

# WATER SUPPLY BANK LEASE CONTRACT

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

**Lessor:** LOY PEHRSON  
3700 N 3624 W  
DARLINGTON ID 83255  
(208) 390-6166

RECEIVED  
NOV 24 2014  
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>Total Leased Acres</u> | <u>Total Leased Volume</u> |
|-----------------------------------|-------------------|---------------------------|----------------------------|
| 34-12378                          | 0.13 CFS          | 8.6 AC                    | 30.1 AF                    |
| 34-13829                          | 0.45 CFS          | 22.3 AC                   | 78.1 AF                    |
| <b>Water Right Combined Limit</b> | <b>0.45 CFS</b>   | <b>NA</b>                 | <b>NA</b>                  |
| <b>Combined Lease Totals:</b>     | <b>0.45 CFS</b>   | <b>30.9 AC</b>            | <b>108.2 AF</b>            |

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, 2018.
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.

IN FILE # 34-12378

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.

**LOY PEHRSON**  
3700 N 3624 W  
DARLINGTON ID 83255

By   
Printed Name Loy Pehrson

Date 11-20-14  
Title \_\_\_\_\_

**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 November 25, 2014

Lease approved by IDWR 

Date 11/25/2014

**ATTACHMENT A**  
**WATER RIGHT NO. 34-12378**  
**WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE**

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

**Lessor:** LOY PEHRSON  
3700 N 3624 W  
DARLINGTON ID 83255  
(208) 390-6166

**Priority Date:** 6/9/1966

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u>   | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u>  |
|-----------------------|---------------|-----------|-----------------------|----------------|
| IRRIGATION            | 04/01         | to 10/31  | 0.13 CFS              | 30.1 AF        |
|                       | <b>Total:</b> |           | <b>0.13 CFS</b>       | <b>30.1 AF</b> |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |      |                                         |
|--------------|------|-----------------------------------------|
| GROUND WATER | SWNE | Sec. 36, Twp 06N, Rge 25E, BUTTE County |
| GROUND WATER | SESW | Sec. 31, Twp 06N, Rge 26E, BUTTE County |

**PLACE OF USE TO BE IDLED UNDER THIS LEASE:** IRRIGATION

|     |     |     | NE  |     |    |     | NW |    |    |    | SW |    |      |     | SE  |     |    |    | Totals |
|-----|-----|-----|-----|-----|----|-----|----|----|----|----|----|----|------|-----|-----|-----|----|----|--------|
| Twp | Rng | Sec | NE  | NW  | SW | SE  | NE | NW | SW | SE | NE | NW | SW   | SE  | NE  | NW  | SW | SE |        |
| 06N | 25E | 36  | 5.0 | 6.9 |    | 1.7 |    |    |    |    |    |    |      |     | 1.3 | 0.9 |    |    | 15.8   |
| 06N | 26E | 31  |     |     |    |     |    |    |    |    |    |    | 14.0 | 1.1 |     |     |    |    | 15.1   |

Total Acres: 30.9

Limited to acres within place of use described above: 8.6 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. This right is based upon an enlargement of right no. 34-13829 pursuant to Section 42-1426, Idaho Code.
13. This water right is subordinate to all water rights 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 rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
14. The unleased portion of this right is for an enlargement of 61.4 acres within the place of use described under the water right.
15. The unleased portion of rights 34-12378 and 34-13829 when combined shall not exceed a total diversion rate of 3.19 cfs.
16. The unleased portions of the rights listed below are limited to a total combined diversion rate of 5.53 cfs. Combined right nos.: 34-00028G, 34-00131B, 34-00132B, 34-00191, 34-13829, and 34-12378.
17. The unleased portions of the rights listed below are limited to the irrigation of a combined total of 221.1 acres in a single irrigation season. Combined right nos.: 34-00028G, 34-00131B, 34-00132B, 34-00191, 34-13829, and 34-12378.
18. 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 lands above.
19. 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. 34.

**ATTACHMENT A**  
**WATER RIGHT NO. 34-13829**  
**WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE**

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

**Lessor:** LOY PEHRSON  
3700 N 3624 W  
DARLINGTON ID 83255  
(208) 390-6166

**Priority Date:** 9/2/1961

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u>   | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u>  |
|-----------------------|---------------|-----------|-----------------------|----------------|
| IRRIGATION            | 04/15         | 10/15     | 0.45 CFS              | 78.3 AF        |
|                       | <b>Total:</b> |           | <b>0.45 CFS</b>       | <b>78.3 AF</b> |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |      |                                         |
|--------------|------|-----------------------------------------|
| GROUND WATER | SWNE | Sec. 36, Twp 06N, Rge 25E, BUTTE County |
| GROUND WATER | SESW | Sec. 31, Twp 06N, Rge 26E, BUTTE County |

**PLACE OF USE TO BE IDLED UNDER THIS LEASE:** IRRIGATION

|     |     |     | NE  |     |    |     | NW |    |    |    | SW |    |      |     | SE  |     |    |    | Totals |
|-----|-----|-----|-----|-----|----|-----|----|----|----|----|----|----|------|-----|-----|-----|----|----|--------|
| Twp | Rng | Sec | NE  | NW  | SW | SE  | NE | NW | SW | SE | NE | NW | SW   | SE  | NE  | NW  | SW | SE |        |
| 06N | 25E | 36  | 5.0 | 6.9 |    | 1.7 |    |    |    |    |    |    |      |     | 1.3 | 0.9 |    |    | 15.8   |
| 06N | 26E | 31  |     |     |    |     |    |    |    |    |    |    | 14.0 | 1.1 |     |     |    |    | 15.1   |

Total Acres: 30.9

Limited to acres within place of use described above: 22.3 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. Unleased portions of rights 34-12378 and 34-13829 when combined shall not exceed a total diversion rate of 3.19 cfs and the irrigation of 221.1 acres.
13. The unleased portion of rights 34-12378 and 34-13829 when combined shall not exceed a total diversion rate of 3.19 cfs.
14. The unleased portions of the rights listed below are limited to a total combined diversion rate of 5.53 cfs. Combined right nos.: 34-00028G, 34-00131B, 34-00132B, 34-00191, 34-13829, and 34-12378.
15. The unleased portions of the rights listed below are limited to the irrigation of a combined total of 221.1 acres in a single irrigation season. Combined right nos.: 34-00028G, 34-00131B, 34-00132B, 34-00191, 34-13829, and 34-12378.
16. 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 lands above.
17. Right No. 34-12378 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
18. 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. 34

