



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

January 6, 2017

DAMO LLC
3131 LAS VEGAS BLVD
LAS VEGAS NV 89109

RE: Expiration of Water Supply Bank Rental Agreement for water rights: 37-7059

Renter,

This letter is to inform you that your rental agreement(s) to rent the above listed water rights from the Water Supply Bank (Bank) expired at the end of 2016.

Once the rental agreement concludes, any diversion or use of water under the rental agreement will no longer be authorized and, if occurring, may be subject to an enforcement action.

If you wish to rent water in the future, please download a rental application from: <http://idwr.idaho.gov>. You may submit rental applications on November 1 of the year prior to the intended use of rental water. **YOU ARE ENCOURAGED TO FILE AN APPLICATION AT LEAST 3 MONTHS PRIOR TO THE DATE YOU DESIRE TO USE RENTAL WATER.**

If you have any questions about this matter, please contact me at (208) 287-4918.

Sincerely,

A handwritten signature in black ink, appearing to read 'RB', with a long horizontal flourish extending to the right.

Remington Buyer
Water Supply Bank Coordinator

Enclosures:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT

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:

 DAMO LLC 4.21.16
Signature of Renter Printed Name and Title Sole Mbr Date

*Please provide title of signatory 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  Date 4/25/2016
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental Approved by IDWR  Date 4-25-2016

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SE¼NE¼ Sec. 12 Twp 04N Rge 17E BLAINE County

BENEFICIAL USE

IRRIGATION

SEASON OF USE

04/15 TO 10/31

RENTER'S PLACE OF USE: IRRIGATION

Twp	Rge	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

CONDITIONS APPLICABLE TO ALL RENTED WATER RIGHTS

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 does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
5. 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.
6. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
7. 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.
8. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
9. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
10. This rental agreement does not authorize the construction of a well.
11. 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.

12. 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.

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

DEC 23 2015

DEPARTMENT OF
WATER RESOURCES

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Damo, LLCIs this application being submitted with a lease application as a lease/rental package?
If yes, specify companion water rights in Section 4Yes ☒ No ☐

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)

~~37-8431~~ Lease withdrawn still wishes to fill rental if possible

**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	1.4 AF	0.01 CFS	1.4 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?	
04/15/2016	04/15/2016	☒ 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)
37-8431	irrigation	0.01	1.4	0.4		0.01	1.4	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	1.4	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:

- 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

12-21-15
Date

Signature of Representative

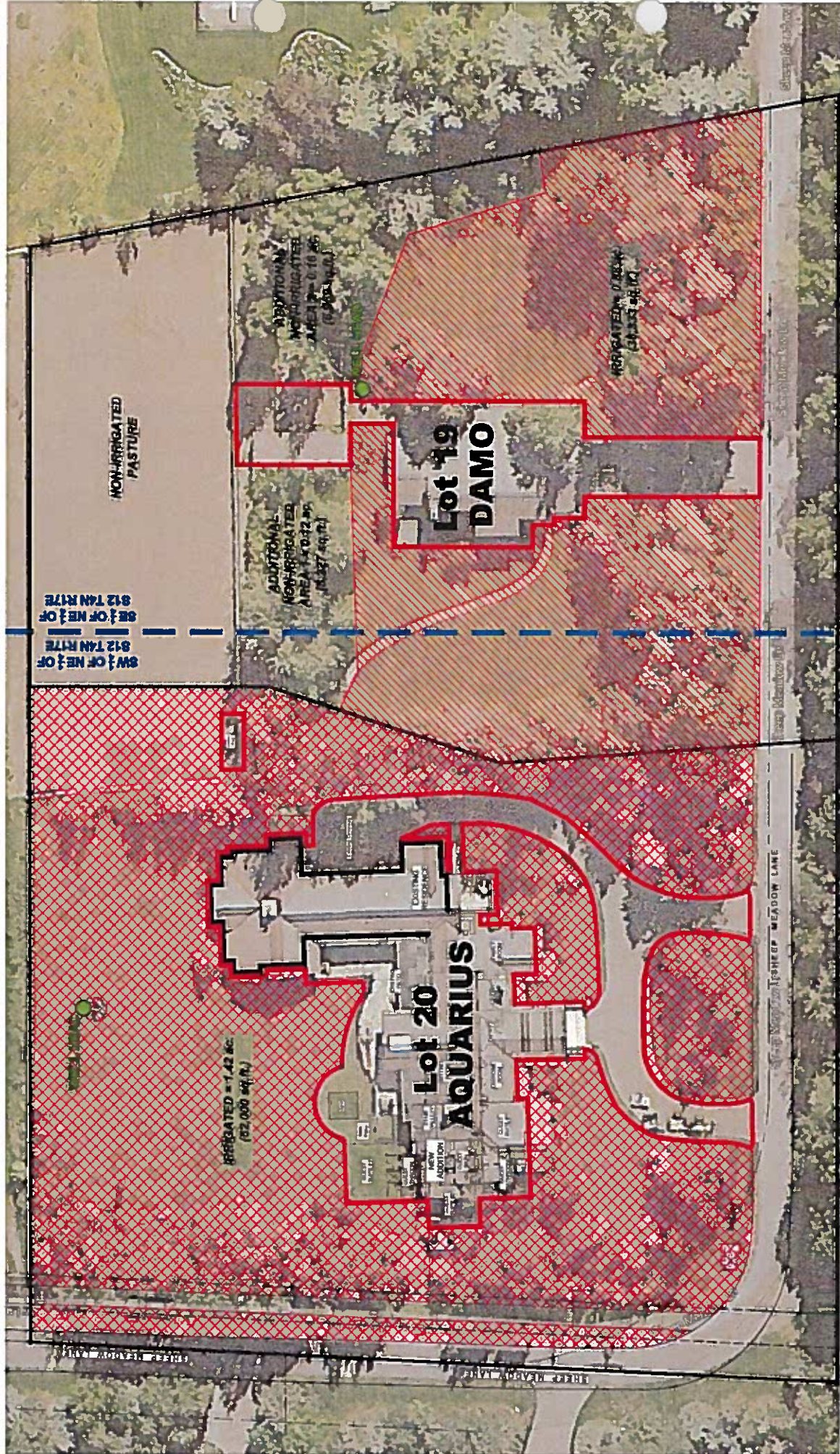
Printed Name of Representative

Date

Mail to:

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

DAMO, LLC - APPLICATION TO RENT WATER RIGHT - Attachment 2



Beaver Springs Lots 19 & 20
Base Map Survey
Benchmark Associates: 04/10/2014
Scale: 0' 40'
Plan Dated: 12/08/15

Current		Proposed	
LOT 20	1.42 acres	LOT 20	1.42 acres
LOT 19	1.16 acres	LOT 19	0.88 acres
TOTAL IRRIGATED	2.58 acres	TOTAL IRRIGATED	2.30 acres

PLS CALCULATIONS BY LOT		TOTAL IRRIGATED	
LOT 20 (SW 1/4 OF NE 1/4 OF S12)	1.42 acres	LOT 20 (SW 1/4 OF NE 1/4 OF S12)	1.42 acres
LOT 19 (SW 1/4 OF NE 1/4 OF S12)	0.22 acres	LOT 19 (SE 1/4 OF NE 1/4 OF S12)	0.66 acres
LOT 19 (SE 1/4 OF NE 1/4 OF S12)	0.66 acres	TOTAL IRRIGATED	2.30 acres

TOTAL PLS CALCULATIONS		TOTAL IRRIGATED	
SW 1/4 OF NE 1/4 OF S12	1.64 acres	SW 1/4 OF NE 1/4 OF S12	1.64 acres
SE 1/4 OF NE 1/4 OF S12	0.66 acres	SE 1/4 OF NE 1/4 OF S12	0.66 acres
TOTAL IRRIGATED	2.30 acres	TOTAL IRRIGATED	2.30 acres

DAMO, LLC

Business Entity Information

Status:	Active	File Date:	1/4/2011
Type:	Domestic Limited-Liability Company	Entity Number:	E0005962011-6
Qualifying State:	NV	List of Officers Due:	1/31/2016
Managed By:	Managers	Expiration Date:	
NV Business ID:	NV20111011513	Business License Exp:	1/31/2016

Additional Information

Central Index Key:	
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Registered Agent Information

Name:	CINDY MITCHUM	Address 1:	3131 LAS VEGAS BOULEVARD SOUTH
Address 2:		City:	LAS VEGAS
State:	NV	Zip Code:	89109
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	NV
Mailing Zip Code:			
Agent Type:	Noncommercial Registered Agent		

