



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 16, 2014

JRG PARTNERS
GREGORY YOUNG
22050 REGNART RD
CUPERTINO CA 95014

RE: LEASED WATER RIGHT NO(S). 31-2327B RELEASED FROM THE WATER SUPPLY BANK

Dear Lessor:

On December 5, 2014, the Department of Water Resources (Department) received your request to cancel the existing Water Supply Bank (Bank) Lease Contract executed on September 7, 2004, and release water right(s) 31-2327B from the Bank. **At this time the Department acknowledges that the Bank Lease Contract for 70 acres of water right(s) 31-2327B has been canceled releasing the right(s) from the Bank.**

The five (5) year period of nonuse related to forfeiture of a water right shall begin to accrue upon release of the right from the bank or shall continue to accrue if a period of nonuse occurred prior to the lease date of the right to the bank.

You can reapply to lease the water right(s) in the future by submitting new application form(s) from the Department's website at www.idwr.idaho.gov along with applicable fees.

If you have any questions regarding this matter, please contact me at (208) 287-4944.

Sincerely,

for Cherie Palmer
Water Rights Supervisor
WSB Process Point of Contact

c: Jeffrey C Fereday – Givens Pursley

GIVENS PURSLEY LLP

Attorneys and Counselors at Law

601 W. Bannock Street
PO Box 2720
Boise, ID 83701
Telephone: 208-388-1200
Facsimile: 208-388-1300
www.givenspursley.com

JEFFREY C. FEREDAY
Direct Dial: 208-388-1217
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William C. Cole
Michael C. Creamer
Amber N. Dina
Thomas E. Dvorak
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Michael P. Lawrence
Franklin G. Lee
David R. Lombardi
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Kenneth R. McClure
Kelly Greene McConnell
Alex P. McLaughlin
Melodie A. McQuade
Christopher H. Meyer
Patrick J. Miller
L. Edward Miller

Judson B. Montgomery
Deborah E. Nelson
W. Hugh O'Riordan, LL.M.
Angela M. Reed
Michael O. Roe
P. Mark Thompson
Jeffrey A. Warr
Robert B. White

Retired:
Kenneth L. Pursley
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

RECEIVED

DEC 05 2014

DEPARTMENT OF
WATER RESOURCES

December 5, 2014

Gary L. Spackman, Director
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RE: Water Bank water right release request for Water Right 31-2327B, as mitigation
for License Nos. 22-13917 and 22-13918

Dear Gary:

On behalf of our clients, JRG Partners and Curlew Partners, LLLP, I am enclosing for filing the Request to Release Water Right 31-2327B from the Idaho Water Bank, dated December 1, 2014. The request attaches supporting documentation explaining that it is filed to fulfill a mitigation condition in IDWR's November 17, 2014 preliminary orders (now final) issuing Licenses 22-13917 and 22-13918.

Sincerely,



Jeffrey C. Fereday

JCF/la
Enclosure
cc: Gregory Young
John Young
Jeff Peppersack
Pamela Skaggs
2294572_1

RECEIVED

DEC 05 2014

DEPARTMENT OF
WATER RESOURCESForm 42-1761-3
04/14STATE OF IDAHO
WATER RESOURCE BOARDWATER SUPPLY BANK
REQUEST TO RELEASE A WATER RIGHT FROM THE BANK

ONE FORM PER WATER RIGHT

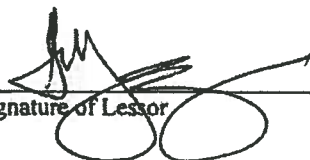
All water rights leased into the Water Supply Bank shall remain unused by the water right holder for the duration of the Lease Contract. The water right will not be released from the Water Supply Bank until the conclusion of the Lease Contract unless otherwise authorized by the Idaho Water Resource Board. Water right holders may use this form to petition for early termination of their Water Supply Bank Lease Contract.

