386

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN - 4 2009

NAME AND ADDRESS: WOOD RIVER LAND TRUST CO
119 E BULLION ST
HAILEY, ID 83333

SOURCE: UNNAMED STREAM TRIBUTARY: WILLOW CREEK

QUANTITY: 0.40 CFS

Rights 37-2505 and 37-2386 when combined shall not exceed
irrigation of 70 acres.
Rights 37-2386 and 37-2505 when combined shall provide no more
than .02 cfs per acre.

PRIORITY DATE: 05/27/1919

POINT OF DIVERSION: T01S R18E S13 NWNENE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.40 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01S R18E S13	SWNE 30.0 NWSW 38.0
	70.0 Acres Total	NESE 2.0

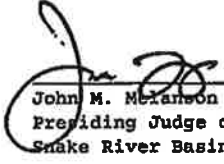
This right authorizes and is limited to the irrigation of 20
total acres within the place of use described in any one
irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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 8, 2019

WOOD RIVER LAND TRUST CO
119 E BULLION ST
HAILEY ID 83333

**RE: WATER SUPPLY BANK LEASE CONTRACTS 921 & 922
FOR WATER RIGHTS 37-2386, 37-2505, and 37-2546B**

Dear Lessor:

Water rights **37-2386, 37-2505, and 37-2546B** were leased into the Water Supply Bank (Bank) as of January 4, 2019, in accordance with the enclosed executed lease contracts. **Your water rights, as described on the lease contracts, 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 contracts. Read the conditions of acceptance carefully.

The rights will automatically be released from the Bank on **December 31, 2023**, unless the rights are released earlier by the Water Resource Board (Board). On behalf of the Board, the Department of Water Resources (Department) can evaluate an early release of the lease contracts 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: Corey Skinner - IDWR Southern Region
Kevin Lakey - Water District 37



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

January 28, 2019

WOOD RIVER LAND TRUST CO
119 E BULLION ST
HAILEY ID 83333

**RE: APPLICATION TO LEASE WATER RIGHT 37-2386, 37-2505 & 37-2546B TO THE WATER
SUPPLY BANK CONTRACT 921 & 922**

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

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please sign and return ALL Lease Contracts within 14 days.** Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The right will automatically be released from the Bank on **December 31, 2023**, unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your right may not be available for immediate release if it has been rented.

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

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

If you have questions regarding this matter, please contact this office at 287-4800.

Sincerely,

Jean Hersley
for Water Supply Bank

Enclosures: Proposed Lease Contracts
Receipt # C106086

WATER SUPPLY BANK
Lease Review Checklist
Applicant(s) Name: Wood River Land Trust

Memo Date: 1/25/19

Water Right Number(s): 37-2386 & 37-2505

Reviewers Name: Jean

Quick Tools

Decreed Year	No Forfeiture Concerns Thru:
2011	2017
2012	2018
2013	2019
2014	2020
2015	2021

		Check box		COMMENTS/CONCERNS:
1	Fill out WSB Data Entry Checklist for Leases (Front of File)	X		
2	Reason for lease of water rights (Brief description of lease proposal in narrative)			
	Portion of right	X		
	All of right	X		
3	Check GWMA/CGWA/ADC and basin 63 areas of concern (note area in comments)			
		Yes	No	
4	Rentable? (If no explain in comments or narrative)	X		
5	Authority to file			
	Current owner or designated applicant	X		
	SOS Web site checked for business entity	X		
	Other (explain in comments)			
6	Water Right validity			
	Decreed/Licensed/Statutory claim date (write in comments section)			2009
	Past irrigation to ensure forfeiture is not an issue if decreed or licensed over 7 years ago (consider transfers that changed the POU, rentals to the POU etc.)			
	Has this right previously been leased to the bank or in CREP?	X		2013-2018
7	Injury to other water rights			
	If the POD is through a delivery entity, was consent provided?	NA		
	If the POD is through a delivery entity, was holdback required? (percentage in comments)			%
	Any other concerns		X	
8	Enlargement concerns	Check box		
	Complete a POU comparison overlap analysis	X		
	Complete a combined limits review	X		
	Complete POD overlap analysis (if there is an overlap add condition to lease)	X		
		Yes	No	
	Are there overlapping rights that need to be placed in the bank also?		X	
	Will the place of use continue to receive water? (if yes explain in comments)			
9	Local Public Interest			
	Does the processor know of any problems this action will cause for the local public?		X	
10	Have you contacted regional office and watermaster for comment/concerns?	X		
	Send the watermaster comment request form or e-mail request	X		
11	Area Headgate requirement (write in Comments)			3.5
12	Is water right involved in any other department action? Pull file and check database () Ownership Change () Transfer () Mitigation () Other - Explain in comments		X	

