

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT NO. 110

This is to certify that:

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

RECEIVED

MAR 03 2017

DEPARTMENT OF
WATER RESOURCES

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

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
37-7926	8/12/1981	GROUND WATER	0.01	1.2	0.4	0.025	3.25
Rental Totals			0.01	1.2	0.4	0.025	3.25

Term of Rental: This rental shall take effect when all parties have signed it and shall continue in effect until December 31, 2017

Annual Rental Fee:

2017: \$2.04

The full fee for the rental of the above-described right is \$2.04. The rental fee includes an administrative fee of \$2.04 for 2017. Note that the renter is obligated to pay only the administrative fees associated with the water right 37-7926 to the department.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT NO. 110

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

Stephen Alyn
Signature of Renter DAMO LLC

1 MARCH 2017
Date

DAMO LLC
By: Stephen A. Wynn
Printed Name

MANAGER
Title

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

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

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

Date 3/7/2017

Rental approved by IDWR My Web

Date 3-7-2017

WATER SUPPLY BANK RENTAL AGREEMENT No. 110

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENE Sec. 12 Twp 04N Rge 17E BLAINE County

Beneficial Use Diversion Rate Volume
IRRIGATION 0.01 CFS 1.2 AF

BENEFICIAL USE & SEASON OF USE

Water Right No. From To Diversion Rate
37-7926 4/15 10/31 0.01 CFS

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	17E	12				0.4													0.4

Total Acres: 0.4

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
6. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
7. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
8. This rental agreement does not authorize the construction of a well.
9. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Idaho Water Resource Board
Water Supply Bank Rental Agreement No 110
37-7926

Effective until December 31, 2017

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



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



0  50 Meters

STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK

RECEIVED

DEC 14 2016

DEPARTMENT OF
WATER RESOURCESApplicant Name: Damo, LLC

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

Yes ☒ No ☐

If yes, specify companion water rights in Section 4

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

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

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

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

MINIMUM REQUIREMENT CHECKLIST

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

Yes

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

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

Attachment N/A Yes

2



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

3A



Detailed information on a proposed use of rental water

3F



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

3H



Water modeling to account for the impacts of the rental request

3J



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

3K



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

4B



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

4C



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

Department Use Only – Proposed Water Right(s)

37-7926

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Damo, LLC

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

Street City State Zip Code
Email Address cindy.mitchum@wynnresorts.com Phone Number (702) 770-7700

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

Representative James P. Speck Professional Title attorney

Organization Speck & Aanestad, A Professional Corp. Relationship to Applicant attorney

Mailing Address PO Box 987, Ketchum, ID 83340

Email Address jim@speckandaanestad.com Phone Number (208) 726-4421

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it Attachment 2.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

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

Irrigate 0.4A of residential landscaping in excess of the domestic exemption 0.5A. This will allow Applicant to gradually reduce the irrigated area subject to a 2014 NOV (E2014-710).

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

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

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

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

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

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

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

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

Well, pump, underground residential sprinkler irrigation system

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

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

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

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

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

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

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

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

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

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

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

Domestic exemption water right

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

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

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

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

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

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

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

N/A

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

Yes ☐ No ☒

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

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

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

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:
Rented 0.4A through Water Supply Bank in 2016. No water rights yet available to purchase.

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

If yes, describe:

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

If yes, describe the date and location of the NOV.
E2014-710 dated December 2, 2014

- D. Additional Information

DECLARATION

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


Signature of Applicant

Stephen A. Wynn, Manager
Printed Name of Applicant

11-22-16
Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

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

Idaho Water Resource Board
Water Supply Bank Rental Agreement

Effective until December 31, 2016

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



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



0 150 Feet



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

March 10, 2017

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

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

Dear Renter:

Please find enclosed a receipt in the amount of **\$2.04** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 1.2 acre-feet of water for irrigation of 0.4 acres during 2017. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, the rental fee will be retained by the Department to offset administrative costs since you have a private agreement with the lessor of the right.

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

Sincerely,

Water Supply Bank

Enclosures: Receipt No. C103138
Rental Agreement (copy)

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

STEPHEN A. WYNN
3131 Las Vegas Boulevard, South
Las Vegas, Nevada 89109

RECEIVED
MAR 08 2017
DEPARTMENT OF
WATER RESOURCES

March 7, 2017

*Mr. Clay Webster
Water Resource Agent Sr.
Idaho Department of Water Resources (IDWR)
322 East Front Street
Boise, Idaho 83720-0098*

Reference: Rental Agreement 110 Damo LLC of 37-7926

Dear Mr. Webster:

Enclosed herewith please find my check in the amount of \$2.04 for the rental payment in accordance with the above referenced rental agreement.

Respectfully,


Stephen A. Wynn

Enclosure

Webster, Clay

From: Webster, Clay
Sent: Tuesday, March 07, 2017 10:01 AM
To: James Speck
Cc: 'cindy.mitchum@wynnresorts.com'
Subject: Rental agreement 110 Damo LLC of 37-7926

Jim,

We received the signed rental agreement for Damo LLC. However, we did not receive the rental payment of \$2.04. I cannot execute this rental until the payment is received. Thanks

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

DAMO, LLC
Stephen A. Wynn, Manager
3131 Las Vegas Boulevard, South
Las Vegas, Nevada 89109

RECEIVED

MAR 03 2017

DEPARTMENT OF
WATER RESOURCES

March 1, 2017

Via Overnight Delivery

Water Supply Bank
State of Idaho
Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098

Reference: Signed Application to Rent Water from the Water Supply Bank
Water Right No. 37-7926

Gentlemen:

Enclosed herewith please find the signed Water Supply Bank Rental Agreement
No. 110.

