

JUN 17 2015

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

This Lease Contract ("Lease") is effective March 27, 2015, between the Idaho Water Resource Board ("Board"), and

Lessor: DOUGLAS E GRANT JR
LAUREL A GRANT
425 N 10TH AVE
POCATELLO ID 83201
(208) 233-9110
dgrantjr@cableone.net

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. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources.
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 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

<u>Water Right</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
36-2684	0.80 CFS	189.2 AF	NA	47.3 AC
Combined Lease Totals:	0.80 CFS	189.2 AF	NA	47.3 AC

The water rights described herein shall be available for rental from the Bank as follows:
Authorized Period of Use under Lease: March 15 to November 15

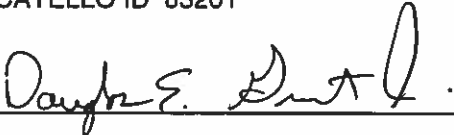
2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** This Lease shall take effect when both parties have signed it and shall continue in effect until December 31, 2019.
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.

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

DOUGLAS E GRANT JR
425 N 10TH AVE
POCATELLO ID 83201

By 

Date JUNE 16, 2015

Printed Name DOUGLAS E. GRANT JR

Title OWNER

IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-9098

By 
Brian Patton, Acting Administrator
Idaho Water Resource Board

Date June 18, 2015

Lease approved by IDWR 

Date 6/18/2015

ATTACHMENT A
WATER RIGHT NO. 36-2684
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: DOUGLAS E GRANT JR
 LAUREL A GRANT
 425 N 10TH AVE
 POCATELLO ID 83201
 (208) 233-9110

Priority Date: 03/02/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.80 CFS	189.2 AF
	Total:		0.80 CFS	189.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE¼NE¼NE¼ Sec. 28, Twp 07S, Rge 25E, MINIDOKA County

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	
07S	25E	28	4.3	7.1	3.8	5.5									6.6	7.3	7.3	5.4	47.3

Total Acres: 47.3

ADDITIONAL CONDITIONS OF ACCEPTANCE

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, the lease term expires, or upon request from the lessor to change the term of the lease, 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.
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, 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.
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.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
11. The water right(s) is leased to the bank 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 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. 130.

RECEIVED

JUN 05 2015

DEPARTMENT OF
WATER RESOURCESAPPLICATION 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 Laurel A. and Douglas E. Grant Jr
(Select one owner – see item 1A on the application)

Water Right No. 36-2684
(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.

AMENDED

Attachment N/A YES

- | | | | |
|----|-------------------------------------|-------------------------------------|--|
| 1A | ☐ | ☒ | Contact information for <i>all owners</i> 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 | ☒ | ☐ | <i>Notice of Change in Water Right Ownership</i> form (accessible from 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 . |

Department Use Only

Fee Amount \$ <u>250.00</u>	Received By: <u>J. Strang</u>	Date Received: <u>6-5-2015</u>	Receipt # <u>C100554</u>
W-9 received? Yes ☒ No ☐	(Route W-9 to Fiscal)	Name on W-9: <u>Douglas E Grant Jr.</u>	

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. DEC. 17

Designated Applicant Laurel A. and Douglas E. Grant Jr Email Address DGRANTJR@CABLEONE.NET
Mailing Address 425 N 10th Ave. Pocatello, ID 83201 Phone Number 208-233-9110 339-0677

☒ 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 Zach Latham Organization Brockway Engineering PLLC
Professional Title Hydrologist Email Address zach.latham@brockwayeng.com
Mailing Address 2016 Washington St. N Suite #4 Twin Falls, ID 83301 Phone Number 208-736-8543

☐ 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 36-2684 ☐ 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.

Irrigation water is diverted through an existing well through buried mainlines to existing place of use.

- 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.
None.

- 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. Remaining portion of 36-2684 that is not proposed to be leased to the WSB.

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. N/A.

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. N/A.

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: 2015 to 2019 (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.

Douglas E. Grant Jr.
Signature of Designated Applicant

DOUGLAS E. GRANT JR.
Printed Name

06/03/2015
Date

Laurel A. Grant
Signature of Authorized Representative

LAUREL A. GRANT
Printed Name

06/03/2015
Date

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

STATE OF IDAHO
WATER RESOURCE BOARD

ATTACHMENT 1A

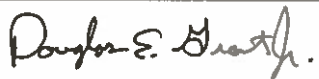
AMENDED

Additional Water Right Holders Party to the Lease Application

List all individuals or business entities that are owners of the property to which the water right on this application is appurtenant. All water right holders must be signatories to a Water Supply Bank Lease Application however only the Designated Applicant needs to provide a completed IRS Form W-9 (Attachment 1B). All correspondence and any financial payment associated with the rental of this water right will be directed to the Designated Applicant. If additional space is needed to list any other water right holders, attach a second copy of Attachment 1A.

If submitting multiple applications, it is only necessary to complete one Attachment 1A for the group of applications. List each water right below.

Water Right No(s). 36-2684

	Designated Applicant	Applicant #2	Applicant #3
Name	Laurel A. Grant	Douglas E. Grant Jr	
Mailing Address	425 N 10th Ave. Pocatello, ID 83201	425 N 10th Ave. Pocatello, ID 83201	
Phone Number	208-233-9110	208-233-9110	
Email Address		DGRANTJR@CARLSONE.NET	
Applicant Declaration	As Designated Applicant, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

	Applicant #4	Applicant #5	Applicant #6
Name			
Mailing Address			
Phone Number			
Email Address			
Applicant Declaration	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

STATE OF IDAHO
WATER RESOURCE BOARD**AMENDED****ATTACHMENT 2****DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK**

1. <u>Water Right Number</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>36-2684</u>	<u>0.79cfs / 189.2 AF</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
			to
			to
			to
			to
			to
Total Amount:	<u>0.79cfs / 189.2 AF</u>		

2. Source of water Ground Water tributary to N/A

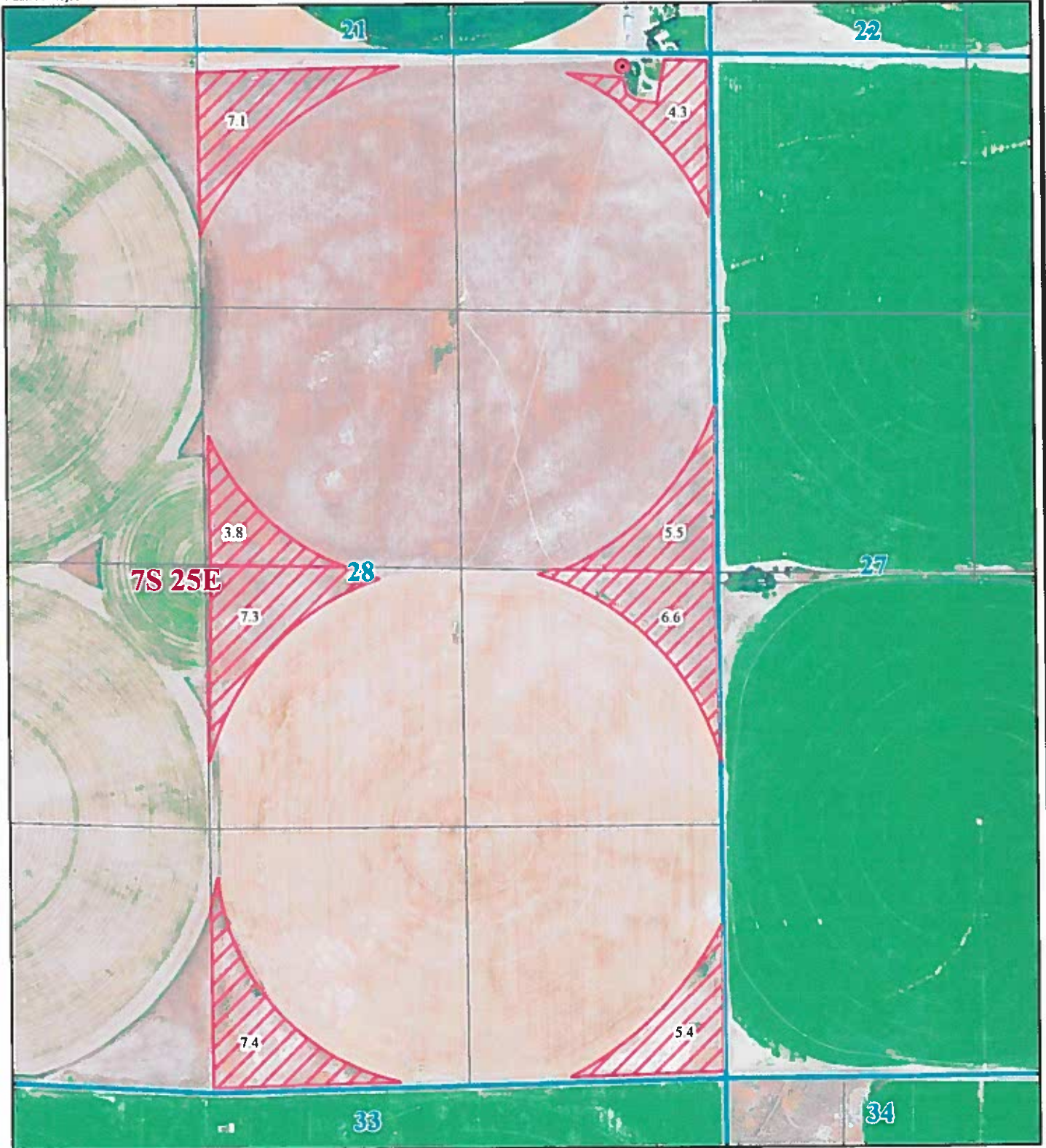
3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
07S	25E	28		NE	NE	NE	MINIDOKA

4. Acres to be idled within the place of use:

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	25E	28	4.3	7.1	3.8	5.5									6.6	7.3	7.3	5.4	47.3

If the water right is for irrigation, show total number of acres offered to the Bank. Total Acres 47.3



**LAUREL A. AND DOUGLAS E. GRANT
WATER BANK LEASE NEW 36-2684
47.3 ACRES LEASE, 2015 - 2019
2013 NAIP AERIAL**

0 500 1,000 Feet

BROCKWAY ENGINEERING, PLLC
ALR - Date: 6/5/2015

Legend

- WaterRight**
- Point of Diversion
 - WSB Lease NEW 36-2684
- Legend**
- township
 - Sections
 - adesc

N

RECEIVED

MAR 27 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 Laurel A. and Douglas E. Grant Jr
(Select one owner - see item 1A on the application)

Water Right No. 36-2684
(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 <i>all owners</i> of the water right that is being leased or sold on this application. |
| 1B | ☐ | ☒ | An <u>Internal Revenue Service (IRS) Form W-9</u> for the Designated Applicant. |
| 1C | ☒ | ☐ | <i>Notice of Change in Water Right Ownership</i> form (accessible from 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 <u>Section 42-222(2), Idaho Code</u> . |
| 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 . |

Department Use Only

Fee Amount \$ 250 Received By: LSM
W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)

Date Received: 3-27-15 Receipt # 0100193
Name on W-9: Douglas Eugene Grant JR

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

1. CONTACT INFORMATION

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Designated Applicant Laurel A. and Douglas E. Grant Jr Email Address dgrantjr@cableone.net
Mailing Address 425 N 10th Ave. Pocatello, ID 83201 Phone Number 208-233-9110

☒ 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 Zach Latham Organization Brockway Engineering PLLC

Professional Title Hydrologist Email Address zach.latham@brockwayeng.com

Mailing Address 2016 Washington St. N Suite #4 Twin Falls, ID 83301 Phone Number 208-736-8543

☐ 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 36-2684 ☐ 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.

Irrigation water is diverted through an existing well through buried mainlines to existing place of use.

- 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.

None.

- 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, Remaining portion of 36-2684 that is not proposed to be leased to the WSB.

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. N/A.

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, N/A.

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: 2015 to 2019 (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.

Douglas E. Grant Jr.
Signature of Designated Applicant

Douglas E. Grant Jr.
Printed Name

10-MAR-2015
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
WATER RESOURCE BOARD**

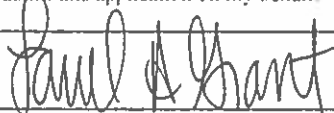
ATTACHMENT 1A

Additional Water Right Holders Party to the Lease Application

List all individuals or business entities that are owners of the property to which the water right on this application is appurtenant. All water right holders must be signatories to a Water Supply Bank Lease Application however only the Designated Applicant needs to provide a completed IRS Form W-9 (Attachment 1B). All correspondence and any financial payment associated with the rental of this water right will be directed to the Designated Applicant. If additional space is needed to list any other water right holders, attach a second copy of Attachment 1A.

