

MAY 05 2014

WATER SUPPLY BANK LEASE CONTRACT

DEPT. OF WATER RESOURCE
SOUTHERN REGION

This Lease Contract ("**Lease**") is effective December 31, 2013, between the Idaho Water Resource Board ("**Board**"), and

Lessor: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN ID 83325
(208) 312-1135
delkohtzidwc@mindspring.com

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>
25-14383	0.08 CFS	22.8 AF	5.7 AC	261.0 AC
25-14385	0.05 CFS	12.4 AF	3.1 AC	261.0 AC
Combined Lease Totals	0.03 CFS	8.4 AF	2.1 AC	NA
For 2014-2017				
25-14381	0.19 CFS	51.2 AF	12.8 AC	261.0 AC
Combined Lease Totals:	0.22 CFS	59.6 AF	14.9 AC	261.0 AC

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

Authorized Period of Use under Lease: April 1 to October 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, 2014.
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 # 25-14381

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.

IDAHO WATER CO
1135 VALLEY RD S
EDEN ID 83325

Idaho Water Company LLC

By *Delbert Kohtz*

Printed Name Delbert Kohtz

Date 5/1

Title managing Member

IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-9098

By *Brian Patton*
Brian Patton, Acting Administrator
Idaho Water Resource Board

Date 05-08-2014

Lease approved by IDWR

Camela S Skaggs

Date 05-08-2014

ATTACHMENT A
WATER RIGHT NO. 25-14381
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: IDAHO WATER CO
1135 VALLEY RD S
EDEN ID 83325
(208) 312-1135

Priority Date: 07/19/1973

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	0.19 CFS	51.2 AF
	Total:		0.19 CFS	51.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE¼SW¼NE¼	Sec. 28	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	SE¼SE¼NE¼	Sec. 28	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NE¼SE¼NW¼	Sec. 28	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NW¼SW¼SE¼	Sec. 21	Twp 01N	Rge 38E	BONNEVILLE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	38E	27							40.0			40.0							80.0
01N	38E	28	14.0			22.0	3.0			27.0					24.0	18.0	34.0	39.0	181.0

Total Acres: 261.0

Limited to acres within place of use described above: 12.8 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>
25-14381, 25-14383 and 25-14385	0.22 CFS	59.6 AF	14.9 AC	261.0 AC

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.

4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed.
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code §§ 42-248 and 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. This right is limited to the irrigation of 12.8 acres within the authorized place of use in a single irrigation season.
13. Rights 25-14381, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 21.6 acres,
14. 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.
15. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

ATTACHMENT A
WATER RIGHT NO. 25-14383
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: IDAHO WATER CO
1135 VALLEY RD S
EDEN ID 83325
(208) 312-1135

Priority Date: 08/19/1952

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	0.08 CFS	22.8 AF
	Total:		0.08 CFS	22.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE¼SW¼NE¼	Sec. 28	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	SE¼SE¼NE¼	Sec. 28	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NE¼SE¼NW¼	Sec. 28	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NW¼SW¼SE¼	Sec. 21	Twp 01N	Rge 38E	BONNEVILLE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	38E	27							40.0				40.0						80.0
01N	38E	28	14.0			22.0	3.0			27.0					24.0	18.0	34.0	39.0	181.0

Total Acres: 261.0

Limited to acres within place of use described above: 5.7 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>
25-14381, 25-14383 and 25-14385	0.22 CFS	59.6 AF	14.9 AC	261.0 AC
25-14383 and 25-14385	0.03 CFS	8.4 AF	2.1 AC	261.0 AC

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.

4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed.
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code §§ 42-248 and 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. This right is limited to the irrigation of 5.7 acres within the authorized place of use in a single irrigation season.
13. Rights 25-14383 and 25-14385 when combined shall not exceed the irrigation of 8.8 acres.
14. Rights 25-14381, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 21.6 acres.
15. Beginning on the date of approval of Transfer # 77439, the irrigation uses under rights 25-14383 and 25-14385 when combined are limited to the following schedule of allowed use. The right holder shall file a notice of intent with the Department prior to the increased use of water under the right each time an increase according to the schedule is sought.
 - Year 2013 through 2017 the rights are limited to 0.03 cfs, 8.4 afa and 2.1 acres.
 - Year 2018 through 2023 the rights are limited to 0.11 cfs, 28.8 afa and 7.2 acres.
 - Year 2024 and beyond the rights are limited to 0.13 cfs, 35.2 afa and 8.8 acres.
16. Use of water under this right will be regulated by a water master 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.
17. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