STATE OF IDAHO  
WATER RESOURCE BOARD

**WATER SUPPLY BANK LEASE OR SALE  
APPLICATION CHECKLIST**

**RECEIVED**  
**MAY 13 2014**  
Department of Water Resources  
Eastern Region

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 Loy Pehrson
 Water Right No. 34-12378  
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 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Contact information for <i>all owners</i> of the water right that is being leased or sold on this application.                                                                                                                                                                                                                                                                                            |
| 1B |                                     | <input checked="" type="checkbox"/> | An <u>Internal Revenue Service (IRS) Form W-9</u> for the Designated Applicant.                                                                                                                                                                                                                                                                                                                           |
| 1C | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <i>Notice of Change in Water Right Ownership</i> form (accessible from <a href="http://www.idwr.idaho.gov">www.idwr.idaho.gov</a> ).                                                                                                                                                                                                                                                                      |
| 1D | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Written consent from irrigation district or water delivery company.                                                                                                                                                                                                                                                                                                                                       |
| 1E | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 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  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Description of a water right portion offered to the Water Supply Bank.                                                                                                                                                                                                                                                                                                                                    |
| 3D | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Evidence demonstrating that a water right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code.                                                                                                                                                                                                                                                                  |
| 4  |                                     | <input checked="" type="checkbox"/> | 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 ( <a href="http://maps.idwr.idaho.gov/mapall/">http://maps.idwr.idaho.gov/mapall/</a> ) to locate a water right place of use or point of diversion. |

**Department Use Only**

|                                                                                   |                             |                                 |                          |
|-----------------------------------------------------------------------------------|-----------------------------|---------------------------------|--------------------------|
| Fee Amount \$                                                                     | Received By: <u>Eastern</u> | Date Received: <u>5/13/14</u>   | Receipt # <u>8039930</u> |
| W-9 received? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | (Route W-9 to Fiscal)       | Name on W-9: <u>Loy Pehrson</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 Loy Pehrson Email Address \_\_\_\_\_  
Mailing Address 3700 N 3624 W, Darlington, ID 83255 Phone Number 208-390-6166

☐ 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 Kristin Moore Organization Rocky Mountain Environmental Associates  
Professional Title Water Rights Analyst Email Address kmoore@rockymountainenvironmental.co  
Mailing Address 482 Constitution Way 303, Idaho Falls, ID 83402 Phone Number 208-524-2353

☐ 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 34-12378 ☐ 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 to mainline to sprinkler irrigation system, including three pivots and handlines.

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.  
Water Rights 34-28G, 34-191, 34-131B, 34-132B and 34-13829 overlap the same place of use. These  
rights are also being offered to the Bank.

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. \_\_\_\_\_

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 4/01/2014 to 12/31/2018 (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 ank does not, in itself, confirm the validity of the water right or any elements of the water right.

Signature of Designated Applicant

Printed Name

Date

Signature of Authorized Representative

Printed Name

Date

Mail to:

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

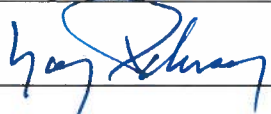
**STATE OF IDAHO  
WATER RESOURCE BOARD**

**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. 34-12378

|                       | Designated Applicant                                                                                 | Applicant #2                                                                         | Applicant #3                                                                          |
|-----------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| Name                  | Loy Pehrson                                                                                          | Terri Pehrson                                                                        | Byron Pehrson                                                                         |
| Mailing Address       | 3700 N 3624 W<br>Darlington, ID 83255                                                                | 3340 W 2800 N<br>Moore, ID 83255                                                     | 3340 W 2800 N<br>Moore, ID 83255                                                      |
| Phone Number          | 208-390-6166                                                                                         | 208-588-3101                                                                         | 208-588-3381                                                                          |
| 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                  | Lana Pehrson                                                                        |                                                                               |                                                                               |
| Mailing Address       | 3700 N 3624 W<br>Darlington, ID 83255                                               |                                                                               |                                                                               |
| Phone Number          | 208-588-3380                                                                        |                                                                               |                                                                               |
| 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             |  |                                                                               |                                                                               |

Authority to Act on Behalf

Loy Pehrson and Byron Pehrson hereby authorize Rocky Mountain Environmental Associates to act on our behalf regarding the Water Supply Bank applications for water rights in Custer and Butte Counties.

  
\_\_\_\_\_  
Loy Pehrson

  
\_\_\_\_\_  
Byron Pehrson

**STATE OF IDAHO**  
**WATER RESOURCE BOARD**

## ATTACHMENT 2

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

- | 1. <u>Water Right Number</u> | <u>Amount (cfs/ac-ft)</u> | <u>Nature of Use</u> | <u>Period of Use</u> |
|------------------------------|---------------------------|----------------------|----------------------|
| 34-12378                     | 0.13 cfs                  | Irrigation           | 4/01 to 10/31        |
|                              |                           |                      | to                   |
|                              |                           |                      | to                   |
|                              |                           |                      | to                   |
|                              |                           |                      | to                   |
|                              |                           |                      | to                   |
| Total Amount:                | 0.13 cfs                  |                      |                      |
| 2. Source of water           | Ground Water              | tributary to         |                      |

| Twp | Rge | Sec | Lot | ¼ | ¼  | ¼  | County |
|-----|-----|-----|-----|---|----|----|--------|
| 6N  | 25E | 36  |     |   | SW | NE | BUTTE  |
| 6N  | 25E | 31  |     |   | SE | SW | BUTTE  |
|     |     |     |     |   |    |    |        |
|     |     |     |     |   |    |    |        |
|     |     |     |     |   |    |    |        |
|     |     |     |     |   |    |    |        |
|     |     |     |     |   |    |    |        |

