

RECEIVED

WATER SUPPLY BANK LEASE CONTRACT JAN 26 2015DEPARTMENT OF
WATER RESOURCES

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

Lessor: BLAINE COUNTY SCHOOL DISTRICT #61
118 W BULLION ST
HAILEY ID 83333
208-788-2296

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>
37-20903	0.03 CFS	5.4 AF	1.8	1.8 AC
37-21433*	0.03 CFS	0.9 AF	1.8	1.8 AC
*enlargement right				
Combined Lease Totals:	0.03 CFS	6.3 AF	1.8 AC	1.8 AC

The water rights described herein shall be available for rental from the Bank as follows:
Authorized Period of Use under Lease: See Individual Water Right

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.

SUPPORT DATA**IN FILE #** 37-20903

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.

BLAINE COUNTY SCHOOL DISTRICT #61
118 W BULLION ST
HAILEY ID 83333

By 
Printed Name Gwen Carol Holmes

Date 1/22/15
Title Superintendent

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 January 26, 2015

Lease approved by IDWR 

Date 1/26/2015

ATTACHMENT A
WATER RIGHT NO. 37-20903
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: BLAINE COUNTY SCHOOL DISTRICT #61
 118 W BULLION ST
 HAILEY ID 83333
 208-788-2296

Priority Date: 07/21/1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	06/01	to 10/01	0.03 CFS	5.4 AF
	Total:		0.03 CFS	5.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW ¼ NW ¼ SE ¼	Sec. 10	Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NE ¼ SW ¼ SE ¼	Sec. 10	Twp 02N	Rge 18E	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	
02N	18E	10													0.1	0.6	0.2		0.9
02N	18E	15	0.3	0.6															0.9

Total Acres: 1.8

Limited to acres within place of use described above: 1.8

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
37-20903 and 37-21433	0.03 CFS	6.3 AF	1.8 AC	1.8 AC

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 approval. The water right is within State Water District No. 37.
13. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 6/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
14. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
15. Water right 37-8821 and the unleased portion of 37-20903 are limited to a total combined diversion rate of 0.96 cfs and to a total combined annual diversion volume of 105.7 af.
16. The unleased portion of this right is limited to the irrigation of 8.8 acres within the place of use described above in a single irrigation season.

ATTACHMENT A
WATER RIGHT NO. 37-21433
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: BLAINE COUNTY SCHOOL DISTRICT #61
 118 W BULLION ST
 HAILEY ID 83333
 208-788-2296

Priority Date: 10/28/1969

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.03 CFS	0.9 AF
	Total:		0.03 CFS	0.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW¼NW¼SE¼	Sec. 10	Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NE¼SW¼SE¼	Sec. 10	Twp 02N	Rge 18E	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	
02N	18E	10													0.1	0.6	0.2		0.9
02N	18E	15	0.3	0.6															0.9

Total Acres: 1.8

Limited to acres within place of use described above: 1.8

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
37-20903 and 37-21433	0.03 CFS	6.3 AF	1.8 AC	1.8 AC

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 approval. The water right is within State Water District No. 37.
13. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
14. The unleased portions of water right Nos. 37-20903 and 37-21433 are limited to a total combined diversion rate of 0.16 cfs and to a total combined annual diversion volume of 30.8 af.
15. The unleased portion of this right and water right 37-20903 is limited to the irrigation of 8.8 acres within the place of use described above in a single irrigation season.
16. This water right is subordinate to all water right with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water right decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
17. This right is based upon an enlargement of water right 37-20903 pursuant to Section 42-1426, Idaho Code.
18. Water right 37-8221 and the unleased portions of 37-20903 and 37-21433 are limited to a total combined diversion rate of 0.96 cfs and to a total combined annual diversion volume of 111.0 af.

STATE OF IDAHO
WATER RESOURCE BOARDWATER SUPPLY BANK LEASE OR SALE
APPLICATION CHECKLISTRECEIVED
NOV 24 2014
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 Blaine County School District #61Water Right No. 37-20903

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>500⁰⁰</u>	Received By: <u>[Signature]</u>	Date Received: <u>11/24/14</u>	Receipt # <u>C099638</u>
W-9 received? Yes ☒ No ☐	(Route W-9 to Fiscal)	Name on W-9: <u>Blaine County School District #61</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 Blaine County School District #61 Email Address _____
Mailing Address 118 W. Bullion St., Hailey, ID 83333 Phone Number 208-788-2296

☒ 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 Christian Petrich Organization SPF Water Engineering, LLC
Professional Title Principal Engineer/Hydrologist Email Address cpetrich@spfwater.com
Mailing Address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Phone Number 208-383-4140

☐ 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 37-20903 ☐ 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.