Financial Information

No Par Share Count:	0	Capital Amount:	\$ 0
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No stock records found for this company

☐ Officers

☐ Include Inactive Officers

Manager - STEPHEN A WYNN

Address 1:	3131 LAS VEGAS BOULEVARD SOUTH	Address 2:	
City:	LAS VEGAS	State:	NV
Zip Code:	89109	Country:	USA
Status:	Active	Email:	

☐ Actions\Amendments

Action Type:	Articles of Organization		
Document Number:	00002977321-91	# of Pages:	2

DAMO, LLC - APPLICATION TO RENT WATER RIGHT

File Date: 1/4/2011		Effective Date:	
(No notes for this action)			
Action Type: Initial List			
Document Number: 20110041257-03	# of Pages: 1		
File Date: 1/19/2011	Effective Date:		
(No notes for this action)			
Action Type: Annual List			
Document Number: 20120072810-83	# of Pages: 1		
File Date: 1/31/2012	Effective Date:		
(No notes for this action)			
Action Type: Annual List			
Document Number: 20130069815-85	# of Pages: 1		
File Date: 1/31/2013	Effective Date:		
(No notes for this action)			
Action Type: Annual List			
Document Number: 20140066162-48	# of Pages: 1		
File Date: 1/29/2014	Effective Date:		
(No notes for this action)			
Action Type: Annual List			
Document Number: 20150045304-44	# of Pages: 1		
File Date: 1/30/2015	Effective Date:		
(No notes for this action)			



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.J. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 26, 2016

DAMO LLC
3131 LAS VEGAS BLVD
LAS VEGAS NV 89109

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 37-7059**

Dear Renter:

Please find enclosed a receipt in the amount of **\$34.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 2.0 acre-feet of water for irrigation of 1.5 acres during 2016. 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, 90% or \$30.60 of the rental fee will be paid to the lessor(s) and 10% or \$3.40 will be retained by the Department to offset administrative costs.

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

Sincerely,

 Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosures: Receipt No. C101910
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Allen Merritt – IDWR Southern Regional Office
Kevin Lakey – State Water District No. 37
James Speck – Speck & Aanestad



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

April 14, 2016

DAMO LLC
313 LAS VEGAS BLVD
LAS VEGAS NV 89109

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 37-7059**

*****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 \$34.00 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 2.0 acre-feet.

Please send a check for \$34.00 made payable to the Idaho Department of Water Resources, together with the signed rental agreement, within 14 days so I can complete processing. Pursuant to the Water Supply Bank Rules, 90% or \$30.60 of the rental fee will be paid to the lessor(s) and 10% or \$3.40 will be retained by the Department to offset administrative costs.

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

Sincerely,

 Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure

c: IDWR Front Desk
James Speck – Speck & Aanestad

Webster, Clay

From: Kevin Lakey [watermanager@cableone.net]
Sent: Tuesday, April 12, 2016 10:01 AM
To: Webster, Clay; Merritt, Allen
Subject: RE: Regional and Watermaster Comments on Damo Rental Application

I have no concerns with this application.

Kevin Lakey
Water District 37

From: Webster, Clay [mailto:Clay.Webster@idwr.idaho.gov]
Sent: Monday, April 11, 2016 2:07 PM
To: Merritt, Allen; Kevin Lakey
Subject: Regional and Watermaster Comments on Damo Rental Application

Allen and Kevin,

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

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

Webster, Clay

From: Merritt, Allen
Sent: Monday, April 11, 2016 2:11 PM
To: Webster, Clay
Subject: RE: Regional and Watermaster Comments on Damo Rental Application

I do not have any issues.

From: Webster, Clay
Sent: Monday, April 11, 2016 2:07 PM
To: Merritt, Allen; Kevin Lakey
Subject: Regional and Watermaster Comments on Damo Rental Application

Allen and Kevin,

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

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

MEMORANDUM

To: Water Right(s) 37-7059

From: Clay Webster

Date: 4/11/2016

Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: The department received this application in conjunction with an un-approvable lease application for Aquarius Saw LLC. This application was received from Jim Speck on behalf of Damo LLC on December 23, 2015. It proposes to rent 0.01 cfs and 1.4 af to irrigate 0.4 acres at 04N 17E sec 12 in the SENE and SWNE.

