

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT

RECEIVED
OCT 24 2014
DEPARTMENT OF
WATER RESOURCES

This is to certify that: **RONALD DOZORETZ MD**
240 CORPORATE BLVD
NORFOLK VA 23502
(757) 459-5142

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right	Priority Date	Source	Tributary	Rented Rate	Annual Rented Volume	Acre Limit	Total Rented Acres
37-8372	8/9/1988	Ground Water	NA	0.03cfs	7.9 af	NA	2.25 ac

Annual Combined Rental Totals

0.03 cfs 7.9 af NA 2.25 ac

Term of Rental: July 21, 2014 to December 31, 2014
Rental Fee: \$134.30

The fee for rental of the above-described water is \$134.30. Ten percent (\$13.43) will go to the Department for administrative costs, and the remainder will be paid to the lessor(s).

No rental fees will be refunded once the fee is collected and the start date for a Rental Agreement has passed.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:

X 
Signature of Renter

Ronald I. Dozoretz MD
Printed Name and Title*

10-22-14
Date

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

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By 
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Date October 28, 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT
WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SE¼SE¼ Sec. 23 Twp 05N Rge 17E BLAINE County

BENEFICIAL USE

IRRIGATION

SEASON OF USE

05/01 TO 10/31

RENTER'S 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	
05N	17E	24											2.25						2.25

Total Acres: 2.25

CONDITIONS APPLICABLE TO RENTED WATER RIGHT

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from 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.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
5. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
6. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
7. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
8. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
9. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
10. This right does not grant any right-of-way or easement across the land of another.
11. This rental agreement does not authorize the construction of a well.
12. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
13. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
14. The place of use is within Lot 4 of Stonegate Subdivision.

15. The point of division is located within H.E.S. 127.
16. The following water right(s) are diverted from the point of diversion described above: 37-20863, 37-12679, 37-13039, 37-12742 and 37-12289.
17. Use of water under this agreement 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. 37.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

October 29, 2014

RONALD DOZORETZ, MD
240 CORPORATE BLVD
NORFOLK, VA 23502

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-8372**

Dear Renter:

Please find enclosed a receipt in the amount of **\$134.30** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 7.9 acre-feet of water for irrigation of 2.25 acres during 2014. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$120.87 of the rental fee will be paid to the lessor(s) and 10% or \$13.43 will be retained by the Department to offset administrative costs.

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

Sincerely,

for Cherie Palmer
Water Rights Supervisor
WSB Process Point of Contact

Enclosure(s): Receipt No. C099551
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Allen Merritt – IDWR Southern Regional Office
Kevin Lakey – State 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

C.L. "BUTCH" OTTER
Governor

October 14, 2014

RONALD DOZORETZ, MD
240 CORPORATE BLVD
NORFOLK, VA 23502

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-8372

TIME SENSITIVE RESPONSE REQUIRED

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, together with the rental fee described below, the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

A rental fee of \$134.30 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 7.9 acre-feet.

Please send a check for \$134.30 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement, within 14 days** so I can complete processing. Pursuant to the Water Supply Bank Rules, 90% or \$120.87 of the rental fee will be paid to the lessor(s) and 10% or \$13.43 will be retained by the Department to offset administrative costs.

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

Sincerely,

for Cherie Palmer
Water Rights Supervisor
WSB Process Point of Contact

Enclosure(s)

c: IDWR Front Desk

Amended

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

SEP 18 2014

Department of Water Resources

APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK

This application must be prepared in accordance with the minimum requirements listed to be acceptable for processing by the Department. Incomplete applications will be returned.

Name of Renter(s) Ronald Dozoretz MDMailing Address 240 Corporate Boulevard, Norfolk VA 23502Phone 757-459-5142 contact: Ashley StrattnerEmail ashley.strattner@ridventures.com

A. DESCRIPTION OF WATER SOUGHT FOR RENT

Water Right # 37-2683B

1. <u>Maximum Flow Rate (cfs)</u>	<u>Maximum Volume (ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>.07</u>	<u>12.3</u>	<u>irrigation</u>	<u>May 1st</u> to <u>Oct 31st</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
Total: <u>.07</u>	<u>12.3</u>		

2. Source of water Ground Water tributary to _____

3. Point(s) of Diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County
5N	17E	23		SE	SE		Blaine County

4. Lands to be irrigated or place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	17E	24												3.5					3.5

If the use is for irrigation, show total number of acres proposed through rental.

Total Acres 3.5

B. OWNERSHIP

1. Do you own the land at the proposed point of diversion?

Yes ☐ No ☒

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed point of diversion. Stonegate Homeowner's Association Inc

2. Do you own the land at the proposed place of use?

Yes ☒ No ☐

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed place of use.

C. MAP

Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described by this application in section A. Include legal description labels.