4. Lands irrigated or place of use:

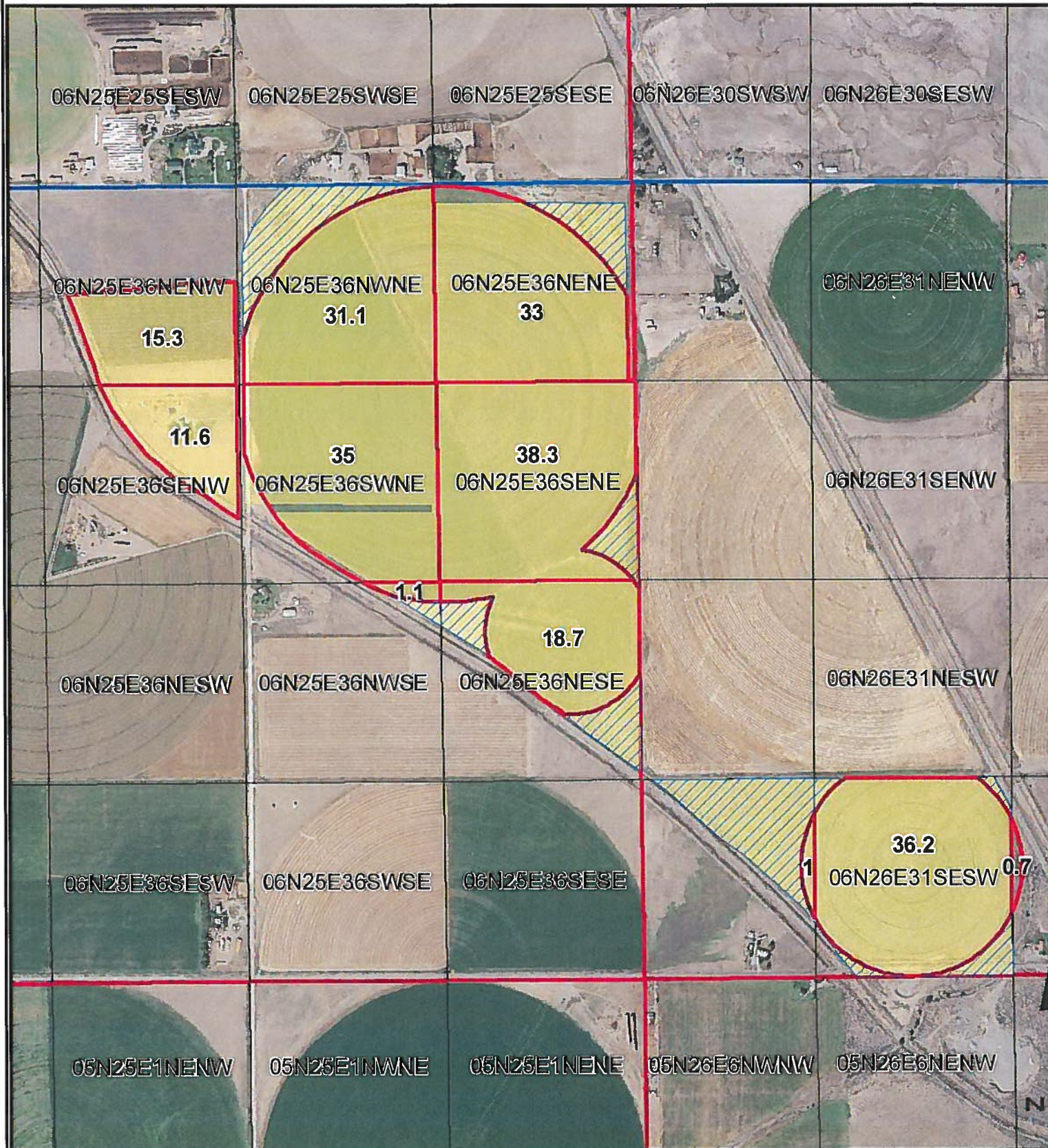
[illegible]

If the water right is for irrigation, show total number of acres offered to the Bank. **Total Acres** 30.9

LIMITED TO 8.6 AC

# Water Supply Bank Attachment #4

Water Right 34-12378 and 34-13829



- |                              |                    |
|------------------------------|--------------------|
| WSB Acres to Lease           | Township and Range |
| Actively Irrigated Acres     | Section            |
| WR POU 34-12378 and 34-13829 | QQ                 |

2013 NAIP Photograph





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](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

November 26, 2014

LOY PEHRSON  
3700 N 3624 W  
DARLINGTON ID 83255

RE: WATER SUPPLY BANK LEASE CONTRACT FOR RIGHTS 34-12378 & 34-13829

Dear Lessor:

Water Rights 34-12378 and 34-13829 were leased into the Water Supply Bank on November 25, 2014 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, 2018**, 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](http://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 287-4944.

Sincerely,

Cherie Palmer  
Water Rights Supervisor  
WSB Process Point of Contact

Enclosure: Executed Lease Contract

c: Kristin Moore-Rocky Mountain Environmental Associates, Inc.  
Todd Perkes-Water Master District #34  
James Cefalo-Eastern Region



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](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

November 14, 2014

LOY PEHRSON  
3700 N 3624 W  
DARLINGTON, ID 83255

**RE: APPLICATIONS TO LEASE WATER RIGHTS 34-12378, & 34-13829 TO THE WATER SUPPLY BANK AND RETURN OF WITHDRAWN APPLICATIONS FOR 34-00028G, 34-00191, 34-00131B AND 34-00132B**

**\*\*\*\*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, 2018**, 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."

We are also returning the following lease applications at your request 34-00028G, 34-00191, 34-00131B and 34-00132B.

