



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

March 15, 2017

CARLOS L POST
331 BITTERBRUSH LN
REXFORD MT 59930-9715

RE: RETURNED APPLICATION(S) TO LEASE WATER RIGHT NO(S). 63-33517 TO THE WATER SUPPLY BANK

Dear Applicant:

The Department of Water Resources (Department) has completed its review of your application(s) to lease water right(s) to the Water Supply Bank (Bank). Based on that review, the Department cannot accept water right(s) 63-33517 into the Bank.

This letter is notice that the attached application(s) to lease water to the Bank are being returned. The Bank rules provide criteria to be considered when determining whether to accept a water right into the Bank. One of the criteria for consideration is the applicant needs to own the property or have permission from the property owners to lease the water right to the Bank. Letters were sent from the Department on December 15, 2016 and February 21, 2017 requesting information regarding the ownership of property appurtenant to water right 63-33517. As of the date of this letter, no information was received.

The Department is returning your application and requesting a refund. You should receive your refund within 10 days from the Idaho State Controller's Office.

Please note the forfeiture period is not tolled unless a right is accepted into the Bank, or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. If forfeiture is a concern, you may consider filing an Application for Extension of Time to Avoid Forfeiture of a Water Right form. This and other water right forms are available from the Department's web site at www.idwr.idaho.gov.

If you have any questions, please contact me at (208) 287-4910.

Sincerely,


for Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure: Lease Application(s)

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

JAN 11 2016

DEPARTMENT OF
WATER RESOURCES

COPY

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKDesignated Applicant Carlos L Post
(Select one owner - see item 1A on the application)Water Right No. 63-33517
(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 \$ 250.00Received By: dhDate Received: 1-11-16Receipt # C101398W-9 received? Yes ☒ No ☐

(Route W-9 to Fiscal)

Name on W-9: Carlos L Post

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

JAN 12 2016

DEPARTMENT OF
WATER RESOURCES

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

Designated Applicant Carlos L Post
(Select one owner – see item 1A on the application)

Water Right No. 63-33517
(One water right per application)

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Department Use Only

Fee Amount \$	Received By:	Date Received:	Receipt #
W-9 received? Yes ☐ No ☐	(Route W-9 to Fiscal)	Name on W-9:	

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

RECEIVED

JAN 12 2016

DEPARTMENT OF
WATER RESOURCES

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 Carlos L Post
Mailing Address 331 Bitterbrush Lane Rexford, MT 59930
Street City State Zip Code
Email Address heThpost2000@yahoo.com Phone Number 406-291-6304

☒ 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 Carlos L Post Organization NA
Professional Title Current Owner Email Address _____
Mailing Address 331 Phone Number _____

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

OR

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

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

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

OR

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

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

3. MAP

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

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

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

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

- B. Please provide a description of the current water diversion and delivery system. water right 63-33517
Ground water SW 1/4 SE 1/4 N 1/4 Sec 36 Twp 36 N
Range 03 W Gem County 28 Acres

- 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. AA 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. Leased To Idaho Water Bank Sept - 2011 To
Sept 2015

- 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? Yes ☐ No ☒
If yes, describe.

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: 2015 to 2024 Indefinite (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.

17.00 Rate/AF 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.

Carlos L Post
Signature of Designated Applicant

Carlos L Post
Printed Name

12/15/2015
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**

ATTACHMENT 1A

Additional Water Right Holders Party to the Lease Application

For the water right on this application, list all owners (individuals or business entities) of the right or the property to which it is appurtenant. All water right holders must sign a Water Supply Bank Lease Application. However, only the Designated Applicant needs to provide a completed IRS Form W-9 (Attachment 1B). **All correspondence and any financial payment associated with the rental of this water right will be directed to the Designated Applicant.** If additional space is needed to list any other water right holders, attach a second copy of Attachment 1A.

If submitting multiple applications, it is only necessary to complete one Attachment 1A for the group of applications. List each water right below.

