

WATER SUPPLY BANK LEASE CONTRACT No. 746

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

LESSOR: STATE OF IDAHO
DEPT OF LANDS
PO BOX 83720
BOISE, ID 83720-0050

RECEIVED

FEB 14 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 Wednesday, December 27, 2017.
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)
63-7355	7/30/1970	GROUND WATER	0.28	118.0	75.0
63-8382	11/1/1976	GROUND WATER	0.92	215.0	74.0
Combined Limit Totals			1.20	333.0	75.0
Combined Lease Totals			1.20	333.0	75.0

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

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.

IN FILE # 63-7355

WATER SUPPLY BANK LEASE CONTRACT No. 746

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.



WATER SUPPLY BANK LEASE CONTRACT No. 746

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

LESSOR: STATE OF IDAHO
DEPT OF LANDS
PO BOX 83720
BOISE, ID 83720-0050

By Bill Hanger
Title Division Administrator
Date 2-12-18

IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

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

Date 2/15/2018

Lease approved by IDWR Chy Wato

Date 2-15-2018

WATER SUPPLY BANK LEASE CONTRACT No. 746

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): 63-7355

GROUND WATER	NWSW	Sec. 4	Twp 02N	Rge 02E	ADA County
GROUND WATER	NESW	Sec. 4	Twp 02N	Rge 02E	ADA County

Source and Location of Point(s) of Diversion for Water Right No(s): 63-8382

GROUND WATER	NWSW	Sec. 4	Twp 02N	Rge 02E	ADA County
GROUND WATER	NESW	Sec. 4	Twp 02N	Rge 02E	ADA County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
63-7355	IRRIGATION	04/01	to	10/31	0.28 cfs	118.0 AF
63-8382	IRRIGATION	03/15	to	11/15	0.92 cfs	215.0 AF
Totals:					1.20 cfs	333.0 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	02E	4									39.0	36.0							75.0

Total Acres: 75.0

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.

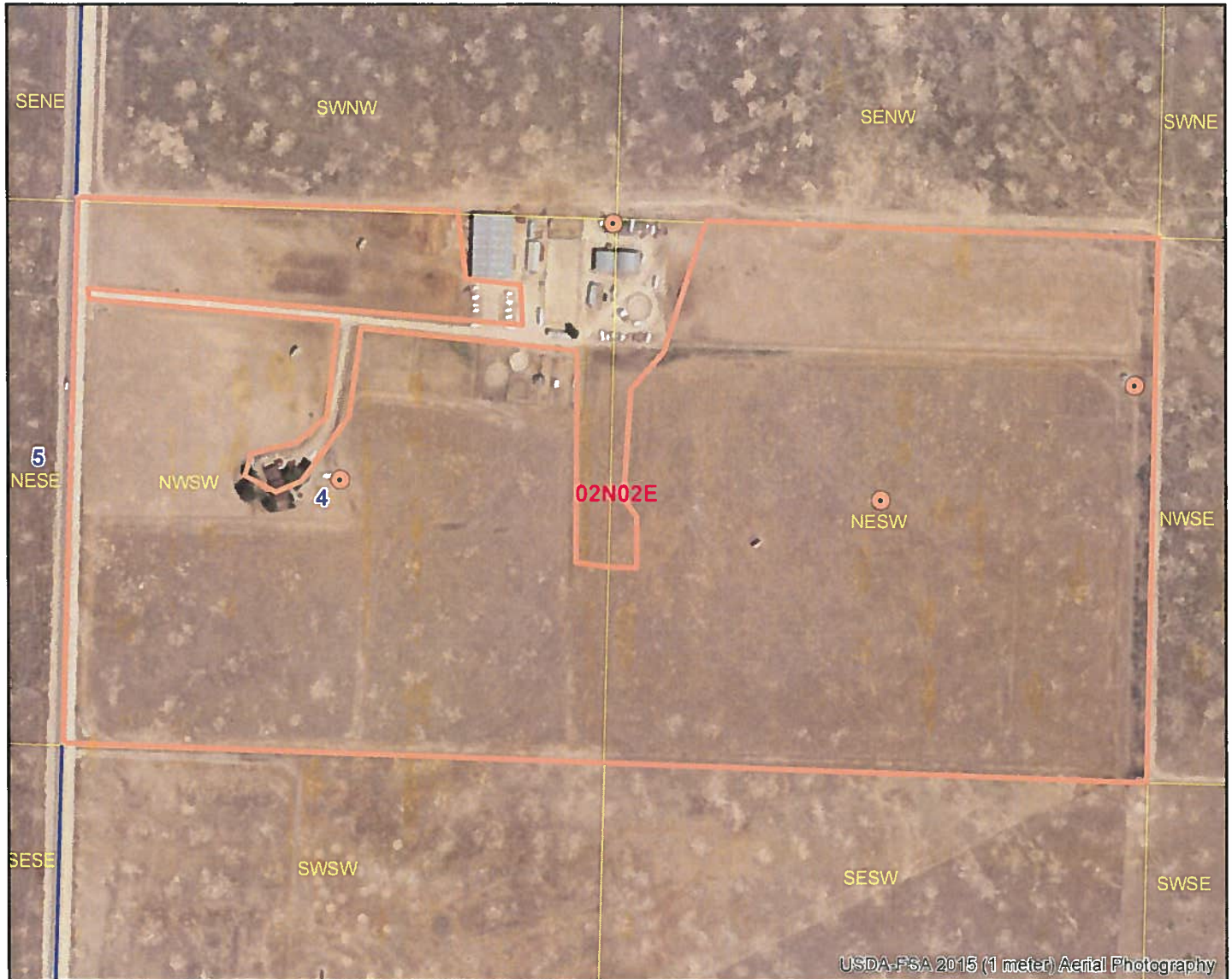
WATER SUPPLY BANK LEASE CONTRACT No. 746