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

Sincerely,

*Cherie Palmer*  
for Cherie Palmer

Water Rights Supervisor  
WSB Process Point of Contact

Enclosure: Proposed Lease Contracts and Withdrawn Lease Applications for 34-00028G, 34-00191, 34-00131B and 34-00132B

c. Kristin Moore – Rocky Mountain Environmental Associates, Inc

## Webster, Clay

---

**From:** Kristin Moore [kristin.rmea@gmail.com]  
**Sent:** Thursday, November 13, 2014 12:10 PM  
**To:** Palmer, Cherie; 'Kristin Moore'  
**Cc:** Webster, Clay  
**Subject:** RE: Loy Pehrson  
**Attachments:** Affidavit\_WaterMaster.pdf

Cherie,

I just spoke with Mr. Pehrson and he agrees with the changes we discussed on the phone this morning. Let's only lease the ground water rights 34-12378 and 34-13829 and consider the surface water rights as contributing to the current irrigation.

We also discussed possible documentation for the questionable acres for the other two sets of applications. He is looking into that and believes he may have something that will work. I'll get you a copy of that as soon as he sends it to me. In the meantime, here's a copy of the affidavit that the water master already signed. Unfortunately, he does not describe the acres for water right 34-235D, etc. We will have to approach him again to see if he can verify the irrigation.

---

### Kristin Moore

Water Rights Analyst  
482 Constitution Way, Ste 303, Idaho Falls, ID 83402  
E-Mail: [kmoore@rockymountainenvironmental.com](mailto:kmoore@rockymountainenvironmental.com)  
VOICE: 208-524-2353 ||| FAX: 208-524-1795



---

**CONFIDENTIALITY NOTICE:** This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of this communication to other than the intended recipient is strictly prohibited. If you have received this communication in error, please notify us immediately by reply email to the sender or collect telephone call to (208) 524-2353. *Thank you.*

---

**From:** Palmer, Cherie [mailto:Cherie.Palmer@idwr.idaho.gov]  
**Sent:** Wednesday, November 12, 2014 10:13 AM  
**To:** Kristin Moore  
**Cc:** Webster, Clay  
**Subject:** RE: Loy Pehrson

Kristin,

I am happy to do a phone conference. Since Clay has been involved with the leasing of these water rights I will invite him to the meeting as well. We will both be here tomorrow. In order to secure a phone and a conference room I will reserve a time slot between 10:30 to 11:30. Please let me know if that won't work. Otherwise, I will give you a call tomorrow at 10:30.

*Cherie Palmer, Water Rights Supervisor  
Idaho Dept of Water Resources  
Water Allocation Bureau*

322 E. Front Street (Front St. & Broadway Ave.)

Mail: PO BOX 83720 Boise, ID 83720-0098

email: [cherie.palmer@idwr.idaho.gov](mailto:cherie.palmer@idwr.idaho.gov)

phone: (208) 287-4944

fax: (208) 287-6700

---

**From:** Kristin Moore [<mailto:kristin.rmea@gmail.com>]

**Sent:** Tuesday, November 11, 2014 10:17 AM

**To:** Palmer, Cherie

**Subject:** RE: Loy Pehrson

Cherie,

I reviewed your email several times to make sure I was understanding it correctly. First off, I believe we would like to stick to the acres originally outlined in the lease applications, so only 1.1 acres in the SESW of Section 31, and no acres in the NENW and SENW of Section 36 (since the applicant does not own it). The total acres then should be 30.9 acres.

You are correct in that the GW and SW rights do not completely overlap. However, it is the SW that does not completely overlap the GW, not the other way around. I don't intend for the SW to cover all the acres. The GW should cover all the acres, though. I reviewed the water rights again and confirmed that the GW covers a total of 252 acres. Which means if we are banking 30.9 acres, then the leased GW rights should total 30.9 acres. And then the SW rights would be a proportionate share of 252 acres, stacked on top of the GW rights for a combined acre limit of 30.9 for all SW and GW rights.

The spreadsheet you sent shows the acres of all SW and GW rights are additive in the Lease Totals box. This method reduces the individual number of acres being leased into the bank for each right. For example, we proposed to lease 11.9 acres of 34-28G, limited to 6.3 acres. The lease contract shows that only 1.6 acres are to be leased to the bank. I feel this is a significant change in our reasonable proposal. The water right reports show that the rights are not related in the way represented on the spreadsheet, but rather that the SW and GW rights are stacked. The SW and GW are not additive.

I have attached my spreadsheet for your review in case you want to see how I did my calculations. It also includes the spreadsheets for all the other Loy Pehrson applications that were submitted this summer.

I agree with how you calculated the individual diversion rates for each of the water rights. However, I still feel that the combined use limit for all rights should be based on the quantity ratio described in the conditions of the water rights: 5.98 cfs for 252 acres, a rate of about 0.02 cfs.

Perhaps we should have a conference discussion to work out these kinks. I realize that this will set precedence for the remaining applications for our client and would like us to both be satisfied in the methods we use. I would be happy to discuss this further with you, and a supervisor, if you prefer, so that we can come to a comfortable conclusion.

I am in the office on Tuesdays and Thursdays until about 2:30ish. Please let me know when you would like to call.

Thank you,

---

**Kristin Moore**

Water Rights Analyst

482 Constitution Way, Ste 303, Idaho Falls, ID 83402

E-Mail: [kmoore@rockymountainenvironmental.com](mailto:kmoore@rockymountainenvironmental.com)

VOICE: 208-524-2353 ||| FAX: 208-524-1795



---

**CONFIDENTIALITY NOTICE:** This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of this communication to other than the intended recipient is strictly prohibited. If you have received this communication in error, please notify us immediately by reply email to the sender or collect telephone call to (208) 524-2353. *Thank you.*

---

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

**Sent:** Thursday, November 06, 2014 4:20 PM

**To:** Kristin Moore

**Subject:** RE: Loy Pehrson

Kristin,

Thank you for your response. I have read through your concerns and have the following to offer:

In regard to the # of acres you would like to lease into the bank, that is between you and your client. I can easily change the acres you would like for the lease. Just to confirm you would only like to have 1.1 acres leased into the bank in the SESW of Section 31. So according to my calculations that changes the overall # of acres leased into the bank to 33.7 acres.

Next it looks like you have some questions about the GW and SW rights being leased into the bank and the # of acres? So the GW rights don't completely overlap the SW rights. Therefore, different number of acres of SW and GW are being accepted into the bank based on the idled acres per QQ. For example, in the NENW ground water is only found at this location, no surface water. Overall there's a difference of 17.8 acres (accounting for your 0.7 acre reduction) that are only covered by ground water.

