

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 807

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

LESSOR: MERIDIAN JOINT SCHOOL
DISTRICT #2
OPERATIONS & MAINTENANCE
1303 E CENTRAL DR
MERIDIAN, ID 83642

RECEIVED
JUN 19 2018
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 May 18, 2018.
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)
63-7983	5/16/1974	GROUND WATER	0.06	18.0	4.0
Lease Totals			0.06	18.0	4.0

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, 2018 to December 31, 2022. 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. 807

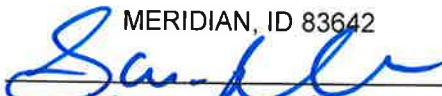
5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right 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. 807

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

LESSOR: MERIDIAN JOINT SCHOOL
DISTRICT #2
OPERATIONS & MAINTENANCE
1303 E CENTRAL DR
MERIDIAN, ID 83642

By 
Title ADMIN. BRIAN J. BROWN
Date 6/13/18

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 06-21-2018

Lease approved by IDWR 

Date 06-21-2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 807

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): 63-7983

GROUND WATER NWNENW Sec. 3 Twp 02N Rge 01E ADA County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
63-7983	IRRIGATION	03/15	to	10/31	0.06 cfs	18.0 AF
	FIRE PROTECTION	01/01	to	12/31	0.06 cfs	Not Stated
Totals:					0.06 cfs	18.0 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	
02N	01E	3					4.0 L3												4.0

Total Acres: 4.0

PLACES OF USE TO BE IDLED UNDER THIS LEASE: FIRE PROTECTION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01E	3					x												0.0

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

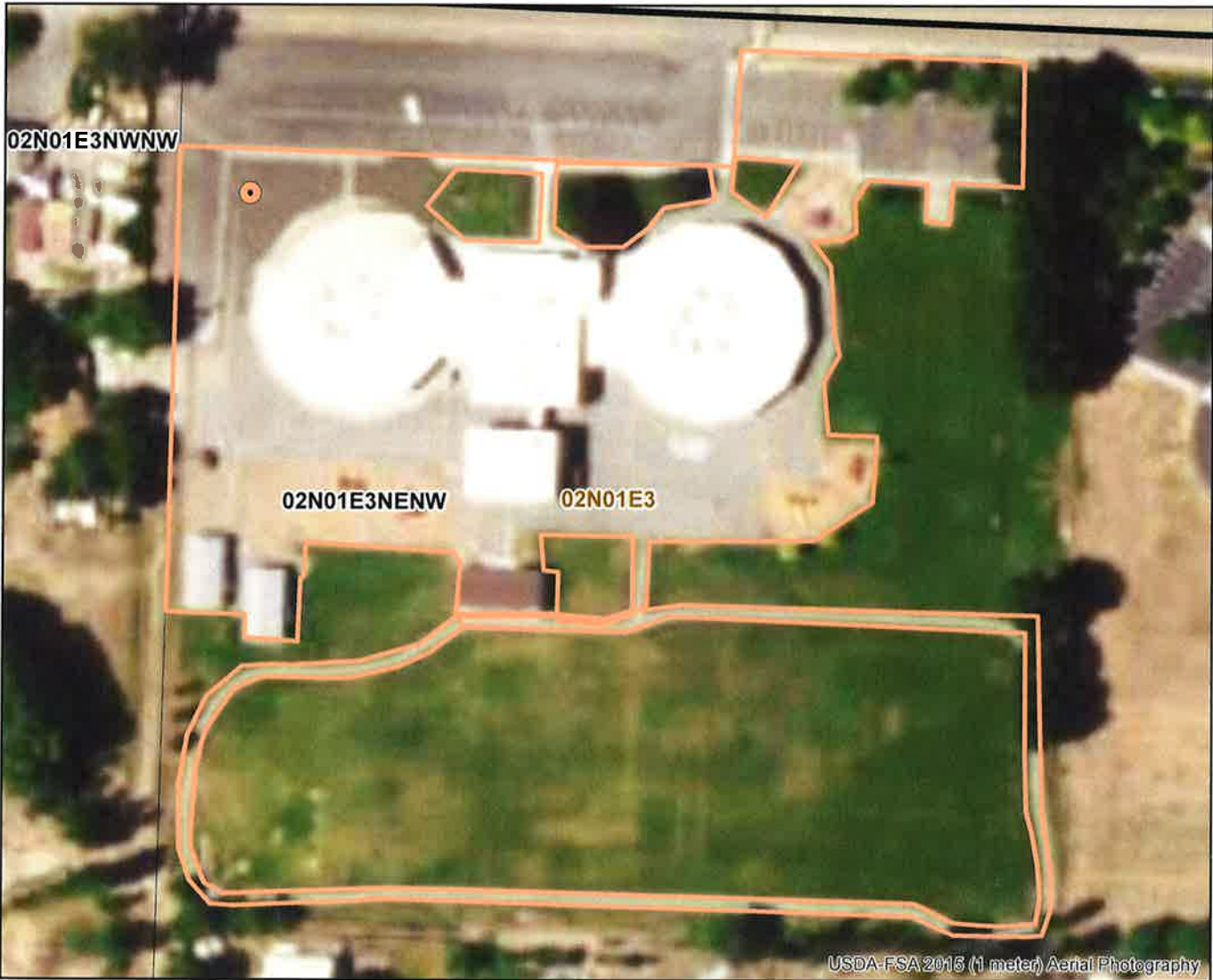
WATER SUPPLY BANK LEASE CONTRACT No. 807

