

MAR 04 2016

DEPARTMENT OF  
WATER RESOURCES**WATER SUPPLY BANK LEASE CONTRACT**

This Lease Contract ("Lease") is between the Idaho Water Resource Board ("Board"), and

**LESSOR: DEER CREEK RANCH INC**  
PO BOX 3090  
NEWPORT BEACH CA 92658  
949-720-3400

**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 November 1, 2015, the Lessor filed an application to lease the water right 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 RIGHT:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water right described as follows:

**Summary of Water Right or Portion Leased to the Bank**

Water Right	Priority Date	Source	Tributary	Leased Rate	Annual Leased Volume	Total Leased Acres
37-5	03/10/1883	BIG WOOD RIVER	MALAD RIVER	3.0 cfs	203.0 af	58.0 Ac

**Lease Totals** 3.0 cfs 203.0 af 58.0 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, 2020. 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.

# WATER SUPPLY BANK LEASE CONTRACT

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

**DEER CREEK RANCH INC**  
PO BOX 3090  
NEWPORT BEACH CA 92658

By   
Printed Name JOHN FLYNN

Date 3/2/2016  
Title EVP

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

By   
Brian Patton, Acting Administrator  
Idaho Water Resource Board

Date 3/7/2016

Lease approved by IDWR 

Date 3-7-2016

## ATTACHMENT A

### WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

WATER RIGHT NO. 37-5

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

**Lessor:** DEER CREEK RANCH INC  
 PO BOX 3090  
 NEWPORT BEACH CA 92658  
 949-720-3400

**Location of Point(s) of Diversion for Water Right 37-5**

BIG WOOD RIVER	NWSESW	Sec. 30, Twp 03N, Rge 18E, BLAINE County (I)
BIG WOOD RIVER	NESWSW	Sec. 29, Twp 03N, Rge 18E, BLAINE County
BIG WOOD RIVER	NWSESW	Sec. 30, Twp 03N, Rge 18E, BLAINE County(R)

<u>Water Right</u>	<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
37-5	IRRIGATION	04/15	to 10/31	1.16 cfs	203.0 af
37-5	WILDLIFE	04/15	to 10/31	3.00 cfs	Not Stated
37-5	RECREATION	04/15	to 10/31	3.00 cfs	Not Stated
<b>Total:</b>				<b>3.0 cfs</b>	<b>203.0 af</b>

**Place of Use to be Idled Under This Lease:** 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		
03N	18E	29										3.0	7.0						10.0	
03N	18E	30			13.0	10.0	30.0								1.0				5.0	82.0
03N	18E	32						10.0	14.0										24.0	

Total Acres: 116.0  
 Limited to the irrigation of: 58.0 acres

**Place of Use to be Idled Under This Lease:** RECREATION and WILDLIFE

Twp	Rge	Sec	NE				NW				SW				SE				Totals				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
03N	18E	30													X				X	X	X	X	

**Conditions Applicable to Leased Water Right**

1. The water right 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 right leased to the bank is 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. Use of water under this right is 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.
13. When combined with all other rights, the leased rights shall provide no more than 0.02 cfs per acre.
14. This water right is limited to the irrigation of 58 acres in the place of use described herein in a single irrigation season.
15. A measuring device and lockable controlling works of a type acceptable to IDWR shall be permanently installed and maintained at the point of diversion from the Big Wood River. Additionally, a measuring device shall be installed at the mouth of Deer Creek for the purpose of verifying the equivalent flow of water being returned from the recreational and wildlife ponds.






Idaho Water Resource Board  
**Water Supply Bank Lease**

37-5

Effective until December 31, 2020

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



 Feet  
0 500 1,000

OCT 13 2015

DEPARTMENT OF WATER RESOURCES

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

An application to lease or sell a water right into the Water Supply Bank must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. 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. **Incomplete applications will be returned to applicants for completion.**

Designated Applicant Deer Creek Ranch, Inc. Attn: John Flynn  
(Select one owner – see item 1A on the application)

Water Right No. 37-5  
(One water right per application)

**All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)***

**YES**

- Completed *Water Supply Bank Lease or Sale Application Checklist* (this form).
- Completed *Application to Sell or Lease a Water Right to the Water Supply Bank* (pages 2-3).
- 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.

