

WATER SUPPLY BANK LEASE CONTRACT

This Lease Contract ("**Lease**") is effective January 1, 2015, between the Idaho Water Resource Board ("**Board**"), and

Lessor: DBSI WEST BOISE LLC
C/O RYAN MINERT
2289 S BONITO WY STE 100
MERIDIAN ID 83642
208-639-3262
ryan@iagroupllc.com

RECEIVED
FEB 13 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>Total Leased Acres</u>
63-2920	0.47 CFS	130.5 AF	29 AC
Combined Lease Totals	0.47 CFS	130.5 AF	29 AC

The water rights described herein shall be available for rental from the Bank as follows:

Authorized Period of Use under Lease: March 1 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.

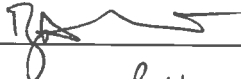
Minimum Payment Acceptable: Current Rental Rate

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.

DBSI WEST BOISE LLC
C/O RYAN MINERT
2289 S BONITO WY STE 100
MERIDIAN ID 83642

By 
Printed Name Ryan Minert

Date 2-8-2015
Title Authorized by

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 February 13, 2015

Lease approved by IDWR 

Date 2/13/2015

ATTACHMENT A
WATER RIGHT NO. 63-2920
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: **DBSI WEST BOISE LLC**
C/O RYAN MINERT
2289 S BONITO WY STE 100
MERIDIAN ID 83642
208-639-3262

Priority Date: 01/02/1953

Source: GROUNDWATER **Tributary to:**

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	0.47 CFS	130.5
	Total:		0.47 CFS	130.5

LOCATION OF POINT(S) OF DIVERSION:

GROUNDWATER NW¼NW¼SW¼ Sec. 2 Twp 04N Rge 01W ADA 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	01W	2									13.0			16.0					29.0

Total Acres: 29

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. This right may only be rented for use as a supplemental right in conjunction with a primary surface water right within the New Dry Creek Ditch Co.
13. 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. 63 – Boise River.

STATE OF IDAHO
WATER RESOURCE BOARDWATER SUPPLY BANK LEASE OR SALE
APPLICATION CHECKLISTRECEIVED
JAN 09 2015
DEPARTMENT OF
WATER RESOURCES

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 Ryan MinertWater Right No. 63-2920

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 ☒ ☐ *Notice of Change in Water Right Ownership* 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>MP</u>	Date Received: <u>1-9-15</u>	Receipt # <u>C099802</u>
W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)		Name on W-9: <u>Investment Analytics Group LLC</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 Ryan Minert Email Address ryan@iagroupllc.com

Mailing Address 2289 S. Bonito Way, Ste. 100, Meridian, ID 83642 Phone Number 208-639-3262

☐ 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 _____ Organization _____

Professional Title _____ Email Address _____

Mailing Address _____ Phone Number _____

☐ 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 63-2920 ☒ 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.

Well, pump, supplemental irrigation

- 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.

The area to which this water right is appurtenant is currently irrigated by deliveries from New Dry Creek Ditch

Company.

C. Will the present place of use continue to receive water from any other source? Yes ☒ No ☐
If yes, describe. New Dry Creek Ditch Company

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. _____

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. _____

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 3/1/2015 to 11/15/2019 (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.
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.



Signature of Designated Applicant

Ryan Minert

Printed Name

10-29-2014

Date

Signature of Authorized Representative

Printed Name

Date

Mail to:

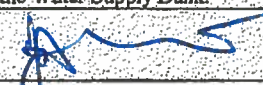
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

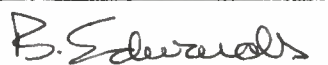
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

LESSOR DESIGNATION FORM

When multiple individuals or business entities jointly own property to which a water right is appurtenant, the parties can use this form to nominate a designated lessor to represent their common interests on a Water Supply Bank lease contract. The signatures of all water right holders are required on this form to elect a designated lessor. The designated lessor is required to provide a completed IRS Form W-9 to receive any payment associated with the rental of a water right under a Water Supply Bank lease contract. All correspondence and any financial payment associated with the rental of this water right will be directed to the designated lessor. If additional space is needed to list any other water right holders, attach a second copy of this Lessor Designation Form.