I ran the numbers again for the diversion rate and I think this might clear things up; the ground water rights have a combined limit of 3.64 cfs on 252 acres, or 0.0144 cfs/acre. The lease contract maintains that proportionate amount when looking at the ground water right totals. Because there is a larger amount of ground water rights coming into the bank, the rate/acre total is skewed. I did catch a mistake though that should be fixed. The lease rate for the surface water rights should be additive. In other words instead of 0.04 cfs being leased under the surface water rights, it should be 0.07. This makes the total 0.52 cfs for both SW and GW.

Notice that the surface water rights are all nearly 0.02 cfs/acre except for 34-132B (this right provides 0.016 cfs/acre). Rounding comes into play a little bit, but we end up at just over 0.02 cfs/acre for surface water.

I will wait to hear from you before we a new lease contract based on the reduction of 0.7 acres and the combined limits in regard to the surface water.

Thanks,

Cherie

**From:** Kristin Moore [<mailto:kristin.rmea@gmail.com>]  
**Sent:** Thursday, November 06, 2014 2:48 PM  
**To:** Palmer, Cherie  
**Subject:** RE: Loy Pehrson

Cherie,

I have reviewed the spreadsheet to see your methodology, and I have some comments.

There are two cells for different QQs that you have highlighted in yellow. I want to explain the discrepancies so you know they were intentional. The lands in the NENW and SENW of Section 36 are not owned by the water right owner. They sold them to a neighbor and therefore we cannot do anything with those acres. Since one QQ was higher than the WR and one QQ was lower by the same amount, I just planned to ignore them since they balance out...approximately. The SESW of Section 31 for 1.8 acres I reduced to 1.1 acres since the pivot overhangs into the SWSE adjacent to it. I don't want my client to be accused of enlarging his water right. Although it should technically require a transfer to fix it, that's not in the plan right now. Until then, I don't want to irrigate more acres than allowed under the water rights, so I just assumed the 0.7 acres of the SWSE to be a part of the SESW; hence, I only included 1.1 acres on the application.

I have some doubts about the quantities distributed. I'm not sure I completely agree with it for this reason: The ground water covers every acre described under all the water rights. I feel as though the total number of ground water acres should equal the total number of acres being propose to lease to the bank. If it's 31 acres total, then the two ground water rights should cover 31 acres combined. Otherwise, where did the other ground water acres go? There's no other acres to assume they are applied to.

The other concern is the total diversion rate. It is very reduced in this method. A condition on the water rights limits all the rights combined to 5.98 cfs for 252 acres, which allows a rate of just over 0.02 cfs/ac. No matter how many acres we lease the Bank, I feel the combined limit should be at 0.02 cfs/ac.

Let me know what you think. I'll be back in the office on Tuesday next week.

Thank you,

---

**Kristin Moore**  
Water Rights Analyst  
482 Constitution Way, Ste 303, Idaho Falls, ID 83402  
E-Mail: [kmoore@rockymountainenvironmental.com](mailto:kmoore@rockymountainenvironmental.com)  
VOICE: 208-524-2353 ||| FAX: 208-524-1795



---

**CONFIDENTIALITY NOTICE:** This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of this communication to other than the intended recipient is strictly prohibited. If you have received this communication in error, please notify us immediately by reply email to the sender or collect telephone call to (208) 524-2353. *Thank you.*

---

**From:** Palmer, Cherie [<mailto:Cherie.Palmer@idwr.idaho.gov>]  
**Sent:** Thursday, November 06, 2014 12:05 PM

**To:** [kmoore@rockymountainenvironmental.com](mailto:kmoore@rockymountainenvironmental.com)

**Subject:** Loy Pehrson

Loy Pehrson spreadsheet

## **MEMORANDUM**

**To:** Water Right No(s). 34-12378 and 34-13829  
**From:** Clay Webster thru Cherie Palmer  
**Date:** 11/13/2014  
**Re:** Review of Applications to Lease Water Rights to the State Water Supply Bank

---

**PURPOSE/NARRATIVE:** The department received applications to lease portions of these rights along with portions of 34-28G, 34-131B, 34-132B, 34-191 into the WSB on May 13, 2014 from Kristin Moore of Rocky Mountain Environmental for LoyPehrson. However, after review of the applications and discussion with the applicant's consultant they decided to withdraw the applications for the surface water rights.

**AUTHORITY TO FILE:** These applications were signed by Loy Pehrson, the designated applicant and partial owner of these water rights.

**WATER RIGHT VALIDITY:** These rights were partially decreed by the SRBA in December 2001. Satellite imagery indicated that the portions of these rights offered to the WSB have been irrigated in the last five years. Forfeiture is not an issue at this time.

**INJURY TO OTHER WATER RIGHTS:** No injury is apparent.

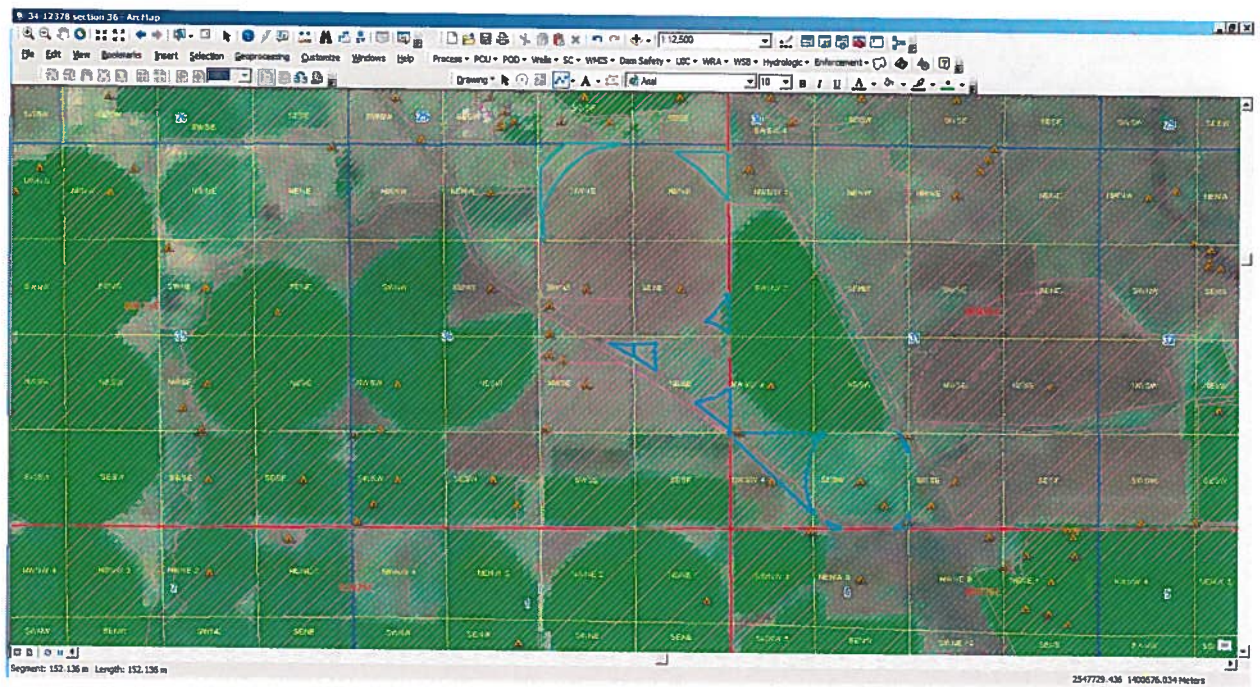
**ENLARGEMENT OF USE:** No enlargement is evident through the lease alone. Proper rental review should protect against enlargement.

**LOCAL PUBLIC INTEREST:** Review staff has no information to suggest this application is inconsistent with the local public interest.

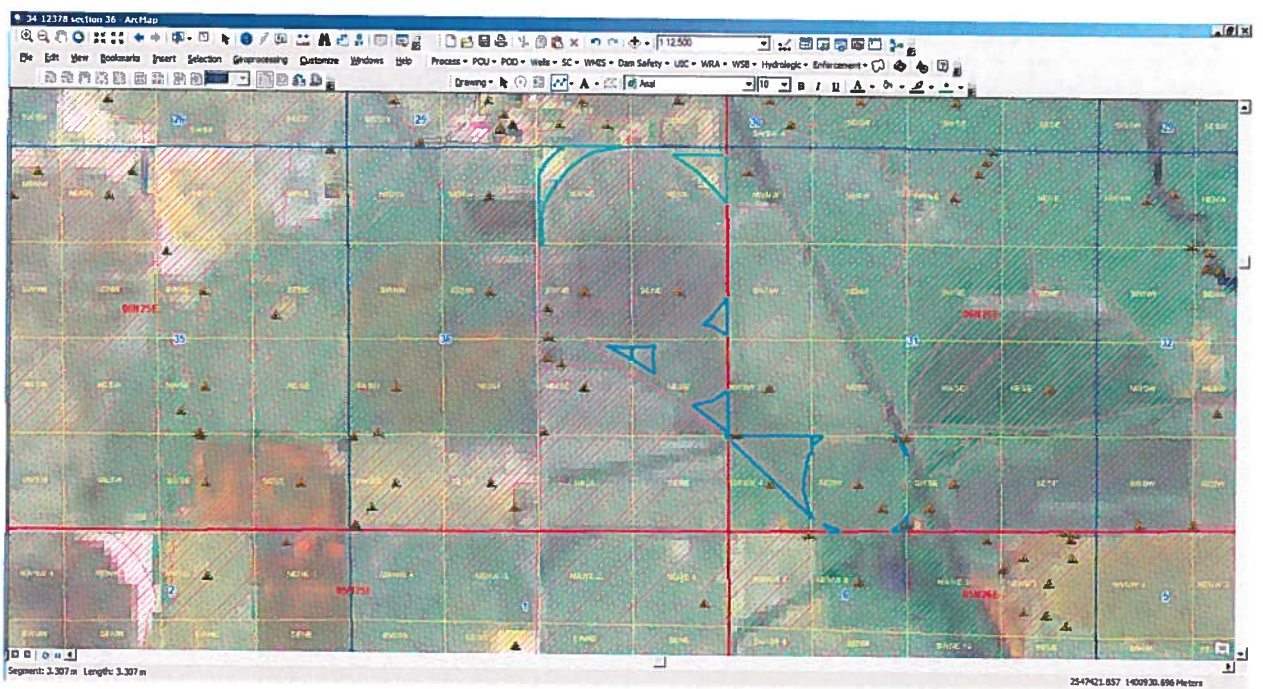
**BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:** The lease appears consistent with the conservation of water resources in Idaho.

**DEPARTMENT STAFF OR WATERMASTER COMMENTS:** The leased right(s) are subject to Water District # 34. No concerns were noted.