**Attachment N/A YES**

- 1A   Contact information for *all owners* of the water right that is being 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](http://www.idwr.idaho.gov)).
- 1D   Written consent from irrigation district or water delivery company.
- 1E   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.
- 3E   Evidence demonstrating that a water right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code.
- 4   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](http://www.idwr.idaho.gov).

**Department Use Only**

Fee Amount \$ <u>250.00</u>	Received By: <u>df</u>	Date Received: <u>10-13-15</u>	Receipt # <u>C101088</u>
W-9 received? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	(Route W-9 to Fiscal)	Name on W-9: <u>Deer Creek Ranch Inc</u>	

PO Box 3090  
Newport Beach CA 92658

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

### 1. CONTACT INFORMATION

A. An application to sell or lease a water right to the Water Supply Bank must be completed by a Designated Applicant who is a recognized owner of the water right being sold or leased to the Water Supply Bank. If there are additional owners recorded for the property to which the water right is appurtenant, 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 Deer Creek Ranch, Inc. Attn: John Flynn Email Address \_\_\_\_\_

Mailing Address P.O. Box 3090, Newport Beach, CA 92658 Phone Number (949) 720-3400

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 completed an IRS Form W-9 (Attachment 1B)? Yes  No

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 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 1D).

E. 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 1E).

Name of Representative Paul L. Arrington Organization Barker Rosholt & Simpson LLP

Professional Title Attorney Email Address pla@idahowaters.com

Mailing Address 195 River Vista Place, Ste. 204, Twin Falls, ID 83301 Phone Number (208) 733-0700

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

Water Right Number 37-5  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 a water right is being offered, complete Attachment 2)

### 3. GENERAL INFORMATION

A. Please provide a description of the current water diversion system.

Water under this right has historically been used from 4/15 through 10/31 with some infrequent late-summer curtailment during dry years. In 2006, a significant amount of water ran through the river system near the Deer Creek Ranch. As a result of this increased water, the river changed its channel and the channel from which Deer Creek Ranch diverted this water right was no longer receiving any water. The channel has been dry since 2006, with water previously diverted now flowing in a septate channel of the river.

B. 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.

37-5 and 37-833R

C. Are any of the water rights identified in question 3B stacked with the water right proposed for lease? Yes  No

Stacked water rights are water rights that are utilized 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.

D. Will the present place of use continue to receive water from any other source?

Yes  No

If yes, describe. \_\_\_\_\_

E. Has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes  No

If yes, describe and attach Watermaster records or other evidence to demonstrate that the water right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code. Has been in water bank for last 5 years. No forfeiture.  
I.C. § 42-223(5).

F. Is this water right involved in any other IDWR process such as an application for transfer or a mitigation plan? Yes  No

If yes, describe. \_\_\_\_\_

**4. MAP**

Plat map, survey map, or aerial photograph clearly showing the specific acres proposed to be idled by this lease application.

**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 2021 (maximum lease period 5 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 provisions are stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any elements of the water right.

