

WATER SUPPLY BANK LEASE CONTRACT

This Lease Contract ("**Lease**") is effective April 29, 2015, between the Idaho Water Resource Board ("**Board**"), and

Lessor: BRITTA HUBBARD
PO BOX 1167
KETCHUM ID 83340
970-445-8079

RECEIVED

MAY 26 2015

DEPARTMENT OF
WATER RESOURCES

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>
37-7059	0.20 CFS	36.6 AF	NA	28.0 AC
Combined Lease Totals:	0.20 CFS	36.6 AF	NA	28.0 AC

The water rights described herein shall be available for rental from the Bank as follows:
Authorized Period of Use under Lease: April 15 to October 31

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.

Rate Details: See rental agreement on file with the Department.

3. **TERM OF LEASE:** This Lease shall take effect when both parties have signed it and shall continue in effect until December 31, 2015.
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.

BRITTA HUBBARD
PO BOX 1167
KETCHUM ID 83340

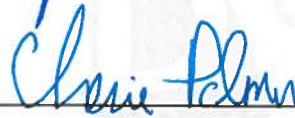
By 
Printed Name Britta S Hubbard

Date 5/23/15
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 May 27, 2015

Lease approved by IDWR 

Date 5/27/2015

ATTACHMENT A
WATER RIGHT NO. 37-7059
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: BRITTA HUBBARD
 PO BOX 1167
 KETCHUM ID 83340
 970-445-8079

Priority Date: 03/11/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.20 CFS	36.4 AF
STOCKWATER	01/01	to 12/31	0.02 CFS	0.2 AF
Total:			0.20 CFS	36.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE¼SE¼	Sec. 11, Twp 04N, Rge 17E, BLAINE County
GROUND WATER	NW¼SW¼	Sec. 12, Twp 04N, Rge 17E, BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

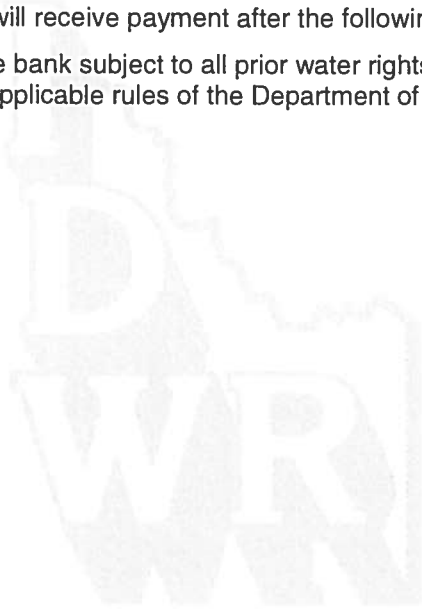
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	17E	11													4.4				4.4
04N	17E	12										20.0	3.6						23.6

Total Acres: 28.0

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.



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

APR 29 2015

DEPARTMENT OF
WATER RESOURCESWATER SUPPLY BANK LEASE OR SALE
APPLICATION CHECKLIST

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 Britta HubbardWater Right No. 37-7059

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. If you are submitting more than one lease application and the water rights have a common place of use, or common diversion rate, or common diversion volume, the combined maximum fee is \$500.00.

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 | ☒ | ☐ | <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. |
| 3D | ☒ | ☐ | 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. If you don't already have a detailed map, you can create one using IDWR's online General Mapping Tool (http://maps.idwr.idaho.gov/mapall/) to locate a water right place of use or point of diversion. |

Department Use Only

Fee Amount \$ <u>250.00</u>	Received By: <u>J. Strange</u>	Date Received: <u>4-29-15</u>	Receipt # <u>C100377</u>
W-9 received? Yes ☒ No ☐	(Route W-9 to Fiscal)	Name on W-9: <u>Britta S. Hubbard</u>	

**STATE OF IDAHO
WATER RESOURCE BOARD**

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 Britta Hubbard Email Address _____
Mailing Address P.O. Box 1167 Ketchum, ID 83340 Phone Number 970-445-8079

☐ 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 37-7059 ☒ 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.
Two points of diversion deliver water to the authorized 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. Will the present place of use continue to receive water from any other source? Yes ☒ No ☐

If yes, describe. Applicant seeks to rent back 4.5 acres of 37-7059 for use on applicant's lands, see accompanying water supply bank rental application.

D. 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.

E. 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. 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, for a period from 4/15/2015 to 12/31/2015 (maximum lease period 5 years).
(Month / Day / Year) (Month / Day / 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.
See attached agreements.

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.



Signature of Designated Applicant

Britta Hubbard

Printed Name

4/8/2015

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.

Water Right No. 37-7059

	Designated Applicant	Applicant #2	Applicant #3
Name	Britta Hubbard	Peter Schernthanner	Andreas Schernthanner
Mailing Address	P.O. Box 1167 Ketchum, ID 83340	830 28th St. Oakland CA 94608	10252 Maymie St. Boise ID 83714
Phone Number	970-445-8079		
Email Address	brittahubbard@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	<i>BA Hubbard</i>	<i>See LPA</i>	<i>See LPA</i>

	Applicant #4	Applicant #5	Applicant #6
Name	Heidi E. Schernthanner	Liesl A. Schernthanner	Monika Schernthanner
Mailing Address	P.O. Box 1523 Ketchum ID 83340	P.O. Box 3307 Ketchum, ID 83340	P.O. Box 6918 Ketchum ID 83340
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	<i>See LPA</i>	<i>See LPA</i>	<i>See LPA</i>

STATE OF IDAHO
WATER RESOURCE BOARD

ATTACHMENT 2

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

1. Water Right Number

37-7059

Amount (cfs/ac-ft)

Nature of Use

Period of Use

to

to

to

to

to

to

Total Amount:

2. Source of water _____ tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County

4. Lands irrigated or 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	

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

A vertical number line labeled "Feet" at the top. It has tick marks at 0, 150, 300, and 600.

SCHERNTHANNER LLC
WATER BANK LEASE 2015
NAIP 2013 AERIAL

Legend

WRPOD_37-7059 twnshp

WRPOU 37-7059 Sections

ladesc

BROCKWAY ENGINEERING, PLLC.
ALR - Date: 11/24/2014



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

May 27, 2015

BRITTA HUBBARD
PO BOX 1167
KETCHUM ID 83340-1167

RE: WATER SUPPLY BANK LEASE CONTRACT FOR RIGHTS 37-7059

Dear Lessor:

Water Right **37-7059** was leased into the Water Supply Bank on April 29, 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, 2015**, 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
IDWR Southern Region
Kevin Lakey – Water District #37



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

May 13, 2015

BRITTA HUBBARD
PO BOX 1167
KETCHUM ID 83340

RE: APPLICATION(S) TO LEASE WATER RIGHT(S) 37-7059 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, 2015**, 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,

Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure: Proposed Lease Contracts

c. Brockway Engineering PLLC

Hersley, Jean

From: Merritt, Allen
Sent: Tuesday, May 12, 2015 8:39 AM
To: Hersley, Jean
Subject: RE: WSB Lease Contract 37-7059

I have no issues.

From: Hersley, Jean
Sent: Tuesday, May 12, 2015 8:07 AM
To: Merritt, Allen; Kevin Lakey
Subject: WSB Lease Contract 37-7059

Attached is the application and review memo. The applicant wishes to place the entire right in the Bank. 0.2 cfs, 36.6 af and 28 acres. Comments or concerns are appreciated. Thank you.

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

MEMORANDUM

To: Water Right No(s). 37-7059
From: Jean Hersley
Date: May 11, 2015
Re: Review of Applications to Lease Water Rights to the State Water Supply Bank

PURPOSE/NARRATIVE: This application was received on April 29, 2015 along with 4 rental applications. The applicant wishes to place the entire right in the Bank for the 2015 season. This right is an irrigation and stockwater right. Total 0.2 cfs, 36.6 af and 28 acres.

AUTHORITY TO FILE: Britta Hubbard signed the lease application. She has limited power of attorney for the other right holders. See file.

WATER RIGHT VALIDITY: The water right was decreed in 2010. 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 # 37.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
APR 29 2015
DEPARTMENT OF
WATER RESOURCES

April 28th, 2015

Cherie Palmer
Idaho Water Supply Bank
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Supply Bank Lease and Rental Package; 37-7059.