RECEIVED

SEP 18 2014

Department of Water Resources

D. GENERAL INFORMATION

1. Please provide a description of the proposed diversion system.
Irrigation - Trees/Grasses
2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.
None
3. Will the proposed place of use receive water from any other source? Yes ☐ No ☒
If yes, describe. _____
4. If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of water required. Attach additional sheets if needed. n/a
5. Are there any other applications pending before the Department, such as an application for permit or transfer, for the same use(s) proposed by this rental? Yes ☐ No ☒
If yes, describe. _____
6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation? Yes ☐ No ☒
If yes, describe. _____

E. RENTAL TERM

- Do you wish to rent water from the Board's bank for more than one (1) year? Yes ☒ No ☐
If yes, please specify the number of years desired through proposed rental. 5 years

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

If this application is approved, the applicant agrees to the following:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Renter shall comply with all applicable state and federal laws while using water under this agreement.
3. Renter shall hold the Board, the Director, and the state of Idaho harmless from all liability on account of negligent acts of the renter.
4. The Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
5. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
6. Renter is not authorized to use water proposed by this application until the rental fees are paid in full and the renter receives an executed copy of the agreement signed by the Director.

X [Signature]
Signature of Applicant

Signature of Applicant

Ronald Dozoretz MD
Printed Name and Title*

Printed Name and Title*

7/16/14
Date

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

RECEIVED

SEP 18 2014

Department of Water Resources



Webster, Clay

From: Webster, Clay
Sent: Monday, September 15, 2014 2:14 PM
To: 'ashley.strattner@ridventures.com'
Subject: Water Supply Bank Rental Application
Attachments: Dozoretz Properties.docx

Ms. Strattner,

I am in the process of reviewing the application to rent water from the Idaho Water Supply Bank for Ronald Dozoretz. I have found some errors which will need to be corrected prior to being able to proceed.

The sections identified on the application for the Point of Diversion and the Place of Use are incorrect. I have included a map with some notes at the top to show you what I have found.

What I will need is a corrected 1st page of the application with the correct locations in section A. items 3 and 4.

I will also need you to identify on the map where the 3.5 acres irrigation will take place on Dr. Dozoretz's property. The lots that are identified by the light blue borders are the lots that are identified as his, per county tax lot data. By my calculations these lots have about 4.4 acres.

I will also need you to identify on the map the location of the Point of Diversion.

We will also need a letter from the Stonegate Homeowners association stating that he has permission to utilize their well to divert the water for this rental. (Section B item 1)

The final item I found is that the rental will only be approvable until December 31, 2017. That is when the lease on water right 37-2683B expires.

Please provide the requested information within 14 days of this notice. Thank you for your attention to this matter.

Sincerely,

Clay Webster

Water Resource Agent
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

RECEIVED**JUL 21 2014****DEPARTMENT OF
WATER RESOURCES****Superseded**
**STATE OF IDAHO
WATER RESOURCE BOARD****APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK**

This application must be prepared in accordance with the minimum requirements listed to be acceptable for processing by the Department. Incomplete applications will be returned.

Name of Renter(s) Ronald Dozoretz MDMailing Address 240 Corporate Boulevard, Norfolk VA 23502Phone 757-459-5142 contact: Ashley StrattnrEmail ashley.strattnr@ridventures.com**A. DESCRIPTION OF WATER SOUGHT FOR RENT****Water Right # 37-2683B**

1. <u>Maximum Flow Rate (cfs)</u>	<u>Maximum Volume (ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>.07</u>	<u>12.3</u>	<u>irrigation</u>	<u>May 1st</u> to <u>Oct 31st</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
Total: <u>.07</u>	<u>12.3</u>		

2. Source of water Ground Water tributary to

3. Point(s) of Diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County
5N	17E	26		NE	NE		Blaine County

4. Lands to be irrigated or place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	17E	25							3.5										3.5

If the use is for irrigation, show total number of acres proposed through rental.

Total Acres 3.5**B. OWNERSHIP**

1. Do you own the land at the proposed point of diversion?

Yes ☐ No ☒

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed point of diversion. Stonegate Homeowner's Association Inc

2. Do you own the land at the proposed place of use?

Yes ☒ No ☐

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed place of use.

C. MAP

Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described by this application in section A. Include legal description labels.

D. GENERAL INFORMATION

1. Please provide a description of the proposed diversion system.
Irrigation - Trees/Grasses
2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.
None
3. Will the proposed place of use receive water from any other source? Yes ☐ No ☒
If yes, describe. _____
4. If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of water required. Attach additional sheets if needed. n/a
5. Are there any other applications pending before the Department, such as an application for permit or transfer, for the same use(s) proposed by this rental? Yes ☐ No ☒
If yes, describe. _____
6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation? Yes ☐ No ☒
If yes, describe. _____

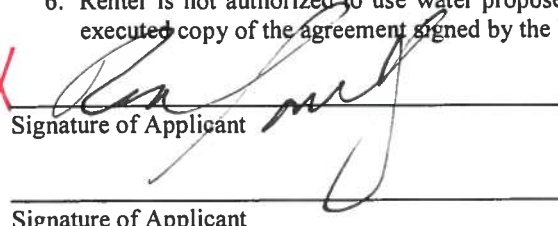
E. RENTAL TERM

Do you wish to rent water from the Board's bank for more than one (1) year? Yes ☒ No ☐
If yes, please specify the number of years desired through proposed rental. 5 years

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

If this application is approved, the applicant agrees to the following:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Renter shall comply with all applicable state and federal laws while using water under this agreement.
3. Renter shall hold the Board, the Director, and the state of Idaho harmless from all liability on account of negligent acts of the renter.
4. The Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
5. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
6. Renter is not authorized to use water proposed by this application until the rental fees are paid in full and the renter receives an executed copy of the agreement signed by the Director.

