

WATER SUPPLY BANK LEASE CONTRACT

RECEIVED

JUL 27 2016

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

LESSOR: MARK MC DONOUGH

PO BOX 74
MELBA ID 83641
208-730-5081

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. On June 28, 2016, the Lessor filed an application to lease the water rights described below into the Water Supply Bank.
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 the 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	Priority Date	Source	Tributary	Leased Rate	Annual Leased Volume	Total Leased Acres
2-2240	10/25/1963	SNAKE RIVER	COLUMBIA RIVER	0.85 cfs	191.5 af	42.5 ac
2-2431	12/05/1958	SNAKE RIVER	COLUMBIA RIVER	0.65 cfs	245.0 af	49.0 ac

Total annual combined limits of these water rights 1.00 cfs 436.5 af 49.0 ac

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, 2016 to December 31, 2017. 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.
5. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

SUPPORT DATA

Page 1 of 4

IN FILE #

2-2240

WATER SUPPLY BANK LEASE CONTRACT

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

MARK MC DONOUGH
PO BOX 74
MELBA ID 83641

By Mark Mc Donough Date July 27 2016
Printed Name MARK McDONOUGH Title owner

IDAHO WATER RESOURCE BOARD
322 EAST FRONT ST
PO BOX 83720
BOISE ID 83720-0098

By Brian Patton Date 7/29/2016
Brian Patton, Acting Administrator
Idaho Water Resource Board

Lease approved by IDWR Chg Wetro Date 7-29-2016

WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

WATER RIGHT NOS. 2-2240 and 2-2431

The water right or portion thereof leased to the bank is described as follows:

Lessor: MARK MC DONOUGH
PO BOX 74
MELBA ID 83641
208-730-5081

Location of Point(s) of Diversion for Water Right 2-2240 and 2-2431

SNAKE RIVER L2(NWSE) Sec. 06, Twp 01S, Rge 02W, CANYON County

<u>Water Right</u>	<u>Beneficial Use</u>	<u>From</u>	<u>To</u>
2-2240	IRRIGATION	03/15	to 11/15
2-2431	IRRIGATION	04/01	to 10/31

Place of Use to be Idled Under This Lease: IRRIGATION 2-2431

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	02W	5										3.0	1.0						4.0
01S	02W	6			4.0 L3	11.0									25.0 L2			5.0 L1	45.0

Total Acres: 49.0

Place of Use to be Idled Under This Lease: IRRIGATION 2-2240

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	02W	5										3.0	1.0						4.0
01S	02W	6			3.0 L3	11.0									22.0 L2			2.5 L1	38.5

