

Webster, Clay

From: Webster, Clay
Sent: Thursday, October 08, 2015 8:54 AM
To: 'mullinslj@me.com'
Cc: 'johnehollstein@msn.com'
Subject: RE: Deersky Ranch HOA Water Bank / Water Right questions

Laura,

The lease for water rights 63-7011A, 63-32968 and 63-32970 have been updated to reflect an expiration date of 12/31/2020 as per your request received on September 30, 2015.

Sincerely,

Clay Webster

Water Resource Agent
clay.webster@idwr.idaho.gov
208-287-4910
Idaho Department of Water Resources (IDWR)
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098
208-287-4800
www.idwr.idaho.gov

From: Laura J Mullins [<mailto:>]
Sent: Monday, October 05, 2015 12:24 PM
To: Webster, Clay
Cc: John E Hollstein; Skaggs, Pam; Mullins Laura
Subject: Re: Deersky Ranch HOA Water Bank / Water Right questions

Hello Clay,

I have a new email address.

MullinsLJ@me.com

When you are ready to reply to confirm receipt of our documents and processing of them please reply to my new email.

Thank you very much.

Have a good day!

Laura J. Mullins
Deersky Ranch HOA
Nampa, ID

MullinsLJ@me.com
(858) 735-7253

From: Michael Laura Mullins <teammullins53@gmail.com>
Date: September 30, 2015 at 16:14:31 MDT
To: "Webster, Clay" <Clay.Webster@idwr.idaho.gov>
Cc: Pam.Skaggs@idwr.idaho.gov, "John E." <johnehollstein@msn.com>, Michael Mullins <teammullins53@gmail.com>
Subject: Re: Deersky Ranch HOA Water Bank / Water Right questions

Clay,

Attached is our signed/updated Water Bank Contract as well as our updated Change In Address form.

Please confirm receipt of both and when both have been processed.

Thank you!

Laura J. Mullins
Deersky Ranch HOA
Nampa, ID
(858) 735-7253

On Tue, Sep 22, 2015 at 8:36 AM, Webster, Clay
<Clay.Webster@idwr.idaho.gov> wrote:

Mrs. Mullins,

In answer to your inquiries about the WSB leases of these rights.

- 1) Since there is a ground water irrigation right that covers the property it would cover the 0.5 acre yard irrigation. This should be considered when placing the right into the water supply bank (bank).
- 2) The intent is to move away from indefinite leases in the bank. As explained in the letter, the IWRB will be petitioned to release indefinite leases. Future updates will require an application filing fee.
- 3) The purpose of this action is to release the indefinite leases. This action would allow HOA to specify the remainder of the agreement for up to 5 years.

- 4) Rentals occur from the bank when people apply to rent water from the bank. The rental is evaluated to fit it with a leased water right that will not cause injury to other water rights and to prevent enlargement.
- 5) In order to remove acreages from the bank, a new application would have to be sent in identifying what you wish to have in the bank along with a request to release the current lease from the bank.
- 6) If you keep the water right in the bank, use is not authorized until it is released. You can submit a request for release from the bank. If no rentals are currently being processed for that water right it can be released at the boards discretion.
- 7) If the water rights are rented they will not be released from the bank. Using a water right while you have it leased into the bank is grounds for enforcement action. The excerpt below is a condition of acceptance that was on the Water Supply Bank Lease Acceptance agreement with your organization.

<image003.jpg>

- 8) Releasing the rights from the bank should enable the transfer to be processed without having to track down whether the portion being transferred is still to remain in the bank.
- 9) You can find an change in address form at the IDWR website. At http://idwr.idaho.gov/RulesStatutesForms/WaterRights/PDFs/CHANGE_IN_ADDRESS.pdf

If you have any more questions please give me a call.

Sincerely,

Clay Webster

Water Resource Agent

clay.webster@idwr.idaho.gov

208-287-4910

Idaho Department of Water Resources (IDWR)

322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098

208-287-4800

www.idwr.idaho.gov

From: Michael Laura Mullins [<mailto:teammullins53@gmail.com>]
Sent: Saturday, September 19, 2015 3:20 PM
To: Skaggs, Pam; Webster, Clay
Cc: John E.; Mullins Laura J
Subject: Deersky Ranch HOA Water Bank / Water Right questions

Dear Pam and Clay,

We received our paperwork in the mail last week concerning our Water Supply Bank lease contracts. Before our HOA is able to complete the paperwork and return to you by the 1 October deadline we'd appreciate your response to the following questions. Thank you very much.

- 1) Does a water right include the 0.5 acre yard irrigation from domestic wells? Should the 0.5 acre yard be considered when putting water rights in the water bank?

- 2) Is IDWR going to do away with the indefinite provision for the water bank? Will all future updated water bank leases require the new fee?

- 3) If we select less than 5 years does that take us out of the indefinite category?

- 4) How do rentals fro the water bank occur?

- 5) How do we remove some acreage from the water bank?

6) What happens if we keep water rights in the water bank for 5 years and then need to use them before the period is up and they are NOT rented?

7) What happens if we keep water rights in the water bank for 5 years and then need to use them before the period is up and they ARE rented?

8) How does our decision about our water supply bank lease contract affect Deersky Ranch property owners who are currently in the process of transferring their water rights from the Deersky Ranch HOA? (for example: Hollstein Trust 8679 Deersky Ranch Trail and Michael & Laura Mullins 8386 Deersky Ranch Trail)

9) Our Deersky Ranch HOA contact information has been kept current with the Idaho Secretary of State but apparently not with IDWR. How do we change our HOA contact information with IDWR and keep it current? This is a link to our current HOA contact information per the Idaho Secretary of State:

http://www.sos.idaho.gov/xt/?xp=%5C20150521%5CXMLPORTS_C140034_1505211027.xml

Sincerely,

Laura J. Mullins

Ombudsman Committee Member

Deersky Ranch HOA Nextdoor.com Administrator

Non-Voting Assistant Secretary

<https://deerskyranch.Nextdoor.com>

<DSR HOA address change for IDWR : Water Bank Contract.pdf>