X 
Signature of Applicant

Ronald Dozoretz MD owner
Printed Name and Title*

7/16/14
Date

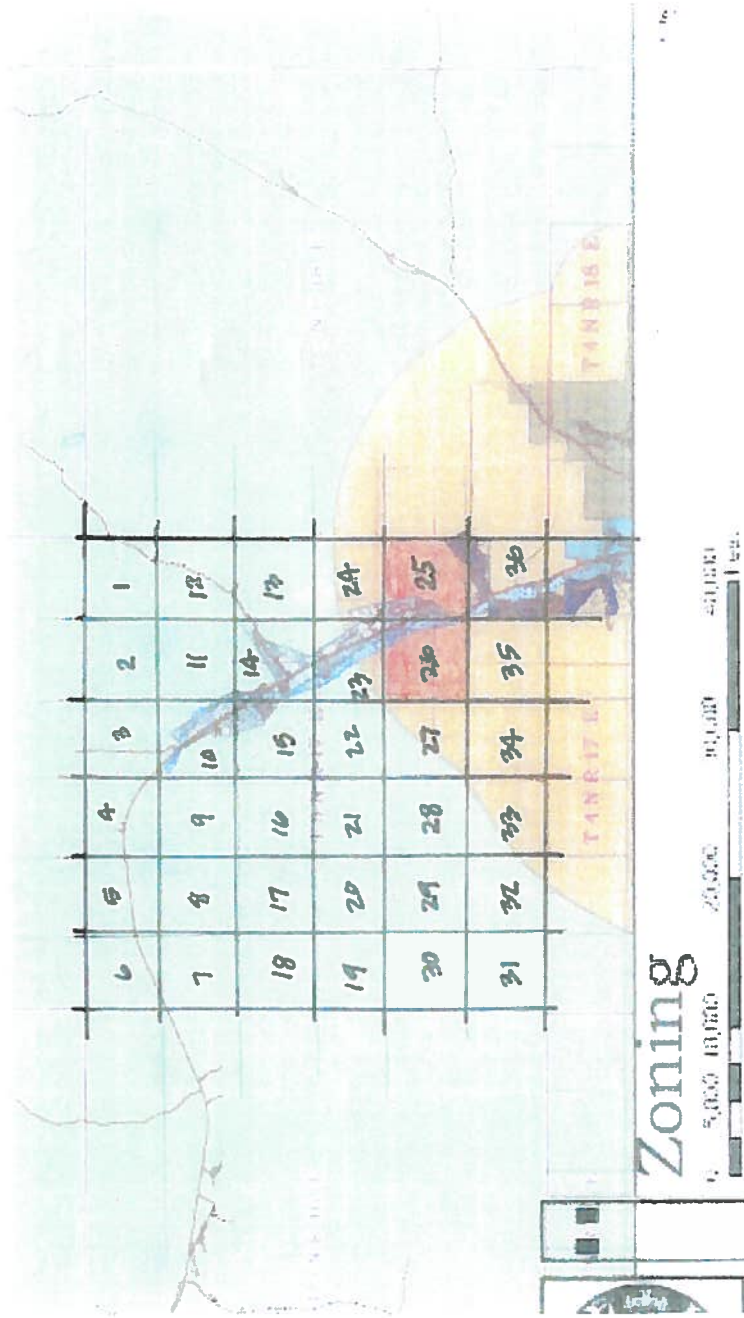
Signature of Applicant

Printed Name and Title*

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



AS CAUSED OUT OIL APPLICATION TO REST WATER FROM THE WATER SUPPLY BANK.

{ POINT OF DIVERSION = NE 1/4 NE 1/4 NE 1/4 SEC 20, T20N, R17E, E2A, E2A
POINT OF USE = NE 1/4 SW 1/4 NW 1/4 SEC 25, T20N, R17E, E2A, E2A

COPY

Water Right # 37-2683b

MEMORANDUM

To: Water Right(s). 37-8372

From: Clay Webster

Date: October 9, 2014

Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: The department received this application to rent 12.3 af to irrigate 3.5 acres from WR # 37-2683B on July 21, 2014, with a point of contact of Ashley Strattnner. The right on the application cannot be used for this rental. This would move water upstream in the Wood River Valley, and could cause injury to the Water Resource Board's Minimum Stream Flow rights. 37-8372 is a suitable right for this rental. This rental is only for one year. This will allow the rental for the 2014 season. However, it will only cover 2.25 acres of the requested 3.5 acres. Ashley Strattnner informed me that this rental needs to only cover the lot with the house on it (lot 4). I created a map to show this area. (see attached) After further review, the tree-line on the other two lots (lots 2 and 3) are covered under the domestic portion of water right 37-20863. This rental will use the entire 2.25 acres of this right and will cover the revised proposed POU.

