



RECEIVED

SEP 06 2023

DEPT OF WATER RESOURCES
SOUTHERN REGION

Western Regional Office
Agricultural Finance
MetLife Investment Management
205 E. River Park Circle, Ste. 430
Fresno, CA 93720

Leon A. Moreno
Managing Director
Phone: (559) 470-6450
Email: lmoreno@metlife.com

Rainer Telles
Director
Phone: (559) 470-6458
Email: rainer.telles@metlife.com

Robert Frudden
Director
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September 5, 2023

IDWR Southern Region
650 Addison Ave W, Suite 500
Twin Falls, ID 83301-5858

Re: Metropolitan Life Insurance Company ("Lender") Loan Nos. 198175, 198176, 198177, 198627, 198840 & 199507 – Standlee Family Limited Partnership, Michael Gene Standlee, Whendy Lee Standlee, Standlee Hay Company, Inc., and Standlee AG Resources (collectively, the "Borrower")

Lender currently holds a security interest in certain water right numbers (the "Water Rights") in Jerome County, Idaho in connection with the above referenced loans. You have requested that Lender release its security interest in the Water Rights as described in the State of Idaho Department of Water Resources Notice of Security Interest in a Water Right ("Notice").

This letter serves as written acknowledgement and consent for the release of those Water Rights as identified in the Notice and as shown on the attached Exhibit A.

Sincerley,

Metropolitan Life Insurance Company,
a New York corporation

By: MetLife Investment Management, LLC,
its investment manager

By: Leonides A. Moreno
Leonides A. Moreno
Authorized Signatory and Managing Director

Database updated by

DM 9-25-2023 

SUPPORT DATA

IN FILE # 34-2272A

SCANNED
OCT 02 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1556

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

LESSOR: GLOBAL AG PROPERTIES USA LLC
C/O WESTCHESTER GROUP INVESTMENT MANAGEMENT INC
2004 FOX DR STE L
CHAMPAIGN, IL 61820-7346

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DEPARTMENT OF
WATER RESOURCES

SUPPORT DATA
IN FILE # 51-13007

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 and received by the Department on January 24, 2022.
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

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
51-13007	5/22/1968	GROUND WATER	1.37	273.2	68.3
51-13008	7/24/1968	GROUND WATER	1.12	248.0	62.0
Combined Limit Totals			1.71	Not Stated	Not Stated
Combined Lease Totals			1.71	521.2	130.3

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

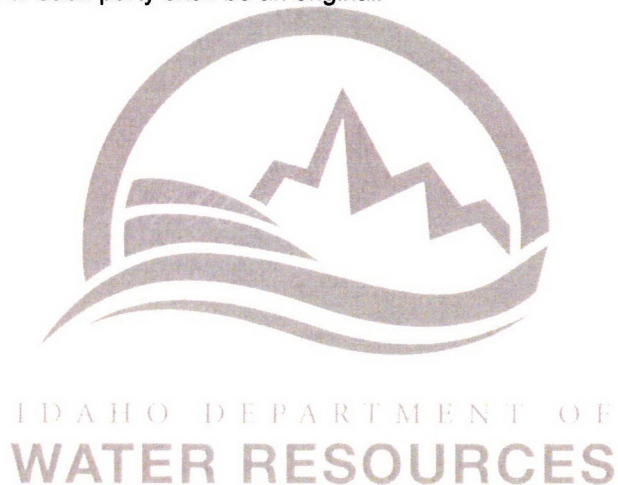
3. **TERM OF LEASE:** The term of this lease shall be January 1, 2022 to December 31, 2026. This Lease shall bind the parties and take effect when both parties have signed it.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.