Water Right No(s). 63-2920

	Designated Lessor	Water Right Co-owner	Water Right Co-owner
Name	Ryan Minert	Carmen Jewell Trust	John T. Smee & Mary Ellen Smee Trust
Mailing Address	2289 S. Bonito Way, Ste 100 Meridian, ID 83642	6947 Fairview Dr. El Cerrito, CA 94530	22 Schooner Hill Oakland, CA 94618
Phone Number	208-639-3262		
Email Address	ryan@lagroupllc.com		
Water Right Owner Declaration	As designated lessor, I will represent the interest of all other water right owners on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

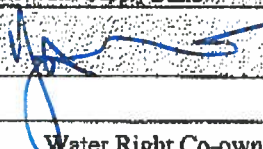
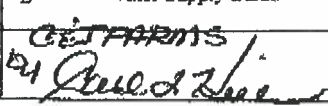
	Water Right Co-owner	Water Right Co-owner	Water Right Co-owner
Name	1320 Enterprises LLC	DBSI West Boise LLC	J & L Investments LLC
Mailing Address	19913 198th Way N. Jupiter, FL 33458	12426 W. Explorer Dr., Ste 220 Boise, ID 83713	24965 Bienvenue Ln. Bigfork, MT 59911
Phone Number	(561)-379-6554		
Email Address	WDE113047@AOL.COM		
Water Right Owner Declaration	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

STATE OF IDAHO
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Water Right No(s). 63-2920

	Designated Lessor	Water Right Co-owner	Water Right Co-owner
Name	Ryan Miner	C & J Farms	
Mailing Address	2289 S. Bonito Way, Ste. 100 Meridian, ID 83642	2221 Locust Rd. Nyssa, OR 97913	
Phone Number	208-639-3262		
Email Address	ryan@lagroupinc.com		
Water Right Owner Declaration	As designated lessor, I will represent the interest of all other water right owners on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

	Water Right Co-owner	Water Right Co-owner	Water Right Co-owner
Name			
Mailing Address			
Phone Number			
Email Address			
Water Right Owner Declaration	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

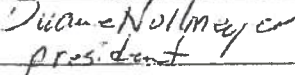
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	Designated Lessor	Water Right Co-owner	Water Right Co-owner
Name	Ryan Minert	George Stevens	Gertrude Stevens
Mailing Address	2289 S. Bonito Way, Ste. 100 Meridian, ID 83642	901 Ben Hogan Dr. Missoula, MT 59083	901 Ben Hogan Dr. Missoula, MT 59083
Phone Number	208-639-3262		
Email Address	ryan@iagroupllc.com		
Water Right Owner Declaration	As designated lessor, I will represent the interest of all other water right owners on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

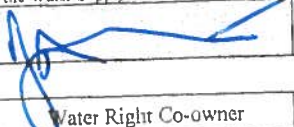
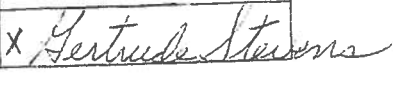
	Water Right Co-owner	Water Right Co-owner	Water Right Co-owner
Name	Bridger Livestock Inc.	C. James Cooperstein	Janice Cooperstein
Mailing Address	2000 W. Seitz Rd. Wilsall, MT 59086	9716 E. 45th Ave. Spokane Valley, WA 99206	9716 E. 45th Ave. Spokane Valley, WA 99206
Phone Number	406-578-2269		
Email Address	bridgerlivestock@wildblue.net		
Water Right Owner Declaration	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature	 president		

208-209-8563

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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Email Address	ryan@iagroupllc.com		
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Signature			X 

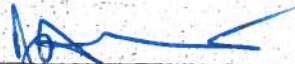
	Water Right Co-owner	Water Right Co-owner	Water Right Co-owner
Name	Bridger Livestock Inc.	C. James Cooperstein	Janice Cooperstein
Mailing Address	2000 W. Seitz Rd. Wilsall, MT 59086	9716 E. 45th Ave. Spokane Valley, WA 99206	9716 E. 45th Ave. Spokane Valley, WA 99206
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Email Address			
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Signature			