ATTACHMENT A
WATER RIGHT NO. 25-14385
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: IDAHO WATER CO
1135 VALLEY RD S
EDEN ID 83325
(208) 312-1135

Priority Date: 08/19/1952

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	0.05 CFS	12.4 AF
	Total:		0.05 CFS	12.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE¼SW¼NE¼	Sec. 28	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	SE¼SE¼NE¼	Sec. 28	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NE¼SE¼NW¼	Sec. 28	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NW¼SW¼SE¼	Sec. 21	Twp 01N	Rge 38E	BONNEVILLE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	38E	27							40.0			40.0							80.0
01N	38E	28	14.0			22.0	3.0			27.0					24.0	18.0	34.0	39.0	181.0

Total Acres: 261.0

Limited to acres within place of use described above: 3.1 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>
25-14381, 25-14383 and 25-14385	0.22 CFS	59.6 AF	14.9 AC	261.0 AC
25-14383 and 25-14385	0.03 CFS	8.4 AF	2.1 AC	261.0 AC

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.

4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed.
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code §§ 42-248 and 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. This right is limited to the irrigation of 3.1 acres within the authorized place of use in a single irrigation season.
13. Rights 25-14383 and 25-14385 when combined shall not exceed the irrigation of 8.8 acres.
14. Rights 25-14381, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 21.6 acres.
15. Beginning on the date of approval of Transfer # 77439, the irrigation uses under rights 25-14383 and 25-14385 when combined are limited to the following schedule of allowed use. The right holder shall file a notice of intent with the Department prior to the increased use of water under the right each time an increase according to the schedule is sought.
 - Year 2013 through 2017 the rights are limited to 0.03 cfs, 8.4 afa and 2.1 acres.
 - Year 2018 through 2023 the rights are limited to 0.11 cfs, 28.8 afa and 7.2 acres.
 - Year 2024 and beyond the rights are limited to 0.13 cfs, 35.2 afa and 8.8 acres.
16. Use of water under this right will be regulated by a water master 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.
17. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

STATE OF IDAHO
WATER RESOURCE BOARDWATER SUPPLY BANK LEASE OR SALE
APPLICATION CHECKLISTRECEIVED
APR 21 2014
DEPARTMENT OF
WATER RESOURCES

An application to lease or sell a water right into the Water Supply Bank must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Incomplete applications will be returned to applicants for completion.**

Designated Applicant IDAHO WATER CO LLCWater Right No. 25-14381
One water right per applicationAll 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.

Not required
Per letter
3/20/2014

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

Department Use Only

Fee Amount \$ <u>0⁰⁰</u>	Received By: <u>CS</u>	Date Received: <u>4/21/14</u>	Receipt # <u>N/A 0098133</u>
W-9 received? Yes ☐ No ☒	(Route W-9 to Fiscal)	Name on W-9: <u>see above, not included</u>	<u>12-31-13</u>

STATE OF IDAHO
WATER RESOURCE BOARDRECEIVED
APR 21 2014
DEPARTMENT OF
WATER RESOURCESAPPLICATION 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 IDAHO WATER CO LLC Email Address _____

Mailing Address _____ Phone Number _____

☒ 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 _____ Organization _____

Professional Title _____ Email Address _____

Mailing Address _____ Phone Number _____

☐ 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 25-14381 ☒ 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.

NONE - WATER SUPPLY BANK SINCE FIRST TRANSFERRED
TO THIS PROPERTY

- 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.

25-14383, 25-14385

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

Yes ☐ No ☒

If yes, describe. No

D. Has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes ☐ No ☒

If yes, describe and attach Watermaster records or other evidence to demonstrate that the water right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code. _____

E. Is this water right involved in any other IDWR process such as an application for transfer or a mitigation plan? Yes ☐ No ☒

If yes, describe. _____

4. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒?