Pressurized irrigation system

- B. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank.
37-8821, 37-21433

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

Yes ☐ No ☒

If yes, describe. _____

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. Partial decree was issued 9/24/2010

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 submittal date to +5 years (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.
standard 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

Mike Chatterton
Printed Name

11/14/14
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. 37-20903

	Designated Applicant	Applicant #2	Applicant #3
Name			
Mailing Address			
Phone Number			
Email Address			
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

<u>I. Water Right Number</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>37-20903</u>	<u>0.03 cfs/5.4 afa</u>	<u>Irrigation</u>	<u>6/1</u> to <u>10/1</u>
			to
			to
			to
			to
			to
			to
Total Amount:	<u>0.03 cfs/5.4 afa</u>		

2. Source of water Ground Water tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
2N	18E	10		SW	NW	SE	Blaine
2N	18E	10		NE	SW	SE	Blaine

4. Lands irrigated or place of use:

[illegible]

If the water right is for irrigation, show total number of acres offered to the Bank. **Total Acres** 1.8



Legend

 Acres to Bank (1.8)

Wood River High School

0 250 500
Feet

2013 NAIP imagery





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

January 27, 2015

BLAINE COUNTY SCHOOL DISTRICT #61
118 W BULLION ST
HAILEY ID 83333

RE: WATER SUPPLY BANK LEASE CONTRACT FOR RIGHTS 37-20903 and 37-21433

Dear Lessor:

Water Rights **37-20903** and **37-21433** were leased into the Water Supply Bank on January 1, 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: IDWR Southern Region Office
Lori Graves- SPF Water Engineering LLC
Kevin Lakey- Water District No. 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

January 16, 2015

C.L. "BUTCH" OTTER
Governor

BLAINE COUNTY SCHOOL DISTRICT # 61
118 W BULLION ST
HAILEY ID 83333

RE: APPLICATION(S) TO LEASE WATER RIGHT(S) 37-20903 and 37-21433 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(s) to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please have the Superintendent of the school district 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
Receipt # C099638

c. SPF Water Engineering LLC

MEMORANDUM

To: Water Right No(s). 37-20903 and 37-21433
From: Jean Hersley
Date: 1/15/2015
Re: Review of Applications to Lease Water Rights to the State Water Supply Bank

PURPOSE/NARRATIVE: The Department received these applications on November 24, 2014. The applicant is offering to place a 0.03 cfs and 5.4 af and 1.8 acres for water right 37-20903 and 0.03 cfs, 0.9 af and the same 1.8 acres for water right 37-21433 in the Bank. These rights together are limited to a combined diversion rate of 0.19 cfs, and combined annual diversion volume of 37.1 af. Water right 21433 is an enlargement right of 37-20903.

AUTHORITY TO FILE: The applications were signed by Mike Chatterton, business manager for the school district.

WATER RIGHT VALIDITY: Water right 37-20903 was decreed in 2010 and 37-21433 was decreed in 2011. 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. Watermaster had no concerns.

Hersley, Jean

From: Mike Chatterton [mike@blaineschools.org]
Sent: Thursday, January 15, 2015 7:27 AM
To: Hersley, Jean
Subject: Re: Water Supply applications for Lease 37-20903 and 37-21433
Attachments: BCSD Sharp MX-5111N_20150115_084411.pdf

Jean,

Here are the minutes to the July 2014 meeting appointing me as the Treasurer.

Mike

On Tue, Jan 13, 2015 at 11:50 AM, Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

That would be fine. Thank you.

From: Mike Chatterton [mailto:mike@blaineschools.org]
Sent: Tuesday, January 13, 2015 11:36 AM
To: Christian Petrich
Cc: Hersley, Jean; Lori Graves
Subject: Re: Water Supply applications for Lease 37-20903 and 37-21433

Jean,

How about the minutes of the board meeting appointing me as the Treasurer of the School District. Would that suffice?