The locations of the POU and POD on the application are incorrect. I have contacted Ashley Strattnner for an amended 1st page of the application for clarification of information and for a new map depicting the POU and POD. This was provided on September 29, 2014

No agreement or written authority was supplied from the Stonegate Homeowner's Association Inc for use of their POD (37-20863). I requested that letter from the Ashley Strattnner and received it on October 2, 2014.

AUTHORITY TO FILE: The application was signed by Dr. Ronald Dozoretz, he owns the property proposed to be irrigated.

WATER RIGHT VALIDITY: 2.25 acres of water right 37-8372 were leased into the WSB in October 2013 until December 2014. Forfeiture is not an issue at this time.

INJURY TO OTHER WATER RIGHTS: The original WR proposed with this rental was replaced with 37-8372 to prevent injury to the MSF rights for the Big Wood River. The points of diversion for both the leased right and the rental are in a gaining reach of the Big Wood River. No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident through the rental.

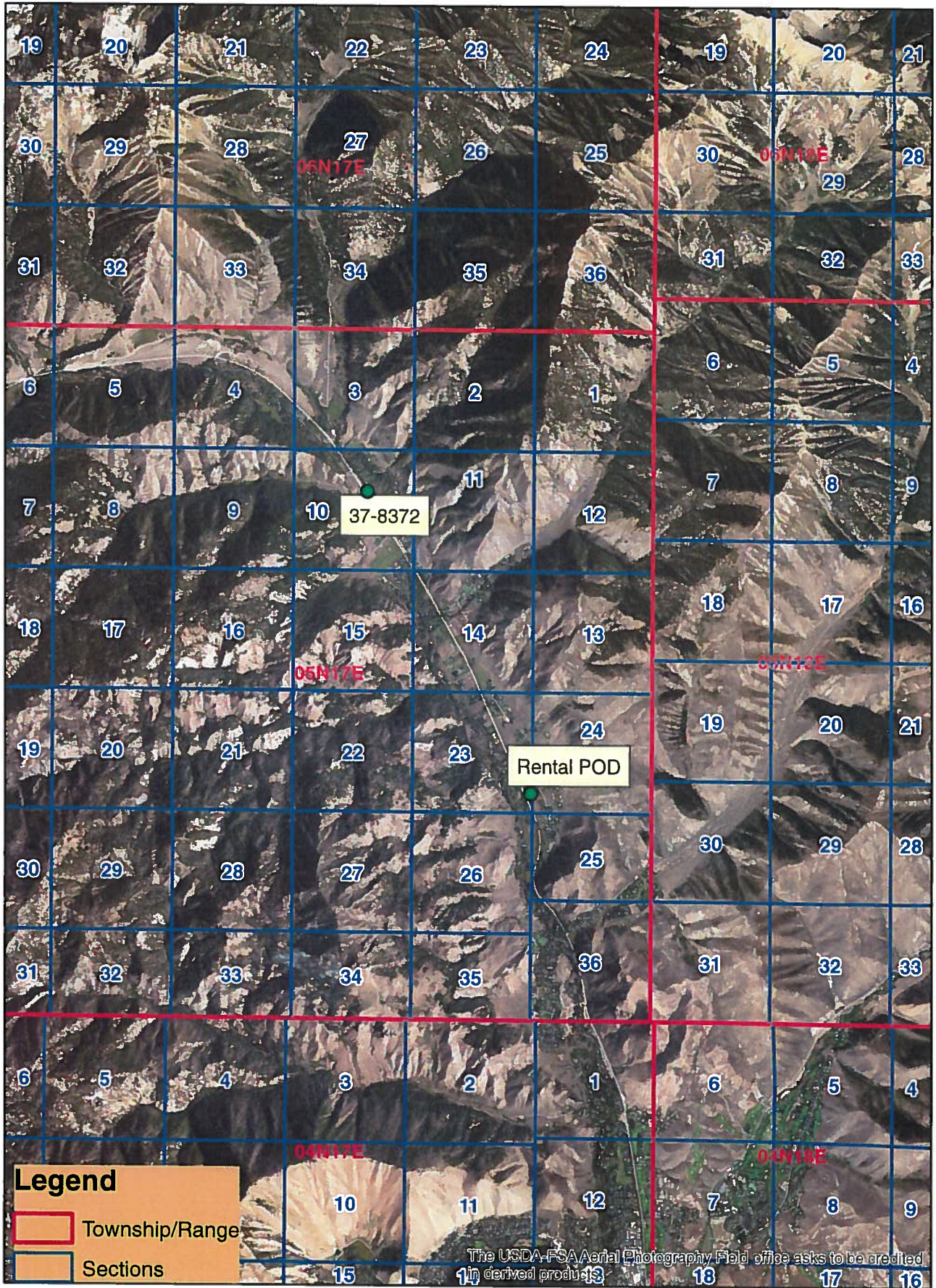
LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The rented right(s) are subject to Water District # 37. The Southern Regional manager had no concerns with this rental see email dated October 2, 2014.