If lease, for a period from 1/1/2014 to 12/31/2014 (maximum lease period 5 years).
(Month / Day / Year) (Month / Day / Year)

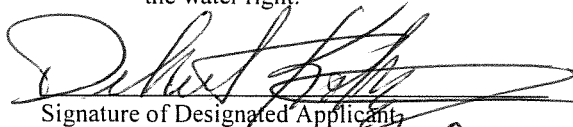
B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

Current Rate

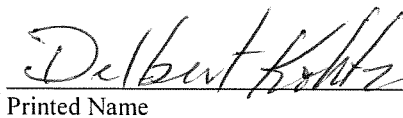
I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

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

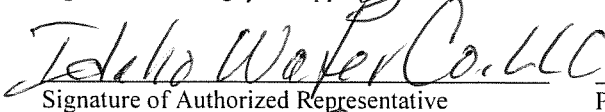


Signature of Designated Applicant



Printed Name

4/10/14
Date



Signature of Authorized Representative

Printed Name

4/10/14
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. 25-14381

NO OTHER OWNERS/APPLICANTS

	Designated Applicant	Applicant #2	Applicant #3
Name			
Mailing Address			
Phone Number			
Email Address			
Applicant Declaration	As Designated Applicant, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

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

**STATE OF IDAHO
WATER RESOURCE BOARD**

ATTACHMENT 2

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

1. Water Right Number 25-14381 Amount (cfs/ac-ft) ALL (0.19/51.2) Nature of Use Irrigation Period of Use 4/1 to 10/31

_____ to _____

_____ to _____

_____ to _____

_____ to _____

Total Amount: 0.19/51.2

2. Source of water Ground Water tributary to ESPA

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
1N	38E	21					Kaneva, NE
1N	38E	28					
1N	38E	28					
1N	38E	28					

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	
1N	38E	27							40			40							80
		28	14			22	3		27						24	18	24	39	181

If the water right is for irrigation, show total number of acres offered to the Bank. Total Acres 261 PPU

STATE OF IDAHO
WATER RESOURCE BOARD
WATER SUPPLY BANK
REQUEST TO EXTEND LEASE TERM

RECEIVED
DEC 31 2013
DEPARTMENT OF
WATER RESOURCES

ONE FORM PER WATER RIGHT

This form is a statement that the lessor requests an extension of a Water Supply Bank ("Bank") lease for the water right identified below. A water right remains in the Bank for the accepted lease period unless released earlier by the Water Resource Board or until the lessor submits a request in writing to the Department of Water Resources to release the right from the Bank. However, if a water right is currently rented, the portion of the right being rented must remain in the Bank for the duration of the rental agreement.

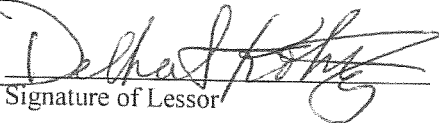
If requesting a change in lease amounts (reducing or increasing acreage, etc.), you must file an Application to Sell or Lease a Water Right to the Water Supply Bank. This form can be found on IDWR's website at: www.idwr.idaho.gov.

Water Right No: 25-14381 Telephone No: 208-312-1135
Name(s) of Lessor(s): Idaho Water Company LLC
Mailing Address: 1135 Valley Rd S
City: Eden State: ID Zip: 83325
Current Expiration Date: December 31, 2013
Requested Expiration Date: December 31 2014
Lease term not to exceed 5 years.

All lease extension request forms must be signed and submitted with the following REQUIRED items:

1. Plat map, survey map or aerial photograph clearly showing the specific acres proposed to be idled for the duration of this lease.
2. Filing fee of \$250.00. If you are submitting more than one lease application and the rights have a common place of use or common diversion rate or common diversion volume, the combined maximum fee is \$500.00.
3. A completed Internal Revenue Service (IRS) Form W-9 (attached). If your water right is rented, we will be unable to issue payment to you without a current W-9 form.

The lessor requests that the above water right remain in the Bank through the date referenced above.


Signature of Lessor

Delbert Kohtz owner 12/30/13
Printed Name and Title* Date

Signature of Lessor

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

FOR OFFICE USE ONLY

Filing fee received by: ELC Date: 12-31-13 Receipt No: C098133



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 30, 2014

IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

**RE: NOTIFICATION OF WATER SUPPLY BANK LEASE EXPIRATION FOR WATER
RIGHT(S): 25-14381**

Dear Lessor:

The Idaho Department of Water Resources (Department) records show that all or a portion of the above referenced water right, currently leased to the Water Supply Bank (Bank), will expire December 31, 2014. This letter is notice that the right will be considered released from the Bank at that time.