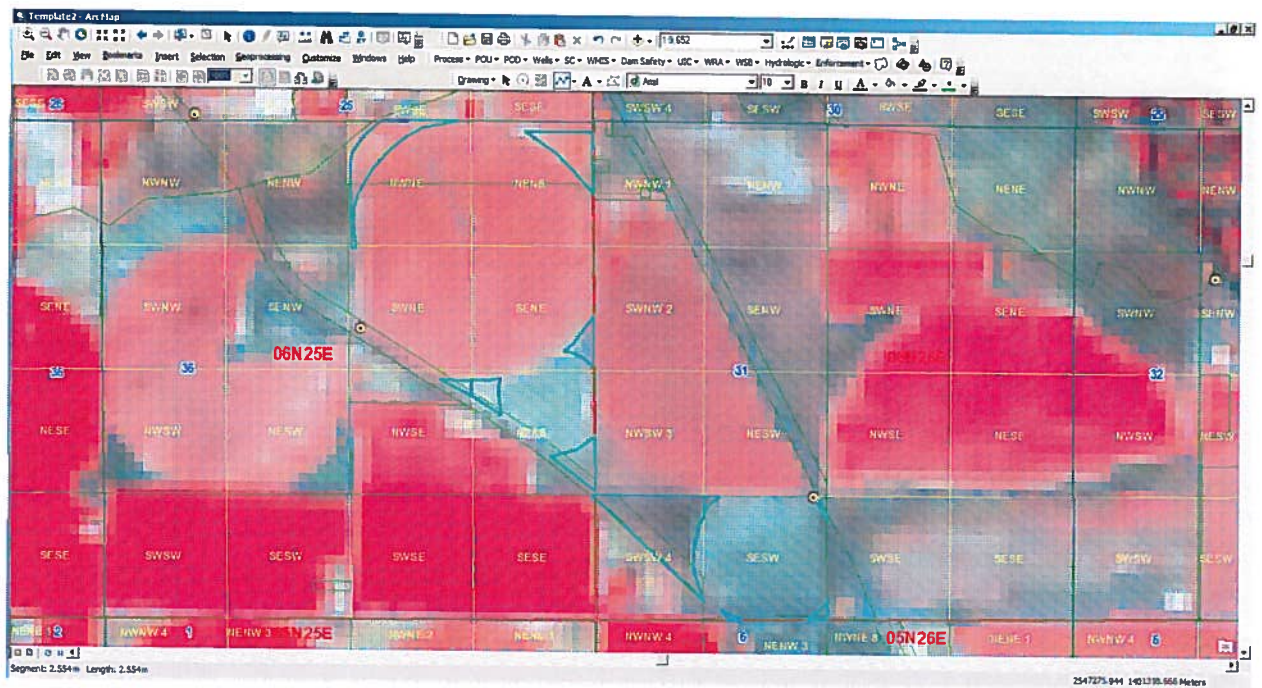
34-28G, 34-191, 34-12378, 34-13829, 34-131B and 34-132B May 27, 2009 Satellite imagery



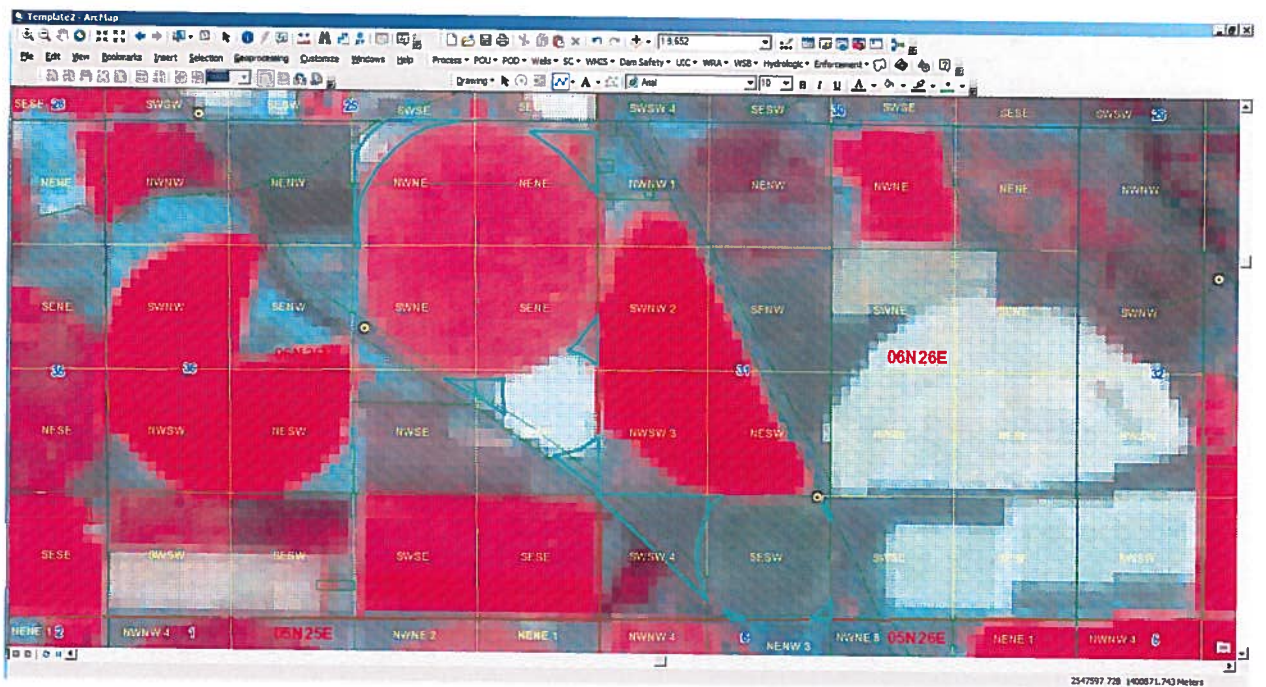
34-28G, 34-191, 34-12378, 34-13829, 34-131B and 34-132B Apr 18, 2009 Satellite imagery