Water Right No(s). 63-33517

	Designated Applicant	Applicant #2	Applicant #3
Name	Carlos L Post		
Mailing Address	331 Bitterbrush Lane Rexford, MT 59930		
Phone Number	406-291-6304		
Email Address	bethpost_2000@yahoo.com		
Applicant Declaration	As Designated Applicant, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature	Carlos L Post		

	Applicant #4	Applicant #5	Applicant #6
Name			
Mailing Address			
Phone Number			
Email Address			
Applicant Declaration	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

**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

1. <u>Water Right Number</u>	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
<u>63-33517</u>	<u>irrigation</u>	<u>0.43</u>	<u>~~126~~ 126</u>	<u>28 acres</u>
	<u>Stockwater</u>	<u>0.100</u>	<u>5.2</u>	
	Total Amounts:	<u>0.435</u>	<u>126</u>	<u>28 Acres</u>

2. Source of water From ground water tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
<u>T6N</u>	<u>R3W</u>	<u>36</u>		<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>Gem County</u>

bank and remaining irrigated acres for Carl Post.

0 750 1,500 Feet

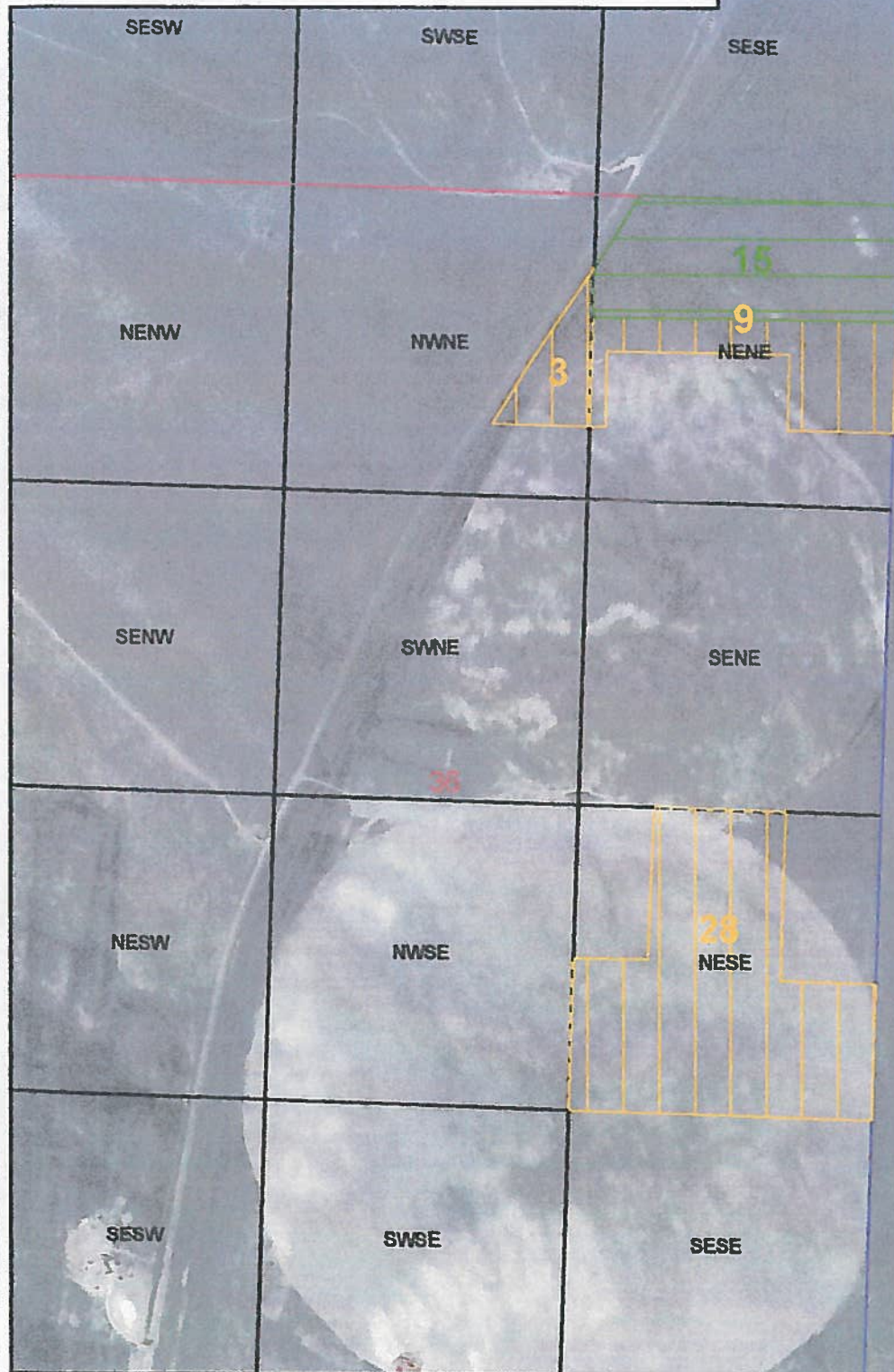


Projection System: IDTM

Data Sources: USGS, IDWR,
BLM, SE

Date: December 4, 2003

Scanlan Engineering
600 E. River Park Lane
Suite 105
Boise, ID 83706
(208) 383-4140



EXPLANATION

 remaining acres
for irrigation

 proposed acres
for water bank

Attachment 3

Figure 1: Carl Post Remaining Irrigated Acres From Water Right 63-9179C.

