

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 229

This is to certify that:

DAMO, LLC
C/O STEVE WYNN
3131 LAS VEGAS BLVD
LAS VEGAS, NV 89109

RECEIVED
JUL 10 2018
DEPARTMENT OF
WATER RESOURCES

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
37-7926	8/12/1981	GROUND WATER	0.01	1.2	0.4	0.03	3.0
Rental Totals			0.01	1.2	0.4	0.03	3.0

Term of Rental: This rental shall take effect when all parties have signed it and shall continue in effect until December 31, 2022

Annual Rental Fee:

2018-2022: \$26.00

The full fee for the rental of the above-described right(s) is \$26.00 per year for years 2018 - 2022. The rental fee includes an administrative fee of \$2.60 per year for years 2018 - 2022.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Total Water Use Authorized Under Rental Agreement Click here to enter text.

Beneficial Use	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate/Acre (CFS/AC)	Volume/Acre (AF/AC)
IRRIGATION	0.01	1.2	0.4	0.03	3.0
Total	0.01	1.2	0.4	0.03	3.0

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 229

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:


Signature of Renter

June 29, 2018
Date

Steve Wynn
Printed Name

Title

*Title required if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By 
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date 7/16/2018

Rental approved by IDWR 

Date 7-16-2018

WATER SUPPLY BANK RENTAL AGREEMENT No. 229

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SENE

Sec. 12, Twp 04N, Rge 17E

BLAINE County

Beneficial Use
IRRIGATION

Diversion Rate
0.01 CFS

Volume
1.3 AF

SEASON OF USE

Water Right No.
37-7926

From
4/1

To
11/1

RENTERS PLACE OF USE: 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	
04N	17E	12				0.4													0.4

Total Acres: 0.4

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from 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.
3. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
6. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
7. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
8. This rental agreement does not authorize the construction of a well.
9. Use of water under this agreement 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. 37.

Idaho Water Resource Board
Water Supply Bank Rental Agreement

Effective until December 31, 2022

This map depicts the **rental place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



-  Rental Place of Use
-  Rental Point of Diversion
-  Townships
-  PLS Sections
-  Quarter Quarters



0 100 200 Feet

**STATE OF IDAHO
WATER RESOURCE BOARD**

**APPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK**

RECEIVED

FEB 22 2018

DEPARTMENT OF
WATER RESOURCESApplicant Name: Damo, LLC

Is this application being submitted with a lease application as a lease/rental package?

Yes ☒ No ☐

If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Yes

Completed *Application to Rent Water from the Board's Water Supply Bank*

Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank

Attachment N/A Yes

2



A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request

3A



Detailed information on a proposed use of rental water

3F



Authorization from the owner/operator of the rental point(s) of diversion

3H



Water modeling to account for the impacts of the rental request

3J



Documents justifying a rate of flow greater than 0.02 cfs/acre

3K



Authorization from the owner/operator of the property at the proposed rental place(s) of use

4B



Explanation of how the rental water will sufficiently accomplish your rental purposes

4C



Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

37-7926

1044

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Damo, LLC

Mailing Address 3131 Las Vegas Blvd, Las Vegas, NV, 89109

Street

City

State

Zip Code

Email Address cindy.mitchum@wynnresorts.com

Phone Number (702) 770-7700

- B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☒ No ☐
If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative James P. Speck

Professional Title attorney

Organization Speck & Aanestad, A Professional Corp.

Relationship to Applicant attorney

Mailing Address PO Box 987, Ketchum, ID 83340

Email Address jim@speckandaanestad.com

Phone Number (208) 726-4421

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental 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 irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

- A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

Irrigate 0.4A of residential landscaping in excess of the domestic exemption 0.5A.

- B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.01 CFS	1.3 AF	0.01 CFS	1.3 AF	0.4 AC

* Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

- C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
04/15/2017 ₈	04/15/2017 ₈	☐ 1	☐ 2	☐ 3	☐ 4	☒ 5	☒ Process application as soon as possible	☐ Return application to applicant

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

** Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):

Well, pump, underground residential sprinkler irrigation system

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
well & pump	ground water	domestic exemption

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☒
If yes, include documented consent as Attachment 3F.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☐ No ☒
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- H. Has water modeling been provided with your rental request? Yes ☐ N/A ☒
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

- I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

- ☒ Irrigation 0.4 (number of acres) Duration: Subject to IDWR standard seasons of use
☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)
☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☒
If yes, justify the rate of flow and attach any supporting documents as Attachment 3J. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☒ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it Attachment 3K.