Dozoretz Rental 2014





Webster, Clay

From: Jim Speck [jim@speckandaanestad.com]
Sent: Thursday, October 02, 2014 1:47 PM
To: Webster, Clay
Cc: phil1phyl2@aol.com; 'Strattner, Ashley'; Buyer, Remington; Palmer, Cherie
Subject: RE: RE: FW: Dozoretz Water Supply Bank Rental Application
Attachments: director consent - ahern signature.pdf; director consent - mickelson signature.pdf; director consent - smith signature.pdf

Clay,

Attached, in three counterparts, are copies of the Special Consent of the directors of the Stonegate Homeowners' Association, Inc. approving the Dozoretz use of the Association's well and water delivery system for his 2014 rental of Water Right 37-8372, and for no other use either in 2014 or thereafter. Call me if you have any questions.

Jim

-----Original Message-----

From: Webster, Clay
Sent: Wednesday, October 01, 2014 9:14 AM
To: Jim Speck
Cc: phil1phyl2@aol.com; 'Strattner, Ashley'; Buyer, Remington; Palmer, Cherie

Jim,

Where the Dozoretz's rental application was the first in line. It is the first one to be considered for approval. Ashley Strattner has been working with me to resolve the amount of irrigation needed under this rental request. This has been resolved, and I just got the go ahead to process this rental for 2014. It will take all of the available water from 37-8372, however the rental will only be approvable for 2014. This is due to the lease's expiration at the end of this year. They do wish to apply again for 2015. I did advise Ashley Strattner that they will need this approval from the HOA for any future rental requests. If they apply for a five year rental in 2015, they will need an approval letter authorizing them to use the HOA's Point of Diversion through 2019. Thanks for the help with this.

Clay

-----Original Message-----

From: Jim Speck [mailto:jim@speckandaanestad.com]
Sent: Monday, September 29, 2014 12:05 PM
To: Webster, Clay
Cc: phil1phyl2@aol.com; 'Strattner, Ashley'; Buyer, Remington
Subject: RE: FW: Dozoretz Water Supply Bank Rental Application

Clay,

Ashley Strattner forwarded to me your e-mail below regarding the WSB rental application. I am the attorney for the Stonegate Homeowners Association which owns the well and water delivery system through which Dr. Dozoretz desires to divert and receive the irrigation water under the rented water right. I am also familiar with Water Right No. 37-8372 as it is owned by another client of mine, Murfus Partners, LLC.

I just reviewed the WSR lease and rental application status spreadsheet. In addition to the Dozoretz application (which you received July 21, 2014), it lists two other rental applications where 37-8372 is the proposed rental right (D'Angelo filed on August 25, 2014 and Forgeon filed on Sept. 10, 2014). In addition, I filed for another client, William McMorrow, Trustee, on Sept. 3, 2014, a rental application for land that is also downstream of the 37-8372 place of use and thus for which 37-8372 would be an appropriate rental right. #7-8372 will only cover part of the Dozoretz application much less all 4 of these applications! How will you resolve this? On the basis of the dates the rental applications were filed?

If so, then it appears Dozoretz will be allocated the entire amount of 37-8372. If that's the case, will the Dozoretz application for 2014 to irrigate more than the 2.25A available under 37-8372 be denied?

Please get back to me as soon as you can. Thank you.

Jim

-----Original Message-----

From: Strattner, Ashley
Sent: Monday, September 29, 2014 10:58 AM
To: Jim Speck
Cc: phil1phyl2@aol.com; Strattner, Ashley

Jim - here is the email from Clay Webster and his contact information. He explains which water right we are requesting. Please let me know if there are any questions and if a letter from the Condo Association will be able to be provided.

Thanks.

Ashley W. Strattner
RID Ventures, LLC
240 Corporate Boulevard
Norfolk, VA 23502
Phone: 757-459-5142
Fax: 757-459-5415
Email: ashley.strattner@ridventures.com

From: Webster, Clay [mailto:Clay.Webster@idwr.idaho.gov]
Sent: Thursday, September 25, 2014 11:40 AM
To: Strattner, Ashley
Subject: RE: Water Supply Bank Rental Application

Ashley,

I have ran into a problem with this rental. I am not going to be allowed to use Water Right 37-2683B to fulfill this rental. With the continued depletions of water in the Wood River Valley, we are only allowed to move water up-stream in this valley with a hydrologic analysis from the applicant to demonstrate that no injury will occur. I have one leased water right (37-8372) in the bank that can be used for this rental. However, it is only good for 2.25 acres. I will look closer at the area that Dr. Dorzoretz is irrigating to make sure that this can work for his rental. The big issue is this right is only in the bank for this year. Therefore, the rental would only be approvable for 2014.

