

STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKRECEIVED
OCT 28 2016
DEPARTMENT OF
WATER RESOURCESDesignated Applicant Bellevue Farms Landowners' Association, Inc.Water Right No. 37-21931

(Select one owner – see item 1A on the application)

(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 \$ 500Received By: VCDate Received: 10/28/16Receipt # C102646W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)Name on W-9: Bellevue FLA

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 Bellevue Farms Landowners' Association, Inc.

Mailing Address P.O. Box 774 Bellevue ID ~~83849~~ 83313
Street City State Zip Code

Email Address tracy@hdlaw.biz Phone Number (208) 788-4931

☒ 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 Roxanne Brown Organization SPF Water Engineering, LLC

Professional Title Sr. Water Rights Specialist Email Address rbrown@spfwater.com

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

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

OR

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

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

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

OR

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

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

3. MAP

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

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☒ No ☐
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.
Headworks from the Big Wood River and delivery canal are owned by District 45, Triangle Irrigation District, and
Cove Irrigation District, maintained and operated by a board of control.
- 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. 37-21863, 37-21880, 37-21897, 37-21914, 37-21931, 37-21976 (see attached copy of the SRBA
decree issued in 2010 for the water right described in this application)

- 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. The current places of use are the roadways, easements, and other non-irrigated areas of Bellevue
Subdivision owned and/or maintained by the applicant.

- 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. Water rights were decreed in 2010, and were donated to the Wood River Basin
Enhancement Water Supply Bank for the 2012 delivery season (see attached letter dated April 26, 2012 from the
Basin 37 Watermaster).

- 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: 2017 to 2021 (maximum lease period 5 calendar years).
(Year) (Year)

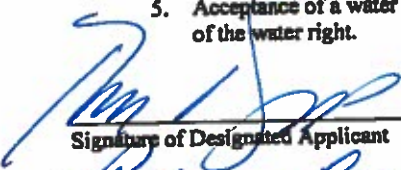
B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

CURRENT RENTAL RATE

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

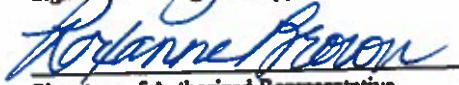
The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.


Signature of Designated Applicant

Tracy Dunlap, Director and Current President
Printed Name

10/4/2016
Date


Signature of Authorized Representative

Roxanne Brown
Printed Name

10/28/2016
Date

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

ATTACHMENT 1D

No. C 66484 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Due no later than Apr 30, 2016 Annual Report Form 1. Mailing Address: Correct in this box if needed. BELLEVUE FARMS LANDOWNERS ASSOCIATION, INC. GREG BLOOMFIELD PO BOX 774 BELLEVUE ID 83313		2. Registered Agent and Address (NO PO BOX) STEVE WILSON 122 QUARTERHORSE BELLEVUE ID 83313 3. New Registered Agent Signature:*	
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).					
Office Held	Name	Street or PO Address	City	State	Country Postal Code
DIRECTOR	TOM JOCHUMS	P.O. BOX 896	BELLEVUE	ID	USA 83313
DIRECTOR	TRACY DUNLAP	BOX 644	BELLEVUE	ID	USA 83313
DIRECTOR	SCOTT PORTER	P.O. BOX 99	HAILEY	ID	USA 83333
TREASURER	GREG BLOOMFIELD	P.O. BOX 757	HAILEY	ID	USA 83333
SECRETARY	GREG BLOOMFIELD	P.O. BOX 757	HAILEY	ID	USA 83333
PRESIDENT	STEVE WILSON	122 QUARTERHORSE BOX 877	BELLEVUE	ID	USA 83313
DIRECTOR	JIM BLANDFORD	P.O. BOX 778	BELLEVUE	ID	USA 83313
DIRECTOR	JIM WHITE	P.O. BOX 367	BELLEVUE	ID	USA 83313
DIRECTOR	GARY FRUGARD	P.O. BOX 346	BELLEVUE	ID	USA 83313
DIRECTOR	JUDY CASH	P.O. BOX 880	BELLEVUE	ID	USA 83313
5. Organized Under the Laws of: ID C 66484		6. Annual Report must be signed.* Signature: Maria Acosta Name (type or print): Maria Acosta Date: 02/24/2016 Title: Secretary to the Board of BFLA			
Processed 02/24/2016		* Electronically provided signatures are accepted as original signatures.			