Water right holders seeking an early termination of a Lease Contract must demonstrate justifiable need for the release. Water rights under Lease Contract that are eligible for early termination can be released from the Water Supply Bank if the release will not impair administration of the Water Supply Bank. If a water right is currently rented, it cannot be considered for release until the Rental Agreement concludes. A water right is not released from the Water Supply Bank until written release confirmation is issued by the Water Supply Bank.

Water Right No: 31-2327BName(s) of Lessor(s): JRG Partners II, Gregory YoungMailing Address: 22050 Regnart RoadCity: CupertinoState: CAZip: 95014Telephone No: (408) 366-0581Email Address: gsyoung@tetoncap.comLease Contract Expiration Date: IndefiniteRequested Release Date: 12-1-14

Reason for Early Release:

See attached: (1) Jeff Peppersack's 9-7-04 letter accepting Water Right 31-2327B into the Water Supply Bank;
(2) Pam Skaggs' 11-17-14 letters enclosing Water Right Licenses 22-13917 and 22-13918, respectively, and directing that, as mitigation for these licenses, Water Right 31-2327B is to be released from the Bank.


Signature of Lessor

Gregory Young / Partner

Printed Name and Title*

12-1-2014
Date

Signature of Lessor

N/A

Printed Name and Title*

N/A

Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney.

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

September 7, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JRG PARTNERS II
C/O GREGORY YOUNG
22050 REGNART RD
CUPERTINO CA 95014

**RE: APPLICATION TO LEASE WATER RIGHT NO. 31-2327B TO THE
WATER SUPPLY BANK**

Dear Lessor:

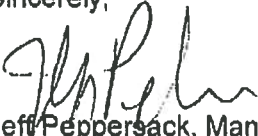
The Department of Water Resources ("department") has completed its review of the Application to Sell or Lease a Water Right to the Water Supply Bank ("bank"). Please consider that the offered water right is accepted as a lease into the bank under the conditions listed below.

1. The right will be held in the bank solely as mitigation for water right permit 22-13220. Water right 31-2327B cannot be rented from the bank and water cannot be diverted under the right for any purpose.
2. 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.
3. While a water right is in the bank, forfeiture provisions are stayed.
4. The diversion and use of water for irrigation under right 31-11844 is limited to 50 acres within the authorized place of use described under water rights 31-2327B and 31-11844.
5. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
6. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.

The right will remain in the bank indefinitely unless the right is released earlier by the Board, or upon request by the lessor. To change the term of the lease or to release the right from the bank, the lessor must submit a request in writing to the department.

If you have questions, please feel free to contact the department.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Peppersack', written over the printed name.

Jeff Peppersack, Manager
Water Right Permits Section

c: Ron Carlson – IDWR Eastern Regional Office
John Marshall – Givens Pursley LLP



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 17, 2014

JRG PARTNERS
JOHN YOUNG
26 ARASTRADERO RD
PORTOLA VALLEY CA 94028

RE: License No. 22-13917

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Water right 31-2327B is currently leased to the Water Supply Bank (Bank). In order for right 31-2327B to mitigate for your licenses you must release the right from the Bank. You can release the right from the Bank by submitting the enclosed Request to Release a Water Right from the Bank form.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4951.

Sincerely,

Pamela Skaggs
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on November 18, 2014, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

22-13917

**JRG PARTNERS
JOHN YOUNG
26 ARASTRADERO RD
PORTOLA VALLEY CA 94028**



**Darla Block
Technical Records Specialist**

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-13917

Priority: April 01, 2002

Maximum Diversion Rate: 0.10 CFS

Maximum Diversion Volume: 17.5 AF

It is hereby certified that JRG PARTNERS
JOHN YOUNG
26 ARASTRADERO RD
PORTOLA VALLEY CA 94028 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 1, 2002; and has submitted Proof of
Beneficial Use on June 23, 2008. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/15 to 10/31	0.10 CFS	17.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW1/4NE1/4 Sec. 17, Twp 04N, Rge 45E, B.M. TETON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
04N 45E 17			5.0														5.8

Total Acres: 5.8

CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-13917

3. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation purposes.