John Flynn  
Signature of Designated Applicant

JOHN FLYNN  
EXECUTIVE VP  
DEER CREEK RANCH  
Printed Name

10/7/15  
Date

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

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

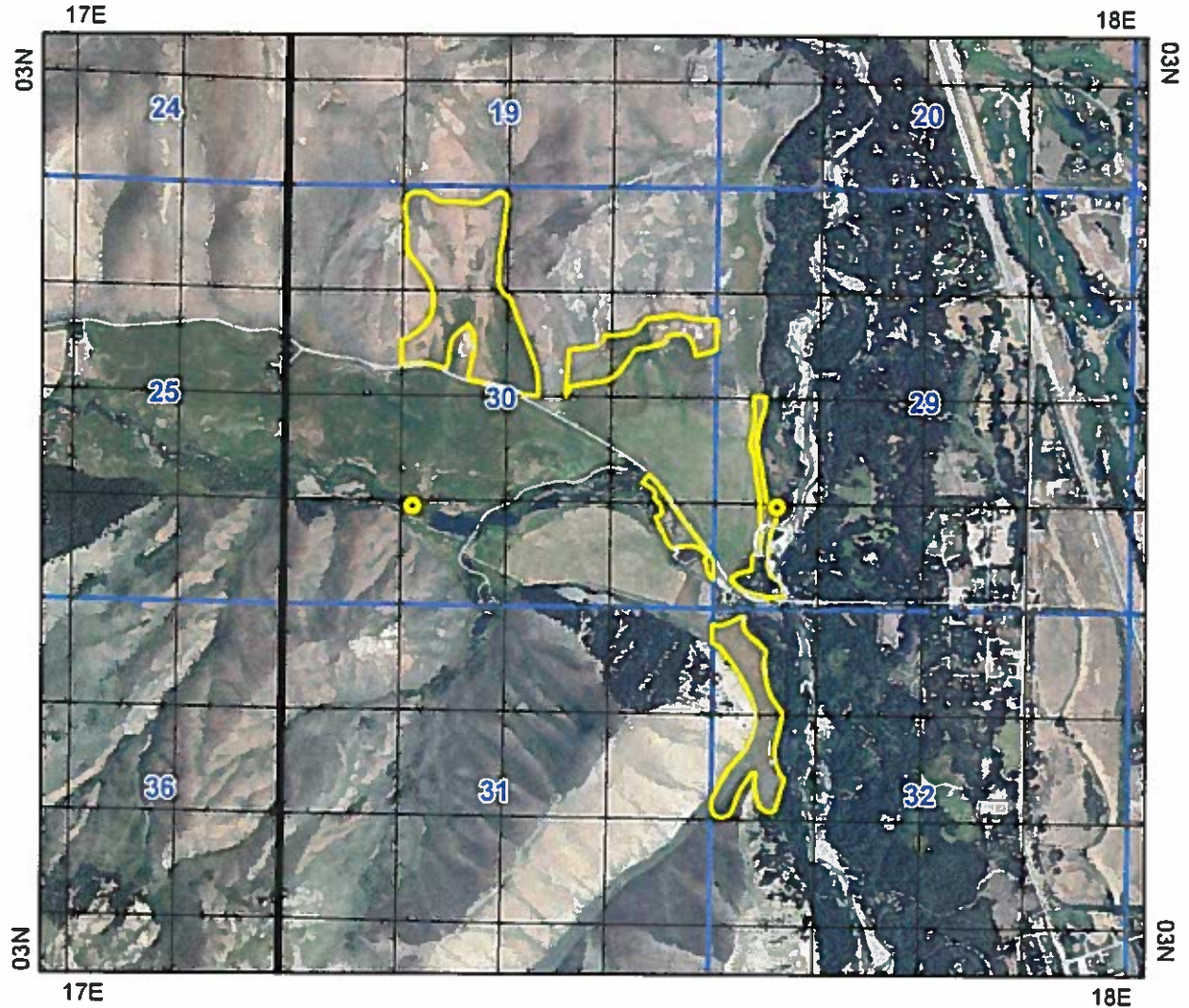
State of Idaho  
Department of Water Resources






# Water Right

37-5

## IRRIGATION

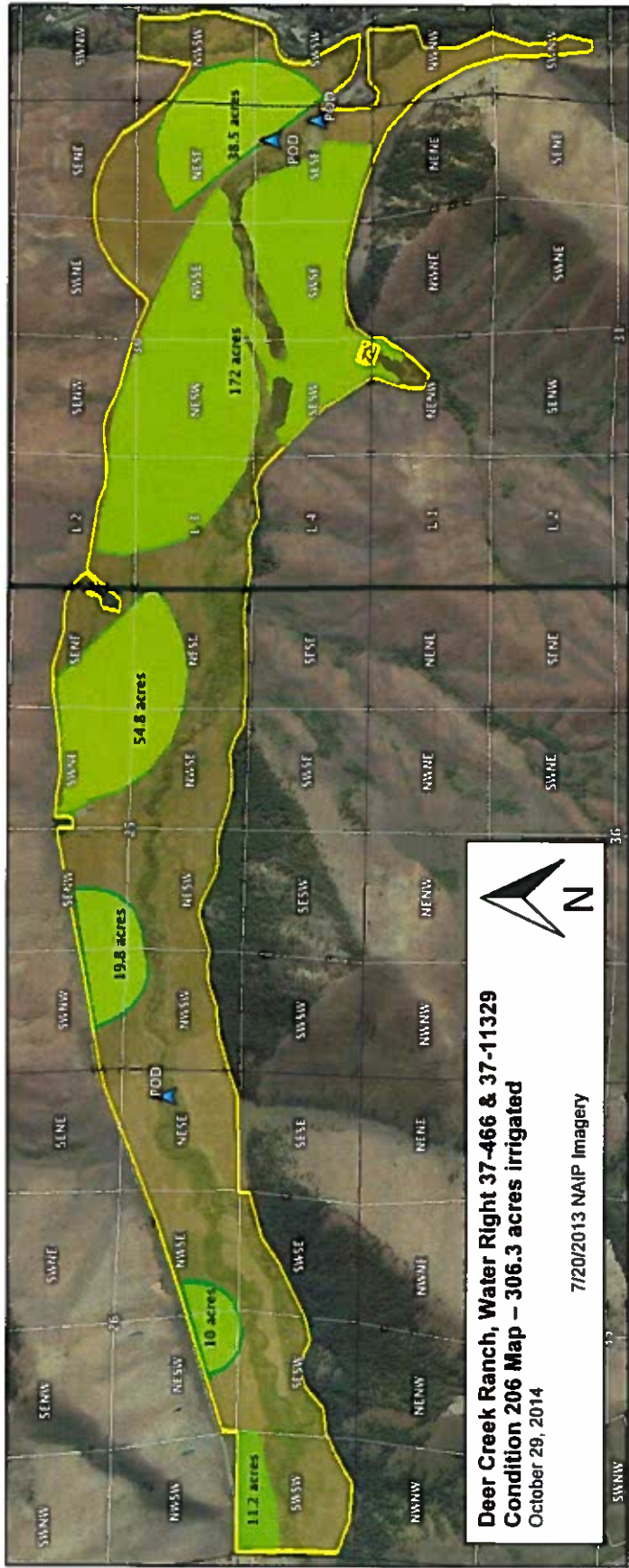
The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be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



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.25 0.5 1 Miles





Please note the acres depicted in blue, in the map following are sub-irrigated and cut for a hay crop when there's adequate precipitation. These acres may appear to be irrigated, but are not.





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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

March 15, 2016

DEER CREEK RANCH INC  
PO BOX 3090  
NEWPORT BEACH CA 92658

**RE: WATER SUPPLY BANK LEASE CONTRACT FOR WATER RIGHT 37-5**

Dear Lessor:

Water right 37-5 was leased into the Water Supply Bank (Bank) as of November 1, 2015, in accordance with the enclosed executed lease contract. **Your water right, as described on the lease contract, is considered leased into the Bank and should remain unused until it is formally released from the Bank.** More information and further restrictions placed on your water right while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The right will automatically be released from the Bank on **December 31, 2020**, unless the right is 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 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. This form is available on our public website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). **Please note your water right may not be available for immediate release if it has been rented or is 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 me at 287-4910.

Sincerely,

*for* Clay Webster  
Water Resource Agent  
WSB Process Point of Contact

Enclosure: Executed Lease Contract

c: Paul Arrington – Barker Rosholt & Simpson LLP  
Allen Merritt - IDWR Southern Region  
Kevin Lakey – Water District 37

Deer Creek Ranch

RECEIVED  
MAR 04 2016  
DEPARTMENT OF  
WATER RESOURCES

## Memo

**To:** Idaho Department of Water Resources  
**From:** John Flynn  
**Date:** 03/03/2016  
**Re:** Water Bank Lease Contract- Water Right 37-5

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Attached are two signed Water Bank Lease Contracts for Water Right 37-5.

Please return one countersigned original.

## Hersley, Jean

---

**From:** Skinner, Corey  
**Sent:** Monday, February 22, 2016 7:50 AM  
**To:** Hersley, Jean  
**Cc:** Merritt, Allen; Jones, Doug  
**Subject:** RE: WSB Lease Applications for Deer Creek Ranch 37-5 and 37-833R

I looked these two lease applications and see no issues from our end.

---

**From:** Merritt, Allen  
**Sent:** Friday, February 19, 2016 3:53 PM  
**To:** Jones, Doug; Skinner, Corey  
**Subject:** Fwd: WSB Lease Applications for Deer Creek Ranch 37-5 and 37-833R

Please respond.