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OCT 2 - 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1556

5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.
6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.
7. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

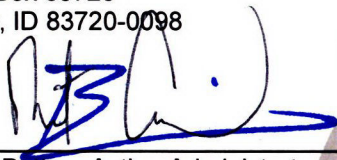
WATER SUPPLY BANK LEASE CONTRACT No. 1556

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

LESSOR: GLOBAL AG PROPERTIES USA LLC
C/O WESTCHESTER GROUP INVESTMENT MANAGEMENT INC
2004 FOX DR STE L
CHAMPAIGN, IL 61820-7346

By _____
Title _____
Date _____

IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By  _____
Brian Patton, Acting Administrator
Idaho Water Resource Board

Date Sept 20th 2022

Lease approved by IDWR



Date 9/27/22

IDAHO DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1556

ATTACHMENT A WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 51-13007, 51-13008

GROUND WATER	NENESE	Sec. 34	Twp 09S	Rge 12E	TWIN FALLS County
GROUND WATER	SENESE	Sec. 34	Twp 09S	Rge 12E	TWIN FALLS County
GROUND WATER	SESWNW	Sec. 35	Twp 09S	Rge 12E	TWIN FALLS County
GROUND WATER	NWSESW	Sec. 2	Twp 10S	Rge 12E	TWIN FALLS County
GROUND WATER	SWSESE	Sec. 1	Twp 10S	Rge 12E	TWIN FALLS County
GROUND WATER	SWSESW	Sec. 1	Twp 10S	Rge 12E	TWIN FALLS County
GROUND WATER	SENE	Sec. 12	Twp 10S	Rge 12E	TWIN FALLS County
GROUND WATER	SWSESW	Sec. 1	Twp 10S	Rge 12E	TWIN FALLS County
GROUND WATER	SWNESW	Sec. 35	Twp 09S	Rge 12E	TWIN FALLS County
GROUND WATER	SWNESW	Sec. 35	Twp 09S	Rge 12E	TWIN FALLS County
GROUND WATER	SWNENW	Sec. 34	Twp 09S	Rge 12E	TWIN FALLS County
GROUND WATER	SWSESE	Sec. 2	Twp 10S	Rge 12E	TWIN FALLS County
GROUND WATER	SESENE	Sec. 30	Twp 09S	Rge 13E	TWIN FALLS County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From	to	To		
51-13007	IRRIGATION	03/01	to	12/01	1.370 cfs	273.20 AF
51-13008	IRRIGATION	04/01	to	10/31	1.120 cfs	248.00 AF
Totals:					1.710 cfs	521.20 AF

PLACES 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	
09S	12E	24	6.1			6.6									8.3				21.0
09S	13E	19		8.2	3.0		26.0	0.3 L1	0.4 L2	10.8	10.0			23.0		2.6	8.9		94.7
09S	13E	30		5.7			8.7	0.1 L1		0.1									14.6

Total Acres: 130.3

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1556

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, or the lease term expires. A right may be released from the bank upon request, 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 pursuant to Idaho Code § 42-223(5).
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, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
 - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
13. These rights 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.
14. The unleased portions of rights 51-2258, 51-2259, 51-2444, 51-2445, 51-7108A, 51-7108B, 51-7127A, 51-13005, 51-13006, 51-13007, 51-13008, 51-13009, 51-13011, 51-13014, 51-13029, 51-13030, 51-13031, 51-13032, 51-13033, 51-13034, 51-13035, and 51-13037 when combined shall not exceed a total diversion rate of 44.05 cfs, a total annual maximum diversion volume of 14,253.3 af at the field headgate, and the irrigation of 3,580.8 acres.
15. The unleased portions of rights 51-13007 and 51-13008 when combined shall not exceed a total diversion rate of 5.12 cfs.
16. The unleased portion of right 51-13007 is limited to the irrigation of 131.7 acres within the authorized place of use in a single irrigation season.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1556