0 750 1,500 Feet

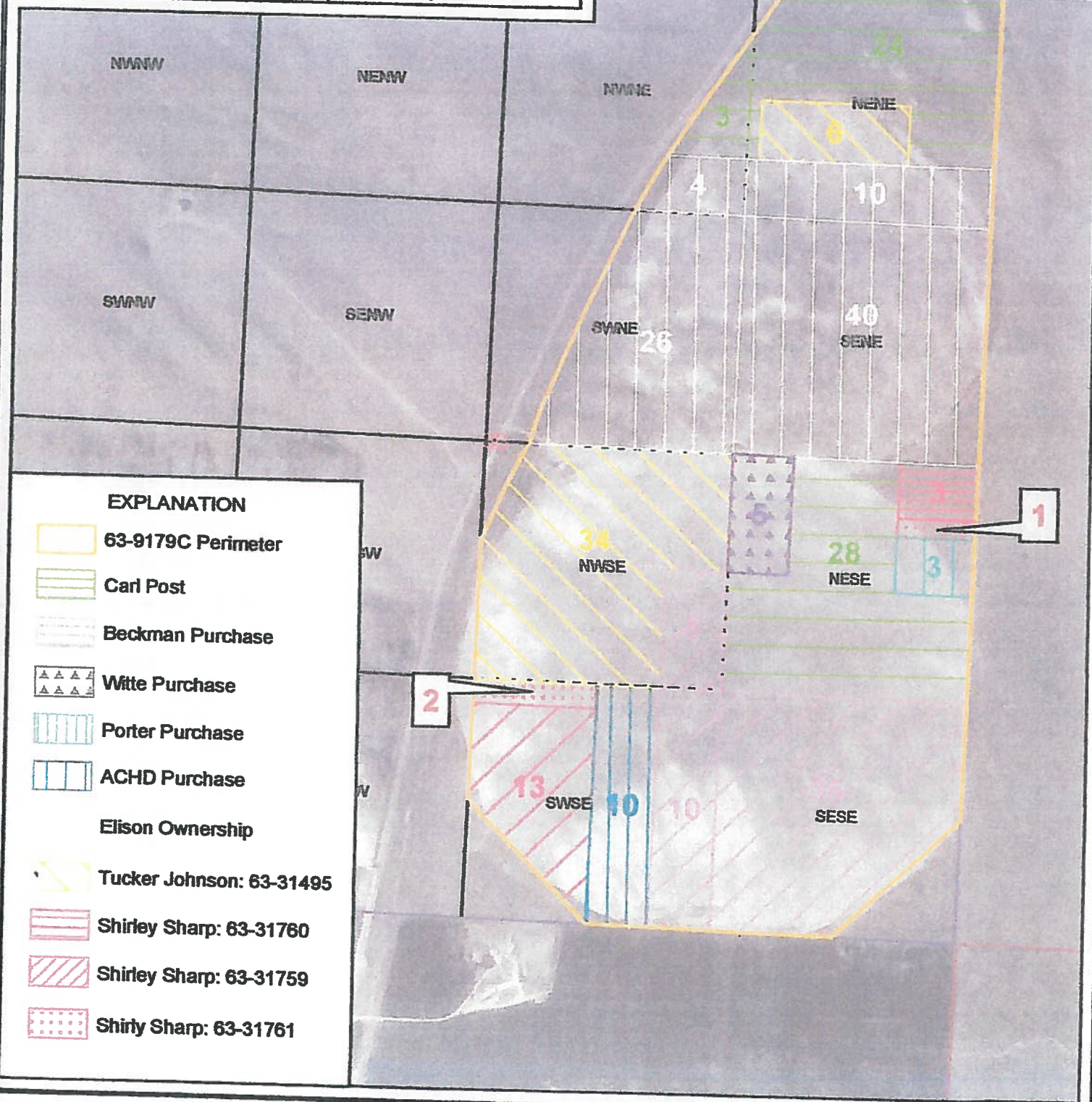


Projection System: IDTM

Data Sources: USGS, IDWR,
BLM, SE

Date: October 6, 2003

Scanlan Engineering
600 E. River Park Lane
Suite 105
Boise, ID 83706
(208) 383-4140



MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: March 15, 2017
RE: Refund: WSB Lease Application

Please refund \$250. Application returned.

NAME: CIRCLE P RANCH
ADDRESS: 331 BITTERBRUSH LN
REXFORD MT 59930-9715

RECEIPT #: C101398

Thank you.

Jean

MEMORANDUM

To: Water Right No(s). 63-33517
From: Jean Hersley
Date: March 15, 2017
Re: Review of Applications to Lease Water Rights to the State Water Supply Bank-

APPLICATION RETURNED UNPROCESSED

PURPOSE/NARRATIVE: The Department received this application on January 12, 2016. On page two of the application, the box for the entire right was marked but an Attachment 2 listed only 28 acres and the map attached had 37 acres marked, of which 9 acres is not appurtenant to the water right. A transfer (79747) was filed to move a portion of this right to other land. This transfer was approved in May 2016. A letter was sent on December 15, 2016 requesting information on land not owned by the applicant. Another letter was sent on February 21, 2017. As of the date of this memo, no information has been received.

There was a question as to whether Mr. Post withheld the water rights in the sale of some of the land. A deed was received from the Gem County Recorder's office conveying some of the property to Pacific Intermountain Mortgage. This deed included all appurtenances. See deed attached to this memo. We did not receive a deed conveying land to the Elison's, who own the other property.

This right has been in the Bank since 2004 under water right 63-31845. The right has been split many times and was released from the Bank in 2015. The parent of this right 63-32445 was decreed in 2009.

AUTHORITY TO FILE:

WATER RIGHT VALIDITY:

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident through the lease alone. Proper rental review should protect against enlargement.

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

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The leased right(s) are subject to Water District #

Instrument # 298426

EMMETT, GEM, IDAHO

2014-09-02 01:10:56 PM No. of Pages: 5

Recorded for: ALLIANCE TITLE - BOISE PRODUCT

SHELLY TILTON Fee: \$22.00

Ex-Officio Recorder Deputy SStewart

Index To: DEED

Electronically Recorded by Simplifile

ACCOMMODATION

NONMERGER DEED IN LIEU OF FORECLOSURE

THIS DEED, Made this 13 day of August, 2014 between High Vista Estates, LLC, an Idaho limited liability company, Grantor, and Pacific Intermountain Mortgage Company, the Grantee;