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:
Domestic exemption water right

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via IDWR's website.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request. For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
37-7926	irrigation	0.03	4.1	1.3		0.01	1.3	0.4
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.01	1.3	0.4
						CFS	AF	AC

**Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.*

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

N/A

C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☐ No ☒

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

Rented 0.4A through Water Supply Bank in 2016 & 2017. No water rights yet available to purchase.

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☒

If yes, describe:

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☒ No ☐

If yes, describe the date and location of the NOV.

E2014-710 dated December 2, 2014

- D. Additional Information

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.


Signature of Applicant

Stephen A. Wynn, Manager

Printed Name of Applicant

22 Jan 2018
Date

Signature of Representative

Printed Name of Representative

Date

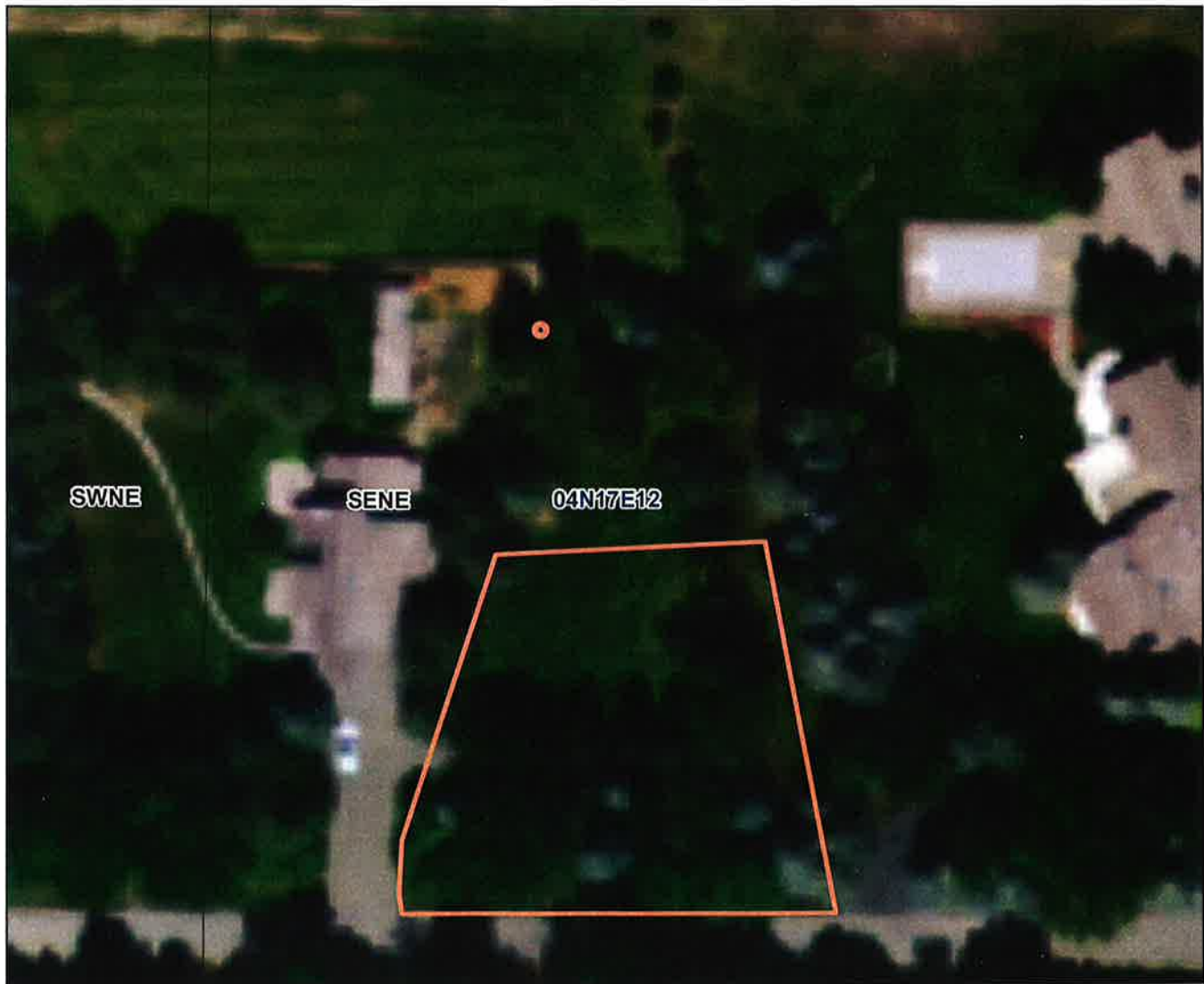
Mail to:

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

Idaho Water Resource Board
Water Supply Bank Rental Agreement

Effective until December 31, 2016

This map depicts the **rental place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



-  Authorized Rental Point of Diversion
-  Authorized Rental Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



0 150 Feet

ATTACHMENT 2 - DAMO, LLC APPLICATION TO RENT WATER



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 17, 2018

DAMO LLC
C/O STEVE WYNN
3131 LAS VEGAS BLVD
LAS VEGAS NV 89109

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 37-7926**

Dear Renter:

Please find enclosed a receipt in the amount of **\$26.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 1.2 acre-feet of water for irrigation of 0.4 acres during 2018. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$23.40 of the rental fee will be paid to the lessor(s) and 10% or \$2.60 will be retained by the Department to offset administrative costs.

If you have any questions, please contact this office at (208) 287-4800.

Sincerely,


for Water Supply Bank

Enclosures: Receipt No. C105366
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Corey Skinner – IDWR Southern Regional Office
Kevin Lakey – State Water District No. 37
James Speck – Speck & Aanestad

RECEIVED

JUL 10 2018

DEPARTMENT OF
WATER RESOURCES

JAMES P. SPECK
jim@speckandaanestad.com

DOUGLAS J. AANESTAD
doug@speckandaanestad.com

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

July 9, 2018

Debbie Judd
State of Idaho
Department of Water Resources
Post Office Box 83720
Boise, ID 83720-0099

**RE: *Application to Rent Water From the Water Supply Bank
Water Right No. 37-7926
Damo, LLC/Steve Wynn***

Dear Debbi:

Per the request of Jim Speck, enclosed is a signed original of the Water Supply Bank Rental Agreement No. 229 dated June 29, 2018 in connection with the above application.

If you have any questions, please contact Jim.

Respectfully,

SPECK & AANESTAD
A Professional Corporation



Rae Hirning
Paralegal

/rh
Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 27, 2018

DAMO LLC
C/O STEVE WYNN
3131 LAS VEGAS BLVD
LAS VEGAS NV 89109

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 37-7926**

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

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, together with the rental fee described below, the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

A rental fee of \$26.00 was calculated based on the current rental rate of \$20.00 per acre-foot times a diversion volume of 1.2 acre-feet.

Please send a check for \$26.00 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

Pursuant to the Water Supply Bank Rules, 90% or \$23.40 of the rental fee will be paid to the lessor(s) and 10% or \$2.60 will be retained by the Department to offset administrative costs.

If you have any questions, please contact this office at (208) 287-4800.

Sincerely,


for Water Supply Bank

Enclosure

c: IDWR Front Desk
James Speck – Speck & Aanestad

MEMORANDUM

To: Water Right 37-7926

From: Remington Buyer

Date: May 31, 2018

Re: Review & Analysis of Application to Rent Water from the Water Supply Bank

PURPOSE/NARRATIVE: An application to rent from the Water Supply Bank was received from Jim Speck on behalf of Damo LLC on February 22, 2018. The application requests to rent a portion of water right 37-7926 to authorize irrigation of residential parcel north of Ketchum. Specifically, the rental requests to rent 0.01 cfs and 1.3 af in association with 0.4 acres, all from water right 37-7926, which is slightly more than the amount available for rental under 37-7926 (which is: 0.01 cfs and 1.2 afa for irrigation of 0.4 acres).

The parcel where the rental use of irrigation water is proposed features approximately 1.4 acres of irrigable space and 0.6 acres of hardscape (roads, a home and other structures). The 1.4 acre irrigable area is delineated in green in the image immediately to the right.