The map submitted has both the rental and the original lease location. The Damo Lot is the only portion of this map that we need to use for this rental.

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: 37-7059 had a portion leased into the WSB as lease/rental packages. One of the rentals was denied leaving 11.5 acres worth of the right available for rental. This right was decreed in 2010.

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

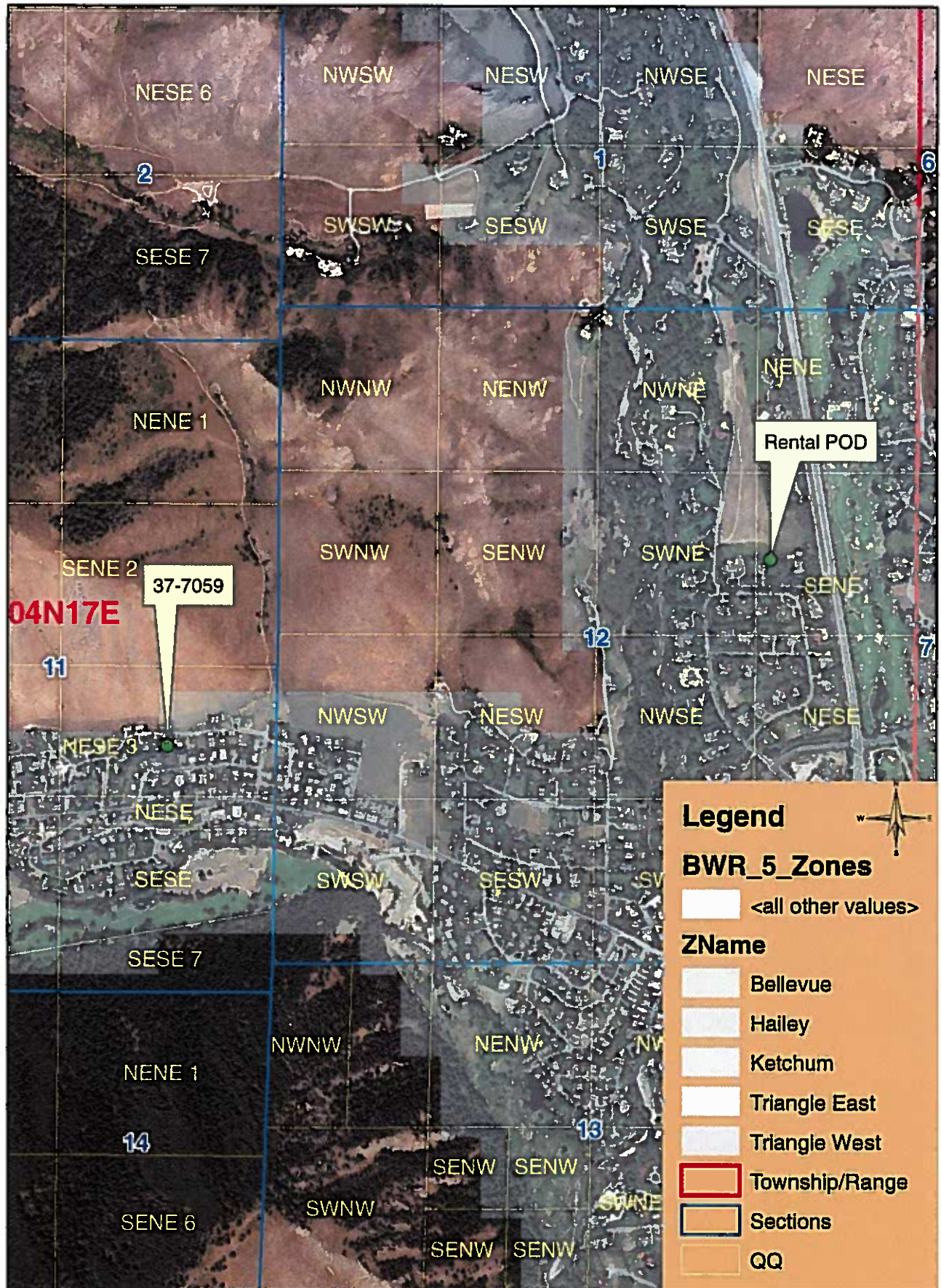
ENLARGEMENT OF USE: This right has a low diversion rate per acre. The rental will have to be for 1.5 acres to achieve an inch per acre. The rental will then have limits placed on it to the authorized 0.4 acres and the 3.5 af per acre. I have no other enlargement concerns on this rental.

