

AMENDED WATER SUPPLY BANK LEASE CONTRACT

This Lease Contract ("**Lease**") is effective June 20, 2014, between the Idaho Water Resource Board ("**Board**"), and

Lessor: JOHN RITCHIE
PO BOX 1068
BLACKFOOT ID 83221
(208) 785-5982

RECEIVED

DEC 01 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>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
35-13993	0.21 CFS	Not Stated	19.6 AC	35.7 AC
35-13995	0.46 CFS	Not Stated	35.3 AC	35.7 AC
Combined Lease Totals:	0.59 CFS	Not Stated	35.3 AC	35.7 AC

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

Authorized Period of Use under Lease: 04/01 to 10/31

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.

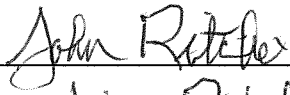
SUPPORT DATA

IN FILE # **35-13993**

5. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

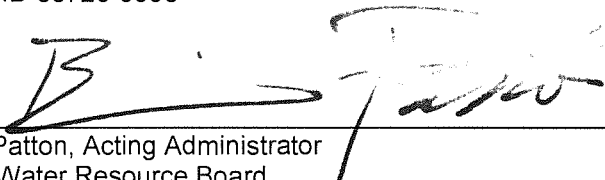
IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

JOHN RITCHIE
PO BOX 1068
BLACKFOOT ID 83221

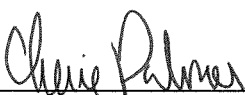
By 
Printed Name John Ritchie

Date 11-28-14
Title Owner

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 December 5, 2014

Lease approved by IDWR 

Date 12/5/2014

ATTACHMENT A
WATER RIGHT NO. 35-13993
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: JOHN RITCHIE
 PO BOX 1068
 BLACKFOOT ID 83221
 (208) 785-5982

Priority Date: 7/13/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.21 CFS	Not Stated
	Total:		0.21 CFS	Not Stated

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWNE	Sec. 9, Twp 02S, Rge 34E, BINGHAM County
GROUND WATER	NENWSE	Sec. 4, Twp 02S, Rge 34E, BINGHAM 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	
02S	34E	4															11.2		11.2
02S	34E	9	6.2		5.2	2.1									11.0				24.5

Total Acres: 35.7

Limited to acres within place of use described above: 19.6 AC

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
35-13993 and 35-13995,	0.59 CFS	NA	35.3 AC	35.7 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 rights leased to the bank are 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. Right nos. 35-13994, 35-13995, 35-13996, 35-14389 and 35-14390 are also diverted through points of diversion described above.
13. Use of un-leased portions of this right with un-leased portions of right no. 35-13995 is limited to the irrigation of a combined total of 188.6 acres in a single irrigation season.
14. Un-leased portion of this right is limited to the irrigation of 103.4 acres within the place of use described above in a single irrigation season.
15. Use of un-leased portions of this right with un-leased portions of right no. 35-13995 are limited to a total combined diversion rate of 3.17 cfs and to a total combined annual diversion volume of 754.4 af.
16. 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. 120.

ATTACHMENT A
WATER RIGHT NO. 35-13995
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: JOHN RITCHIE
 PO BOX 1068
 BLACKFOOT ID 83221
 (208) 785-5982

Priority Date: 11/12/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.46 CFS	Not Stated
	Total:		0.46 CFS	Not Stated

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENWSE	Sec. 4, Twp 02S, Rge 34E, BINGHAM County
GROUND WATER	SWNWNE	Sec. 9, Twp 02S, Rge 34E, BINGHAM 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	
02S	34E	4															11.2		11.2
02S	34E	9	6.2		5.2	2.1									11.0				24.5

Total Acres: 35.7

Limited to acres within place of use described above: 35.3 AC

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
35-13993 and 35-13995,	0.59 CFS	NA	35.3 AC	35.7 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 rights leased to the bank are subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. Use of un-leased portions of this right with un-leased portions of right no. 35-13993 are limited to the irrigation of a combined total of 188.6 acres in a single irrigation season.
13. Unleased portions of this right is limited to the irrigation of 186.8 acres within the place of use described above in a single irrigation season.
14. Right no. 35-13993, 35-13994 & 35-13996, 35-14389 and 35-14390 is also diverted through point of diversion described above.
15. 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. 120.