Right No.	Use Changed to Mitigation	Mitigation Rate (cfs)	Mitigation Volume (AF)	Mitigation Acres
31-2327B	Irrigation	0.09	19.3	5.5

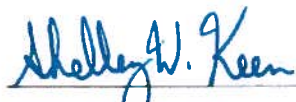
The land that will no longer be irrigated under this right is located within the NE, Section 26, Township 6N, Range 35E, B.M.

If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this right approval shall be reduced by the same proportion as the reduction to the mitigation rights.

4. When the irrigation components of the domestic uses under rights 22-7641 and 22-12272 are combined with right 22-13917 they shall not exceed the irrigation of 5.5 acres.
5. This right is limited to the irrigation of 5 acres within the authorized place of use in a single irrigation season.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

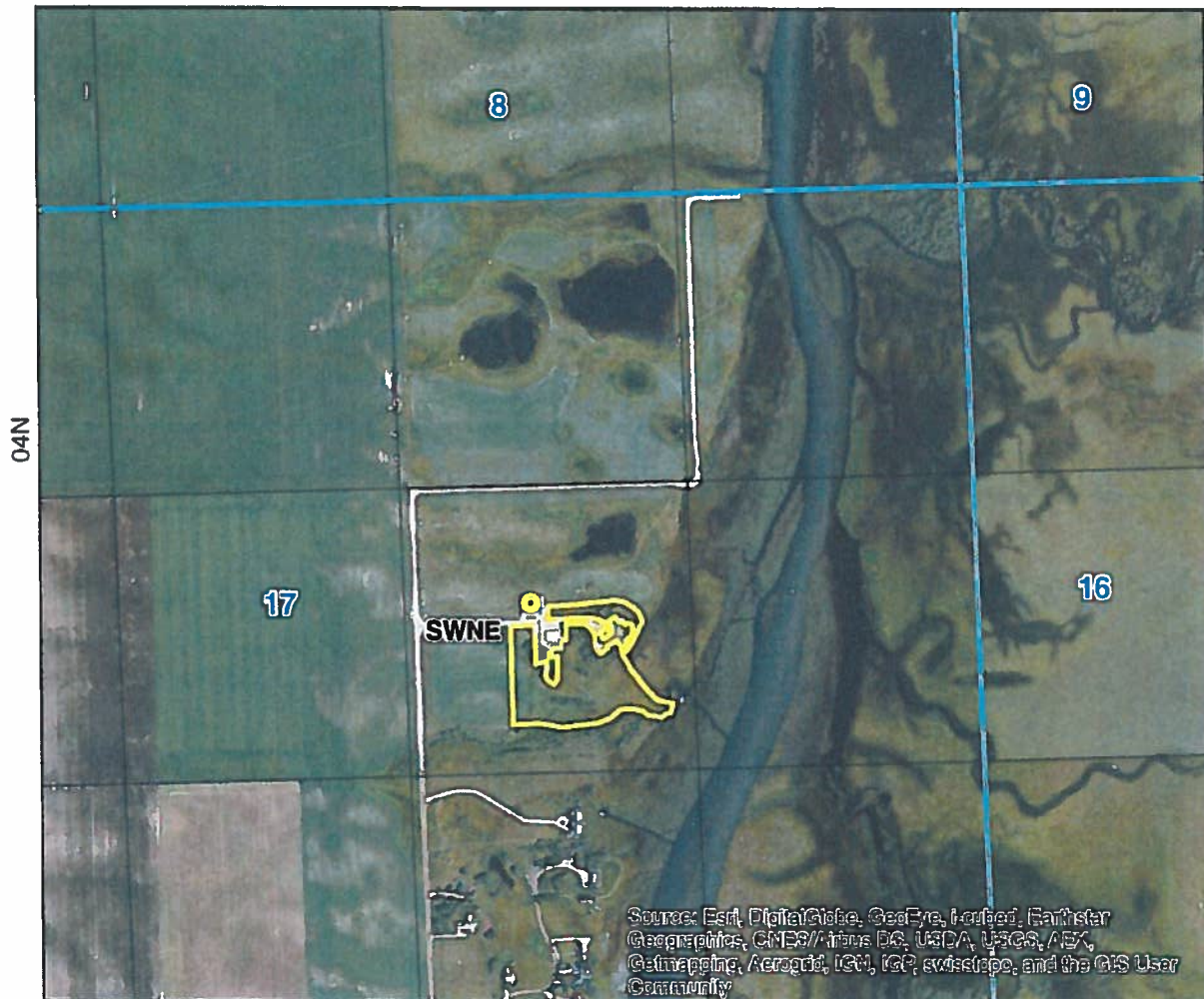
Signed this 14th day of November, 2014.