WITNESSETH:

That for and in consideration of the covenants hereinafter contained, the avoidance of the costs and expenses of foreclosure litigation, and other good and valuable consideration, the Grantor does by these presents grant, convey and warrant forever unto the Grantee, and to its successors and assigns, all that real property located in Gem County, Idaho, described as follows, to wit:

All Lots EXCEPT for Lots 1, 4 through 9, 13, 16, 23 and 28 of High Vista Estates, according to the official plat thereof, filed in Book 4 of Plats at Page(s) 32, official records of Gem County, Idaho.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

AND

SUBJECT TO THE FOLLOWING:

1. Deed of trust to secure indebtedness as shown below and any other obligations secured thereby:

Amount: \$250,000.00

Mortgagor: Carlos L. Post and Laura E. Post

Mortgagee: Old West Federal Credit Union

Dated: April 23, 2004

Recorded: April 27, 2004

Instrument No.: 236137

2. Amount: \$250,000.00

NONMERGER DEED IN LIEU OF FORECLOSURE * 1 *

(F:\My Documents\CONTRACT\Post, Carl\Deed in Lieu\DEED IN LIEU OF FORECLOSURE.wpd)

298426

Mortgagor: Carlos L. Post and Laura E. Post
Mortgagee: Old West Federal Credit Union
Dated: April 23, 2004
Recorded: April 27, 2004
Instrument No.: 236138

3. Amount: \$2,720,000.00
Mortgagor: Vista Estates, LLC
Mortgagee: Carlos L. Post and Laura E. Post, husband and wife
Dated: September 7, 2006
Recorded: September 11, 2006
Instrument No.: 254599

4. Amount: \$591,000.00
Mortgagor: High Vista Estates, LLC, Carlos L. Post and Laura E. Post, husband and wife
Mortgagee: Pacific Intermountain Mortgage Company
Dated: November 28, 2007
Recorded: November 28, 2007
Instrument No.: 263260

5. Amount: \$250,000.00
Trustor/Grantor: High Vista Estates, LLC
Trustee: Alliance Title & Escrow Corp.
Beneficiary: Old West Federal Credit Union
Dated: October 14, 2008
Recorded: October 17, 2008
Instrument No.: 268759

TO HAVE AND TO HOLD, all and singular, the said property, together with the appurtenances, unto the said Grantee, and to its successors and assigns forever. Grantor covenants with Grantee that the former is now seized in fee simple of the property granted; that the latter shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances (except those set forth above); that Grantor and all persons acquiring any interest in the same through or for it will, on demand, execute and deliver to Grantee at Grantee's expense, any further assurances of the same that may be reasonably required; and that Grantor will warrant to Grantee all of the said property against every

person lawfully claiming the same, except those claiming under the above exceptions.

This deed is absolute in effect and conveys fee simple title of the property above described to the Grantee and does not operate as a rescission or as a mortgage, trust conveyance, or security agreement of any kind.

Grantee's acceptance of this conveyance is conditioned upon there being no liens against the property, except for those set forth above.

This deed does not affect a merger of the fee ownership and the liens of the deeds of trust and mortgages described herein. The fee and liens shall hereafter remain separate and distinct. It is not the intent of the parties to affect the subrogation rights of any third parties.

Carlos L. Post and Laura Post executed some of the notes secured by the deeds of trust and mortgages to which this deed is subject, and guaranteed other of the notes secured by such deeds of trust and mortgages. Carlos L. Post and Laura Post are herein referred to as "Obligors".

By acceptance of this deed, Grantee covenants and agrees that it shall not enforce any judgment against Grantor or Obligors, for indebtedness evidenced by any promissory note secured by the above mortgages and deeds of trust to which this grant is subject. This Deed shall not operate to preclude Grantee from proceeding in any action to enforce the mortgages and deeds of trust to which this grant is subject, but shall preclude Grantee from obtaining a deficiency judgment against Grantor or, any judgment against Obligors on the notes secured by the above referenced deeds of trust and mortgages..