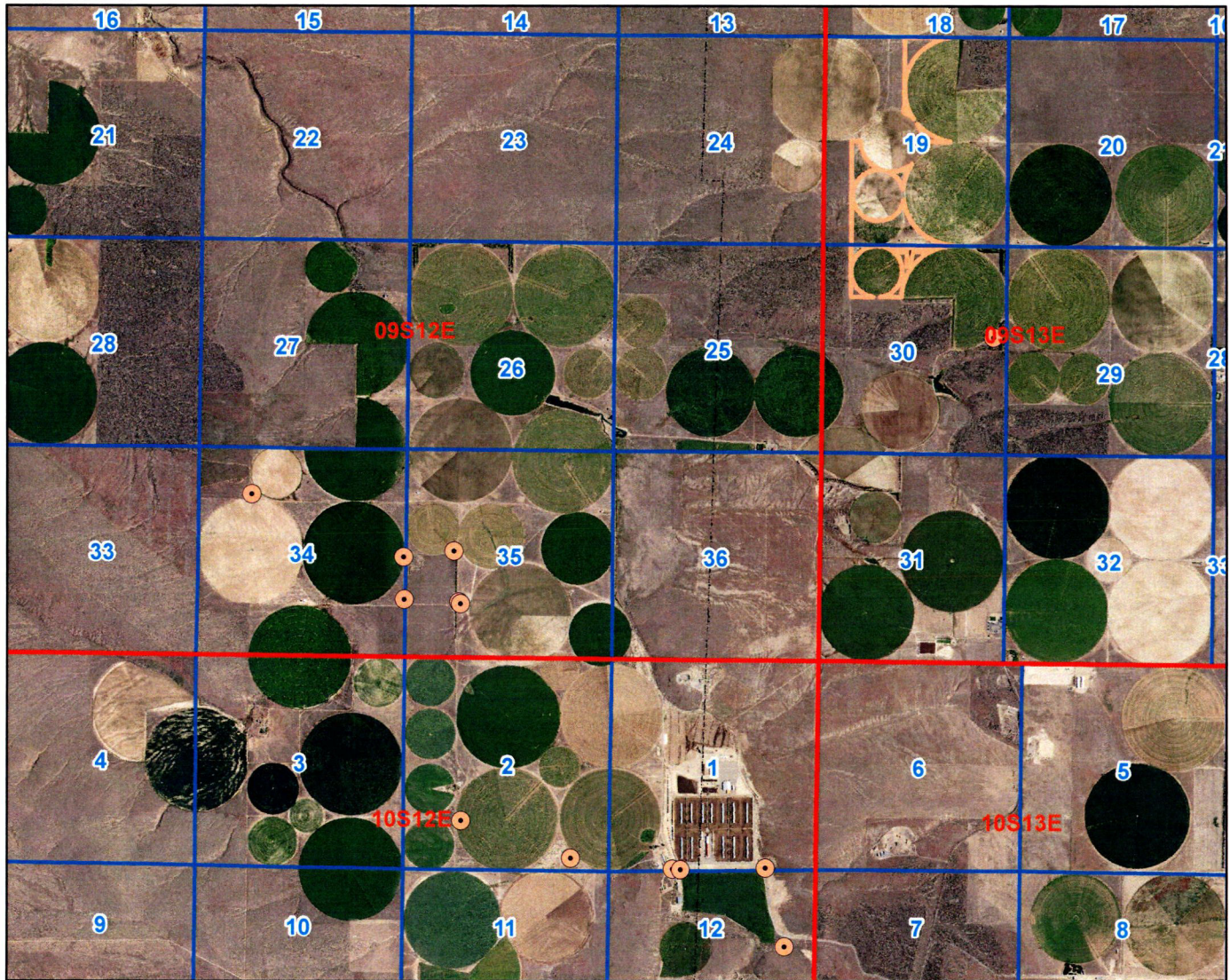
17. The unleased portion of right 51-13008 is limited to the irrigation of 258.0 acres within the authorized place of use in a single irrigation season.
18. The period of use for the irrigation described in this approval for the unleased portion of right 51-13008 may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 9/28/2007.
19. Rights 51-2258, 51-2259, 51-2444, 51-2445, 51-7108A, 51-7108B, 51-7127A, 51-13005, 51-13006, 51-13007, 51-13008, 51-13009, 51-13011, 51-13014, 51-13029, 51-13030, 51-13031, 51-13032, 51-13033, 51-13034, 51-13035, and 51-13037 are diverted through points of diversion described above.



Idaho Water Resource Board
Water Supply Bank Lease Contract No. 1556

51-13007
Effective until December 31, 2026

This map depicts the **IRRIGATION place of use to be idled** pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



M Kienholz 2022

- Approved Lease Point of Diversion
- Approved Lease Place of Use
- Township/Range
- Sections



0 0.25 0.5 1 1.5 2 Miles

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STATE OF IDAHO
WATER RESOURCE BOARD

**APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK**

RECEIVED
JAN 24 2022
DEPARTMENT OF
WATER RESOURCES

Designated Applicant GLOBAL AG PROPERTIES USA LLC

(Select one owner – see item 1A on the application)

Water Right No. 51-13007

(One water right per application)

Is this application being submitted with a rental application as a lease/rental package?