Dear Cherie,

On behalf of Peter, Andreas, Heidi, Liesl and Monika Schernthanner, and Britta Hubbard, Brockway Engineering is submitting a water supply bank lease application to lease all of ground water right 37-7059 to the bank through the end of 2015. 37-7059 is diverted from two wells in Ketchum, Idaho for irrigation and stockwater uses. Additionally, Brockway Engineering is submitting four rental applications which propose to rent back one hundred percent of the irrigation portion of 37-7059 for the 2015 irrigation season on behalf of the owners of 37-7059 and three other parties.

Water right 37-7059 has a licensed discharge rate of 0.20 cfs for the irrigation of 28.0 acres (3.2 gallons per minute per acre). The two wells associated with 37-7059 are located in the Ketchum Zone. Three out of four of the attached WSB rental applications propose to rent 2.8 times the acreage needed in order to receive the IDWR standard application rate of 9 gpm per acre or 0.02 cfs per acre. The fourth rental applicant seeks to rent 8.4 gpm per acre due to a lack of remaining acreage under 37-7059.

Schernthanner and Hubbard:

The WSB rental application in the name of the owners of 37-7059 proposes to irrigate 1.6 acres during 2015. This rental application seeks to rent 4.5 acres of 37-7059 in order to irrigate 1.6 acres at 9 gpm per acre on their property. Limited powers of attorney documents have been enclosed which allow Britta Hubbard to sign the lease and subsequent rental application and agreements on behalf of the other owners of 37-7059.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

The Otis Booth Residence Trust:

Currently, The Otis Booth Residence Trust ("Trust") has been involved with IDWR notice of violation E2014-691 in which the property was found to be over irrigating by 5.3 acres. The rental of 1.2 acres of 37-21259, 37-21261 and 37-21263 from the WSB was recently approved by IDWR. The Trust is seeking to rent 11.5 acres of 37-7059 for the irrigation of 4.1 acres using 9 gpm per acre from an existing well at the Trust's residence south of Ketchum, ID. Approval of this rental application will allow an additional 4.1 acres of irrigation during 2015 and will bring the authorized irrigated area up to 5.3 acres on the property, excluding any irrigation associated with a domestic exemption.

Per IDWR's January 29th 2015 publication entitled "Water Supply Bank Interim Ground Water Rental Policy for the Wood River Valley", the Trust's well is 5' inside of the River Zone. The wells associated with 37-7059 originate in the Ketchum Zone, and therefore a supplemental impact analysis in the form of a stream depletion analysis was performed using the Alluvial Water Accounting System (AWAS). Model input and output screens as well as results are attached.

Palmer Murray, Co-Trustee of the Trust, has signed the rental application and documentation has been included with the submittal which authorizes him to sign on behalf of the Trust. This documentation should be acceptable as it was used in the approval of the 1.2 acre rental of 37-21259, 37-21261 and 37-21263.

Eric M. Younger:

Mr. Younger is seeking to rent 7.0 acres of 37-7059 for the irrigation of 2.5 acres using 9 gpm per acre from an existing well for use at his residence south of Ketchum, ID. Mr. Younger's well is in the Ketchum zone; no supplemental impact analysis was performed in conjunction with this rental application.

Jean H. Smith:

Mrs. Smith is seeking to rent the remaining 5.0 acres of 37-7059 for the irrigation of 1.9 acres using 8.4 gpm per acre from an existing well for use at her residence in Ketchum, ID. Mrs. Smith's well is in the Ketchum zone; no

supplemental impact analysis was performed in conjunction with this rental application.

Each WSB rental application includes an agreement whereby each of the rental parties has compensated the owners of 37-7059 for the rental of a portion of the right during 2015 and therefore the owners of 37-7059 do not anticipate to be compensated by IDWR for each individual rental.

Also attached is a check in the amount of \$250.00 dollars to cover the cost of the lease fee for 37-7059. Please copy our office on all correspondence regarding these water supply bank lease and rental applications. Thank you for your assistance and if you have questions or comments, please don't hesitate to call.

Regards



Zach Latham, M.S., Hydrologist

Enclosures: Owners of 37-7059- WSB Lease and Rental Applications,
Maps, LPA's.
Eric M. Younger- WSB Rental Application, Map, Agreement.
The Otis Booth Residence Trust- WSB Rental Application,
Map, AWAS Output and Maps, Authorization to Sign
Documentation, Agreement.
Jean H. Smith- WSB Rental Application, Map, Agreement.

Cc: Britta Hubbard
The Otis Booth Residence Trust
Eric M. Younger
Jean H. Smith
Fritz Haemmerle