Regards,

DAMO, LLC


By: Stephen A. Wynn, Manager

cc: James Speck – Speck & Aanestad

Webster, Clay

From: Webster, Clay
Sent: Friday, February 17, 2017 11:57 AM
To: James Speck
Cc: Judd, Debbi
Subject: RE: Water Supply Bank Rental Agreement Damo LLC 37-7926

Jim,

The lease for WR 37-7926 was kept in proportion with the water right's irrigation proportion. This only allowed for 3.9 af for the 1.3 acres idled.

This is how I calculated the rental to keep the rental volume in proportion to the leased acres.

The lease had 3.9 af (leased) / 1.3 acres (leased) = 3 af per acre X 0.4 = 1.2 af.

The way the Damo and Weisel rentals were submitted would have been 1.3 af for Damo plus 2.8 af for Weisel. This would have resulted in the rental of 4.1 af vs the 3.9 af that was leased to the bank.

Clay

From: Judd, Debbi
Sent: Friday, February 17, 2017 10:52 AM
To: James Speck <jim@speckandaanestad.com>
Cc: Webster, Clay <Clay.Webster@idwr.idaho.gov>
Subject: RE: Water Supply Bank Rental Agreement Damo LLC 37-7926

Jim,

I will check with Clay and one of us will get back to you.

Debbi

From: James Speck [<mailto:jim@speckandaanestad.com>]
Sent: Friday, February 17, 2017 10:51 AM
To: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>
Subject: Re: Water Supply Bank Rental Agreement Damo LLC 37-7926

Debbi,

I had calculated the rented volume to be 1.3AF ($0.4/1.3 \times 4.1 = 1.26$ rounded up to 1.3). You list only 1.2AF - why?

Jim

Sent from Jim's iPad

From: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>
Sent: Friday, February 17, 2017 10:31:25 AM
To: James Speck
Subject: Water Supply Bank Rental Agreement Damo LLC 37-7926

Hi Jim,

Please find attached the *Proposed* Rental Agreement for Damo LLC WR 37-7926.

Thank you and have a great day!

Debbi

Debbi Judd
Technical Records Specialist
debbi.judd@idwr.idaho.gov

Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise, ID 83720-0098
208-287-4920
www.idwr.idaho.gov



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 21, 2017

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

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

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

Dear Applicant:

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

A rental fee of **\$20.40** was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 1.2 acre-feet. Since you have a private agreement with the lessor, **you are only obligated to pay the 10% administrative fee or \$2.04.** An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Please send a check for \$2.04 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing.

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

Sincerely,


for Water Supply Bank

Enclosure

c: IDWR Front Desk
James Speck – Speck & Aanestad

Webster, Clay

From: Skinner, Corey
Sent: Tuesday, February 14, 2017 2:07 PM
To: Webster, Clay
Subject: RE: Water Supply Bank Rental Application for Greenstein 37-2619

No concerns from me.

From: Webster, Clay
Sent: Friday, February 10, 2017 1:55 PM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; Kevin Lakey <watermanager@cableone.net>
Subject: Water Supply Bank Rental Application for Greenstein 37-2619

Corey and Kevin,

We are currently processing this application. Do you have any concerns? Thanks

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

MEMORANDUM

To: Water Right 37-7926 *Agreement 110*
From: Clay Webster
Date: 1/31/2017
Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: This application was received from Jim Speck on behalf of Damo LLC on December 14, 2016. It proposes to rent 0.01 cfs and 1.4 af to irrigate 0.4 acres at 04N 17E sec 12 in the SENE. They acquired a rental of 37-7059 in 2016 for the same area.

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

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

INJURY TO OTHER WATER RIGHTS: Both the Rental PODs and the Lease PODs fall within the Ketchum Zone of the Interim Ground Water Rental Policy for the Wood River Valley.

ENLARGEMENT OF USE: I have no enlargement concerns on this rental.

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

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is subject to Water District # 37. Comments were requested from the watermaster and regional office on 1/31/2017.

2017 Damo LLC Rental 37-7926



Webster, Clay

From: Skinner, Corey
Sent: Wednesday, February 01, 2017 11:05 AM
To: Webster, Clay
Subject: RE: WSB Rental application form Damo LLC 37-7926

No issues or concerns from me.

From: Webster, Clay
Sent: Tuesday, January 31, 2017 9:52 AM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; watermanager@cableone.net
Subject: WSB Rental application form Damo LLC 37-7926

Corey and Kevin,

We are currently processing this rental application. Do you have any concerns? Thanks.

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

Webster, Clay

From: Kevin Lakey <watermanager@cableone.net>
Sent: Tuesday, January 31, 2017 12:13 PM
To: Webster, Clay
Subject: RE: WSB Rental application form Damo LLC 37-7926

Clay,
I have no concerns at this time.

Kevin Lakey
Water District 37

From: Webster, Clay [mailto:Clay.Webster@idwr.idaho.gov]
Sent: Tuesday, January 31, 2017 9:52 AM
To: Skinner, Corey; watermanager@cableone.net
Subject: WSB Rental application form Damo LLC 37-7926

Corey and Kevin,

We are currently processing this rental application. Do you have any concerns? Thanks.

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

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0732

December 13, 2016

RECEIVED

DEC 14 2016

**DEPARTMENT OF
WATER RESOURCES**

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

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

Dear Remington:

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

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

Thank you and Happy Holidays!

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

Enclosures
cc: Clients w/encl.