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. 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. Section 42-1412(6), Idaho Code.
13. The use of water for irrigation under Right No. 63-07355 may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 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.
14. The use of water for irrigation under Right No. 63-08382 may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
15. Right No. 63-8382 is limited to the irrigation of 74.0 acres within the place of use described above in a single irrigation season.
16. Use of Right Nos. 63-7355 and 63-8382 when combined are limited to the irrigation of a combined total of 75.0 acres in a single irrigation season.
17. Use of Right Nos. 63-7355 and 63-8382 when combined are limited to a total combined annual diversion volume of 333.0 af.

Idaho Water Resource Board
Water Supply Bank Lease Contract No. 746

63-7355 and 63-8382
Effective until December 31, 2022

This map depicts the IRRIGATION 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



0 500 1,000 1,500 Feet

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

DEC 27 2017

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

DEPARTMENT OF
WATER RESOURCES

Designated Applicant State of Idaho Department of Lands
(Select one owner – see item 1A on the application)

Water Right No. 63-7355
(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 \$

Received By:

Date Received:

Receipt # under office

W-9 received? Yes ☐ No ☒ (Route W-9 to Fiscal)

Name on W-9:

955

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 State of Idaho Department of Lands

Mailing Address <u>P.O. Box 83720-0050</u>	<u>Boise</u>	<u>Idaho</u>	<u>83720-2516</u>
Street	City	State	Zip Code

Email Address dgjohnson@idl.idaho.gov Phone Number 208-334-3488

☒ 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.

Well for 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.

63-8382

- 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. Water banked the last 5 years

- 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: 2018 to 2022 (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.

Robert D. Pietras
Signature of Designated Applicant

Robert Pietras, SW Area Manager
Printed Name

12/26/17
Date

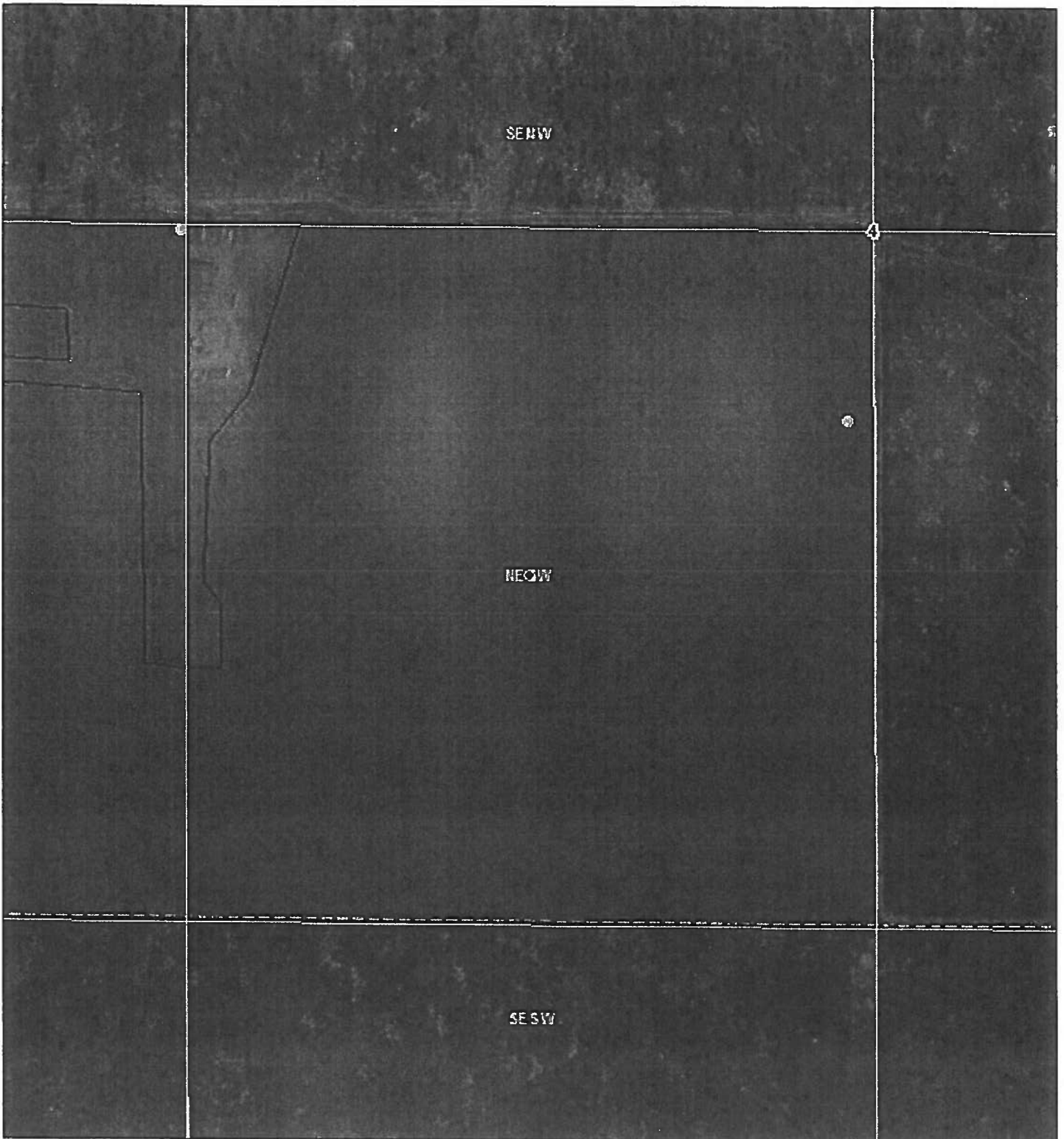
Signature of Authorized Representative

Printed Name

Date

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

ArcGIS Web Map



12/12/2017, 12:51:02 PM

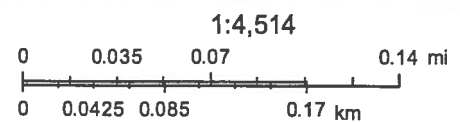
ALL WR DIVERSIONS

ALL WR PLACES OF USE

All Other POU (non-provider)

Irrigation Providers and Municipal Service Areas

Irrigation Providers and Municipal Service Areas



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors
Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the
GIS user community
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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

February 16, 2018

STATE OF IDAHO
DEPT OF LANDS
PO BOX 83720
BOISE ID 83720-0050

RE: WATER SUPPLY BANK LEASE CONTRACT FOR WATER RIGHTS 63-7355 and 63-8382

Dear Lessor:

Water rights **63-7355 and 63-8382** were leased into the Water Supply Bank (Bank) as of December 27, 2017, in accordance with the enclosed executed lease contract. **Your water rights, as described on the lease contract, are considered leased into the Bank and should remain unused until they are formally released from the Bank.** More information and further restrictions placed on your water rights while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The rights will automatically be released from the Bank on **December 31, 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 contract upon your request. To release the water rights from the Bank prior to the release date, submit a written request on the *Request to Release a Water Right from the Bank* form. This form is available on our public website at www.idwr.idaho.gov. **Please note your water rights may not be available for immediate release if they have been rented or are being considered for a future rental. Furthermore, it is at the discretion of the Department whether or not a water right can be released early from a lease contract.**

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

Sincerely,

Water Supply Bank

Enclosure: Executed Lease Contract

c: Angie Grimm - IDWR Western Region



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

February 6, 2018

STATE OF IDAHO
DEPT OF LANDS
PO BOX 83720
BOISE ID 83720-0050

**RE: APPLICATIONS TO LEASE WATER RIGHTS 63-7355 and 63-8382
TO THE WATER SUPPLY BANK**

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

Dear Applicant:

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

The rights will automatically be released from the Bank on **December 31, 2022**, unless the rights are released earlier by the Board, or upon your request. To release the rights from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your rights may not be available for immediate release if they have been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:
"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

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

Sincerely,


Water Supply Bank

Enclosures: Proposed Lease Contracts

Condon, Mary

From: Grimm, Angie
Sent: Friday, February 02, 2018 3:54 PM
To: Condon, Mary
Subject: RE: Lease Review - State - Dept of Lands - 63-7355 & 63-8382

Mary,

No local area concerns come to mind for the lease of these rights. The current POU falls within the S Ada Co GW Concern Area and the Boise Front GWMA. I would recommend this right be used to fill rental requests for uses within the S Ada Co GW Concern Area first before being used to fill rental requests outside this area. The Boise Front GWMA restricts use of low temperature geothermal water. If the right has historically used LTG water, it may be a good candidate to fill a rental request for LTG water in the area too. Thank you for the opportunity to comment.