Yes ☐ No ☒

This application must be prepared in accordance with the minimum requirement checklist below. 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. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MINIMUM REQUIREMENT CHECKLIST

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

Yes

- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*.
- ☒ Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
- ☒ Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment N/A Yes

- 1A ☐ ☐ Signatures and contact information for **all owners** of the water right to be 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 ☐ ☒ 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.
- 3 ☐ ☒ 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. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.
- 4A ☒ ☐ Written consent from irrigation district or water delivery company.
- 4G ☐ ☒ Evidence demonstrating the water right has not been forfeited pursuant to [Section 42-222\(2\), Idaho Code](#).

Department Use Only

Fee Amount \$ 500Received By: KuDate Received: 1.24.22Receipt # C111771W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)

Global Ag Properties LLC
C/O Westchester group Investment Management

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OCT 20 2022

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, 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 Global AG Properties USA LLC C/O Westchester Group Investment Management

Mailing Address 2004 Fox Dr Ste L Champaign IL 61820
Street City State Zip Code

Email Address _____ Phone Number 208-908-3848

☒ 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 submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☐ No ☒
If no, complete the form and attach to this application (Attachment 1B).

- 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 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 1D).

Name of Representative Greg Sullivan Organization Brockway Engineering

Professional Title Engineer Email Address greg.sullivan@brockwayeng.com

Mailing Address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Phone Number 208-736-8543

☐ 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

☐ 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 the water right is being offered, **complete Attachment 2.**

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3.**

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Page 2
OCT 20 2022

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. 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 4A).
If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to [Section 42-108, Idaho Code](#) and [IDAPA WSB Rule 37.02.03.25.02e](#).
- B. Please provide a description of the current water diversion and delivery system.
Existing PODs, mainlines and delivery system.

- C. 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. 51-13007 and 51-13008

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☒ No ☐
Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.
- E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☒
If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased. _____

- F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. These water rights have been leased into the Idaho Water Supply Bank for the past several years.

- G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒
If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See [Section 42-223, Idaho Code](#) for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed. _____

- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?
If yes, describe. Yes ☐ No ☒

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OCT 20 2022

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

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

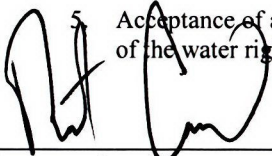
If lease, specify the years when the use of water will be suspended: 2022 to 2026 (maximum lease period 5 calendar years).
(Year) (Year)

- 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 is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.


Signature of Designated Applicant

Bret Andersen
Printed Name

1-20-22
Date

Signature of Authorized Representative

Printed Name

Date

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

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OCT 20 2022

**STATE OF IDAHO
WATER RESOURCE BOARD**

Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

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

<u>1. Water Right Number</u>	<u>Nature of Use</u>	<u>Leased Rate</u> (cfs)	<u>Leased Volume</u> (af)	<u>Leased Acres</u> (ac)
51-13007	Irrigation	1.37	273.2	68.3
	Total Amounts:	1.37	273.2	68.3