The parties agree that the principal balance owed by Grantor and Obligors, to Grantee is approximately \$1,113,000. The property herein conveyed has a value of approximately \$1,113,000.

Grantor and Obligors do hereby waive, surrender, convey, and relinquish any equity of

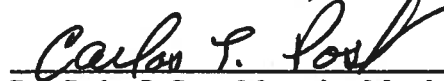
redemption, right to cure, and statutory rights of redemption concerning the property and deeds of trust and mortgages described above.

Grantor and Obligors hereby surrenders and delivers possession of the property to Grantee.

Grantor declares that this conveyance is freely and fairly made, and Grantor is not acting under any misapprehension as to the legal effect of this deed, nor under any duress, undue influence, or misrepresentation of Grantee, its agents, or attorney, or any other person.

IN WITNESS WHEREOF, The Grantor has hereunto caused the execution of this instrument on the day and year first above written.

HIGH VISTA ESTATES, LLC.



By: Carlos L. Post, Managing Member

Accepted As To Form and Content:

PACIFIC INTERMOUNTAIN MORTGAGE COMPANY



By: Billy Clonts, Vice President

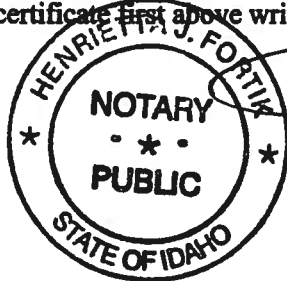
NONMERGER DEED IN LIEU OF FORECLOSURE * 4 *

(F:\My Documents\CONTRACT\Post, Carl\Deed in Lieu\DEED IN LIEU OF FORECLOSURE.wpd)

Idaho
STATE OF MONTANA)
: ss:
County of Washington)

On this the 13th day of August, 2014, before me a Notary Public, personally appeared CARLOS L. POST, known or identified to me to be the Managing Member of the limited liability company that executed the instrument, or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



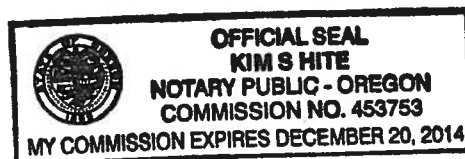
Henrietta J. Fortin
Notary Public for Idaho
Residing at Meridian, ID
My Commission expires: 08-25-2015

STATE OF OREGON)
: ss.
COUNTY OF Baker)

On this the 19th day of August, 2014, before me a Notary Public, personally appeared BILLY CLONTS, known or identified to me to be the Vice President of the corporation that executed the instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Kim S Hite
Notary Public
Residing at: Baker City, OR
My Commission Expires: 12-26-2014





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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 21, 2017

CARLOS L POST
331 BITTBRUSH LN
REXFORD MT 59930-9715

DEADLINE

MARCH 6, 2017

**RE: ADDITIONAL INFORMATION REQUEST FOR PROCESSING APPLICATION TO LEASE
WATER RIGHT NO(S) 63-33517 TO THE WATER SUPPLY BANK**

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

Dear Applicant:

On December 15, 2016, the Idaho Department of Water Resources (Department) requested additional information from you to determine if water right 63-33517 was eligible for acceptance into the Bank. As of the date of this letter, not information has been received.

Please provide the following information or request withdrawal of your application within 10 days of the date of this letter or the application will be returned unprocessed and your application fee will be refunded:

- The land appurtenant to the portion of the water right you have requested to place in the Bank is not owned by you, see attached map. Current taxlot information lists Pacific Intermountain Mortgage Co. as the current owner. If the water right was withheld in the sale of the land, please provide documents that show this. If the water right was sold with the land, the Department will need written permission from the land's current owner to process this lease application.

The department will continue processing your application once you have submitted the requested information. Water right forms are available from the Department's website at www.idwr.idaho.gov. If you have any questions, please contact this office at (208) 287-4800.