If you would like the right to remain leased to the Bank, please complete the enclosed Application to Lease a Water Right to the Water Supply Bank.

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

If you have questions regarding this matter, you may contact the Department at any time.

Sincerely,

Cherie Palmer
Water Rights Supervisor
Water Allocation Bureau

Enclosure: Application to Lease a Water Right

c: IDWR Regional Office



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

May 9, 2014

IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN ID 83325

RE: WATER SUPPLY BANK LEASE CONTRACT FOR RIGHTS 25-14381, 25-14383 and 25-14385

Dear Lessor:

Water Rights 25-14381, 25-14383 and 25-14385 were leased into the Water Supply Bank on December 31, 2013 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, 2014**, 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 287-4944.

Sincerely,


for Cherie Palmer
Senior Water Resource Agent
WSB Process Point of Contact

Enclosure: Executed Lease Contract

c: JCH Engineering & Consulting LLC
James Cefalo- IDWR Eastern Region and Water District No. 120



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

April 25, 2014

IDAHO WATER CO LLC
C/O DEL KOHTZ
1135 VALLEY RD S
EDEN ID 83325

RE: APPLICATION(S) TO LEASE WATER RIGHT(S) 25-14381, 25-14383 and 25-14385 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, 2014**, unless the rights are released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your rights may not be available for immediate release if they have been rented.

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

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

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

Sincerely,

for 
Cherie Palmer
Senior Water Resource Agent
WSB Process Point of Contact

Enclosure: Proposed Lease Contracts

c. JCH Engineering & Consulting PLLC

Hersley, Jean

From: Jason Helms [jasoncivil@alumni.nd.edu]
Sent: Wednesday, April 16, 2014 1:44 PM
To: Hersley, Jean
Subject: Re: Water Supply Bank Applications

Jean,

This is an awful lot of needless paper when the only change was a small portion of one of the water rights transferred off the property.

Is it possible there is an easier way to accomplish this without completing full applications over again? The three rights (exactly as currently recorded in the IDWR database) are to be held in the water supply bank. I will send in the hand written applications in hope this final paper shuffle will get this resolved. It is really not that difficult.

Thanks,
Jason

On Tue, Apr 15, 2014 at 3:35 PM, Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

Attached is a letter and a water supply bank application that will be sent through regular mail tomorrow, April 16, 2014. If you have any questions, please contact me.

Jean Hersley

Idaho Dept Water Resources

Technical Records Specialist II

208-287-4942



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

April 15, 2014

IDAHO WATER COMPANY LLC
1135 VALLEY RD S
EDEN ID 83325

**RESPONSE
DEADLINE
APRIL 25, 2014**

**RE: WATER SUPPLY BANK REQUEST TO EXTEND LEASE TERM APPLICATION(S) FOR
WATER RIGHT NO(S). 25-14381, 25-14383 and 25-14385**

Dear Applicant:

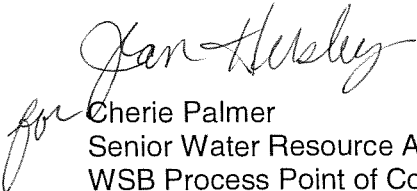
On December 31, 2013 the Idaho Department of Water Resources (Department) received your application(s) to extend the lease of water right no(s). 25-14381, 25-14383 and 25-14385 to the Water Supply Bank (Bank) for a period ending December 31, 2014. On March 20, 2014, the Department sent a letter requesting updated applications since the water rights have been modified numerous time. Transfer # 78979 changed the rates and limits for water right 25-14381. Water Right 25-14383 was released from the Bank on October 25, 2012 so this water right requires a new application and an updated application is needed for water right 25-14385. Additional fees will not be required if the new applications are received by the response date.

I have enclosed the Applications to Sell or Lease a Water Right to the Water Supply Bank for your convenience. Forms may also be found on the Department's website at www.idwr.idaho.gov. Please send the completed forms to the address above, attention: Jean.

If the Department does not receive the requested information by the response date above, the applications will be denied and returned to you. A refund will not be issued.