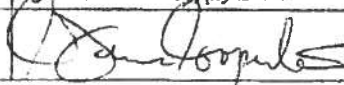
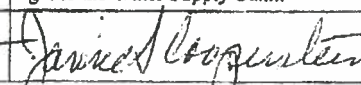
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Name	Ryan Minert	George Stevens	Gertrude Stevens
Mailing Address	2289 S. Bonito Way, Ste. 100 Meridian, ID 83642	901 Ben Hogan Dr. Missoula, MT 59083	901 Ben Hogan Dr. Missoula, MT 59083
Phone Number	208-639-3282		
Email Address	ryan@lagroupllc.com		
Water Right Owner Declaration	As designated lessor, I will represent the interest of all other water right owners on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

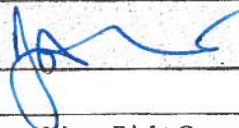
	Water Right Co-owner	Water Right Co-owner	Water Right Co-owner
Name	Bridger Livestock Inc.	C. James Cooperstein	Janice Cooperstein
Mailing Address	2000 W. Seitz Rd. Willsall, MT 59086	9716 E. 45th Ave. Spokane Valley, WA 99206	9716 E. 45th Ave. Spokane Valley, WA 99206
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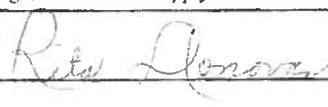
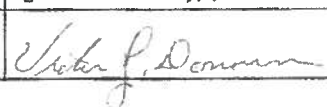
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Water Right No(s). 63-2920

	Designated Lessor	Water Right Co-owner	Water Right Co-owner
Name	Ryan Minert	Steinmetz Limited Partnership	Cynthia Louise Zullo
Mailing Address	2289 S. Bonito Way, Ste. 100 Meridian, ID 83642	443 S. 64th St. W. Billings, MT 59106	9410 Trooper Trail Bozeman, MT 59715
Phone Number	208-639-3262		
Email Address	ryan@iagroupllc.com		
Water Right Owner Declaration	As designated lessor, I will represent the interest of all other water right owners on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

	Water Right Co-owner	Water Right Co-owner	Water Right Co-owner
Name	Betti Hill	Rita Donovan	Victor Donovan
Mailing Address	4189 Fox Hollow Dr. Helena, MT 59604	1370 Muley Meadows Laurel, MT 59044	1370 Muley Meadows Laurel, MT 59044
Phone Number		406-628-5790	406-628-5790
Email Address		rdonovan@montana.com	rdonovan@montana.com
Water Right Owner Declaration	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

From: **Stacey Rich** srich@iagroupllc.com
Subject: Lessor Designation form
Date: October 31, 2014 at 10:09 AM
To: Cynthia Zullo czullo@me.com

Good morning Cynthia,

I sent over the copy you sent of this form but the lady in their office said it was not legible and needs a better copy. Can you please sign this and get it back to me ASAP?

Thank you,

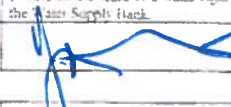
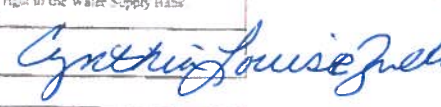
Sylvia Bevry
Investment Analytics Group LLC
2289 S Bonito Way, Suite 100
Meridian, ID 83642
(208) 639-3262
Fax (208) 209-8563
sylvia@iagroupllc.com

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

LESSOR DESIGNATION FORM

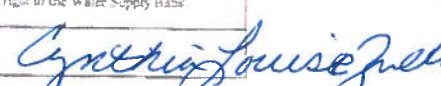
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Water Right No(s) 63-2920