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 4/11/2016.

Damo LLC Rental 2016



Webster, Clay

From: Jim Speck [jim@speckandaanestad.com]
Sent: Tuesday, February 23, 2016 4:34 PM
To: Webster, Clay
Cc: Cindy Mitchum
Subject: Re: Application to Lease 37-8431 (portion) to Wate Supply Bank

Clay,

Confirming our phone call this morning, please withdraw and return to me the above-referenced Application in the name of Aquarius SAW LLC together with a check payable to my firm for the \$250 filing fee. We understand the Application can be re-filed at any time if the current irrigated acre issue is resolved to IDWR's satisfaction.

The Application to Rent filed by DAMO, LLC is not being withdrawn.
Let me know when you might be able to begin processing it if another water right becomes available.

Thank you.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue North
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

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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

January 21, 2016

JAMES SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

**RE: ADDITIONAL INFORMATION REQUEST FOR PROCESSING APPLICATION TO LEASE
WATER RIGHT NO. 37-8431 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.

During our initial evaluation of this lease application, we have determined that the Water Right License included domestic beneficial use. Additionally, condition 9 excludes irrigation from the domestic use. The aerial imagery and the application map shows that the applicant is fully utilizing their irrigation component of this water right (1.3 acres). In order to avoid an enlargement of this water right, this leaves no irrigation component of this right for lease into the Bank at this time.

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 any additional information for further evaluation or request withdrawal of your application within 30 days of this letter. If you request a withdrawal of this application within 30 days, the applicable filing fee will be refunded.

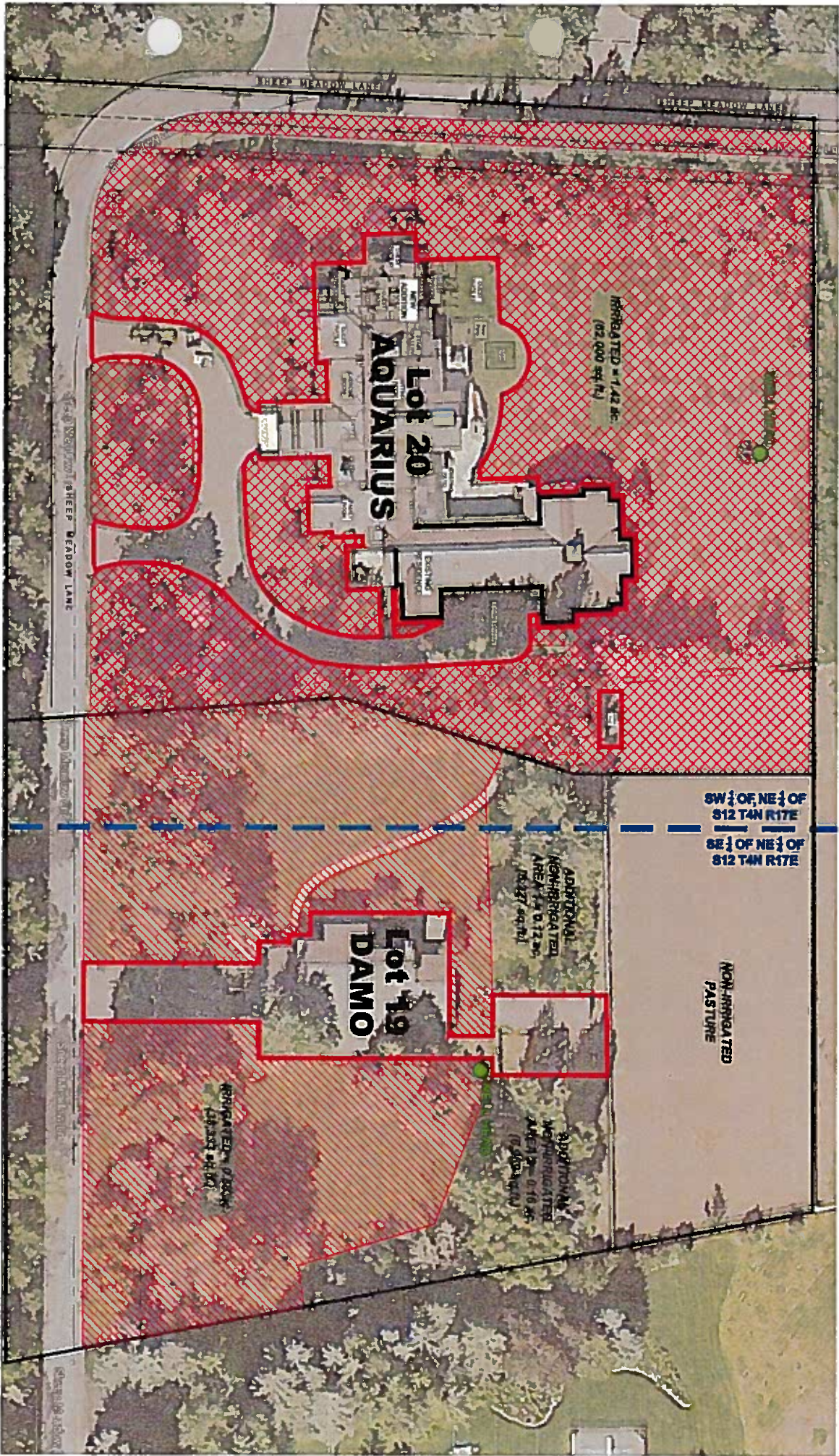
If the lease is withdrawn or found to be un-approvable, we need to know how you wish to proceed with the rental. Do you want it to be placed in the queue or do you want it returned?