Sincerely,
Clay Webster
Water Resource Agent

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/>

From: Strattner, Ashley [mailto:Ashley.Strattner@ridventures.com]
Sent: Thursday, September 18, 2014 11:42 AM
To: Webster, Clay
Cc: Strattner, Ashley
Subject: RE: Water Supply Bank Rental Application

Clay - attached is the corrected application for your review. I also heard again from the Stonegate Homeowners President. Their attorney, Mr. Speck, has the information to draft the letter but is out of the office until early next week. He will get this completed once he returns and I will make sure to get it to you as well.

If you see any other corrections needed on the application, please just let me know. Thanks so much for your help!

Ashley W. Strattner
RID Ventures, LLC
240 Corporate Boulevard
Norfolk, VA 23502
Phone: 757-459-5142
Fax: 757-459-5415
Email:
ashley.strattner@ridventures.com<mailto:ashley.strattner@ridventures.com>

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RECEIVED
OCT 02 2014

Department of Water Resources

SPECIAL CONSENT
OF THE BOARD OF DIRECTORS OF
STONEGATE HOMEOWNERS' ASSOCIATION, INC.
WITHOUT A MEETING

Pursuant to Idaho Code Section 30-3-75, the undersigned Directors, being all of the Directors of Stonegate Homeowners' Association, Inc., an Idaho nonprofit corporation (the "Association"), hereby consent in writing to the following actions and adopt the following resolutions with the same force and effect as though said actions and resolutions were taken and adopted by unanimous vote of the Board of Directors of the Association at a special meeting duly called and attended:

WHEREAS, Ronald I. Dozoretz ("Dozoretz") is the owner of Lots 2, 3 and 4, Stonegate Subdivision (the "Lots"), and

WHEREAS, the irrigation of 0.5 acre in connection with the Dozoretz home on Lot 4 is pursuant to the Association's Water Right No. 37-20863; and

WHEREAS, on July 21, 2014 Dozoretz filed with the Idaho Department of Water Resources ("IDWR") an application to rent water from the Idaho Water Supply Bank (the "Bank") to irrigate 3.5 acres on the Lots for five (5) years; and

WHEREAS, IDWR and the Bank are proposing to rent to Dozoretz for the 2014 irrigation season only Water Right 37-8372 in the amount of 0.03 cfs and 7 acre-feet per year to be diverted from the Association's well and through its water delivery system for the irrigation of 2.25 acres on the Lots contingent upon the Association's approval of this rental;

IT IS HEREBY RESOLVED, that Dozoretz may use the Association's well and water delivery system to divert water pursuant to his rental contract with the Bank at a rate not to exceed 0.03 cfs and in the total amount not to exceed 7 acre-feet during the period of April 1 through October 31, 2014 ONLY for the irrigation of 2.25 acres on the Lots; and

IT IS HEREBY FURTHER RESOLVED, that this Consent and approval shall not be of any precedential value and shall not bind or otherwise be a factor in the Association's evaluation of any requests by Dozoretz or other owners of lots in the Stonegate Subdivision to use the Association's well and water delivery system to divert and deliver any water right not owned by the Association.

This Special Consent of the Directors of Stonegate Homeowners' Association, Inc., an Idaho nonprofit corporation, is executed by the undersigned directors in one or more counterparts on the dates set forth opposite their names, each of which when so executed shall be deemed an original, but all such counterparts together shall constitute but one and the same instrument.

DATE:

DIRECTORS:

Oct 2, 2014
PHIL SMITH

Oct. 2, 2014

Mary L. Ahern
MARY L. AHERN

DAVID P. MICKELSON

OCTOBER 2, 2014

MARY L. AHERN


DAVID P. MICKELSON *

* COPY SCANNED AND E-MAILED
TO ATTY. SPECK, ORLG. TO ASSN.
PERMANENT RECORDS/NELSON.

Webster, Clay

From: Merritt, Allen
Sent: Thursday, October 02, 2014 8:19 AM
To: Webster, Clay
Subject: RE: Regional and WaterMaster Comments for WSB Dozoretz Rental Application

No apparent concerns.

From: Webster, Clay
Sent: Wednesday, October 01, 2014 2:24 PM
To: Merritt, Allen; Kevin Lakey
Subject: Regional and WaterMaster Comments for WSB Dozoretz Rental Application

Allen and Kevin,

I am currently processing this rental application for Dozoretz. Do you have any concerns?

Sincerely,

Clay Webster

Water Resource Agent
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

Webster, Clay

From: Buyer, Remington
Sent: Wednesday, October 01, 2014 8:13 AM
To: Webster, Clay
Cc: Palmer, Cherie; McVay, Michael
Subject: FW: Wood River Valley rentals from the Water Supply Bank

Clay,

I just spoke with Mike McVay. The Big Wood is a gaining river until the city of Ketchum. The proximity of Dozoretz's rental location to Murfus' lease location and the proximity of both to the river in a gaining reach stream should provide sufficient assurance that a rental in this area will not impair the Board's minimum stream flow water right 37-8258. If Dozoretz removes the trees from his rental proposal, it appears this rental request is permissible for 2014.