WATER SUPPLY BANK LEASE CONTRACT

This Lease Contract ("**Lease**") is effective June 20, 2014, between the Idaho Water Resource Board ("**Board**"), and

Lessor: JOHN RITCHIE
PO BOX 1068
BLACKFOOT ID 83221
(208) 785-5982

RECEIVED

AUG 08 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>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
35-13993	0.36 CFS	NA	19.6 AC	35.7 AC
35-13995	0.36 CFS	NA	35.3 AC	35.7 AC
Combined Lease Totals:	0.35 CFS	NA	35.3 AC	35.7 AC

The water rights described herein shall be available for rental from the Bank as follows:
Authorized Period of Use under Lease: 04/01 to 10/31

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.

SUPPORT DATA

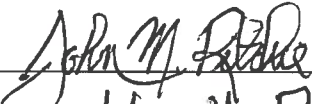
IN FILE # 35-13993

SCANNED
AUG 12 2014

5. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

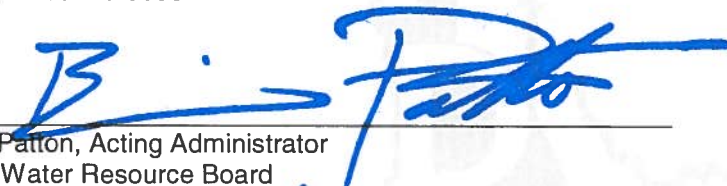
IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

JOHN RITCHIE
PO BOX 1068
BLACKFOOT ID 83221

By 
Printed Name John M. Ritchie

Date 080414
Title Owner

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 August 8, 2014

Lease approved by IDWR 

Date August 8, 2014

ATTACHMENT A
WATER RIGHT NO. 35-13993
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: JOHN RITCHIE
PO BOX 1068
BLACKFOOT ID 83221
(208) 785-5982

Priority Date: 7/13/1954

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	0.36 CFS	NA
	Total:		0.36 CFS	NA

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWNE	Sec. 9, Twp 02S, Rge 34E, BINGHAM County
GROUND WATER	NENWSE	Sec. 4, Twp 02S, Rge 34E, BINGHAM County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	34E	4															11.2		11.2
02S	34E	9	6.2		5.2	2.1									11.0				24.5

Total Acres: 35.7

Limited to acres within place of use described above: 19.6 AC

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
35-13993 and 35-13995,	0.35 CFS	NA	35.3 AC	35.7 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. Right nos. 35-13994, 35-13995, 35-13996, 35-14389 and 35-14390 are also diverted through points of diversion described above.
13. Use of this right with right no. 35-13995 is limited to the irrigation of a combined total of 224.3 acres in a single irrigation season.
14. This right is limited to the irrigation of 123.0 acres within the place of use described above in a single irrigation season.
15. Use of this right with right no. 35-13995 is limited to a total combined diversion rate of 3.76 cfs and to a total combined annual diversion volume of 897.2 af
16. 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. 120.

ATTACHMENT A
WATER RIGHT NO. 35-13995
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: JOHN RITCHIE
 PO BOX 1068
 BLACKFOOT ID 83221
 (208) 785-5982

Priority Date: 11/12/1975

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	0.36 CFS	NA
	Total:		0.36 CFS	NA

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENWSE	Sec. 4, Twp 02S, Rge 34E, BINGHAM County
GROUND WATER	SWNWNE	Sec. 9, Twp 02S, Rge 34E, BINGHAM 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	
02S	34E	4															11.2		11.2
02S	34E	9	6.2		5.2	2.1									11.0				24.5

Total Acres: 35.7

Limited to acres within place of use described above: 35.3 AC

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
35-13993 and 35-13995,	0.35 CFS	NA	35.3 AC	35.7 AC

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed.