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

Sincerely,


for Cherie Palmer
Senior Water Resource Agent
WSB Process Point of Contact

Enclosure(s): Lease Application(s)

c: Jason Helms- JCH Engineering & Consulting PLLC



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

March 20, 2014

IDAHO WATER COMPANY LLC
1135 VALLEY RD S
EDEN ID 83325

**RE: WATER SUPPLY BANK REQUEST TO EXTEND LEASE TERM APPLICATION(S) FOR
WATER RIGHT NO(S). 25-14381, 25-14383 and 25-14385**

Dear Applicant:

On December 31, 2013 the Idaho Department of Water Resources (Department) received your application(s) to extend the lease of water right no(s). 25-14381, 25-14383 and 25-14385 to the Water Supply Bank (Bank) for a period ending December 31, 2014. The Department is requesting updated application(s) as the water rights have been modified so many times. Transfer # 78979 changed the rates and limits for water right 25-14381. Water Right 25-14383 was released from the Bank on October 25, 2012 so this water right requires a new application and an updated application is needed for water right 25-14385. Additional fees will not be required.

I have enclosed the Applications to Sell or Lease a Water Right to the Water Supply Bank for your convenience. Forms may also be found on the Department's website at www.idwr.idaho.gov. Please send the completed forms to the address above, attention: Jean.

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

Sincerely,

for 
Cherie Palmer
Senior Water Resource Agent
WSB Process Point of Contact

Enclosure(s): Lease Application(s)

c: Jason Helms- JCH Engineering & Consulting PLLC

Hersley, Jean

From: Hersley, Jean
Sent: Monday, February 03, 2014 7:29 AM
To: Jason Helms
Subject: RE: Fw: Water Supply Bank Applications
Attachments: WATERRIGHTS-#625199-v1-WSB-Lease_Extension_Denied_Letter.pdf

Attached is a letter dated October 25, 2014 from our office regarding the status of 25-14383. Idaho Water Co. will need to file a new application for 25-14383.

Also, 25-14381 is involved in an active transfer. Does Idaho Water want to wait until the transfer is complete and submit a new Water Supply Bank Application or would they like me to continue processing the Bank extension requests. If we continue processing, when the transfer is complete, Idaho Water will have to submit a new application to change the terms of the lease contract and pay another application fee. If you have any questions, please contact me at (208) 287-4942 or Pam Skaggs at (208) 287-4951. Thank you.

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

From: Jason Helms [<mailto:jasoncivil@alumni.nd.edu>]
Sent: Friday, January 31, 2014 1:45 PM
To: Hersley, Jean
Subject: Re: Fw: Water Supply Bank Applications

Hi Jean,

That seems impossible since 25-14383 is a child of parent water right 25-14346 which was leased into the bank certainly in 2012 and is currently specifically limited in combination with rights 25-14381 and 14385 which appear to have been leased to the bank in 2013.

Can you re-check and see if perhaps it is listed under another water right number or something? I am sure we sent an application for that right last year since it is part and parcel of 14381 and 14385.

Thanks,
Jason

On Fri, Jan 31, 2014 at 1:12 PM, Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

Thank you, Jason.

FYI we do not have an application to lease 25-14383 into the Bank and it has never been leased to the Bank.

Jean Hersley

From: Jason Helms [mailto:jasoncivil@alumni.nd.edu]
Sent: Friday, January 31, 2014 12:13 PM
To: delkohtzidwc; Hersley, Jean
Subject: Re: Fw: Water Supply Bank Applications

Hi Del, Jean,

Attached map. Let me know if you need anything else.

Thanks,

Jason C. Helms, P.E.

JCH Engineering & Consulting, PLLC

[\(208\) 308-2109](tel:(208)308-2109)

On Thu, Jan 30, 2014 at 11:19 AM, delkohtzidwc <delkohtzidwc@mindspring.com> wrote:

Jason,

Two other things. I need maps for these Water Bank Apps I sent in as indicated above sent to this women at IDWR and also the Bar N Ranch in Downey list for Pocatello if you could.
Del

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

From: [Hersley, Jean](#)

To: [delkohtzidwc](#)

Sent: Thursday, January 30, 2014 7:46 AM

Subject: Water Supply Bank Applications

Mr. Kohtz,

The Department received your Water Supply Bank Request to Extend Lease Term on Water Right 25-14381 and 25-14385.