2. Source of water Ground Water tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
See Exhibit A							

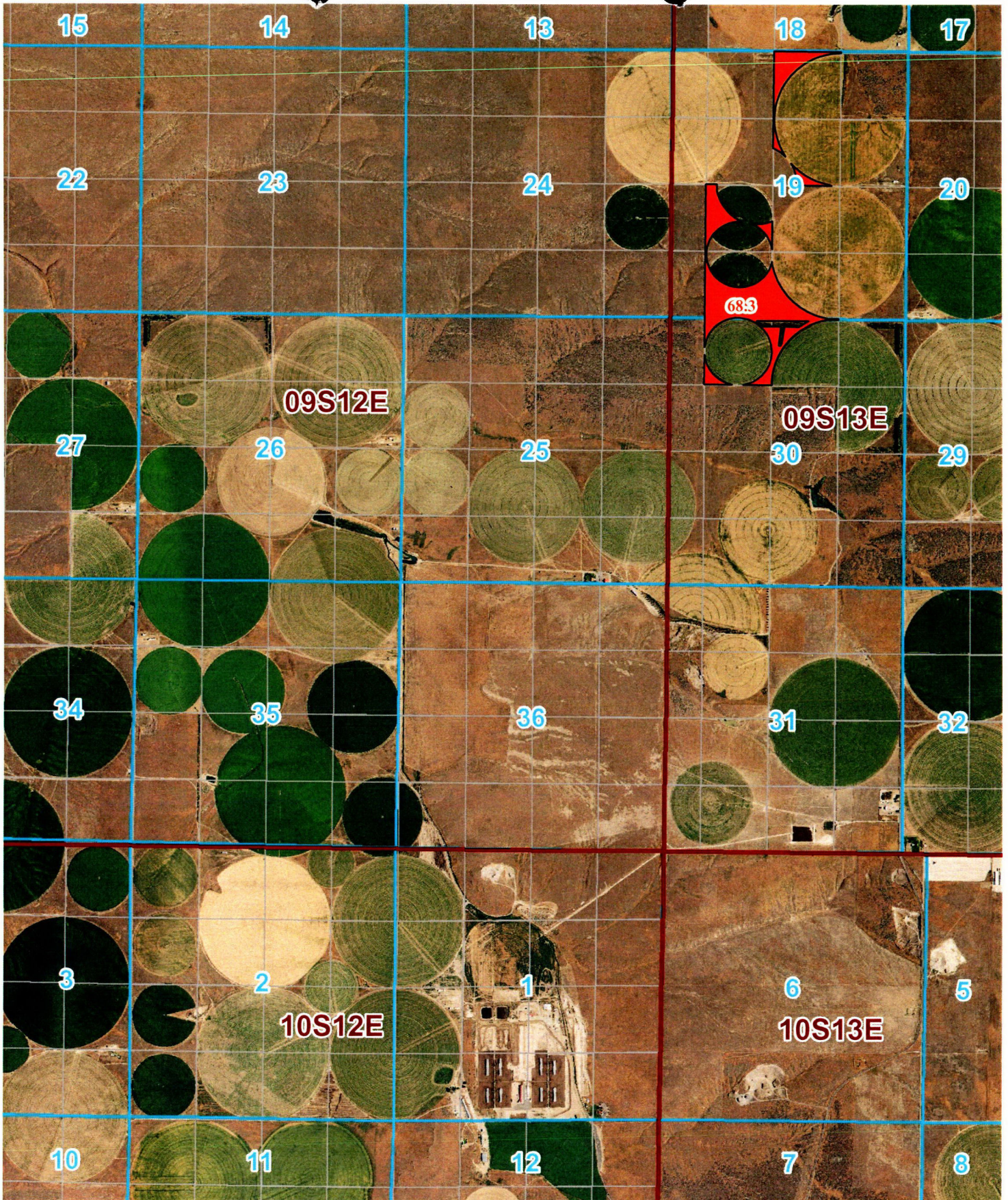
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OCT 24 2022

Attachment 2

Exhibit A**Global AG Properties USA LLC C/O Westchester Group Investment Management
Points of Diversion**

New	Lot	1/4	1/4	1/4	Sec.	Twp	Range	County	Source	Local name or tag#
			SE	NE	12	10S	12E	Twin Falls	Ground Water	Well A
		SW	SE	SE	1	10S	12E	Twin Falls	Ground Water	Well B
		SW	SE	SW	1	10S	12E	Twin Falls	Ground Water	Well C
		SW	SE	SW	1	10S	12E	Twin Falls	Ground Water	Well D
		NW	SE	SW	2	10S	12E	Twin Falls	Ground Water	Well E
		SW	NE	SW	35	9S	12E	Twin Falls	Ground Water	Well H
		SW	NE	SW	35	9S	12E	Twin Falls	Ground Water	Well I
		SE	SW	NW	35	9S	12E	Twin Falls	Ground Water	Well J
		NE	NE	SE	34	9S	12E	Twin Falls	Ground Water	Well K
		SE	NE	SE	34	9S	12E	Twin Falls	Ground Water	Well L
		SW	NE	NW	34	9S	12E	Twin Falls	Ground Water	Well M
		SW	SE	SE	2	10S	12E	Twin Falls	Ground Water	New Well 1
		SE	SE	NE	30	09S	13E	Twin Falls	Ground Water	New Well 2

SCANNED
OCT 24 2022



0 0.375 0.75 Miles

WESTCHESTER - BLUE GULCH FARM
WSB LEASE ACRES
NAIP 2019 AERIAL

Legend

Blue_Gulch_Lease_3

COPYRIGHTED
OCT 20 2022



WSB Mailing Checklist for Leases

Instructions: Staple to outside of lowest numbered water right file during processing.