Mike

On Tue, Jan 13, 2015 at 10:40 AM, Christian Petrich <CPetrich@spfwater.com> wrote:

Jean,

Mike Chatterton is the Business Manager for the Blaine County School District. I have copied him on this email; please feel free to contact him directly regarding authorization to sign a Water Supply Bank lease application on behalf of the School District.

Regards,

Christian

Christian R. Petrich, Ph.D., P.E., P.G.

Principal Engineer/Hydrologist
SPF Water Engineering, LLC

300 E Mallard Drive, Suite 350 | Boise, ID 83706

Tel: [208.383.4140](tel:208.383.4140)

Fax: [208.383.4156](tel:208.383.4156)

Cell: [208.869.4569](tel:208.869.4569)

web: www.spfwater.com

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From: Hersley, Jean [<mailto:Jean.Hersley@idwr.idaho.gov>]

Sent: Monday, January 12, 2015 1:03 PM

To: Lori Graves

Subject: Water Supply applications for Lease37-20903 and 37-21433

Lori,

I am in the beginning stages of reviewing the Blaine County School District WSB leases. I need something from the School District that authorizes Mike Chatterton to sign these applications for the school district.
Thanks.

Jean Hersley

Idaho Dept Water Resources

Technical Records Specialist II

208-287-4942



Blaine County School District #61

118 West Bullion Street – Hailey, Idaho 83333

www.blaineschools.org

Phone (208) 578-5000 – Fax (208) 578-5110

Mission: To be a world class, student-focused community of teaching and learning.

MINUTES
ANNUAL AND REGULAR MEETING OF THE BOARD OF TRUSTEES OF
BLAINE COUNTY SCHOOL DISTRICT #61
TUESDAY, JULY 15, 2014 – 6:00 P.M.
DISTRICT OFFICE

ANNUAL MEETING

For complete details regarding agenda topics, please logon to the Blaine County School District website www.blaineschools.org to watch the streamed broadcast of the Annual Meeting and Regular July School Board Meeting.

I. Call to Order and Welcome

Board Chairman Shawn Bennion called the Annual Meeting of the Blaine County School District Board of Trustees to order at 6:00 p.m. and welcomed everyone in attendance.

Present were Chairman Bennion and Board Members Kathy Baker, Kathryn Graves, Elizabeth Schwerdtle and Rick Roberts. Also present were Superintendent GwenCarol Holmes, Assistant Superintendent John Blackman, Business Manager Mike Chatterton and Board Clerk Laurie Kaufman.

Chairman Bennion stated that a quorum was present.

II. Pledge of Allegiance

III. Elect Chairman of the Board of Trustees of Blaine County School District #61 for the 2014-2015 School Year

Board Member Shawn Bennion was unanimously elected Chairman of the Board of Trustees for the 2014-2015 school year by roll call vote.

Shawn Bennion: Aye
Kathy Baker: Aye
Kathryn Graves: Aye
Elizabeth Schwerdtle: Aye
Rick Roberts: Aye

IV. Elect Vice Chairman of the Board of Trustees of Blaine County School District #61 for the 2014-2015 School Year

Board Member Kathryn Graves was unanimously elected Vice Chairwoman of the Board of Trustees for the 2014-2015 school year by roll call vote.

Shawn Bennion: Aye
Kathy Baker: Aye
Kathryn Graves: Aye
Elizabeth Schwerdtle: Aye
Rick Roberts: Aye

V. Appoint School District Treasurer of Blaine County School District #61 for the 2014-2015 School Year

Book-marked for reference:

- Memo: Internal Controls for the Treasurer Position
- Two letters from Jones, Yost, Hatt, Erickson P.A.
- Schedule of Findings and Questioned Costs – Year Ended June 30, 2013

Mike Chatterton was unanimously appointed School District Treasurer of Blaine County School District #61 for the 2014-2015 school year by roll call vote.

Shawn Bennion: Aye
Kathy Baker: Aye
Kathryn Graves: Aye
Elizabeth Schwerdtle: Aye
Rick Roberts: Aye

VI. Appoint Clerk of the Board of Blaine County School District #61 for the 2014-2015 School Year

Laurie Kaufman was unanimously appointed Clerk of the Board of Blaine County School District #61 for the 2014-2015 school year by roll call vote.