Sincerely,

for 
Water Supply Bank



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

December 15, 2016

CARLOS L POST
331 BITTBRUSH LN
REXFORD MT 59930-9715

**RE: ADDITIONAL INFORMATION REQUEST FOR PROCESSING APPLICATION TO LEASE
WATER RIGHT NO(S) 63-33517 TO THE WATER SUPPLY BANK**

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

Dear Applicant:

The Idaho Department of Water Resources (Department) acknowledges receipt of the application to lease the above referenced water right to the Idaho Water Resource Board's Water Supply Bank (Bank). The Department will review your application as resources allow.

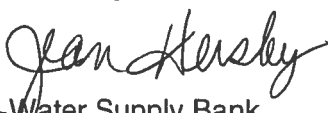
If the right is determined to be eligible for acceptance into the Bank, the right will be entered as of the date of receipt of the application. The acceptance date may be adjusted when additional information is required. A preliminary review of your application has been completed and it has been determined that additional information is required to continue processing.

Please provide the following information or request withdrawal of your application within 30 days of the date of this letter or the application will be returned unprocessed and your application fee will be refunded:

- The land appurtenant to the portion of the water right you have requested to place in the Bank, see attached map, is not owned by you. Current taxlot information lists Pacific Intermountain Mortgage Co. as the current owner. If the water right was withheld in the sale of the land, please provide documents that show this. If the water right was sold with the land, the Department will need written permission from the land's current owner to process this lease application.

The department will continue processing your application once you have submitted the requested information. Water right forms are available from the Department's website at www.idwr.idaho.gov. If you have any questions, please contact this office at (208) 287-4800.

Sincerely,


for Water Supply Bank

Webster, Clay

From: Webster, Clay
Sent: Thursday, May 12, 2016 2:49 PM
To: Neely, Rachel
Subject: RE: New Transfer Approval

Rachel,

Thanks for the notice. We will proceed with the lease of 63-33517.

Sincerely,
Clay Webster
Water Resource Agent
clay.webster@idwr.idaho.gov
208-287-4910
Idaho Department of Water Resources (IDWR)

From: Neely, Rachel
Sent: Thursday, May 12, 2016 2:42 PM
To: Webster, Clay
Subject: New Transfer Approval

Hello Clay,
For your information:
Application for Transfer No. 79747 was approved 5/10/16.
Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

Webster, Clay

From: Webster, Clay
Sent: Monday, May 02, 2016 7:39 AM
To: Kelly, Patrick
Subject: RE: Transfer 79747 associated with WSB

Patrick,

We have an application on hand to lease the entire water right into the bank. We will wait to process this application until the Transfer is complete. This will allow the Ongs to use their right when the split occurs. Thanks

Sincerely,
Clay Webster
Water Resource Agent
clay.webster@idwr.idaho.gov
208-287-4910
Idaho Department of Water Resources (IDWR)

From: Kelly, Patrick
Sent: Thursday, April 21, 2016 2:02 PM
To: Webster, Clay; Palmer, Cherie
Subject: Transfer 79747 associated with WSB

Good Afternoon,

This email serves as notification that processing has begun on a transfer application containing a water right that has filed a lease application to the water supply bank on 1/11/2016. The transfer proposes to add well D0025477 as a new POD to 63-33517. The transfer will split the right and move 0.06 cfs and 15.8 af of water from the parent right to the child right. No change in Place of Use is proposed.

Please make it be known any concerns regarding such a proposal.

Sincerely,

Patrick Kelly
Senior Water Resource Agent
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705
p: 208.334.2190
f: 208.334.2348
patrick.kelly@idwr.idaho.gov

RECEIVED

JAN 12 2016

DEPARTMENT OF
WATER RESOURCES

Jan 4, 2016

Dear Sir,

I missed sending this with
the application to sell or lease
the water Rights, # 63-33517

I hope you help me get this
with the rest of the package.

Thank you for your time
& help.

Sincerely
Carlos Falt