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,

Clay Webster
Water Resource Agent
WSB Process Point of Contact

c: AQUARIUS SAW LLC
3131 LAS VEGAS BLVD
LAS VEGAS NV 89109



TOTAL PLS CALCULATIONS	
SW 1/4 OF NE 1/4 OF S12	1.64 acres
SE 1/4 OF NE 1/4 OF S12	0.66 acres
TOTAL IRRIGATED	2.30 acres

PLS CALCULATIONS BY LOT	
LOT 20 (SW 1/4 OF NE 1/4 OF S12)	1.42 acres
LOT 19 (SW 1/4 OF NE 1/4 OF S12)	0.22 acres
LOT 19 (SE 1/4 OF NE 1/4 OF S12)	0.66 acres
TOTAL IRRIGATED	2.30 acres

	Current	Proposed
LOT 20	1.42 acres	1.42 acres
LOT 19	1.16 acres	0.88 acres
TOTAL IRRIGATED	2.58 acres	2.30 acres

Beaver Springs Lots 19 & 20
Base Map Survey
Benchmark Associates: 04/10/2014
Scale: 0' = 40'
Plan Dated: 12/08/15

No. W 97516	Due no later than Oct 31, 2015		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Annual Report Form		C T CORPORATION SYSTEM 921 S ORCHARD ST STE G BOISE ID 83705			
	1. Mailing Address: Correct in this box if needed. AQUARIUS SAW, LLC CINDY MITCHUM 3131 LAS VEGAS BLVD S LAS VEGAS NV 89109		3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	STEPHEN A WYNN	3131 LAS VEGAS BLVD. SOUTH	LAS VEGAS	NV	USA	89109
5. Organized Under the Laws of: NV W 97516		6. Annual Report must be signed.* Signature: Stephen Wynn Name (type or print): Stephen Wynn Date: 10/28/2015 Title: Member				
Processed 10/28/2015		* Electronically provided signatures are accepted as original signatures.				

No. W 109106	Due no later than Dec 31, 2015		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Annual Report Form		CYNTHIA J WOOLEY 200 W RIVER ST STE 201 KETCHUM ID 83340			
	1. Mailing Address: Correct in this box if needed. DAMO, LLC STEVE WYNN 3131 LAS VEGAS BLVD S LAS VEGAS NV 89109		3. New Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	STEVE WYNN	3131 LAS VEGAS BLVD S	LAS VEGAS	NV	USA	89109
5. Organized Under the Laws of: NV W 109106		6. Annual Report must be signed.* Signature: Steve Wynn Name (type or print): Steve Wynn Date: 12/16/2015 Title: Member				
Processed 12/16/2015		* Electronically provided signatures are accepted as original signatures.				