7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
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 use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after October 31 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. The unleased portions of this right are limited to the diversion rate of 0.08 cfs, diversion volume 22.5 af and 5.0 acres.

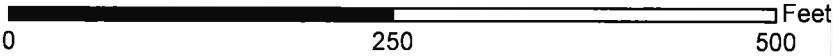
Idaho Water Resource Board
Water Supply Bank Lease Contract No. 807

63-7983
Effective until December 31, 2022

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
- Townships
- PLS Sections
- Quarter Quarters



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

MAY 18 2018

DEPARTMENT OF
WATER RESOURCES

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

Designated Applicant Meridian Joint School District No. 2
(Select one owner – see item 1A on the application)

Water Right No. 63-7983
(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 <i>all owners</i> of the water right to be leased or sold on this application. |
| 1B | ☒ | ☐ | An <u>Internal Revenue Service (IRS) Form W-9</u> for the Designated Applicant. |
| 1C | ☒ | ☐ | <i>Notice of Change in Water Right Ownership</i> 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 <u>Section 42-222(2), Idaho Code</u> . |

Department Use Only

Fee Amount \$ <u>250.00</u>	Received By: <u>al</u>	Date Received: <u>5/18/18</u>	Receipt # <u>C105123</u>
W-9 received? Yes ☐ No ☐ (Route W-9 to Fiscal)		Name on W-9:	

1101

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 Meridian Joint School District No. 2

Mailing Address Operations & Maintenance, 1303 E. Central Dr., Meridian, ID 83642

Street City State Zip Code

Email Address McLean.Spencer@westada.org Phone Number 208-350-5210

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

OR

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

- B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☒ No ☐
If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☒ No ☐
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative Lori Graves Organization SPF Water Engineering

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

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

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

OR

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

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

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

OR

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

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

3. MAP

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

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☒
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

- B. Please provide a description of the current water diversion and delivery system.

Well, pump, pressurized irrigation

- 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. None

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☒

Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

- E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☒

If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.