Total Acres: 42.5

Conditions Applicable to All Leased Water Rights

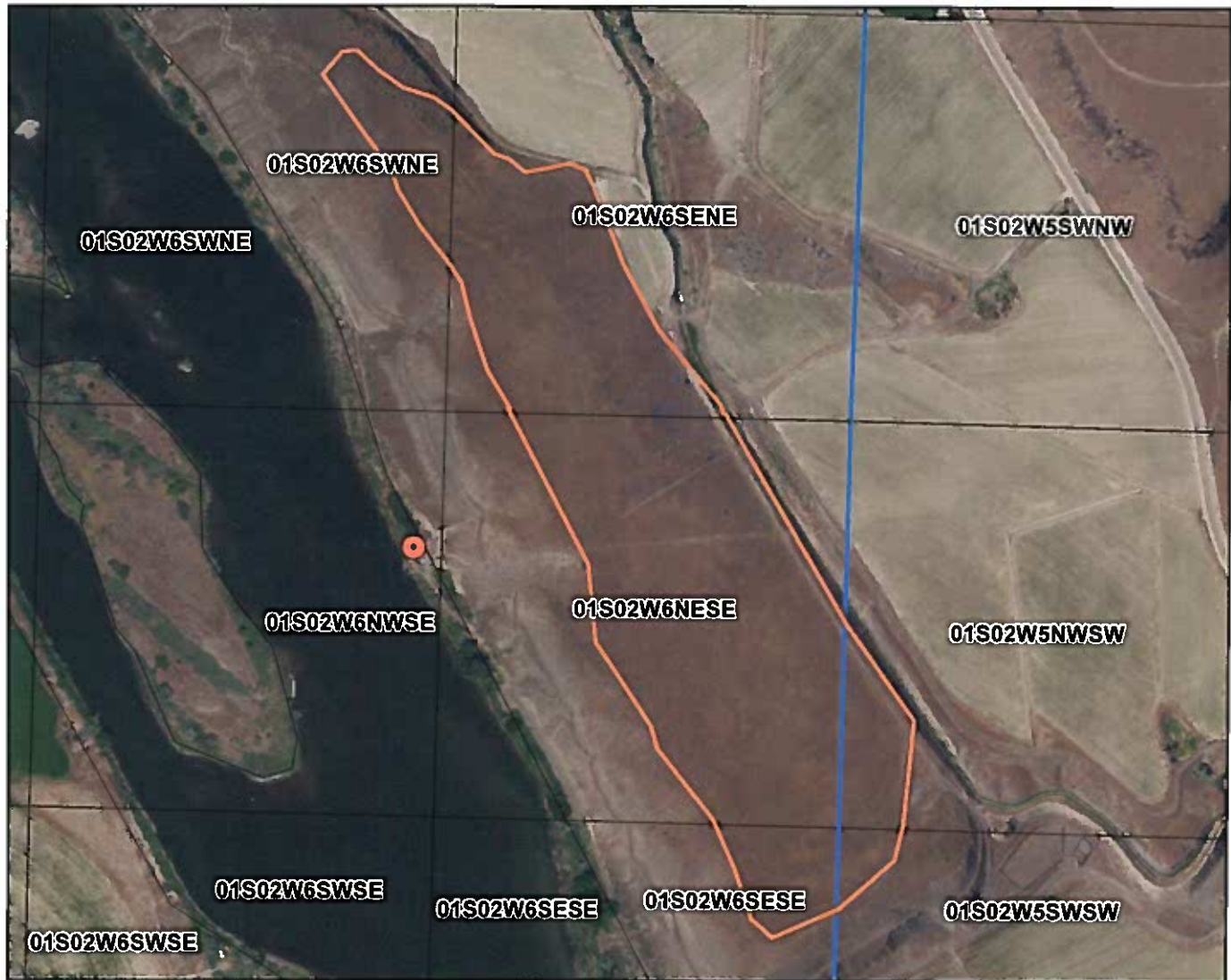
1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of 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.
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, nor does it improve the status of the right or accomplish the 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 after the following rental season.
11. The water rights leased to the bank are subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. The use of water for irrigation under water right 2-2240 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 irrigation use and a priority date earlier than the date a partial decree is entered for this right.
13. The use of water for irrigation under water right 2-2431 may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before 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 unleased portions of right nos. 2-2240, 2-2431, 63-361, 63-8389 and 63-9807 are limited to a total combined diversion rate of 3.21 cfs.
15. The unleased portions of right nos. 2-2240, 2-2431, 63-361, 63-8389 and 63-9807 are limited to the irrigation of a combined total of 141.8 acres in a single irrigation season.

Idaho Water Resource Board
Water Supply Bank Lease

2-2240 and 2-2431
Effective until December 31, 2017

This map depicts the place of use to be idled pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



-  Approved Lease Point of Diversion
-  Approved Lease Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

0 500 1,000 Feet

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

JUN 28 2016

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKDesignated Applicant Mark McDonough

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

Water Right No. 2-2240

(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. *on file at IDWR*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: AODate Received: 6-28-16Receipt # C102211W-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)

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 Mark M. McDonough

Mailing Address <u>P.O. Box 74</u>	<u>Melba</u>	<u>ID.</u>	<u>83641</u>
Street	City	State	Zip Code

Email Address <u>mark.mcdonough54@gmail.com</u>	Phone Number <u>208 730-5081</u>
---	----------------------------------

☒ 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 Hal N. Anderson Organization Idaho Water Engineering

Professional Title Managing Partner Email Address hal@idahowaterengineering.com

Mailing Address 2918 N. El Rancho Pl., Boise ID. 83704 Phone Number 208 830-5525

☐ 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.