Shawn Bennion: Aye
Kathy Baker: Aye
Kathryn Graves: Aye
Elizabeth Schwerdtle: Aye
Rick Roberts: Aye

VII. Appoint School District Attorney of Blaine County School District #61 for the 2014-2015 School Year

Adam King was appointed School District Attorney of Blaine County School District #61 for the 2014-2015 school year by a majority roll call vote.

Shawn Bennion: Aye
Kathy Baker: Aye
Kathryn Graves: Aye
Elizabeth Schwerdtle: Nay
Rick Roberts: Aye



Administrators



Superintendent - GwenCarol Holmes

Following a nationwide search, Dr. GwenCarol Holmes became Blaine County School District Superintendent in July, 2014. Prior to this, Holmes served as Chief Academic Officer for Alexandria City Schools in Virginia, Chief Operating Officer of the Success for All Foundation, and assistant professor at Johns Hopkins School of Education overseeing research for the Center for Research and Reform in Education in Maryland. Holmes also had a long career of teaching and administration in several schools in Kansas. Dr. Holmes holds a BS in Elementary Education and a Master's in Curriculum and Instruction from Kansas State University, as well as a Master's in Education Administration and a Doctorate of Education in Educational Administration from Wichita State University. Holmes and her husband have two grown children.

(208) 578-5000

[Email](#)



Assistant Superintendent - John Blackman

John Blackman was hired in 1984 as a secondary Art teacher after receiving his BA from Montana State University. In 1998 he received his Master's Degree in Educational Administration from the University of Idaho and became an Assistant Principal at Wood River High School in 2001. In 2007 Mr. Blackman took the helm as the Principal of Wood River High School and after receiving his Educational Specialist Degree from the University of Idaho in 2010, he was hired in his current role as the Assistant Superintendent for the Blaine County School District.

(208) 578-5002

[Email](#)

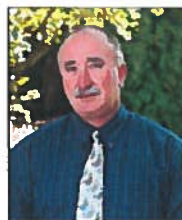


Director of Student Services - Debi Gutknecht

Debi Gutknecht has been a member of the Blaine County School District since 1997. She moved to Bellevue after living in Las Vegas, Nevada for twenty-seven years, where she was a special education teacher. In Blaine County, Debi continued her work in that area with special emphasis in the Reading Clinic at Hailey Elementary. She has also served as a BCSD Summer School Principal and Cognitive Coach, and a nation-wide presenter for Lindamood-Bell Learning Processes. Debi received her undergraduate degree from the University of Nevada, Las Vegas in Elementary Education and Special Education, a Master's Degree from Lesley College, and an Education Specialist Degree from the University of Idaho.

(208) 578-5004

[Email](#)



Business Manager - Mike Chatterton

Mike Chatterton received his Bachelor's Degree in Accounting from Idaho State University in 1983. He began his career as an accountant with the Shoshone-Bannock tribe. In March of 1985 he accepted the position of Accountant for the Pocatello School District. Mike joined the Blaine County School District as their Business Manager in November of 1987. Mike has served on many community boards in his career, and was most recently elected as President of the Idaho Association of School Business Officials, a post he has held twice before since joining the Association in 1985. He is on the Board of the Education Foundation and served as their Treasurer from the founding of the Foundation in 1993 until 1998.

(208) 578-5012

[Email](#)



Director of Technology - Tim Rocco

Tim Rocco has been part of the technology team at the Blaine County School District since 2008. He has been managing information systems since 1996 for both small and large organizations, including periods with the Washington State Department of Transportation and Power Engineers. Tim received a Bachelor of Arts degree in Communications from Cleveland State University in 1995 and a Certificate of Network Technology from North Seattle Community College in 1997. He is currently pursuing a Master of Educational Technology at Boise State University. During his time at the Blaine County School District he has endeavored to integrate technology in meaningful, useful ways that are driven by curricular needs.