- F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. Acres have been previously leased to the bank

- 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)

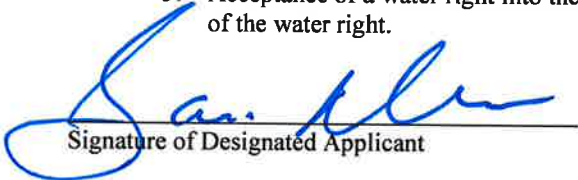
5. SALE/LEASE AGREEMENT

- 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: 5 yrs to _____ (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

SPENCER McLean
Printed Name ADMIN. BLDG/GRANDS

5/17/18
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
WATER RESOURCE BOARD**

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

ATTACHMENT 2

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

<u>1. Water Right Number</u>	<u>Nature of Use</u>	<u>Leased Rate</u> (cfs)	<u>Leased Volume</u> (af)	<u>Leased Acres</u> (ac)
63-10393	Irrigation	0.06	18.0	4.0
	Total Amounts:	0.06	18.0	4.0

2. Source of water Ground Water tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
2N	1E	3	3	NW	NE	NW	Ada

Legend



63-7983 POU



Lake Hazel Remaining Irrigation (5 ac)

3N 1E SWSW

34

SESW

2N 1E 4

03

3



SPF WATER
ENGINEERING

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

WB Lease Application Attachment 3

63-7983

DATE: 5/15/2018

USER: LGraves

PROJECT: 1000.0000



Absolute Scale: 1:2,099

0 62.5 125 250 Feet

COORDINATE REFERENCE SYSTEM: NAD 1983-2011 StatePlane Idaho West FIPS 1103 FUS



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 22, 2018

MERIDIAN JOINT SCHOOL DISTRICT #2
OPERATIONS & MAINTENANCE
1303 E CENTRAL DR
MERIDIAN ID 83642

RE: **WATER SUPPLY BANK LEASE CONTRACTS FOR WATER RIGHTS 63-7983, 63-10393, and 63-31763**

Dear Lessor:

Water rights **63-7983, 63-10393, and 63-31763** were leased into the Water Supply Bank (Bank) as of May 18, 2018, 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, 2022**, 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 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. 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: Angie Grimm - IDWR Western Region
Lori Graves – SPF Water Engineering

Hersley, Jean

From: Lori Graves <LGraves@spfwater.com>
Sent: Tuesday, June 12, 2018 1:50 PM
To: Mclean Spencer
Cc: Hersley, Jean
Subject: FW: Meridian Joint School District WSB Lease Contracts
Attachments: 20180529110709.pdf

Spencer,

Please see the Department's email below. Can you please provide them with a 2nd signed copy as instructed in their attached cover letter.

From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Sent: Tuesday, June 12, 2018 1:08 PM
To: Lori Graves <LGraves@spfwater.com>
Subject: Meridian Joint School District WSB Lease Contracts

I spoke with Spencer Mclean last week regarding the leases for the school district. They only returned one copy of each contract and the Department needs the second copies signed and returned. Are they on the way? Thank you.

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

Hersley, Jean

From: Grimm, Angie
Sent: Tuesday, June 05, 2018 1:09 PM
To: Hersley, Jean
Subject: RE: WSB Lease Contracts for Meridian School District

Jean,

No local area concerns come to mind for the lease of these three rights. However, it might be helpful to note 63-10393 and 63-31763 are within the Bs 63 GW Restricted zone, which if rented, consideration should be given to historic water bearing zone. Thank you for the opportunity to comment.

Regards,
Angie

Angela M. Grimm, P.G.
Water Rights Supervisor
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
(208) 334-2348 fax

From: Hersley, Jean
Sent: Tuesday, May 29, 2018 11:19 AM
To: Grimm, Angie <Angie.Grimm@idwr.idaho.gov>
Subject: WSB Lease Contracts for Meridian School District

Please let me know within 7 days if you have any comments or concerns about the these leases. I have attached a map and the review memo. Thank you.

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



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

May 29, 2018

MERIDIAN JOINT SCHOOL DISTRICT # 2
OPERATIONS & MAINTENANCE
1303 E CENTRAL DR
MERIDIAN ID 83642

RE: APPLICATIONS TO LEASE WATER RIGHT 63-7983, 63-10393 and 63-31763 TO THE WATER SUPPLY BANK

******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 of each 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, 2022**, 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 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,

for 
Water Supply Bank

Enclosure: Proposed Lease Contracts

c: SPF Water Engineering LLC

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, May 29, 2018 11:19 AM
To: Grimm, Angie
Subject: WSB Lease Contracts for Meridian School District
Attachments: Idled Acres 63-7983.pdf; Lease Application Review 63-7983.xls; Idled Acres 63-10393.pdf; Lease Application Review 63-10393.xls; Idled Acres 63-31763.pdf; Lease Application Review 63-31763.xls

Please let me know within 7 days if you have any comments or concerns about the these leases. I have attached a map and the review memo. Thank you.