Pump located in Snake River

- 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. WR 2-2431 has overlapping POU and Common POD

- 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. Right was in the Water Supply Bank until 2014, a portion has since been used by renter. The remaining amount currently not being used by renter is what this application is reinstating

- 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 was in the water supply bank until 2014. The property is for sale and was taken out of bank due to potential sale. Since then a sale was not completed but a portion on the water and property is being rented for farming. The remainder of the water right not being used is what this application is for.

- 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: 2016 to 2017 (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.

Mark A. McDonough
Signature of Designated Applicant

Mark A. McDonough
Printed Name

6-23-16
Date

Hal N. Anderson
Signature of Authorized Representative

Hal N. Anderson
Printed Name

6/28/16
Date

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

**STATE OF IDAHO
WATER RESOURCE BOARD**

RECEIVED**JUL 01 2016****DEPARTMENT OF
WATER RESOURCES**

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

ATTACHMENT 2**DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK**

<u>1. Water Right Number</u>	<u>Nature of Use</u>	<u>Leased Rate</u> (cfs)	<u>Leased Volume</u> (af)	<u>Leased Acres</u> (ac)
<u>2-2240</u>	<u>Irrigation</u>	<u>.85</u>	<u>191.25</u>	<u>42.5</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
	Total Amounts:	_____	_____	_____

2. Source of water Snake River tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
01S	02W	6	2		NW	SE	Canyon
						2-2240	
		2-2240					

**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)
2-2431	Irrigation	.82	306.25	62
Total Amounts:				

2. Source of water Grouch Drain tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
01S	02W	6			SE	NE	Canyon
		6			SW	NE	
		6			NW	SE	
		6			NE	SE	
		6			SE	SE	
		5			NW	SW	
		5			SW	SW	