6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code §§ 42-248 and 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. Use of this right with right no. 35-13993 is limited to the irrigation of a combined total of 224.3 acres in a single irrigation season.
13. This right is limited to the irrigation of 222.1 acres within the place of use described above in a single irrigation season.
14. Right no. 35-13993, 35-13994 & 35-13996, 35-14389 and 35-14390 is also diverted through point of diversion described above.
15. 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. 120.

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

JUN 20 2014

Department of Water Resources
Eastern RegionWATER SUPPLY BANK LEASE OR SALE
APPLICATION CHECKLIST

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 John M. Ritchie and Kaye RitchieWater Right No. 35-13993

One water right per application

All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

YES

- ☐ Completed *Water Supply Bank Lease or Sale Application Checklist* (this form).
- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank* (pages 2-3).
- ☒ Application filing fee of \$250.00. If you are submitting more than one lease application and the water rights have a common place of use, or common diversion rate, or common diversion volume, the combined maximum fee is \$500.00.

Attachment N/A YES

- 1A ☐ ☒ Contact information for *all owners* of the water right that is being leased or sold on this application.
- 1B ☐ ☒ An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.
- 1C ☒ ☐ *Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
- 1D ☒ ☐ Written consent from irrigation district or water delivery company.
- 1E ☐ ☒ Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
- 2 ☐ ☒ Description of a water right portion offered to the Water Supply Bank.
- 3D ☒ ☐ Evidence demonstrating that a water right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code.
- 4 ☐ ☒ A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. If you don't already have a detailed map, you can create one using IDWR's online General Mapping Tool (<http://maps.idwr.idaho.gov/mapall/>) to locate a water right place of use or point of diversion.

Department Use Only

\$500 total pd

Fee Amount \$ 250⁰⁰Received By: SCDate Received: 6/20/14Receipt # E039957W-9 received? Yes ☒ No ☐

(Route W-9 to Fiscal)

Name on W-9:

John Ritchie

**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 John M. Ritchie and Kaye Ritchie Email Address krazykaye@q.com
Mailing Address PO Box 1068, Blackfoot, ID 83221 Phone Number 785-5982

☒ 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 Jared M. Harris Organization The Law Firm of Baker & Harris
Professional Title Attorney at Law Email Address jharris@bakerharrislaw.com
Mailing Address 266 W Bridge St., Blackfoot, ID 83221 Phone Number 785-2310

☐ 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 35-13993 ☐ 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.
Pump and Panel

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 Right No. 35-13993 is a combined water right with Water Right No. 35-13995.

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

Yes ☐ No ☒

If yes, describe. N/A

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. N/A

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. N/A

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 March 1, 2014 to November 1, 2019 (maximum lease period 5 years).
(Month / Day / Year) (Month / Day / Year)

B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

Current Rental Rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture provisions are stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any elements of the water right.

John M. Ritchie
Signature of Designated Applicant

John M. Ritchie

Printed Name

6-17-2014
Date

Kaye Ritchie
Signature of Authorized Representative

Kaye Ritchie

Printed Name

6-17-2014
Date

Mail to:

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

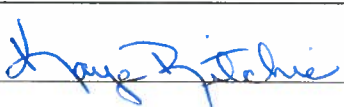
**STATE OF IDAHO
WATER RESOURCE BOARD**

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. 35-13993

	Designated Applicant	Applicant #2	Applicant #3
Name	John M. Ritchie	Kaye Ritchie	
Mailing Address	PO Box 1068, Blackfoot, ID 83221	PO Box 1068, Blackfoot, ID 83221	
Phone Number	785-5982	785-5982	
Email Address	krazykaye@q.com	krazykaye@q.com	
Applicant Declaration	As Designated Applicant, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

	Applicant #4	Applicant #5	Applicant #6
Name			
Mailing Address			
Phone Number			
Email Address			
Applicant Declaration	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

**STATE OF IDAHO
WATER RESOURCE BOARD**

ATTACHMENT 2

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

<u>1. Water Right Number</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
35-13993	1.32	Irrigation	04/01 to 10/31
			to
			to
			to
			to

Total Amount: 1.32

2. Source of water Ground Water tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
2S	34E	4		NE	NW	SE	Bingham
2S	34E	9		SW	NW	NE	Bingham