Additional information is needed before we can complete these requests. The additional information needed is a plat map, survey map or aerial photography clearly showing the specific acre proposed to be idled for the duration of the lease.

You can attach the map to an email, fax it to my attention to (208) 287-6700 or mail it to:

Jean Hersley

IDWR

320 E Front St

PO Box 83720

Boise ID 83720-0098

Please respond within 14 days. If the Department doesn't hear from you in 14 days, we will return your applications unprocessed and your water rights will not be protected from forfeiture.

Thank you.

Jean Hersley

Idaho Dept Water Resources

Technical Records Specialist II

208-287-4942

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2014.0.4259 / Virus Database: 3684/7044 - Release Date: 01/29/14

Hersley, Jean

From: Jason Helms [jasoncivil@alumni.nd.edu]
Sent: Friday, January 31, 2014 1:45 PM
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Hi Jean,

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Thanks,
Jason

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Thank you, Jason.

FYI we do not have an application to lease 25-14383 into the Bank and it has never been leased to the Bank.

Jean Hersley

From: Jason Helms [mailto:jasoncivil@alumni.nd.edu]
Sent: Friday, January 31, 2014 12:13 PM
To: delkohtzidwc; Hersley, Jean
Subject: Re: Fw: Water Supply Bank Applications

Hi Del, Jean,

Attached map. Let me know if you need anything else.

Thanks,

Jason C. Helms, P.E.

JCH Engineering & Consulting, PLLC

(208) 308-2109

On Thu, Jan 30, 2014 at 11:19 AM, delkohtzidwc <delkohtzidwc@mindspring.com> wrote:

Jason,

Two other things. I need maps for these Water Bank Apps I sent in as indicated above sent to this women at IDWR and also the Bar N Ranch in Downey list for Pocatello if you could.
Del

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

From: [Hersley, Jean](#)

To: [delkohtzidwc](#)

Sent: Thursday, January 30, 2014 7:46 AM

Subject: Water Supply Bank Applications

Mr. Kohtz,

The Department received your Water Supply Bank Request to Extend Lease Term on Water Right 25-14381 and 25-14385.

Additional information is needed before we can complete these requests. The additional information needed is a plat map, survey map or aerial photography clearly showing the specific acre proposed to be idled for the duration of the lease.

You can attach the map to an email, fax it to my attention to (208) 287-6700 or mail it to:

Jean Hersley

IDWR

320 E Front St

PO Box 83720

Boise ID 83720-0098

Please respond within 14 days. If the Department doesn't hear from you in 14 days, we will return your applications unprocessed and your water rights will not be protected from forfeiture.

Thank you.

Jean Hersley

Idaho Dept Water Resources

Technical Records Specialist II

208-287-4942

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2014.0.4259 / Virus Database: 3684/7044 - Release Date: 01/29/14

Hersley, Jean

From: Jason Helms [jasoncivil@alumni.nd.edu]
Sent: Friday, January 31, 2014 12:13 PM
To: delkohtzidwc; Hersley, Jean
Subject: Re: Fw: Water Supply Bank Applications
Attachments: wsb_map_25-14381-14385_2014.pdf

Hi Del, Jean,

Attached map. Let me know if you need anything else.
Thanks,

Jason C. Helms, P.E.
JCH Engineering & Consulting, PLLC
(208) 308-2109

On Thu, Jan 30, 2014 at 11:19 AM, delkohtzidwc <delkohtzidwc@mindspring.com> wrote:
Jason,

Two other things. I need maps for these Water Bank Apps I sent in as indicated above sent to this women at IDWR and also the Bar N Ranch in Downey list for Pocatello if you could.
Del

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

From: [Hersley, Jean](#)
To: [delkohtzidwc](#)
Sent: Thursday, January 30, 2014 7:46 AM
Subject: Water Supply Bank Applications

Mr. Kohtz,

The Department received your Water Supply Bank Request to Extend Lease Term on Water Right 25-14381 and 25-14385.

Additional information is needed before we can complete these requests. The additional information needed is a plat map, survey map or aerial photography clearly showing the specific acre proposed to be idled for the duration of the lease.

You can attach the map to an email, fax it to my attention to [\(208\) 287-6700](tel:(208)287-6700) or mail it to:

Jean Hersley

IDWR

320 E Front St

PO Box 83720

Boise ID 83720-0098

Please respond within 14 days. If the Department doesn't hear from you in 14 days, we will return your applications unprocessed and your water rights will not be protected from forfeiture.