If submitting multiple applications, it is only necessary to complete one Attachment 1A for the group of applications. List each water right below.

Water Right No(s). 36-2684

	Designated Applicant	Applicant #2	Applicant #3
Name	Douglas E. Grant Jr.	Laurel A. Grant	
Mailing Address	425 N 10th Ave. Pocatello, ID 83201	425 N 10th Ave. Pocatello, ID 83201	
Phone Number	208-339-0677	208-339-0678	
Email Address	dgrantjr@cableone.net	laurelgrant@gmail.com	
Applicant Declaration	As Designated Applicant, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

	Applicant #4	Applicant #5	Applicant #6
Name			
Mailing Address			
Phone Number			
Email Address			
Applicant Declaration	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

STATE OF IDAHO
WATER RESOURCE BOARD

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1. <u>Water Right Number</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>36-2684</u>	<u>0.75cfs / 180 AF</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
			to
			to
			to
			to
			to
Total Amount:	0.75cfs / 180 AF		

2. Source of water Ground Water tributary to N/A

3. Point(s) of diversion:

[illegible]

4. Acres to be idled within the place of use:

[illegible]

If the water right is for irrigation, show total number of acres offered to the Bank. **Total Acres** 45



7S 25E

21

22

71

72

73

28

55

27

74

66

75

54

33

34

Amended 4/24/15

LAUREL A. AND DOUGLAS E. GRANT
WATER BANK LEASE NEW 36-2684
45 ACRES LEASE, 2015 - 2019
2013 NAIP AERIAL

0 700 1,400 Feet

BROCKWAY ENGINEERING, PLLC
ALR - Date: 4/16/2015

Legend

WaterRight

Point of Diversion

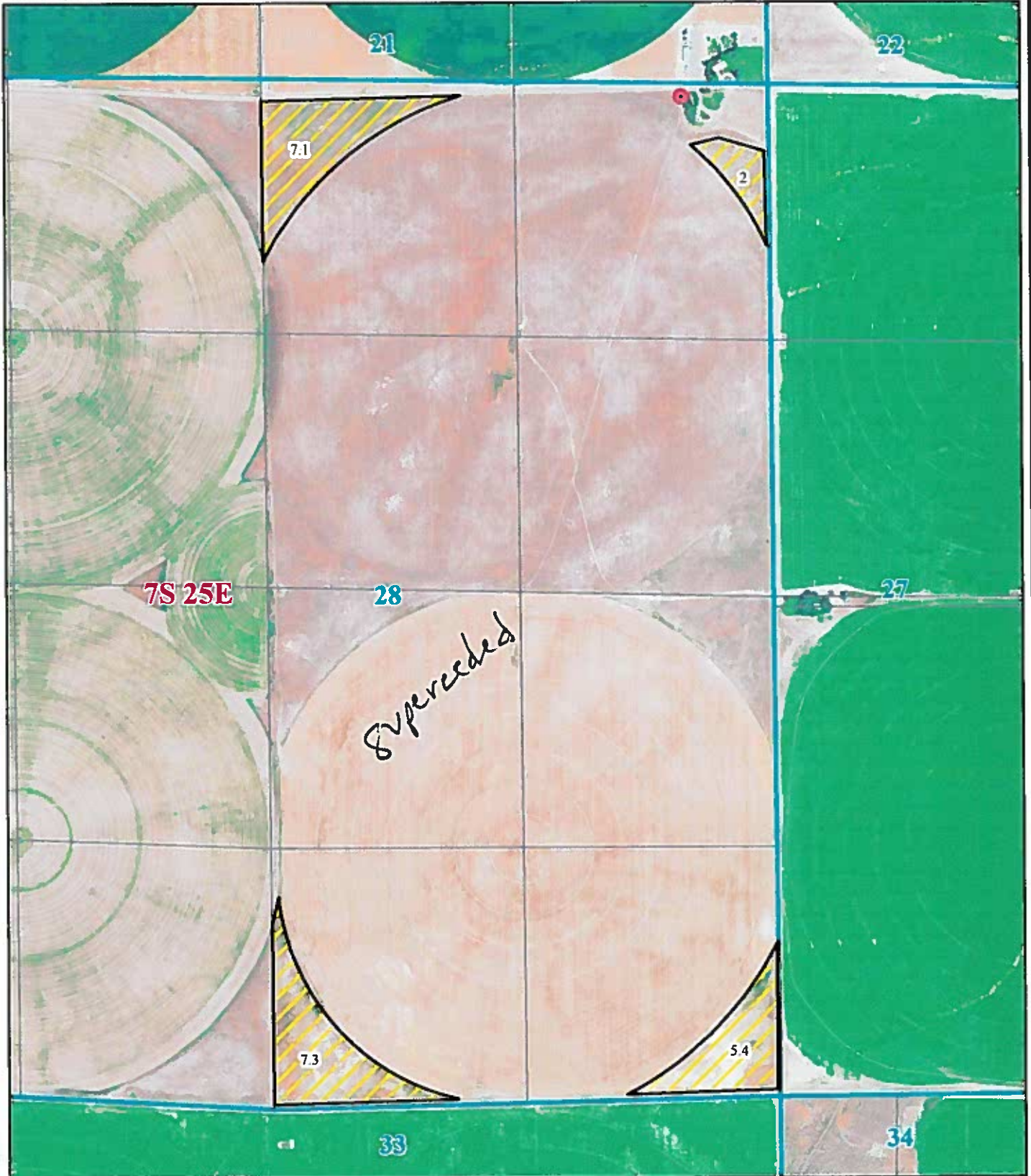
WSB Lease NEW 36-2684

Township

Sections

Adesc

N



0 500 1,000 Feet

BROCKWAY ENGINEERING, PLLC
ALR - Date: 3/25/2015

**LAUREL A. AND DOUGLAS E. GRANT
WATER BANK LEASE ACRES
36-2684, 2015 - 2019
2013 NAIP AERIAL**

Legend

WaterRight
● Point of Diversion
▨ WSB Lease 2015

▭ Township
▭ Sections
▭ Adesc

N



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

June 24, 2015

DOUGLAS & LAUREL GRANT
425 N 10TH AVE
POCATELLO ID 83201-5253

RE: WATER SUPPLY BANK LEASE CONTRACT FOR RIGHTS 36-2684

Dear Lessor:

Water Right **36-2684** was leased into the Water Supply Bank on March 27, 2015 in accordance with the executed original Lease Contract enclosed. **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.**