4. Lands 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	
2S	34E	4			5.1											39.4	32.3		76.8
2S	34E	9	40	35.5	24	36									11	1			147.5

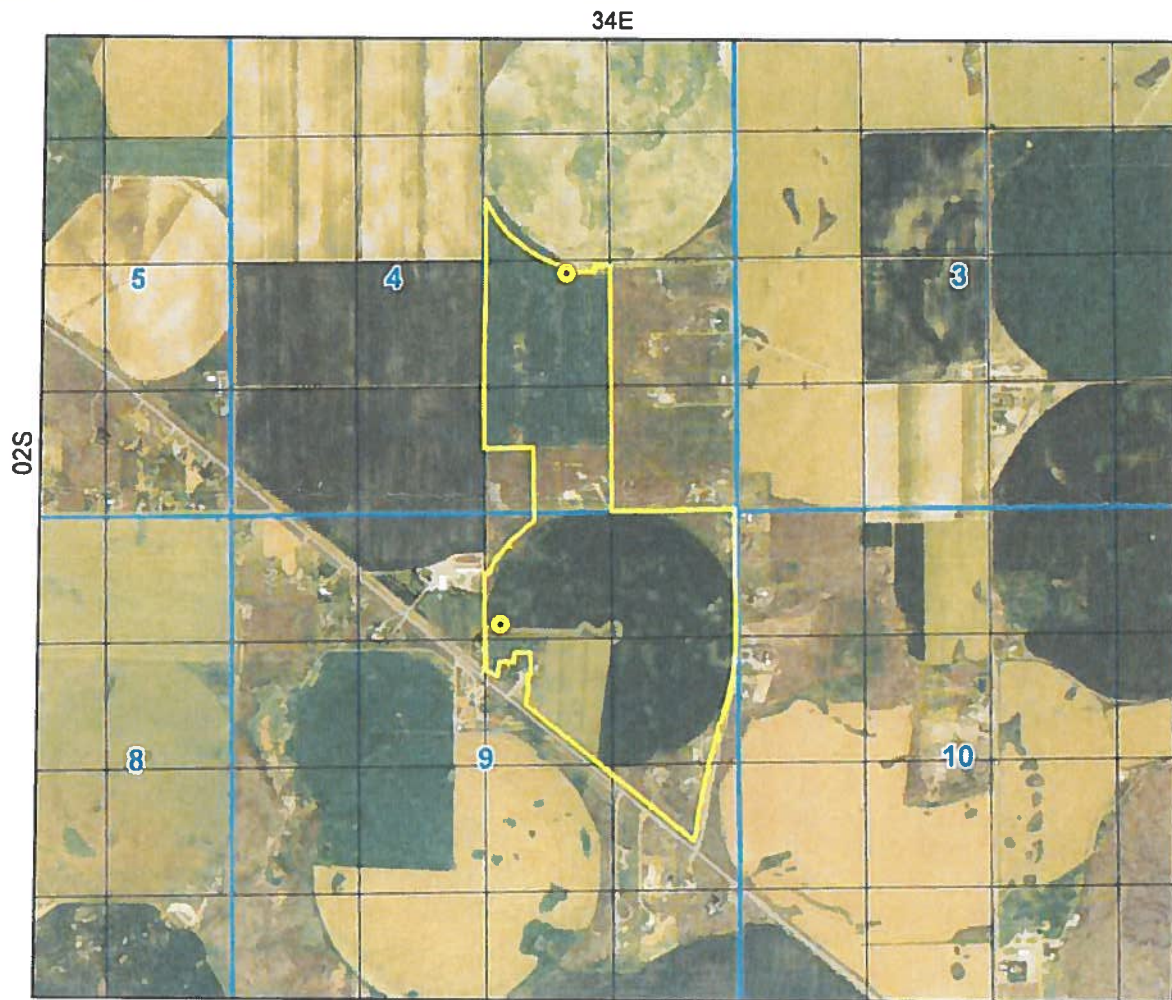
If the water right is for irrigation, show total number of acres offered to the Bank. **Total Acres** 224.3

State of Idaho
Department of Water Resources

Water Right
35-13993

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.225 0.45 0.9 Miles



Map produced on June 18, 2014

STATE OF IDAHO
WATER RESOURCE BOARDWATER SUPPLY BANK LEASE OR SALE
APPLICATION CHECKLISTRECEIVED
JUN 20 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 John M. Ritchie and Kaye RitchieWater Right No. 35-13995

One water right per application

All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

YES

- ☐ Completed *Water Supply Bank Lease or Sale Application Checklist* (this form).
- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank* (pages 2-3).
- ☒ Application filing fee of \$250.00. If you are submitting more than one lease application and the water rights have a common place of use, or common diversion rate, or common diversion volume, the combined maximum fee is \$500.00.

Attachment N/A YES

- 1A ☐ ☒ Contact information for *all owners* of the water right that is being leased or sold on this application.
- 1B ☐ ☒ An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.
- 1C ☒ ☐ *Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
- 1D ☒ ☐ Written consent from irrigation district or water delivery company.
- 1E ☐ ☒ Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
- 2 ☐ ☒ Description of a water right portion offered to the Water Supply Bank.
- 3D ☒ ☐ Evidence demonstrating that a water right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code.
- 4 ☐ ☒ A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. If you don't already have a detailed map, you can create one using IDWR's online General Mapping Tool (<http://maps.idwr.idaho.gov/mapall/>) to locate a water right place of use or point of diversion.

Department Use Only

Fee Amount \$ 250.00 *\$500 total pd*Received By: SCDate Received: 6/20/14Receipt # E039957W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)Name on W-9: John Ritchie

**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 John M. Ritchie and Kaye Ritchie Email Address krazykaye@q.com
Mailing Address PO Box 1068, Blackfoot, ID 83221 Phone Number 785-5982

☒ 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 Jared M. Harris Organization The Law Firm of Baker & Harris
Professional Title Attorney as Law Email Address jharris@bakerharrislaw.com
Mailing Address 266 W Bridge St., Blackfoot, ID 83221 Phone Number 785-2310

☐ 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 35-13995 ☐ 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.

Pump and Panel

- 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 Right No. 35-13995 is a combined water right with Water Right No. 35-13993.

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

Yes ☐ No ☒

If yes, describe. N/A

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. N/A

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. N/A

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 March 1, 2014 to November 1, 2019 (maximum lease period 5 years).
(Month / Day / Year) (Month / Day / Year)

B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

Current Rental Rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture provisions are stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any elements of the water right.

John M. Ritchie
Signature of Designated Applicant

John M. Ritchie

Printed Name

06-17-14
Date

Kaye Ritchie
Signature of Authorized Representative

Kaye Ritchie

Printed Name

6-17-2014
Date

Mail to:

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

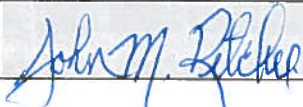
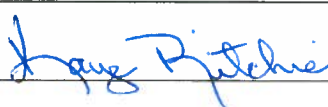
**STATE OF IDAHO
WATER RESOURCE BOARD**

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. 35-13995

	Designated Applicant	Applicant #2	Applicant #3
Name	John M. Ritchie	Kaye Ritchie	
Mailing Address	PO Box 1068, Blackfoot, ID 83221	PO Box 1068, Blackfoot, ID 83221	
Phone Number	785-5982	785-5982	
Email Address	krazykaye@q.com	krazykaye@q.com	
Applicant Declaration	As Designated Applicant, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