A permit-exempt domestic ground water right is purported to be appurtenant to the property, which could authorize up to 0.5 acres for irrigation. As such, it appears that approximately 0.9 acres of property are irrigable, but are not covered by any water right. This rental can authorize up to 0.4 acres of irrigation within the 0.9 irrigable area, which leaves a balance of 0.5 acres that are not authorized to be irrigated under any known water right or similar water use authorization.



AUTHORITY TO FILE: The application was signed by Stephen A Wynn for Damo LLC. According to the Idaho SOS Website, he is a member of Damo LLC. Current Blaine County parcel information shows that Damo LLC owns the property at the proposed POU and POD.

WATER RIGHT VALIDITY: 37-7926 had a portion of the right leased into the WSB as lease/rental packages. This rental was one of those packages. The right was decreed in 2010 and the same portions of this right have been leased into the bank since 2015. There are no forfeiture concerns.

INJURY TO OTHER WATER RIGHTS: Water right 37-7926 authorizes diversions of ground water at a property approximately 0.1 miles north of the rental location. It is not anticipated that this rental will result in any significant changes in ground water flows within the Wood River Valley aquifer.

ENLARGEMENT OF USE: No overlapping rights at the rental POU were evident. There are no enlargement concerns on this rental.

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 rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental POD is subject to Water District # 37. Comments were requested from the watermaster and regional office.

MEMORANDUM

To: Water Right 37-7926

From: Rachael Smith

Date: 2/26/18

Re: Review & Analysis of Application to Rent Water from the Water Supply Bank

PURPOSE/NARRATIVE: An application to rent from the Water Supply Bank was received from Jim Speck on behalf of Damo LLC on February 22, 2018. The application proposes to rent 0.01 cfs and 1.3 af to irrigate 0.4 acres at 04N 17E Sec 12 in the SENE. The rental will authorize irrigation of 0.4 acres of residential landscaping in excess of the domestic limit of 0.5 acres. The applicant acquired a rental of water right 37-7926 in 2017 for this same area. The rental was kept in proportion with water right's 37-7926 irrigation proportion. The lease of 37-7926 allows 3 acre feet per acre irrigated, so for this rental to irrigate 0.4 acres, 1.2 acre feet will be rented.

AUTHORITY TO FILE: The application was signed by Stephen A Wynn for Damo LLC. According to the Idaho SOS Website, he is a member of Damo LLC. Current Blaine County parcel information shows that Damo LLC owns the property at the proposed POU and POD.

WATER RIGHT VALIDITY: 37-7926 had a portion of the right leased into the WSB as lease/rental packages. This rental was one of those packages. The right was decreed in 2010 and the same portions of this right have been leased into the bank since 2015. There are no forfeiture concerns.

INJURY TO OTHER WATER RIGHTS: Both the Rental PODs and the Lease PODs are within the Big Wood River Groundwater Management Area and Water District 37. The rental POD will be shared with the unrecorded domestic water right on the property.

ENLARGEMENT OF USE: No overlapping rights at the rental POU were evident. There are no enlargement concerns on this rental.

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 rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental POD is subject to Water District # 37. Comments were requested from the watermaster and regional office.

Smith, Rachael

From: Kevin Lakey <watermanager@cableone.net>
Sent: Monday, February 26, 2018 11:11 AM
To: Smith, Rachael
Subject: RE: WSB rental application 1044 (rental of water right 37-7926)

I have no concerns or comments at this time.

Kevin Lakey
Water District 37

From: Smith, Rachael [mailto:Rachael.Smith@idwr.idaho.gov]
Sent: Monday, February 26, 2018 10:16 AM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; watermanager@cableone.net
Subject: WSB rental application 1044 (rental of water right 37-7926)

Good morning,

Attached are a review memo and map for a WSB rental application in Basin 37. You may notice that the map is dated 2017- the application is for the same lease/rental package as last year.

Please let me know if you have any comments or concerns. There will be one more rental as part of this lease/rental package that I am reviewing today.

Thank you,

Rachael Smith, Sr. Water Resource Agent
Idaho Dept of Water Resources
322 E. Front Street PO Box 83720
Boise, ID 83720-0098
Rachael.Smith@idwr.idaho.gov
208.287.4912

Smith, Rachael

From: Skinner, Corey
Sent: Tuesday, February 27, 2018 9:54 AM
To: Smith, Rachael
Subject: RE: WSB rental application 1044 (rental of water right 37-7926)

No concerns from me on this one.