Narrative: The Department received these applications on Jan. 4, 2019. The applications were signed by Scott Boettger, director and registered agent of Wood River Land Trust, Co. The applicant wishes to place the entirety of 37-2386 and 40 acres of 37-2505 in the Bank. Right 37-2386 for surface water has historically been diverted through an irrigation ditch. this right and 37-2505 have the same POU and 30 acres of 37-2505 will remain at the POU. Leased portions of 37-2386 & 37-2505 will be limited to a combined total of 0.8 cfs, 40 acres and 140 af. Proper rental review should protect against enlargement. These rights are currently within WD 37.

13

No. C 106731 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Due no later than Jun 30, 2018 Annual Report Form 1. Mailing Address: Correct in this box if needed. WOOD RIVER LAND TRUST COMPANY CYD PEARCE 119 E BULLION ST HAILEY ID 83333 USA	2. Registered Agent and Address (NO PO BOX) SCOTT BOETTGER 119 E BULLION ST HAILEY ID 83333 3. New Registered Agent Signature:*				
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
PRESIDENT	KATHIE LEVISON	P.O. BOX 6462	KETCHUM	ID	USA	83340
DIRECTOR	TRENT JONES	P.O. BOX 2913	SUN VALLEY	ID	USA	83353
DIRECTOR	DAVID ANDERSON	P.O. BOX 5917	KETCHUM	ID	USA	83340
TREASURER	DAVE WOODWARD	P.O. BOX 7680	KETCHUM	ID	USA	83340
DIRECTOR	JOHN FRENCH	P.O. BOX 9320	HAILEY	ID	USA	83333
DIRECTOR	REBECCA PATTON	1001 FOREST AVE.	PALO ALTO	CA	USA	94301
DIRECTOR	SCOTT BOETTGER	119 E BULLION	HAILEY	ID	USA	83333
DIRECTOR	RICK DAVIS	PO BOX 281	HAILEY	ID	USA	83333
PRESIDENT	RICHARD CARR	PO BOX 9040	KETCHUM	ID	USA	83340
SECRETARY	BARRY BUNSHOFT	PO BOX 2818	SUN VALLEY	ID	USA	83353
DIRECTOR	DAN SMITH	109 W. CROY STREET	HAILEY	ID	USA	83333
DIRECTOR	GAYLE STEVENSON	PO BOX 1184	SUN VALLEY	ID	USA	83353
DIRECTOR	SARAH MICHAEL	PO BOX 3060	SUN VALLEY	ID	USA	83353
DIRECTOR	TRISH KAHLR	PO BOX 1971	KETCHUM	ID	USA	83340
DIRECTOR	ROBERT ORDAL	1000 SECOND AVE. #1750	SEATTLE	WA	USA	98104
5. Organized Under the Laws of: ID C 106731		6. Annual Report must be signed.* Signature: Scott Boettger Name (type or print): Scott Boettger Date: 04/23/2018 Title: Executive Directot				
Processed 04/23/2018		* Electronically provided signatures are accepted as original signatures.				

WOOD RIVER LAND TRUST



Board of Directors

Chair:

Kathie Levison

Treasurer:

David Woodward

Secretary:

Barry Bunshoft

Asst. Secretary:

David Anderson

Richard Carr

John French

Trent Jones

Trish Klahr

Sarah Michael

Nick Miller

Bob Ordal

Rebecca Patton

Dan Smith

Gayle Stevenson

Rick Webking

Roland Wolfram

Executive Director

Scott Boettger

Cameron Packer
Stewardship Coordinator
Wood River Land Trust
cpacker@woodriverlandtrust.org
208-788-3947

RECEIVED

JAN 04 2019

DEPARTMENT OF
WATER RESOURCES

December 18, 2018

Mary Condon
Water Supply Bank Specialist
Idaho Department of Water Resources
PO Box 83720
Boise, Idaho 83720-0098

Dear Mary

Please find enclosed applications to lease water rights 37-2386, 37-2505, and 37-2546B to the Water Supply Bank.

Please let me know if you have any questions.

Sincerely,

Cameron Packer
Stewardship Coordinator



119 E. Bullion Street
Hailey, Idaho 83333
Phone: 208.788.3947
Fax: 208.788.5991

WoodRiverLandTrust.org
Federal ID: 82-0474191



Proceeds from BMTS
Benefit WRLT