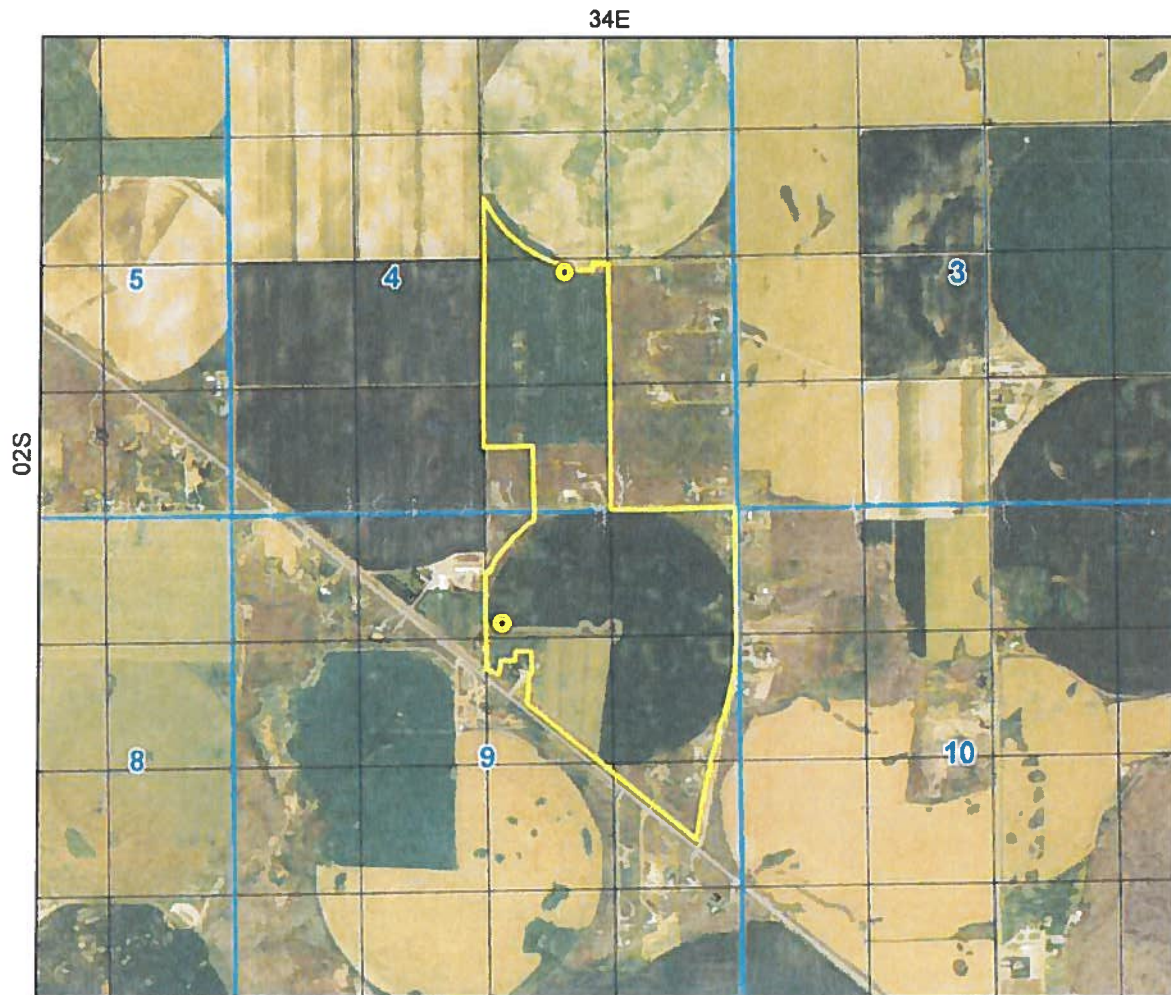
	Applicant #4	Applicant #5	Applicant #6
Name			
Mailing Address			
Phone Number			
Email Address			
Applicant Declaration	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

State of Idaho
Department of Water Resources

Water Right
35-13995

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.225 0.45 0.9 Miles



Map produced on June 18, 2014



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

December 29, 2014

JOHN M RITCHIE
PO BOX 1068
BLACKFOOT ID 83221

**RE: RENTAL OF WATER RIGHT(S) LEASED TO THE WATER SUPPLY BANK.
WATER RIGHT NO(S). 35-13993, 35-13995, 35-13997, AND 35-13999**

Dear Lessor:

The Department of Water Resources is enclosing a state warrant in the amount of **\$4,749.08** as payment to you for the rental of the above referenced water right(s) from the Water Supply Bank managed by the Idaho Water Resource Board. Payment for the rental of your water rights is represented by multiple rental agreements as follows:

Receipt No.	Amount	Volume	Renter	Rate/AF
C098374	\$1,203.60	70.8 AF	County Line	\$17
C099507	\$3,536.00	208.0 AF	Funk	\$17
C099659	\$ 537.20	31.6 AF	Tanner Lane	\$17

In accordance with Water Supply Bank rule 35.01, *IDAPA 37.02.03* return for the rental is ninety percent (90%) of the gross amount received at the rate per acre described above.