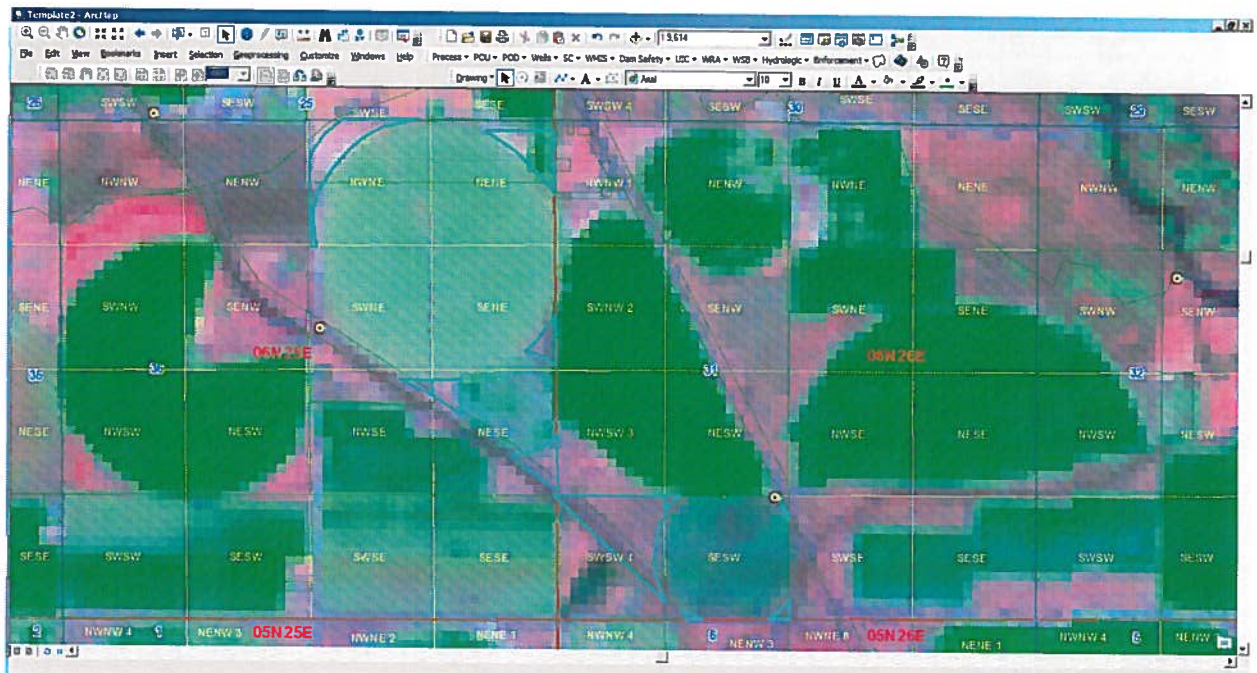
34-28G, 34-191, 34-12378, 34-13829, 34-131B and 34-132B Aug 18, 2010 Satellite imagery



34-28G, 34-191, 34-12378, 34-13829, 34-131B and 34-132B Sept 15, 2011 Satellite imagery



34-28G, 34-191, 34-12378, 34-13829, 34-131B and 34-132B July 29, 2011 Satellite 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](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

November 3, 2014

LOY PEHRSON  
3700 N 3624 W  
DARLINGTON, ID 83255

RE: APPLICATION(S) TO LEASE WATER RIGHT(S) 34-00028G, 34-00191, 34-00131B, 34-00132B, 34-12378, & 34-13829 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.

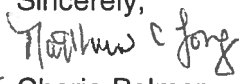
The rights will automatically be released from the Bank on **December 31, 2018**, unless the rights are released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. 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 287-4944.

Sincerely,

  
for Cherie Palmer  
Water Rights Supervisor  
WSB Process Point of Contact

Enclosure: Proposed Lease Contracts

c. Kristin Moore – Rocky Mountain Environmental Associates, Inc

RECEIVED

AUG 20 2014

Department of Water Resources

## Big Lost River Irrigation District

101 S. Main Street, P.O. Box 205, Mackay ID 83251 (208) 588-2231 [www.blrid.com](http://www.blrid.com)

August 12, 2014

State of Idaho  
Water Resources Board

The Big Lost River Irrigation District gives consent for Water Supply Bank for decree water for the following:

Byron Pehrson  
3624 W 3700 N  
Moore, Idaho 83255

Loy Pehrson  
3700 N 3624 E  
Darlington ID 83255

Total number of acres for water bank: up to 126 acres

Sincerely,



James Rindfleisch  
General Manager

CC: Kristin Moore – Rocky Mountain Environmental  
Michael Holiday – Idaho Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDATION OF WATERMASTER

WSB Lease Application Water Right Nos: 34-28G, 34-191, 34-131B, 34-132B, 34-12378 and 34-13829

Applicant's Name: Loy Pehrson

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if conditioned as follows:

---

---

---

---

---

---

---

---

- c) ☐ I oppose approval of this application for the following reasons:

---

---

---

---

---

---

- d) ☐ Additional comments:

---

---

---

Dated this 19 day of July, 2014

Water District No. 34

M Todd Parker  
Watermaster's signature

## Webster, Clay

---

**From:** Cefalo, James  
**Sent:** Thursday, July 17, 2014 4:47 PM  
**To:** Webster, Clay  
**Subject:** RE: Region Comments on Lease for Loy Pehrson

I will defer to your forfeiture analysis. I have no concerns about the proposed WSB lease.

---

**From:** Webster, Clay  
**Sent:** Thursday, July 17, 2014 3:26 PM  
**To:** Cefalo, James  
**Subject:** Region Comments on Lease for Loy Pehrson

James,

Good afternoon, I am currently processing these lease applications from Mr. Pehrson. It appears that he is placing his corners that his pivots don't hit in the bank to avoid forfeiture. Do you have any concerns with these rights being partially leased? Thanks.

*Sincerely,*

*Clay Webster*

Technical Records Specialist  
[clay.webster@idwr.idaho.gov](mailto:clay.webster@idwr.idaho.gov)  
208-287-4910  
Idaho Department of Water Resources (IDWR)  
322 E. Front Street  
P.O. Box 83720  
Boise, ID 83720-0098  
208-287-4800  
[www.idwr.idaho.gov](http://www.idwr.idaho.gov)

## Webster, Clay

---

**From:** Webster, Clay  
**Sent:** Thursday, July 17, 2014 3:35 PM  
**To:** 'Todd Perkes'  
**Subject:** Watermaster comments for WSB Lease for Loy Pehrson 34-28G, 34-191, 34-131B, 34-132B, 34-12378 and 34-13829  
**Attachments:** Applications.pdf; Watermaster recommendation form.docx

Todd,

Good afternoon, I am currently processing these lease applications from Mr. Pehrson. It appears that he is placing his corners that his pivots don't hit in the bank to avoid forfeiture. Do you have any concerns with these rights being partially leased, I have attached the applications with maps for your convenience? Our fax number is 287-6700 Please send to my attention. Thanks.

*Sincerely,*

*Clay Webster*

Technical Records Specialist  
[clay.webster@idwr.idaho.gov](mailto:clay.webster@idwr.idaho.gov)

208-287-4910

Idaho Department of Water Resources (IDWR)

322 E. Front Street

P.O. Box 83720

Boise, ID 83720-0098

208-287-4800

[www.idwr.idaho.gov](http://www.idwr.idaho.gov)