	Designated Lessor	Water Right Co-owner	Water Right Co-owner
Name	Ryan Minert	Steinmetz Limited Partnership	Cynthia Louise Zullo
Mailing Address	2289 S. Bonito Way, Ste. 100 Meridian, ID 83642	443 S. 64th St. W Billings, MT 59106	9410 Trooper Trail Bozeman, MT 59715
Phone Number	208-639-3262		
Email Address	ryan@iagroupllc.com		
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Signature			

406 581 5510


czullo@me.com



czullo@me.com

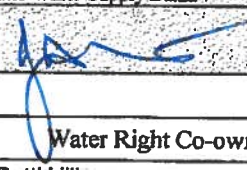
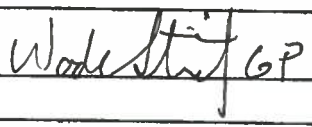
	Water Right Co-owner	Water Right Co-owner	Water Right Co-owner
Name	Beth H	Risa Donovan	Victor Donovan
Mailing Address	4189 Fox Hollow Dr Helena, MT 59604	1370 Muley Meadows Laurel, MT 59044	1370 Muley Meadows Laurel, MT 59044
Phone Number			
Email Address			
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

LESSOR DESIGNATION FORM

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Phone Number	208-639-3262		
Email Address	ryan@iagroupinc.com		
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Signature			

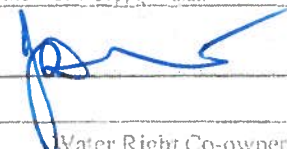
	Water Right Co-owner	Water Right Co-owner	Water Right Co-owner
Name	Betti Hill	Rita Donovan	Victor Donovan
Mailing Address	4189 Fox Hollow Dr. Helena, MT 59604	1370 Muley Meadows Laurel, MT 59044	1370 Muley Meadows Laurel, MT 59044
Phone Number			
Email Address			
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Signature			

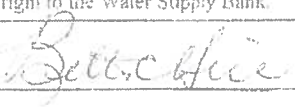
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

LESSOR DESIGNATION FORM

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Water Right No(s). 63-2920

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Name	Ryan Minert	Steinmetz Limited Partnership	Cynthia Louise Zullo
Mailing Address	2289 S. Bonito Way, Ste. 100 Meridian, ID 83642	443 S. 64th St. W. Billings, MT 59106	9410 Trooper Trail Bozeman, MT 59715
Phone Number	208-639-3262		
Email Address	ryan@iagroupllc.com		
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Signature			

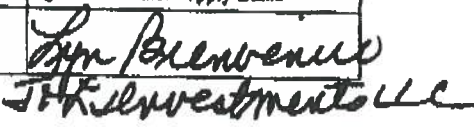
	Water Right Co-owner	Water Right Co-owner	Water Right Co-owner
Name	Betti Hill	Rita Donovan	Victor Donovan
Mailing Address	4189 Fox Hollow Dr. Helena, MT 59604	1370 Muley Meadows Laurel, MT 59044	1370 Muley Meadows Laurel, MT 59044
Phone Number	406-431-3720		
Email Address	bettihill@aol.com		
Water Right Owner Declaration	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LESSOR DESIGNATION FORM

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Water Right No(s) 83-2920

	Designated Lessor	Water Right Co-owner	Water Right Co-owner
Name	Ryan Minert	Carmen Jewell Trust	John T. Smea & Mary Ellen Smea Trust
Mailing Address	2289 E. Bonito Way, Ste 100 Mendham, ID 83842	8947 Fairview Dr. El Cerrito, CA 94530	22 Schooner Hill Oakland, CA 94618
Phone Number	208-659-3262		
Email Address	ryan@lagrouplc.com		
Water Right Owner Declaration	As designated lessor, I will represent the interest of all other water right owners on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

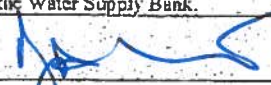
	Water Right Co-owner	Water Right Co-owner	Water Right Co-owner
Name	1320 Enterprises LLC	DBSI West Boies LLC	J & L Investments LLC
Mailing Address	19913 198th Way N. Jupiter, FL 33458	12426 W. Explorer Dr., Ste 220 Boise, ID 83713	24985 Bienvenue Ln. Bigfork, MT 59911
Phone Number			406-580-1444
Email Address			jlbienvenue@aol.com
Water Right Owner Declaration	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