for GARY SPACKMAN
Director

State of Idaho
Department of Water Resources
Attachment To Water Right License
22-13917

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

45E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.1 0.2 0.4 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 17, 2014

CURLEW PARTNERS LLLP
GREGORY YOUNG
22050 REGNART RD
CUPERTINO CA 95014

RE: License No. 22-13918

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Water right 31-2327B is currently leased to the Water Supply Bank (Bank). In order for right 31-2327B to mitigate for your licenses you must release the right from the Bank. You can release the right from the Bank by submitting the enclosed Request to Release a Water Right from the Bank form.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4951.

Sincerely,

Pamela Skaggs

Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on November 18, 2014, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

22-13918

**CURLEW PARTNERS LLLP
GREGORY YOUNG
22050 REGNART RD
CUPERTINO CA 95014**



**Darla Block
Technical Records Specialist**

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-13918

Priority: April 01, 2002

Maximum Diversion Rate: 1.10 CFS
Maximum Diversion Volume: 185.5 AF

It is hereby certified that CURLEW PARTNERS LLLP
GREGORY YOUNG
22050 REGNART RD
CUPERTINO CA 95014 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated April 1, 2002; and has submitted Proof of
Beneficial Use on June 23, 2008. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/15 to 10/31	0.98 CFS	171.5 AF
WILDLIFE STORAGE	01/01 to 12/31		14.0 AF
DIVERSION TO STORAGE	04/15 to 10/31	1.10 CFS	

okay

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW1/4NE1/4 Sec. 17, Twp 04N, Rge 45E, B.M. TETON County

PLACE OF USE: 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	45E	17	3.0	25.0	21.0														49.0

Total Acres: 49

PLACE OF USE: WILDLIFE STORAGE

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	45E	17			X														

CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-13918

3. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation purposes.

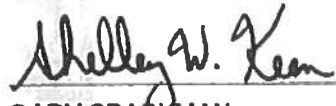
Right No.	Use Changed to Mitigation	Mitigation Rate (cfs)	Mitigation Volume (AF)	Mitigation Acres
31-2327B	Irrigation	1.11	225.7	64.5

The land that will no longer be irrigated under this right is located within the NE, Section 26, Township 6N, Range 35E, B.M.

If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this right approval shall be reduced by the same proportion as the reduction to the mitigation rights.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 14th day of November, 2014.


for GARY SPACKMAN
Director

State of Idaho
Department of Water Resources

45E



-
- A horizontal number line representing distance in miles. The line starts at 0 on the left and ends at 0.3 Miles on the right. There are major tick marks labeled 0, 0.075, 0.15, and 0.3 Miles. Between each of these major tick marks, there are three smaller, unlabeled tick marks, dividing each 0.075-mile segment into four equal parts of 0.01875 miles each.



State of Idaho
Department of Water Resources
Attachment To Water Right License
22-13918

This map depicts the WILDLIFE STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles