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

Sincerely,

for Cherle Palmer
Water Rights Supervisor
WSB Process Point of Contact

Warrant Number: 127037518



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

December 5, 2014

JOHN RITCHIE
PO BOX 1068
BLACKFOOT ID 83221

RE: WATER SUPPLY BANK AMENDED LEASE CONTRACT FOR RIGHTS 35-13993 AND 35-13995

Dear Lessor:

Water Rights 35-13993 and 35-13995 lease was amended on December 5, 2014 in accordance with the executed original Amended 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.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact me at 287-4910.

Sincerely,

Clay Webster
Water Resource Agent

Enclosure: Executed Amended Lease Contract

c. Jared M. Harris – Baker & Harris



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
August 8, 2014

C.L. "BUTCH" OTTER
Governor

JOHN RITCHIE
PO BOX 1068
BLACKFOOT ID 83221

RE: WATER SUPPLY BANK LEASE CONTRACT FOR RIGHTS 35-13993 & 35-13995

Dear Lessor:

Water Rights 35-13993 and 35-13995 were leased into the Water Supply Bank on June 20, 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.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact me at 287-4910.

Sincerely,

Clay Webster
Technical Records Specialist

Enclosure: Executed Lease Contract

c: James Cefalo – IDWR Eastern Regional Office
Jared Harris – Baker & Harris

Webster, Clay

From: Cefalo, James
Sent: Monday, July 28, 2014 8:17 AM
To: Webster, Clay
Subject: RE: Region and Watermaster Comments for Ritchie Lease for 35-13993 and 35-13995

Clay,

I don't have any concerns with the proposed WSB lease.

James

From: Webster, Clay
Sent: Thursday, July 24, 2014 8:13 AM
To: Cefalo, James
Subject: Region and Watermaster Comments for Ritchie Lease for 35-13993 and 35-13995

Good morning James,

I am currently processing the lease on these rights. I have included a map that Cherie created with correspondence that clarified what acres they wish to lease. Do you have any concerns or comments? Thanks

Sincerely,

Clay Webster

Technical Records Specialist
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



State of Idaho

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

July 28, 2014

JOHN RITCHIE
PO BOX 1068
BLACKFOOT ID 83221

RE: APPLICATION(S) TO LEASE WATER RIGHT(S) 35-13993 AND 35-13995 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 287-4910.

Sincerely,

Clay Webster
Technical Records Specialist

Enclosure: Proposed Lease Contracts
Receipt E039957

c. Jared M. Harris – Baker & Harris

Palmer, Cherie

Subject: FW: Water Supply Bank Lease Application-Ritchies

From: Jared M. Harris [<mailto:jharris@bakerharrislaw.com>]
Sent: Friday, July 18, 2014 5:20 PM
To: Palmer, Cherie
Subject: RE: Water Supply Bank Lease Application-Ritchies

Thank you for your assistance. The application was incorrect. Mr. Ritchie intend to lease those portions identified on your map as not being irrigated. Jared

Jared M. Harris
BAKER & HARRIS
266 W Bridge St
Blackfoot ID 83221
p: (208) 785-2310
f: (208) 785-6749
e: jharris@bakerharrislaw.com

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

From: "Palmer, Cherie" <Cherie.Palmer@idwr.idaho.gov>
To: "Jared M. Harris" <jharris@bakerharrislaw.com>
Sent: 7/17/2014 3:23PM
Subject: Water Supply Bank Lease Application-Ritchies

Jared,

I am processing the lease applications that you had submitted on behalf of your client last month. The lease applications are for water right no. 35-13993 and 35-13995.

From what I understand the Ritchies are putting their water rights into the bank in 2014 and it appears they want to put the entirety of their water rights into the bank.

I have attached a map for your reference. As you can see from the map, the Ritchies are irrigating this year and will not be able to put the entire water rights into the bank this year. I have calculated acres that appear to be eligible for lease in 2014 which equates to 35.7 acres.

If the Ritchies want to entirely idle their water rights next year, they can apply to lease those acres into the bank in a separate application-beginning in 2015.

Please advise me on how to proceed with the lease applications at your earliest convenience. If I don't hear from you by Monday, I will create lease applications pursuant to the attached map. Thank you for your time.

*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*

MEMO

TO: 35-13993 and 35-13995
FROM: Cherie Palmer
DATE: July 17, 2014
RE: WSB Lease/Rental Activity

While paying warrants for 2013, it came to my attention that a rental was approved for these two water rights through 2015 even though the lease expired in 2013.

In early 2014 I phoned the right holder in order to determine his interest in continuing the lease for these water rights. He wished to put them back in the bank and filed a lease application much later on June 20, 2014.

Meanwhile, the Department processed a change in ownership from the Wrays that split these water rights.

I am providing this memo to clarify what is available under for prospective renters.

Prior to Split

Water Right No.	Rate cfs	Acres	Volume af
35-13993	1.32	129.7	Not Stated
35-13995	3.05	234.2	Not Stated
Combined Limit	3.96	236.5	946

Chronology of Lease:

2/8/2012: 46.2 acres of these two water rights were leased into the bank thru 2013.

2/13/2012: Morgan Enterprises approved to rent 28.5 acres of these waters right thru 2013.

4/29/2013: County Line approved to rent 17.7 acres of these water rights thru 2015.

12/31/2013: Leases became expired

6/13/2014: An ownership change split was performed. The split created water rights 35-14389 and 35-14340 that are owned by the Wrays.

After Split

Water Right No.	Rate cfs	Acres	Volume af
35-13993 (Ritchie)	1.32	123.0	Not Stated
35-13995 (Ritchie)	2.89	222.1	Not Stated
Combined Limit	3.76	224.3	897.2
35-14389 (Wray)	0.07	6.7	Not Stated
35-14340 (Wray)	0.16	12.1	Not Stated
Combined Limit	0.20	12.2	48.8

6/20/2014: New lease applications were received at the Department

For 2014, the Ritchies would like to put water rights 35-13993 and 35-13995, per their lease applications, entirely into the bank.

However, it appears that they are irrigating in the 2014 season with water rights 35-13993 and 35-13995. I contacted the attorney for the Ritchies and told him it appears that ~35 acres can be placed into the bank out of 224.3 acres, based on 2014 LandSat imagery.

To reach the final number of acres that can be accepted into the bank under these rights, I took the total number of acres leased last year and subtracted the land that was conveyed to the Wrays.

42.2 acre leased to the bank in 2013

-12.2 acres conveyed to the Wrays (which is land that was leased into the bank in 2013)

34.0 acres

I then added in some acres within the SWSE of Section 4 that were not in the bank last year but appear to be idled this year.

34 acres

+1.7 acres

35.7 acres total

Law Offices of
BAKER & HARRIS

Dwight E. Baker
Jared M. Harris*
Jonathan W. Harris
* Also Admitted in Utah

RECEIVED
JUN 20 2014
Department of Water Resources
Eastern Region

266 W. BRIDGE STREET
BLACKFOOT, ID 83221
Telephone (208) 785-2310
Facsimile (208) 785-6749
E-Mail —@bakerharrislaw.com

June 18, 2014

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0003

Re: Water Supply Bank Lease Application
B & H Matter No. 7075

Dear Sir or Madam:

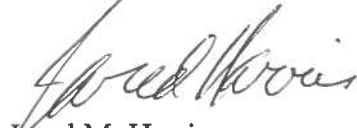
Enclosed please find the following:

1. Water Supply Bank Lease Application - Water Right No. 35-13993;
2. Water Supply Bank Lease Application - Water Right No. 35-13995; and
3. Check in the amount of \$500.00.

If you should require anything further, please advise.

Very truly yours,

BAKER & HARRIS



Jared M. Harris
JMH/jm

Enclosures

cc: John and Kaye Ritchie