Remington
287-4918

-----Original Message-----

From: Jim Speck [<mailto:jim@speckandaanestad.com>]
Sent: Tuesday, September 30, 2014 5:31 PM
To: Buyer, Remington; Webster, Clay
Cc: Palmer, Cherie; phil1phyl2@aol.com; david@davidandgenie.com
Subject: RE: Wood River Valley rentals from the Water Supply Bank

Remington & Clay,

Does this apply to the Dozoretz rental application for 2014? If not, then Clay, please respond to my e-mail to you yesterday about this application. I must have those answers to advise the Association on Dozoretz's request to use its well and delivery system. Thanks.

Jim

-----Original Message-----

From: Buyer, Remington
Sent: Tuesday, September 30, 2014 4:50 PM
To: 'Jim Speck'
Cc: Palmer, Cherie; Webster, Clay

Jim,

The Water Supply Bank is required to evaluate all requests to rent water from the Bank to ensure no injury to other water rights/water users will occur through a rental, and that no enlargement of the water right being rented will occur through the transfer accomplished under the rental (Water Supply Bank Rule 30-1).

Rentals that reduce the flow of the Big Wood River can injure the Board's minimum stream flow water rights. Additionally, any established water rights that are junior to the Board's minimum stream flow water rights will be injured if they are curtailed because the minimum stream flow isn't being met due to diversions authorized under a rental agreement. Thus, no rental in the Wood River Valley should be approved if it will injure the Board's minimum stream flow water rights.

To ensure injury is reasonably avoided under a rental proposal, the Bank must evaluate the relationship between the location where an established volume and flow of water is being leased into the Bank, and the location where an approved volume and flow of water is being diverted under a rental.

Injury of other water rights will occur if the new use authorized under a rental will reduce the stream flow of the Big Wood River; enlargement of the leased right may occur if the volume and rate of flow approved for rental isn't correctly conditioned to account for impacts and mitigation requirements necessary at the rental location.

In light of the above, the Bank will require that future rental requests in the Wood River Valley provide an analysis of the impact that their proposed use will have on stream flow in the Big Wood River, including to groundwater tributary to the Big Wood River. Any rental agreements that are approved will also be conditioned with language affirming that they will be subject to curtailment once the minimum stream flow is not being met while the Board's minimum stream flow right is in priority.

A hydrologic model of the Wood River Valley is being developed by the Department. The model, scheduled for completion at the end of the 2015, will be employed to evaluate the impact of transfers and rental requests in the valley. Prior to implementation of the model and any transfer tool built from the model, the Department is working on providing guidance to the public regarding what documentation will be requested and evaluated when considering rental requests in the Wood River Valley. We hope to have that information available by year's end. Once that information is determined, it will be shared publicly and all pending rental requests will be requested to provide the minimum documentation necessary to evaluate a rental request.

I welcome your thoughts on the pending changes. Please note, I will be discussing these changes with Idaho Water Resource Board members who sit on the Water Supply Bank Committee at our upcoming meeting on October 9th at 1:30 pm here at the IDWR office in Boise. The meeting is open to the public.

Regards,

Remington Buyer
Water Supply Bank Coordinator
Idaho Department of Water Resources
322 East Front Street, Boise, ID, 83720
T: (208) 287-4918 | F: (208) 287-6700

Webster, Clay

From: Strattner, Ashley [Ashley.Strattner@ridventures.com]
Sent: Thursday, September 25, 2014 9:42 AM
To: Webster, Clay
Subject: RE: Water Supply Bank Rental Application

Clay – I am a bit confused but am following that we do have a problem. Can you talk today about this?

*Ashley W. Strattner
RID Ventures, LLC
240 Corporate Boulevard
Norfolk, VA 23502
Phone: 757-459-5142
Fax: 757-459-5415
Email: ashley.strattner@ridventures.com*

From: Webster, Clay [mailto:Clay.Webster@idwr.idaho.gov]
Sent: Thursday, September 25, 2014 11:40 AM
To: Strattner, Ashley
Subject: RE: Water Supply Bank Rental Application

Ashley,

I have ran into a problem with this rental. I am not going to be allowed to use Water Right 37-2683B to fulfill this rental. With the continued depletions of water in the Wood River Valley, we are only allowed to move water up-stream in this valley with a hydrologic analysis from the applicant to demonstrate that no injury will occur. I have one leased water right (37-8372) in the bank that can be used for this rental. However, it is only good for 2.25 acres. I will look closer at the area that Dr. Dorzoretz is irrigating to make sure that this can work for his rental. The big issue is this right is only in the bank for this year. Therefore, the rental would only be approvable for 2014.