Sent from my iPhone

Begin forwarded message:

**From:** "Hersley, Jean" <[Jean.Hersley@idwr.idaho.gov](mailto:Jean.Hersley@idwr.idaho.gov)>  
**Date:** February 17, 2016 at 8:35:21 AM MST  
**To:** "Merritt, Allen" <[Allen.Merritt@idwr.idaho.gov](mailto:Allen.Merritt@idwr.idaho.gov)>, Kevin Lakey <[watermanager@cableone.net](mailto:watermanager@cableone.net)>  
**Subject:** WSB Lease Applications for Deer Creek Ranch 37-5 and 37-833R

Please let me know if you have any comments or concerns with the lease applications. Thank you.

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

## Hersley, Jean

---

**From:** Kevin Lakey <watermanager@cableone.net>  
**Sent:** Wednesday, February 17, 2016 8:44 AM  
**To:** Hersley, Jean  
**Subject:** RE: WSB Lease Applications for Deer Creek Ranch 37-5 and 37-833R

Jean,  
I have no concerns with this application.  
Kevin Lakey  
Water District 37

---

**From:** Hersley, Jean [mailto:Jean.Hersley@idwr.idaho.gov]  
**Sent:** Wednesday, February 17, 2016 8:35 AM  
**To:** Merritt, Allen; Kevin Lakey  
**Subject:** WSB Lease Applications for Deer Creek Ranch 37-5 and 37-833R

Please let me know if you have any comments or concerns with the lease applications. 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

February 18, 2016

DEER CREEK RANCH INC  
PO BOX 3090  
NEWPORT BEACH CA 92658

RE: APPLICATIONS TO LEASE WATER RIGHT 37-5 and 37-833R TO THE WATER SUPPLY BANK

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

Dear Applicant:

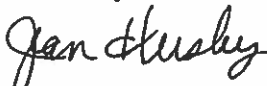
The Department of Water Resources has completed its review of your application to lease the above-mentioned water right to the Water Supply Bank. I have enclosed two or each original Water Supply Bank Lease Contracts for your review and signature. Please sign and return ALL Lease Contracts within 14 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, 2020, 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 me at 287-4910.

Sincerely,

*for*   
Clay Webster  
Water Resource Agent  
Water Supply Bank Point of Contact

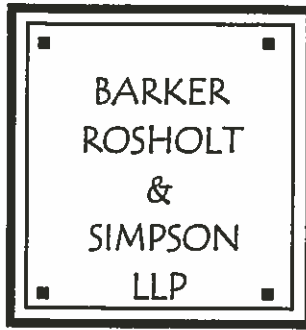
Enclosure: Proposed Lease Contracts  
Receipt # C101088

c: Barker Rosholt & Simpson LLP



Albert P. Barker  
John A. Rosholt  
John K. Simpson  
Travis L. Thompson  
Shelley M. Davis  
Paul L. Arrington\*  
Scott A. Magnuson

\* Licensed in Idaho & Washington



195 River Vista Place, Suite 204  
Twin Falls, Idaho 83301  
(208) 733-0700 telephone  
(208) 735-2444 facsimile

1010 West Jefferson, Suite 102  
Post Office Box 2139  
Boise, Idaho 83701-2139  
(208) 336-0700 telephone  
(208) 344-6034 facsimile  
brs@idahowaters.com

Paul L. Arrington  
pla@idahowaters.com

October 8, 2015

RECEIVED  
OCT 13 2015  
DEPARTMENT OF  
WATER RESOURCES

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

RE: *Two Applications to Lease water to Water Bank (WR Nos. 37-5 & 37-833R)*  
*(Deer Creek Ranch, Inc.)*

Dear Mr. Webster:

Attached, please find two application, seeking to lease water rights 37-5 and 37-833R to the Water Supply Bank. Also included, please find a check for \$500 – representing the filing fee associated with the applications.

Water rights 37-5 and 37-833R have been in the water supply bank for a number of years – since the points of diversion from the Big Wood River were washed out due to a flooding event. Since that time, the place of use for these water rights has been included in a PPU involving other water rights owned by Deer Creek Ranch. Much of the original place of use for water right 37-5 remains unirrigated (and will continue to be unirrigated). The original place of use for 37-833R is presently being irrigated, at least in part. However, as you can see from the attached map, there are more than 50 acres within the PPU that are not being irrigated – making up for the 50 acres of irrigation authorized under that right.

If there are any questions, please don't hesitate to give me a call.

Yours Truly,

  
Paul L. Arrington

pla/JN

Encs.

cc: Client (via email)