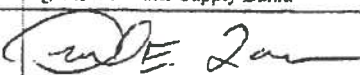
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

LESSOR DESIGNATION FORM

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Water Right No(s). 63-2920

	Designated Lessor	Water Right Co-owner	Water Right Co-owner
Name	Ryan Minert	Carmen Jewell Trust	John T. Smee & Mary Ellen Smee Trust
Mailing Address	2289 S. Bonito Way, Ste 100 Meridian, ID 83642	6947 Fairview Dr. El Cerrito, CA 94530	22 Schooner Hill Oakland, CA 94618
Phone Number	208-639-3262		
Email Address	ryan@iagroupllc.com		
Water Right Owner Declaration	As designated lessor, I will represent the interest of all other water right owners on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

	Water Right Co-owner	Water Right Co-owner	Water Right Co-owner
Name	1320 Enterprises LLC	DBSI West Boise LLC	J & L Investments LLC
Mailing Address	19913 196th Way N. Jupiter, FL 33458	12425 W. Explorer Dr., Ste 220 Boise, ID 83713	24965 Bienvenue Ln. Bigfork, MT 59911
Phone Number			
Email Address			
Water Right Owner Declaration	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

LESSOR DESIGNATION FORM

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Water Right No(s). 63-2920

	Designated Lessor	Water Right Co-owner	Water Right Co-owner
Name	Ryan Minert	Carmen Jewell Trust	John T. Smee & Mary Ellen Smee Trust
Mailing Address	2289 S. Bonito Way, Ste 100 Meridian, ID 83642	6947 Fairview Dr. El Cerrito, CA 94530	22 Schooner Hill Oakland, CA 94618
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Email Address	ryan@iagroupllc.com		
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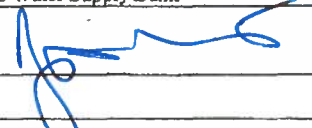
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Signature			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

LESSOR DESIGNATION FORM

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Water Right No(s) 63-2920

	Designated Lessor	Water Right Co-owner	Water Right Co-owner
Name	Ryan Minert	Carmen Jewell Trust <i>6941 per</i>	John T. Smee & Mary Ellen Smee Trust
Mailing Address	2289 S Bonito Way, Ste 100 Meridian, ID 83642	~~6947~~ Fairview Dr El Cerrito, CA 94530	22 Schooner Hill Oakland, CA 94618
Phone Number	208-639-3262		
Email Address	ryan@iagroupllc.com		
Water Right Owner Declaration	As designated lessor, I will represent the interest of all other water right owners on the lease of a water right to the Water Supply Bank	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank
Signature		<i>Rebecca M. Smith, Trustee</i>	

	Water Right Co-owner	Water Right Co-owner	Water Right Co-owner
Name	1320 Enterprises LLC	DBSI West Boise LLC	J & L Investments LLC
Mailing Address	19913 198th Way N Jupiter, FL 33458	12426 W Explorer Dr, Ste 220 Boise, ID 83713	24965 Bienvenue Ln Bigfork, MT 59911
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Email Address			
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Signature			



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 17, 2015

DBSI WEST BOISE LLC
C/O RYAN MINERT
2289 S BONITO WAY STE 100
MERIDIAN ID 83642

RE: WATER SUPPLY BANK LEASE CONTRACT FOR RIGHT 63-2920

Dear Lessor:

Water Right **63-2920** was leased into the Water Supply Bank on January 1, 2015 in accordance with the executed original Lease Contract enclosed. **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.**

The right will automatically be released from the Bank on **December 31, 2019**, unless the right is released earlier by the Board, or upon your request. **Please note your right may not be available for immediate release if it has 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,

Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure: Executed Lease Contract

c: IDWR Western Region
SPF Water Engineering LLC



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 2, 2015

DBSI WEST BOISE LLC
C/O RYAN MINERT
2289 S BONITO WAY STE 100
MERIDIAN ID 83642

RE: APPLICATION(S) TO LEASE WATER RIGHT(S) 63-2920 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,

Clay Webster
Water Resource Agent
WSB Process Point of Contact

Enclosure: Proposed Lease Contracts

c. SPF Water Engineering LLC

Kelly, Patrick

From: Kelly, Patrick
Sent: Wednesday, January 28, 2015 7:59 AM
To: 'Rex Barrie'
Subject: WSB lease comment request 63-2920
Attachments: Lease Review Memo.pdf

Morning Rex,
Attached is a WSB lease application within WD 63. Please review and provide comment.
Thank you

Patrick Kelly

Water Resource Agent
Idaho Department of Water Resources
322 E. Front St.
Boise, Idaho 83702
d: 208.287.4933
f: 208.287.6700
patrick.kelly@idwr.idaho.gov

MEMORANDUM

To: Water Right No(s). 63-2920
From: Patrick Kelly
Date: 1/27/2015
Re: Review of Applications to Lease Water Rights to the State Water Supply Bank

PURPOSE/NARRATIVE:

The application was received on January 9, 2015. The applicant wishes to place all of the water right (0.47 cfs, 130.5 af on 29 acres) into the Bank.

Water right 63-2920 is a supplemental ground water right within the New Dry Creek Ditch Company. Concern of enlargement were raised for supplemental water use. Contact via telephone with Roxanne Brown of SPF Water Engineering was made Jan 26, 2015 to discuss the applicant's intent. Clarification was made that forfeiture on supplemental rights is not a concern, and that the likelihood that this water right could be rented may be difficult. Ms. Brown made it clear that the applicant was aware that this was being submitted as a supplemental water right and that the only possible renter would be a New Dry Creek Ditch Company share holder.

AUTHORITY TO FILE:

Ryan Minert signed the lease application. DBSI West Boise LLC is shown as majority water right owner according to docs submitted with the application for lease. Mr. Minert is the registered agent for the company according to the Idaho SOS business database.

WATER RIGHT VALIDITY:

WR 63-2920 is a supplemental water right. Evidence of irrigation has been confirmed via aerial photography. Forfeiture is not an issue.

INJURY TO OTHER WATER RIGHTS:

No injury is apparent.

ENLARGEMENT OF USE:

No enlargement is evident as long as proper surface water shares are confirmed and supplemental use is appropriate. 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 is subject to Water District 63 - comment will be requested.

No. W 67391	Due no later than Oct 31, 2014 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. DBSI WEST BOISE LLC RYAN MINERT 2289 S BONITO WY STE 100 MERIDIAN ID 83642		D RYAN MINERT 2289 S BONITO WY STE 100 MERIDIAN ID 83642			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MANAGER	DBSI HOUSING INC	1550 S TECH LN	MERIDIAN	ID	USA	83642
MANAGER	DAVID LAM	11110 CAPRI ST.	HOUSTON	TX	USA	77024
5. Organized Under the Laws of: ID W 67391		6. Annual Report must be signed.* Signature: Ryan Minert Name (type or print): Ryan Minert Date: 08/21/2014 Title: Registered Agent				
Processed 08/21/2014		* Electronically provided signatures are accepted as original signatures.				



RECEIVED

JAN 09 2015

DEPARTMENT OF
WATER RESOURCES

January 9, 2015

Remington Buyer
Idaho Department of Water Resources
State Office
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098

*Re: Application for Lease to the Idaho Water Supply Bank
Water Right No. 63-2920*

Dear Remington,

We have enclosed an application to place water right 63-2920 in the Idaho Water Supply Bank. Thirteen owners hold the water right as tenants-in-common and have designated Ryan Minert with Idaho Analytics Group LLC to act on behalf of the lessors.

We have also enclosed a check for \$250.00 for the filing fee.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Roxanne Brown". The signature is fluid and cursive.

Roxanne Brown

cc: Investment Analytics Group

SPF Job No.: 1011.0010