Sincerely,

Clay Webster

Water Resource Agent
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

From: Strattner, Ashley [mailto:Ashley.Strattner@ridventures.com]
Sent: Thursday, September 18, 2014 11:42 AM
To: Webster, Clay

Cc: Strattner, Ashley
Subject: RE: Water Supply Bank Rental Application

Clay – attached is the corrected application for your review. I also heard again from the Stonegate Homeowners President. Their attorney, Mr. Speck, has the information to draft the letter but is out of the office until early next week. He will get this completed once he returns and I will make sure to get it to you as well.

If you see any other corrections needed on the application, please just let me know. Thanks so much for your help!

Ashley W. Strattner
RID Ventures, LLC
240 Corporate Boulevard
Norfolk, VA 23502
Phone: 757-459-5142
Fax: 757-459-5415
Email: ashley.strattner@ridventures.com

From: Webster, Clay [<mailto:Clay.Webster@idwr.idaho.gov>]
Sent: Thursday, September 18, 2014 1:04 PM
To: Strattner, Ashley
Subject: RE: Water Supply Bank Rental Application

Ashley,

You can go ahead and send what you have, that way I can review it and make sure that once the letter comes from the HOA we can finish processing the application.

Sincerely,

Clay Webster

Water Resource Agent
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
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From: Strattner, Ashley [<mailto:Ashley.Strattner@ridventures.com>]
Sent: Thursday, September 18, 2014 10:17 AM
To: Webster, Clay
Subject: RE: Water Supply Bank Rental Application

Clay – I have spoken with the Stonegate Homeowners Association regarding the letter of authorization needed and they are working on getting this to me. I am not sure how long this could take but I am hopeful that maybe I will have it by the end of next week. I have made the corrections on the application. Would you like for me to forward you this now, or hold off and send it with the letter from the homeowners association? Whatever works best for you is fine with me.

If you need me, please feel free to give me a call.

Thanks.

Ashley W. Strattnner
RID Ventures, LLC
240 Corporate Boulevard
Norfolk, VA 23502
Phone: 757-459-5142
Fax: 757-459-5415
Email: ashley.strattner@ridventures.com

From: Webster, Clay [<mailto:Clay.Webster@idwr.idaho.gov>]
Sent: Monday, September 15, 2014 5:19 PM
To: Strattnner, Ashley
Subject: RE: Water Supply Bank Rental Application

Ms. Strattnner,

I believe this map will work for the rental as long as it depicts what is actually taking place at the location.

Sincerely,

Clay Webster

Water Resource Agent
clay.webster@idwr.idaho.gov
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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

From: Strattnner, Ashley [<mailto:Ashley.Strattnner@ridventures.com>]
Sent: Monday, September 15, 2014 2:42 PM
To: Webster, Clay
Subject: RE: Water Supply Bank Rental Application

Clay – is it possible to set up a time that we could talk tomorrow? Pam Skaggs in the Department of Water actually helped me complete the application. I am not familiar with everything at Dr. Dozoretz's property in Idaho and will need some help from someone. Please let me know the best time to speak. You can call me most any time, but I am on the east coast and will be here from 8am to 5pm EST.

Thanks.

Ashley W. Strattnner

RID Ventures, LLC
240 Corporate Boulevard
Norfolk, VA 23502
Phone: 757-459-5142
Fax: 757-459-5415
Email: ashley.strattner@ridventures.com

From: Webster, Clay [<mailto:Clay.Webster@idwr.idaho.gov>]
Sent: Monday, September 15, 2014 4:14 PM
To: Strattner, Ashley
Subject: Water Supply Bank Rental Application

Ms. Strattner,

I am in the process of reviewing the application to rent water from the Idaho Water Supply Bank for Ronald Dozoretz. I have found some errors which will need to be corrected prior to being able to proceed.

The sections identified on the application for the Point of Diversion and the Place of Use are incorrect. I have included a map with some notes at the top to show you what I have found.

What I will need is a corrected 1st page of the application with the correct locations in section A. items 3 and 4.

I will also need you to identify on the map where the 3.5 acres irrigation will take place on Dr. Dozoretz's property. The lots that are identified by the light blue borders are the lots that are identified as his, per county tax lot data. By my calculations these lots have about 4.4 acres.

I will also need you to identify on the map the location of the Point of Diversion.

We will also need a letter from the Stonegate Homeowners association stating that he has permission to utilize their well to divert the water for this rental. (Section B item 1)

The final item I found is that the rental will only be approvable until December 31, 2017. That is when the lease on water right 37-2683B expires.

Please provide the requested information within 14 days of this notice. Thank you for your attention to this matter.

Sincerely,

Clay Webster

Water Resource Agent
clay.webster@idwr.idaho.gov
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Boise, ID 83720-0098
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Dozorentz Properties. Mostly located in 05N17E section 24 with about ½ acre in 05N17E section 25
SESW. POD for Stonegate Homeowner's association is located in 05N17E section 23 SESE. Need
clarification on WSB Applications.