The rights will automatically be released from the Bank on **December 31, 2019**, unless the rights are released earlier by the Board, or upon your request. **Please note your rights may not be available for immediate release if they have been rented.** 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. This form is available from our public website at www.idwr.idaho.gov.

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
WSB Process Point of Contact

Enclosure: Executed Lease Contract

c: Zach Latham – Brockway Engineering PLLC
Allen Merritt –IDWR Southern Region
Cindy Yenter– Water District #130



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

June 2, 2015

GARY SPACKMAN
Director

AMENDED

DOUGLAS & LAUREL GRANT
425 N 10TH AVE
POCATELLO ID 83201-5253

RE: APPLICATION(S) TO LEASE WATER RIGHT(S) 36-2684 TO THE WATER SUPPLY BANK

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

Dear Applicant:

The Department of Water Resources has completed its review of your amended application to lease the above-mentioned water right to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please sign and return BOTH 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.

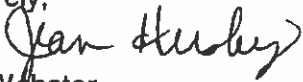
The rights will automatically be released from the Bank on **December 31, 2019**, unless the rights are released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. 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
WSB Process Point of Contact

Enclosure: Proposed Lease Contracts

c. Zach Latham – Brockway Engineering PLLC



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

June 2, 2015

DOUGLAS & LAUREL GRANT
425 N 10TH AVE
POCATELLO ID 83201-5253

RE: APPLICATION(S) TO LEASE WATER RIGHT(S) 36-2684 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 Water Supply Bank Lease Contracts for your review and signature. Please sign and return BOTH 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 rights will automatically be released from the Bank on **December 31, 2019**, unless the rights are 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,

Glenn Webster
F82- Glenn Webster

Water Resource Agent
WSB Process Point of Contact

Enclosure: Proposed Lease Contracts
Receipt # C100193

c. Zach Latham – Brockway Engineering PLLC

Hersley, Jean

From: Yenter, Cindy
Sent: Thursday, May 28, 2015 3:14 PM
To: Hersley, Jean
Subject: RE: Grant lease 36-2684

Jean, I have no objection to this. The North pivot is in CREP and the south pivot remains irrigated. I agree, the lease on the corner acres appears to have been continuous since 2009.

*Cindy Yenter
Watermaster, Water District 130
Twin Falls, ID
cindy.yenter@idwr.idaho.gov
208-736-3033*

From: Hersley, Jean
Sent: Thursday, May 28, 2015 12:55 PM
To: Yenter, Cindy
Subject: Grant lease 36-2684

Cindy,
The Grant lease at last! I have attached the request to extend the lease in 2009 through 2014. I'm assuming it was granted since the rental was approved through 2014.
Also, attached is the review memo and the amended lease application. Let me know if you have any comments or concerns.

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

MEMORANDUM

To: Water Right No(s). 36-2684
From: Jean Hersley
Date: May 28, 2015
Re: Review of Applications to Lease Water Rights to the State Water Supply Bank

PURPOSE/NARRATIVE: This application was received on March 27, 2015. The applicant wishes to place 21.8 acres, 0.37 cfs/87.2 af in the Bank. These are pivot corners. These portions are not involved in the CREP program.

An email was received with an amended application and map on April 24, 2015. The request is now for 45 acres, 0.75 cfs and 180.0 af. These are ALL the pivot corners. The original applications were not received but the lessor will have the opportunity to sign the lease contract with the proposed changes thereby authorizing the change in acres from the original lease application.

AUTHORITY TO FILE: the application was signed by the water right owner.

WATER RIGHT VALIDITY: This right was decreed in 2001 but portions have been in the Bank since 2009. Forfeiture is not an issue.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident through the lease alone. Proper rental review should protect against enlargement.

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 lease appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The leased right(s) are subject to Water District # 130.

Palmer, Cherie

From: Palmer, Cherie
Sent: Thursday, May 07, 2015 5:24 PM
To: 'Zach Latham'
Subject: Grant Leases 36-2130C, 36-7850C, and 36-8106C

Zach,

Per our conversation today the Grants are going to be submitting a signed page that amends their lease application for 36-2684. In addition to that, the Department also needs **new lease applications for water rights 36-2130C, 36-7850C, and 36-8106C** since the lease contracts do not reflect what is being idled. It appears that the Grants intend to use 8 acres under those water right so it is imperative new leases are issued prior to approving a rental. In the new applications please submit a release request on the existing leases so we can move forward with the new lease contracts.

It also looks like the latest possible start date for Grand 4D Farms was April 1 on the rental application. This date has now passed. If your client would like to amend that date please let me know right away. The last deficiency with the rental application concerns the proposed place of use. It does not appear the rental applicant owns that land and must submit authorizations in order to acquire a rental on land owned by another entity.

Please submit all the required pieces within 7 days otherwise the rental and lease applications will be returned and no fees will be refunded. Note that the rental application has not been placed in the processing queue due to the deficiencies outlined in my April 1 letter. Once all the pieces are submitted, I will be able to place this application in the processing queue.

Let me know if you have any questions.

Cherie

5/28/15 Update

To date WWR never received new leases for 36-2130C, 36-7850C, + 36-8106C. Those leases will be canceled.

We didn't received a signed amendment for the lease modification of 36-2684; however, the lessor will have the opportunity to sign the lease contract w/ the proposed changes - thereby authorizing the change in acres from the originally signed lease ap.

— Cherie Palmer

Palmer, Cherie

From: Palmer, Cherie
Sent: Monday, April 27, 2015 3:18 PM
To: 'Zach Latham'
Subject: RE: Deficiency Letter Regarding the Leases 2.docx

Zach,
Thanks for email. Can you please send these documents to IDWR in the mail? Also, you were going to get signatures from the lessors in order to make the change to the lease application, right?

Cherie

From: Zach Latham [<mailto:zach.latham@brockwayeng.com>]
Sent: Friday, April 24, 2015 9:26 AM
To: Palmer, Cherie
Subject: RE: Deficiency Letter Regarding the Leases 2.docx

Cherie-
Please see the attached amended materials which includes the amended lease for 36-2684 which increases the proposed lease acres from 21.8 to 45. This was done in order to meet the rental requirement of 53 acres at the rental POU due to only 8 acres being available under 36-2130C, 36-7850C and 36-8106C. Also included is an updated map and modeling input/output which shows no mitigation is required.

Please let me know if we need anything further in order to process the lease/rental request. Thanks for your time.

Zach Latham

Hydrologist
Brockway Engineering, P.L.L.C.
2016 Washington Street North, Suite 4
Twin Falls, ID 83301
t. 208-736-8543
c. 208-308-0739
f. 208-736-8506

zach.latham@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Palmer, Cherie [<mailto:Cherie.Palmer@idwr.idaho.gov>]
Sent: Wednesday, April 08, 2015 2:21 PM
To: Zach Latham
Subject: RE: Deficiency Letter Regarding the Leases 2.docx

Zach,
Please submit an amended lease map and an amended Attachment 2 to reflect the new number of acres that will be leased under 36-2684.

As for the existing lease that needs corrected, please submit an application for each water right. Since the water rights are stacked, the fee will be \$500. In your cover letter explain that the new application is meant to supercede the existing lease.

Lastly, for the rental, please send in corrected modeling that reflects the changes discussed in your email.

Thanks for your prompt attention to this matter and we'll be on the lookout for the new paperwork.

Cherie

From: Zach Latham [<mailto:zach.latham@brockwayeng.com>]

Sent: Wednesday, April 08, 2015 2:07 PM

To: Palmer, Cherie

Subject: RE: Deficiency Letter Regarding the Leases 2.docx

Cherie-

I just got off the phone with Duane and we have a plan to lease out more of 36-2684 in order to get to 23.8 acres. He also wants to use the 8 remaining acres for rental that you named in your letter to get up to 53 total as identified under the rental request.

How should we amend the lease for 36-2684 to increase the acres, should we submit a new amended lease or an email request to up the acres along with a new map or?

Duane wants me to file a new lease for the other 3 WR's to accurately describe what is being irrigated (282 acres) and the remaining 8 acres to be leased as he agrees with your delineation. I will prepare this amended lease next week.

Thank you.

Zach Latham

Hydrologist

Brockway Engineering, P.L.L.C.

2016 Washington Street North, Suite 4

Twin Falls, ID 83301

t. 208-736-8543

c.208-308-0739

f. 208-736-8506

zach.latham@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Palmer, Cherie [<mailto:Cherie.Palmer@idwr.idaho.gov>]

Sent: Wednesday, April 08, 2015 1:41 PM

To: Zach Latham

Subject: Deficiency Letter Regarding the Leases 2.docx

Grant 4D

Hersley, Jean

From: Merritt, Allen
Sent: Thursday, April 09, 2015 8:33 AM
To: Hersley, Jean
Subject: RE: WSB Lease 36-2684

I have no issue

From: Hersley, Jean
Sent: Thursday, April 02, 2015 7:56 AM
To: Yenter, Cindy; Merritt, Allen
Subject: WSB Lease 36-2684

The Grant's want to place 21.8 acres of this water right in the Bank for Grant 4D Farms to rent. I have attached the application and my review memo. Portions of this right have been in the Bank since 2009.

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

Hersley, Jean

From: Palmer, Cherie
Sent: Wednesday, April 08, 2015 2:24 PM
To: Hersley, Jean
Subject: Grant Lease

Jean,

Zach is going to be submitting an amended lease application for 36-2684. I'm sorry that it appears you already started working on that lease. Basically, he wants to lease more acres than what his original lease called for. That should be in the mail early next week.

Cherie

MEMORANDUM

To: Water Right No(s). 36-2684
From: Jean Hersley
Date: April 2, 2015
Re: Review of Applications to Lease Water Rights to the State Water Supply Bank

PURPOSE/NARRATIVE: This application was received on March 27, 2015. The applicant wishes to place 21.8 acres, 0.37 cfs/87.2 af in the Bank. These are pivot corners. These portions are not involved in the CREP program.

AUTHORITY TO FILE: the application was signed by the water right owner.

WATER RIGHT VALIDITY: This right was decreed in 2001 but portions have been in the Bank since 2009. Forfeiture is not an issue.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident through the lease alone. Proper rental review should protect against enlargement.

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 lease appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The leased right(s) are subject to Water District # 130.