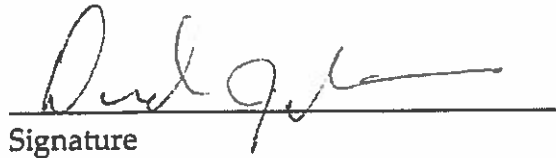


**CERTIFICATE OF ACTION TAKEN BY
THE WOOD RIVER VALLEY IRRIGATION DISTRICT #45**

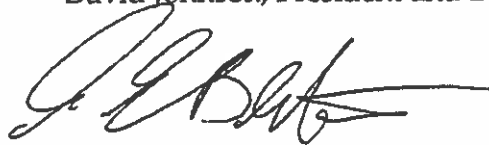
P.O. Box 2223
Hailey, Id 83333

The undersigned hereby certifies that at the Wood River Valley Irrigation District #45 meeting on October 18, 2016, The directors accepted the water bank application from BFLOA subject to and with the continuing condition of a 21.7 percent hold back in the system and on the further condition that there be no adverse impact on the minimum stream flow in the river and that carriage loss sufficient to convey water to the Wood River Valley Irrigation District #45 head gate must be left in the river if the water is to be leased upstream.

DATED: October 18th, 2016


Signature

David Johnson, President and Director



4A.1

TRIANGLE IRRIGATION DISTRICT

P.O. BOX 424

BELLEVUE, IDAHO 83313

At the Triangle Irrigation District Board meeting on October 11, 2016, the directors accepted the water bank application from Bellevue Farms HOA subject to and with the continuing condition of a 20% hold back in the system and on further condition that there be no adverse impact on the minimum stream flow in the river and that carriage loss sufficient to convey water to the Triangle Irrigation District head gate must be left in the river if the water is to be leased upstream.

Jaral Gardner

4A.2

Roxanne Brown
SPF Water Engineering LLC
300 E Mallard Drive
Boise, Idaho 83706

Ms. Brown,

The Cove Irrigation District has reviewed the following request for approval of a water bank application.

- Owners: Bellevue Farms Landowners Association
- Tracy Dunlap, President, PO Box 774, Bellevue, Idaho 83313
- To lease all portions of their water rights 37-21880, 37-21863, 37-21897, 37-21914, 37-21931, 37-21976 (24.6 acres) to the WSB for the five year period starting in 2017 and ending in 2021

Cove Irrigation District approves this application subject to the following conditions:

1. If any of this water is leased from the water bank carriage loss sufficient to convey water to the CID headgates must be left in the river.
2. Carriage loss sufficient to convey water within the CID system without injury to other users must be left in the system – the minimum amount required is 20%.

There should be no impact on minimum stream flow.

Regards,


Jay Gove
Chair, Cove Irrigation District

4A.3

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 19576)
) Water Right 37-21931

NAME AND ADDRESS: BELLEVUE FARMS LANDOWNERS ASSN
PO BOX 774
BELLEVUE, ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.165 CFS 8.25⁴

PRIORITY DATE: 06/15/1891

POINT OF DIVERSION: T02N R18E S36 N8SWNW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.165 CFS

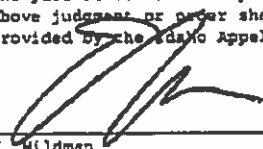
PLACE OF USE:	Irrigation	Within Blaine County
	T01N R19E S07 LOT 2 (SWNW) 0.2	LOT 3 (NWSW) 2.9
	LOT 4 (SWSW) 4.2	SESW 2.5
	SWSE 4.4	
	S18 NWNE 4.8	NENW 3.7
	LOT 1 (NNWN) 5.0	
	27.7 Acres Total	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37M
107 WEST 1ST
SHOSHONE, IDAHO 83352
(208) 886-2451



Kevin Lahey
Watermaster

Bellevue Farms Landowner's Assoc.
P.O. Box 774
Bellevue, Idaho 83313

April 26, 2012

Water Right donor:

I am writing to inform you that the water rights you recently donated to the Wood River Basin Enhancement Water Supply bank (Legacy Project) have been accepted into the Bank for the 2012 delivery season. The Idaho Department of Water Resources has also been notified of this donation. If you have any further questions concerning these matters, you can contact this office using the information listed above. Thank you for your help and interest in Big Wood River conservation.

Respectfully,

A handwritten signature in dark ink, appearing to read "Kevin Lahey", is written over a horizontal line.

Kevin Lahey
Watermaster, Water Districts 37 & 37M

12/19/2016

Page 1 of 2

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-21931

12/19/2016

SubCase:

N/A

Water Supply Bank:

N/A