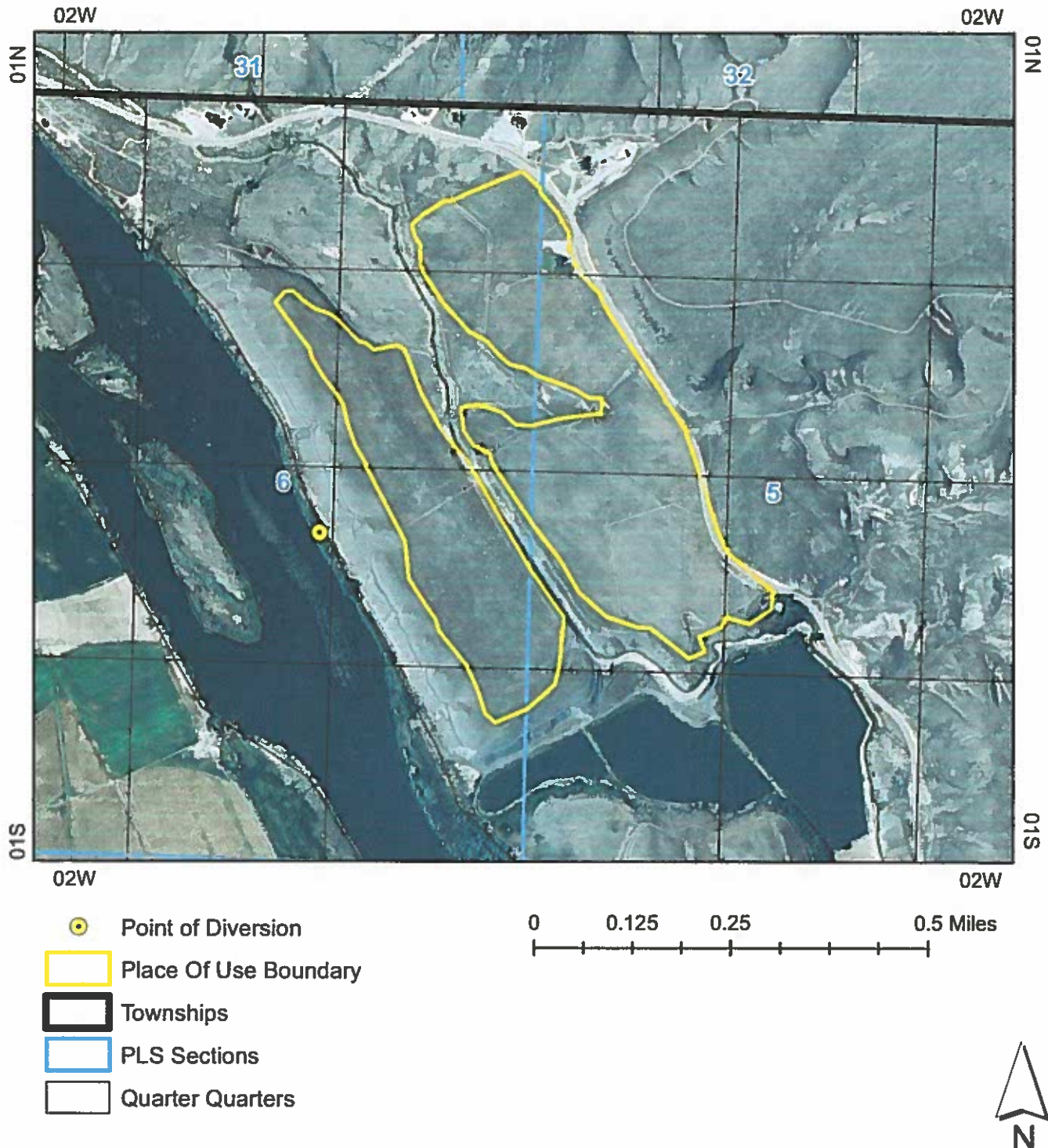


State of Idaho
Department of Water Resources

Water Right
2-2240

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.





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

July 29, 2016

GARY SPACKMAN
Director

MARK MC DONOUGH
PO BOX 74
MELBA ID 83641

RE: WATER SUPPLY BANK LEASE CONTRACT FOR WATER RIGHTS 2-2240 and 2-2431

Dear Lessor:

Water rights 2-2240 and 2-2431 were leased into the Water Supply Bank (Bank) as of June 28, 2016, 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, 2017**, 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: Hal N Anderson – Idaho Water Engineering
Angie Grimm - IDWR Western Region

Hersley, Jean

From: Van Dyke, Nick
Sent: Wednesday, July 20, 2016 8:10 AM
To: Hersley, Jean
Subject: RE: WSB Lease for Mc Donough

Jean,

No concerns from Western Region.

Nick

From: Hersley, Jean
Sent: Wednesday, July 20, 2016 7:47 AM
To: Van Dyke, Nick
Subject: WSB Lease for Mc Donough

Attached are the review memos, maps and contracts for Mark Mc Donough. Please let me know if you have any comments or concerns within 7 days. Thank you.

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

July 20, 2016

MARK MC DONOUGH
PO BOX 74
MELBA ID 83641

RE: APPLICATIONS TO LEASE WATER RIGHT 2-2240, 2-2431 and 63-8389 and 63-3597F, 63-7156D TO THE WATER SUPPLY BANK

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

Dear Applicant:

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

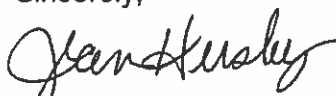
The right will automatically be released from the Bank on **December 31, 2017**, unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your rights may not be available for immediate release if they have been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

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

Sincerely,


for Water Supply Bank

Enclosure: Proposed Lease Contracts
Receipt # C102159, C102160, C102210, C102211, 102212

c: Idaho Water Engineering

WATER SUPPLY BANK

Agent Lease Review Checklist

Applicant(s) Name: Mark Mc Donough

Memo Date: July 8, 2016

Water Right Number(s): 2-2240 and 2-2431

Reviewers Name: Jean

Quick Tools

Decreed Year	No Forfeiture Concerns Thru:
2009	2015
2010	2016
2011	2017
2012	2018
2013	2019