Thank you.

Jean Hersley

Idaho Dept Water Resources

Technical Records Specialist II

208-287-4942

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2014.0.4259 / Virus Database: 3684/7044 - Release Date: 01/29/14

Hersley, Jean

From: Jason Helms [jasoncivil@alumni.nd.edu]
Sent: Friday, January 31, 2014 1:50 PM
To: Hersley, Jean
Subject: Fwd: Extend Water Bank Lease 25-14381, 14383, 14385
Attachments: 25-14385_waterbankmap_rev2013.pdf

----- Forwarded message -----

From: Jason Helms <jasoncivil@alumni.nd.edu>
Date: Thu, Feb 7, 2013 at 3:33 PM
Subject: Re: Extend Water Bank Lease 25-14381, 14383, 14385
To: "Van Bussum, Monica" <Monica.VanBussum@idwr.idaho.gov>
Cc: Del Kohtz <delkohtzidwc@mindspring.com>

Monica,

There are no other water rights in this PPU and these rights have never been utilized on this property, so the idled area is trivial and can consist of any specific acres. Here is a map showing one such configuration for the 'idled' acres.

Let me know if you need anything further.

Thanks,

Jason C. Helms, P.E.
JCH Engineering & Consulting, PLLC
(208) 308-2109

On Thu, Feb 7, 2013 at 12:56 PM, Van Bussum, Monica <Monica.VanBussum@idwr.idaho.gov> wrote:

Hi Jason and Del,

We need a map showing the specific acres to be idled under the lease. This appears to just show the PPU. Thanks!

Monica

From: Jason Helms [mailto:jasoncivil@alumni.nd.edu]
Sent: Wednesday, February 06, 2013 2:35 PM
To: Van Bussum, Monica
Cc: Del Kohtz
Subject: Fwd: Extend Water Bank Lease 25-14381, 14383, 14385

Hi Monica, Del

Will this map work to extend the lease on these rights?