(208) 578-5410

[Email](#)

Testing and Data Coordinator - Marcia Grabow



Marcia Grabow has been a member of the Blaine County School District since 2005, teaching math and physics at Wood River High School for nine years and becoming Testing and Data Coordinator in August 2014. She holds a B.S. in Physics from MIT, a Ph.D. in Materials Science from Stanford University, and a M.A. in Curriculum and Instruction from University of Idaho. Marcia worked as a research scientist at AT&T Bell Laboratories for 14 years before moving to the Wood River Valley. Her daughter is a student at Wood River High School.

(208) 578-5411

[Email](#)



Director of Buildings and Grounds - Howard Royal

Howard Royal began his work with the School District in October of 2006. He brings 25 years of experience in the construction field to his department. Howie worked as a field electrician for 15 years, and he was a supervisor for 10 years. He graduated from Carey High School and continues to reside in Carey with his family.

(208) 578-5402

[Email](#)



Director of Communications - Heather Crocker

Heather Crocker received a BA from the College of Wooster in Wooster, Ohio. She studied art history in Austria and New York before moving to Blaine County in 1995 to work at the Sun Valley Center for the Arts. She served as the Center's Director of Education and Humanities for eight years. Subsequently she was the Executive Director for the Blaine County Education Foundation for over five years. She was hired as the Communications Director in March, 2011. She and her husband are the proud parents of two Blaine County School District students.

(208) 578-5005

[Email](#)



Director of Curriculum, Teaching, and Learning - Angie Martinez

Angie Martinez has been a public school educator for over 23 years in both Alaska and Idaho. After earning her Bachelor's Degree at Idaho State University, she spent 10 years in Alaska before relocating to Hailey, Idaho. Her teaching experience includes regular classroom in grades K-8, special education in grades PK-12, and GATE in grades K-12. She was also a Reading Consultant in Alaska and an HLM Lindamood-Bell Learning Processes Consultant while teaching in Blaine County. Mrs. Martinez received her Master's Degree in Educational Leadership at the University of Idaho and most recently served seven years as the Principal of Bellevue Elementary School, which she cherished beyond measure. Angie is now eagerly looking forward to working with administrators, teachers, and schools across our respected and progressive school district as she begins her service as the Director of Curriculum, Teaching, and Learning.

(208) 578-5017

[Email](#)



Director of Transportation - Rex Squires

Rex has been involved with student transportation since 1985. As Transportation Director since 1993, he draws upon past experience as a bus driver, driver trainer, dispatcher, and district liaison. Rex received recognition in 2000 as Idaho's first Certified Director of Pupil Transportation as determined by the National Association of Pupil Transportation. He has served the Idaho Association of Pupil Transportation as Board Member, Vice President, and President. Rex graduated in 1990 with a Bachelor of Arts degree from Boise State University.

(208) 578-5420

[Email](#)

Blaine County School District | 118 W. Bullion Street | Hailey, ID 83333 | Phone 208-578-5000 | Fax 208-578-5110

[Sitemap](#) | [Employment](#)

Hersley, Jean

From: Kevin Lakey [watermanager@cableone.net]
Sent: Wednesday, January 14, 2015 10:48 AM
To: Hersley, Jean
Subject: RE: WSB Leases 37-20903 and 37-21433 Blaine County School District

Jean,
I have no concerns about this lease.
Kevin Lakey

From: Hersley, Jean [<mailto:Jean.Hersley@idwr.idaho.gov>]
Sent: Monday, January 12, 2015 2:34 PM
To: Merritt, Allen; Kevin Lakey
Subject: WSB Leases 37-20903 and 37-21433 Blaine County School District

Please let me know if you have any comments or concerns about this lease. The Review memo and draft lease contract are attached. Thank you.

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



November 20, 2014

RECEIVED

NOV 24 2014

DEPARTMENT OF
WATER RESOURCES

Remington Buyer
IDWR State Office
PO Box 83720
Boise, ID 83720-0098

Subject: *Water Supply Bank Lease Applications*
Water Rights 37-20903 & 37-21433

Dear Remington,

Enclosed on behalf of Blaine County School District #61, are two lease applications for overlapping ground water rights 37-20903 and 37-21433. Check No. 43038 is enclosed for the \$500 filing fee.

Please let me know if there are any questions. Thanks Remington.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lori Graves", is written over a light blue horizontal line.

Lori Graves
Water Rights Specialist

Cc: Mike Chatterton
Howie Royal

Enclosures

SPF file number: 322.0080