		Check box		COMMENTS/CONCERNS:
1	Fill out WSB Data Entry Checklist for Leases	x		
2	Reason for lease of water rights (Brief description of lease proposal in narrative)			
	Portion of right	x		
	All of right			
3	Check GWMA/CGWA/ADC and basin 63 areas of concern (note area in comments)			
		Yes	No	
4	Rentable? If no explain in comments	x		
5	Authority to file			
	Current owner or designated applicant	x		
	SOS Web site checked for business entity			
	Other (explain in comments)			
6	Water Right validity			
	Decreed/Licensed/Statutory claim date (write in comments section)			2014
	Past irrigation to ensure forfeiture is not an issue if decreed or licensed over 7 years ago (consider transfers that changed the POU, rentals to the POU etc.)			
	Has this right previously been leased to the bank or in CREP?	x		2004- to indefinite: released 2015
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)			%
8	Enlargement concerns	Check box		
	Complete a POU comparison overlap analysis	x		
	Complete a combined limits review	x		
	Complete POD overlap analysis (if there is an overlap add condition to lease)	x		
		Yes	No	
	Are there overlapping rights that need to be placed in the bank also?		x	
	Will the place of use continue to receive water?		x	
9	Local Public Interest			
	Does the processor know of any problems this action will cause for the local public?		x	
10	Have you contacted regional office and watermaster for comment/concerns?	x		
	Send the watermaster comment request form or e-mail request			
11	Area Headgate requirement			4.5
12	Is water right involved in any other department action? Pull file and check database () Ownership Change () Transfer () Mitigation () Other - Explain in comments		x	
13	Narrative: The applicant wishes to place the overlapping portion of these rights in the Bank through the 2017 season. The current owner of the water rights, Mark Mc Donough, signed the applications. Water right 2-2240 was originally decreed in 2009 and 2-2431 in 2012. Amended decrees were issued in 2014. Forfeiture is not an issue. These water rights are NOT currently within a water district.			

Hersley, Jean

From: Hal Anderson <hal@idahowaterengineering.com>
Sent: Friday, July 01, 2016 10:07 AM
To: Hersley, Jean
Cc: 'Mark McDonough'
Subject: RE: WSB Lease applications for Mark Mc Donough 2-2240, 2-2431 and 63-8389

Jean,

Fixed the problems and will drop by changed attachments to the office this afternoon, have a great 4th. –Hal

Hal N. Anderson

Managing Partner

Idaho Water Engineering

2918 N. El Rancho Place, Boise ID. 83704

321 S. Leadville, Ketchum ID. 83340

Website: www.idahowaterengineering.com

e-mail: hal@idahowaterengineering.com

Office: (208) 378-1513

Cell: (208) 830-5525

Fax: (888) 538-7703

From: Hersley, Jean [<mailto:Jean.Hersley@idwr.idaho.gov>]
Sent: Friday, July 01, 2016 9:21 AM
To: hal@idahowaterengineering.com
Subject: WSB Lease applications for Mark Mc Donough 2-2240, 2-2431 and 63-8389

The attached letter and other documents were sent to Mark Mc Donough in today's mail. The Department reviewed the applications and the number of acres proposed don't match the acres available to be placed in the Bank. The point of diversion was listed incorrectly on the applications. Please resubmit the attachment 2 for each water right. If you have any questions, please contact this office. Thank you.

Jean Hersley

Idaho Dept Water Resources

Technical Records Specialist II

208-287-4942



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

July 1, 2016

MARK M MC DONOUGH
PO BOX 74
MELBA ID 83641

RE: ADDITIONAL INFORMATION REQUEST FOR PROCESSING APPLICATION TO LEASE WATER RIGHT NO(S) 2-2240, 2-2431 and 63-8389 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:

- Amended Attachment 2- For water rights 2-2240 and 2-2431, the attachment 2 is the same. You proposed to lease 62 acres for both water rights to the Bank. According to the map that accompanied the application, there are 48 acres of water right 2-2431 and 42.5 acres of water right 2-2240. Also, you listed 7 points of diversion from the Grouch Drain and these rights have one (1) point of diversion from the Snake River.
- Amended Attachment 2-water right 63-8389, you proposed to lease 30 acres to the Bank. According to the map that accompanied the application, there are 37 acres of this water right. J Also, you listed two (2) points of diversion from the Grouch Drain and there is only one (1) point of diversion from the Grouch Drain listed on this water right.

I have attached a copy of the Attachment 2 for each water right that was submitted to the Department and a map of the proposed leased acres. Please amend these forms or submit a new form for each water right.

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 me at (208) 287-4910.

Sincerely,

for 
Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure(s)

c: Idaho Water Engineering