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

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, May 29, 2018 11:17 AM
To: 'Lori Graves'
Subject: WSB Lease Contracts for Meridian School District
Attachments: 20180529110709

These will go out in tomorrow's mail. If you have any questions, please contact me. Thank you.

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

WATER SUPPLY BANK

Lease Review Checklist

Applicant(s) Name: Meridian Joint School District No. 2

Memo Date: 5/24/18

Water Right Number(s): 63-7983

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			
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			Spencer McLean
SOS Web site checked for business entity			
Other (explain in comments)			
6 Water Right validity			
Decreed/Licensed/Statutory claim date (write in comments section)			2007
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		2012-2016
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			
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)		x	
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			
11 Area Headgate requirement (write in Comments)			4.5
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 this application on may 18, 2018. The applicant wishes to place 4 acres of this water right in the Bank. The 4 acres are buildings, sidewalks and parking lots. This right is for Lake Hazel Elementary School. Spencer McLean, Buildings and Grounds administrator signed the application. This right was decreed in 2007 and the same 4 acres have been in the Bank from 2012 to 2016. Forfeiture is not an issue. Water rights from United Water, City of Boise, Board of Control overlap this right but the application stated the acres would not receive water from another source. This is a ground water right that is currently not within a WD.

Hersley, Jean

From: Lori Graves <LGraves@spfwater.com>
Sent: Thursday, May 24, 2018 9:02 AM
To: Hersley, Jean
Subject: RE: Meridian School District WSB Lease applications

Fire protection can be covered with municipal water so go ahead and bank fire protection. I didn't know you would accept a water right that was "un-rentable"???

From: Hersley, Jean [mailto:Jean.Hersley@idwr.idaho.gov]
Sent: Wednesday, May 23, 2018 3:36 PM
To: Lori Graves <LGraves@spfwater.com>
Subject: RE: Meridian School District WSB Lease applications

Thank you!

On the lease application for water right 63-7983, you didn't include any of the fire protection use to be leased. Since the total rate is inclusive of both irrigation and fire protection, we will need to either include a portion of the fire protection use on the lease or make the 4 acres un-rentable. Please let me know how your client would like to proceed. Thank you.

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

From: Lori Graves [mailto:LGraves@spfwater.com]
Sent: Wednesday, May 23, 2018 3:20 PM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Subject: RE: Meridian School District WSB Lease applications

63-7983 shapes

From: Hersley, Jean [mailto:Jean.Hersley@idwr.idaho.gov]
Sent: Wednesday, May 23, 2018 2:08 PM
To: Lori Graves <LGraves@spfwater.com>
Subject: Meridian School District WSB Lease applications

Lori,
Would you mind sending me your shapefiles for the Meridian School District WSB Lease applications? Thank you.

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



RECEIVED
MAY 18 2018
DEPARTMENT OF
WATER RESOURCES

May 18, 2018

Mary Condon
IDWR State Office
PO Box 83720
Boise, ID 83720-0098

Subject: *Water Bank Lease Applications (3)*

Dear Mary,

Enclosed on behalf of Meridian School District #2, are three *Water Supply Bank Lease Applications* (re-submittals) for portions of water rights 63-7983, 63-10393 and 63-31763.

Check No. 012079 is enclosed for the \$750 filing (fee \$250/lease). The check also covers the filing fees for five permit extension requests also being submitted under a separate cover letter.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Lori Graves", written in a cursive style.

Lori Graves
Water Rights Specialist

Cc: Spencer McLean

Enclosures

SPF file number: 141.0170