Thanks,
Jason C. Helms, P.E.
(208) 308-2109

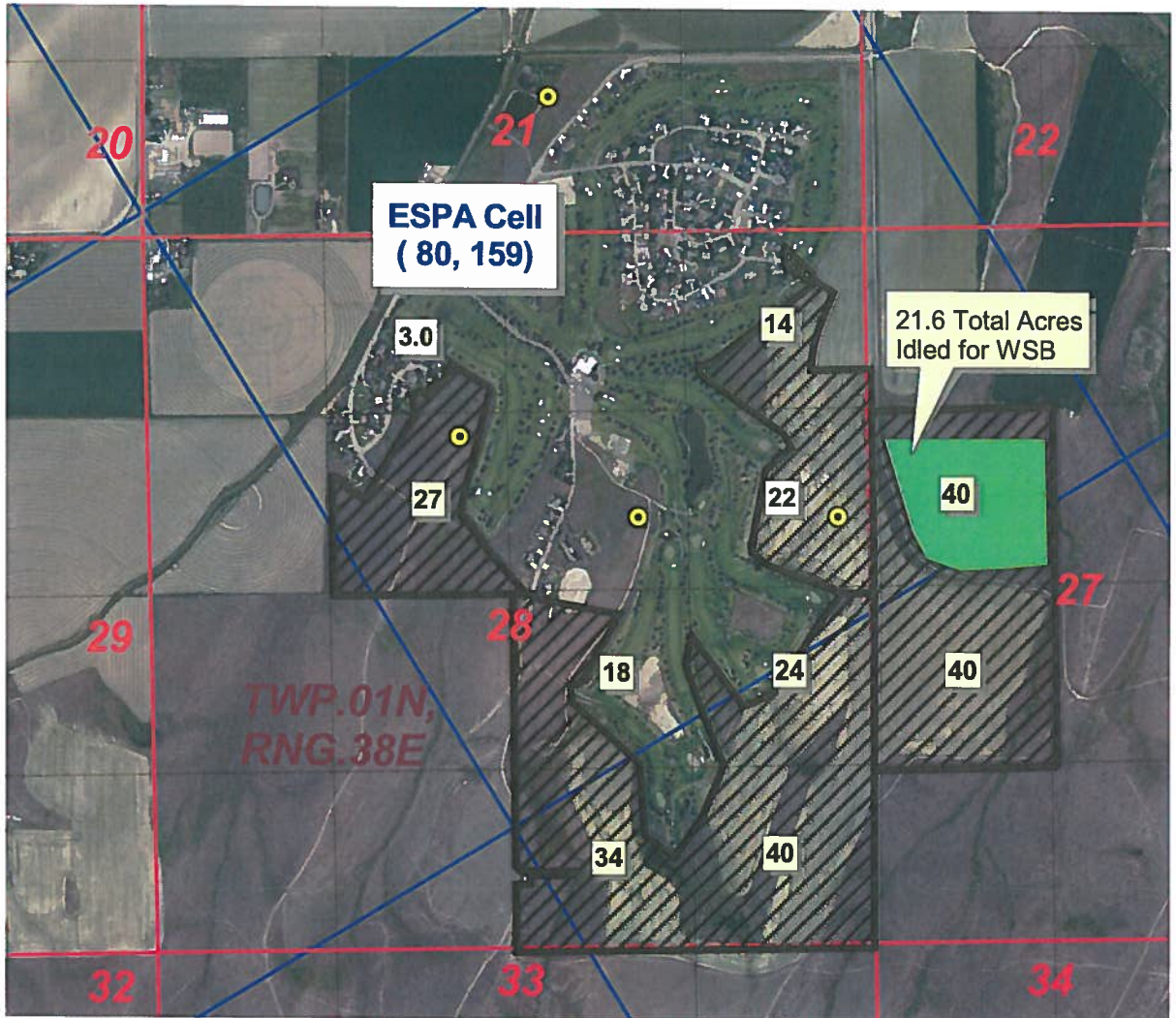
----- Forwarded message -----

From: **delkohtzidwc** <delkohtzidwc@mindspring.com>
Date: Mon, Feb 4, 2013 at 12:18 PM
Subject: Extend Water Bank Lease.
To: Jason Helms <jasoncivil@alumni.nd.edu>

This needs to be done suddenly. Can you get me a map for this right. Thanks,

Del

WATER SUPPLY BANK APPLICATION TO LEASE WATER RIGHTS (Idaho Water Co. 25-14381, 14383, 14385)



JCH - 1/31/2013

NAIP 2011 Aerial Photo

0.3 0 0.3 0.6 Miles

(Scale: 4 inches equals 1 mile)

ESPA Model Grid

Authorized Irrigation Wells

25-14381, 25-14383*, 25-14385* Permissible Place Of Use

Townships

Sections



25-14381 Authorizes 0.19 cfs, 51.2.0 afa, 12.8 ac. following approval of transfer # 78979

25-14383* and 25-14385* are limited to the following schedule of diversions:

2013-2017:	0.03 cfs / 8.8 afa / 2.1 ac
2018-2024:	0.11 cfs / 28.8 afa / 7.2 ac
2013-2017:	0.13 cfs / 35.2 afa / 8.8 ac

ATTACHMENT #1

MEMORANDUM

To: Water Right No(s). 25-14381, 25-14383 and 25-14385
From: Jean Hersley
Date: January 24, 2014
Re: Review of Applications to Lease Water Rights to the State Water Supply Bank

PURPOSE/NARRATIVE: The Department received the WSB Request to Extend Lease Term on December 31, 2013. On several occasions, the Department asked for updated applications since the water rights have been transferred and renumbered many times. We received the updated applications on April 21, 2014.

AUTHORITY TO FILE: Del Kohtz signed on behalf of Idaho Water Co. He is the owner of the company.

WATER RIGHT VALIDITY: These water rights have been in the Bank for awhile. Not sure of the exact date since they have been renumbered several times. The Dept. currently has an Application for Transfer 78979 pending for water Right 25-14381. The applicant is splitting off 1.2 acres to be sold to Robert and Mary Ann Cherry. After the transfer is complete, Idaho Water will request the 1.2 acres be removed from the Bank. Received an email from Cooper Fritz in Eastern Region and he didn't see a problem with proceeding or waiting until the transfer was approved. Aerial photography suggests no irrigation has taken place. Transfer # 78979 was approved on February 6, 2014.

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

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

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

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The leased right(s) are subject to Water District # 120. The watermaster had no concerns with these extensions.