From: Smith, Rachael
Sent: Monday, February 26, 2018 10:16 AM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; watermanager@cableone.net
Subject: WSB rental application 1044 (rental of water right 37-7926)

Good morning,

Attached are a review memo and map for a WSB rental application in Basin 37. You may notice that the map is dated 2017- the application is for the same lease/rental package as last year.

Please let me know if you have any comments or concerns. There will be one more rental as part of this lease/rental package that I am reviewing today.

Thank you,

Rachael Smith, Sr. Water Resource Agent
Idaho Dept of Water Resources
322 E. Front Street PO Box 83720
Boise, ID 83720-0098
Rachael.Smith@idwr.idaho.gov
208.287.4912

No. W 109106	Due no later than Dec 31, 2017 Annual Report Form		2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. DAMO, LLC STEVE WYNN 3131 LAS VEGAS BLVD S LAS VEGAS NV 89109		CYNTHIA J WOOLEY 200 W RIVER ST STE 201 KETCHUM ID 83340	
			3. <u>New</u> Registered Agent Signature:*	
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.				
Office Held	Name	Street or PO Address	City	State Country Postal Code
MEMBER	STEVE WYNN	3131 LAS VEGAS BLVD S	LAS VEGAS	NV USA 89109
5. Organized Under the Laws of: NV W 109106		6. Annual Report must be signed.* Signature: Steve Wynn Name (type or print): Steve Wynn Date: 12/31/2017 Title: Member		
Processed 12/31/2017		* Electronically provided signatures are accepted as original signatures.		

Field, Christine

From: James Speck <jim@speckandaanestad.com>
Sent: Thursday, February 22, 2018 2:58 PM
To: Field, Christine
Subject: RE: Rental Start Date Confirmation Needed

Christine,

My mistake! The rental start date should be 4/1/2018. Thanks for catching that.

Jim

From: Field, Christine [mailto:Christine.Field@idwr.idaho.gov]
Sent: Thursday, February 22, 2018 2:55 PM
To: James Speck
Subject: Rental Start Date Confirmation Needed

Hi James,

I am writing to you regarding the Rental Start Date on the Rental Application for Damo, LLC.

The date listed on the Rental Application reads 4/15/2017.

Please confirm that the Rental Start date for Damo, LLC from W/R 37-7926 should be 4/1/2018.

Regards,

Christine Field
Water Supply Bank Support

RECEIVED

FEB 22 2018

DEPARTMENT OF
WATER RESOURCES

JAMES P. SPECK
jim@speckandaanestad.com

DOUGLAS J. AANESTAD
doug@speckandaanestad.com

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

February 20, 2018

Remington Buyer
Water Supply Bank Coordinator
Idaho Department of Water Resources
322 E. Front St.
Boise, Idaho 83720-0098

Re: William B. and Debra Gordon - Application To Lease A Portion of Water Right 37-2619;
Kiril Sokoloff - Application to Lease A Portion of Water Right 37-7926
Jeffrey & Judith Greenstein - Application To Rent A Portion of Water Right 37-2619;
James D. Sinegal - Application To Rent A Portion of Water Right 37-2619;
Thomas W. Weisel Trust - Application To Rent A Portion of Water Right 37-2619
and a portion of Water Right 37-7926; and
Damo, LLC - Application To Rent a Portion of Water Right 37-7926

Dear Remington:

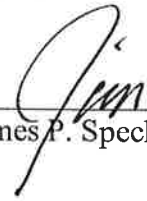
Enclosed you will find the original and a copy of each the above-referenced companion Lease and Rental Applications. All of the Applications request a term of five (5) years. I have also enclosed my firm's check in the amount of \$500 payable to the Department for the \$250 filing fee for the Gordon Application to Lease and the \$250 filing fee for the Sokoloff Application To Lease.

Please receipt date-stamp all of the copies and return them to me in the postage prepaid, self-addressed envelope I have included for that purpose. Please call me right away if you have any questions, comments or concerns about these companion Water Supply Bank Applications.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

Enclosures
cc: Clients w/encl.