Regards,
Angie

From: Condon, Mary
Sent: Monday, January 29, 2018 4:56 PM
To: Grimm, Angie <Angie.Grimm@idwr.idaho.gov>
Subject: Lease Review - State - Dept of Lands - 63-7355 & 63-8382

Angie,

Please see the attached Lease Review Checklist, Map, and proposed Lease Contract, and reply within 7 days with any comments or concerns.

This is within the Boise Front GWMA and South Ada County Area of Concern. Do I need to include anyone else?

Best,

Mary Condon
Water Supply Bank Specialist
Planning & Projects Bureau
Idaho Department of Water Resources
Main: (208) 287-4936
Fax: (208) 287-6700

WATER SUPPLY BANK

Pick Tools

Lease Review Checklist
Applicant(s) Name: State of Idaho - DEPARTMENT OF LANDS
Memo Date: JANUARY 29, 2018
Water Right Number(s): 63-7355 & 63-8382
Reviewers Name: MARY CONDON

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)			
2	☐		
Reason for lease of water rights (Brief description of lease proposal in narrative)			
Portion of right			
All of right			
3	☒		
Check GWMA/CGWA/ADC and basin 63 areas of concern (note area in comments)			
	☒	☒	South Ada County Area of Concern
4	☒	☒	
Rentable? (If no explain in comments or narrative)			
5	☐	☐	
Authority to file			
Current owner or designated applicant			
SOS Web site checked for business entity			
Other (explain in comments)			
6	☐	☐	
Water Right validity			
Decreed/Licensed/Statutory claim date (write in comments section)			
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?			
7	☐	☐	
Injury to other water rights			
If the POD is through a delivery entity, was consent provided?			
If the POD is through a delivery entity, was holdback required? (percentage in comments)			
Any other concerns			
8	☐	☐	
Enlargement concerns			
Complete a POU comparison overlap analysis			
Complete a combined limits review			
Complete POD overlap analysis (if there is an overlap add condition to lease)			
Are there overlapping rights that need to be placed in the bank also?			
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?			
10	☐	☐	
Have you contacted regional office and watermaster for comment/concerns?			
Send the watermaster comment request form or e-mail request			
11	☐	☐	
Area Headgate requirement (write in Comments)			
12	☐	☒	
Is water right involved in any other department action? Pull file and check database			
() Ownership Change () Transfer () Mitigation () Other - Explain in comments			
13			
Narrative			
Department of Lands has requested to place the entire POU Irrigation rights into the Bank, same as previously since 2001.			
Filed by Robert Pietras, SW Area Manager - active manager per Dept of Lands website, authority to file			
These rights have a combined limit of 75 acres and combined annual diversion volume of 333.0 af			
Within the Boise Front GWMA, South Ada County Area of Concern; and IDWR Basin 63			
No concerns with the lease of these rights into the bank; rental review should carefully consider GWMA and area of concern			

4.5

SOUTHWEST SUPERVISORY AREA
8355 West State Street
Boise ID 83714-6071
Phone (208) 334-3488
Fax (208) 853-6372



THOMAS M. SCHULTZ, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS
C.L. "Butch" Otter, Governor
Lawrence E. Denney, Secretary of State
Lawrence G. Wasden, Attorney General
Brandon D. Woolf, State Controller
Sherri Ybarra, Sup't of Public Instruction

December 22, 2017

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DEC 27 2017
DEPARTMENT OF
WATER RESOURCES

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Subject: Water Bank Applications – Water Rights # 63-7355 and 63-8382

To Whom it may concern:

Enclosed, for your consideration, please find the subject applications.

Idaho Department of Lands (IDL) wishes to pay the water bank application filing fees via interagency funds transfer. IDL respectfully requests that Idaho Department of Water Resources initiate the interagency billing process for this fee.

Please contact Wade Kimball in IDL's fiscal staff office for the filing fee payment process. Wade's contact information is:

Wade Kimball
Idaho Department of Lands
PO Box 83720
Boise, ID 83720-0050
Phone 208-334-0200
wkimball@idl.idaho.gov

For questions regarding the water bank application, please contact me at 208-334-3488 or bpietras@idl.idaho.gov or Dean Johnson as listed on the application. Thank you.

Sincerely,

Bob Pietras
Southwest Area Manager

Enclosures: Applications # 63-7355 and 63-8382