Key: Who Completes What?

CLERICAL STAFF: MC

REVIEWER: MK

Received Date 1/24/2022

Desired Lease Duration 2022-2026

Lease / Rental Package Y (N)

If yes, Renter Name: _____

Application # 2300 Contract # 1556

WR#s	#
# 51-13007	#
# 51-13008	#
#	#
#	#
#	#
#	#
#	#

Applicant Authorized?	<u>(Y)</u> / N
Multiple owners, Attach 1A included?	Y / N <u>(NA)</u>
If portion is offered, Attach 2 included?	<u>(Y)</u> / N NA
Map of POU and POD?	<u>(Y)</u> / N NA
POD Consent (if required)?	Y / N <u>(NA)</u>
Application Complete?	<u>(Y)</u> / N
Minimum checklist in data base?	☐
Request for additional information letter sent:	Y <u>(NA)</u>
WSB Action Request for deficiencies	☐

Stacked Water Rights Need to be Leased? ☐

If checked, list water rights: _____

If the WR owner provided a different address on the application than what's in our database, update address in workflow.

Mailings (per lease application)		CC	Original	
Designated Applicant:	Global Ag	☐	☒	EMAIL: _____
Attorney:		☐	☐	EMAIL: _____
Consultants Name:	Greg Sullivan - Brockway Engineering	☒		Comments: _____
Watermaster:		☐		Repeat, see previous
Delivery Entity:		☐		
Water District:	none	☐		Shares PPU with Apps 2288 & 2301
Ground Water District:		☐		
Region:	Western	☐		
Other:		☐	☐	
Address:				

Call up Date: _____

DO NOT SCAN



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 19, 2022

GLOBAL AG PROPERTIES
C/O WESTCHESTER GROUP INVESTMENT MANAGEMENT INC
2004 FOX DR STE L
CHAMPAIGN, IL 61820-7346

**RE: WATER SUPPLY BANK LEASE CONTRACT 1556, 1573 & 1574
FOR WATER RIGHTS 51-13007, 51-13008, 51-13005, 51-13006, 51-13011, 51-13014,
51-13037, 51-13035 & 51-7108A**

Dear Lessor:

Water rights **51-13007, 51-13008, 51-13005, 51-13006, 51-13011, 51-13014, 51-13037, 51-13035 & 51-7108A** were leased into the Water Supply Bank (Bank) as of January 1, 2022, in accordance with the enclosed executed lease contract. **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.** More information and further restrictions placed on your water rights while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The rights will automatically be released from the Bank on **December 31, 2026**, unless the rights are released earlier by the Water Resource Board (Board). On behalf of the Board, the Department of Water Resources (Department) can evaluate an early release of the lease contract upon your request. To release the water rights 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 on our public website at www.idwr.idaho.gov. **Please note your water rights may not be available for immediate release if they have been rented or are being considered for a future rental. Furthermore, it is at the discretion of the Department whether or not a water right can be released early from a lease contract.**

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

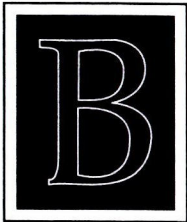
Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure: Executed Lease Contract

c: IDWR- Western Region
Greg Sullivan

SCANNED
OCT 20 2022



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

September 20, 2022

Mary Condon
Idaho Water Supply Bank
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED

SEP 22 2022

DEPARTMENT OF
WATER RESOURCES

Re: Global AG Properties USA LLC

Dear Mary Palmer:

The lease contracts 1556, 1573 and 1574 have been signed and are attached to this letter. Please continue to process the Idaho Water Supply Bank lease documents.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Bret Anderson via email
Enc: Lease Contracts 1556, 1573 and 1574

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

SCANNED
OCT 20 2022



322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 8, 2022

GLOBAL AG PROPERTIES USA LLC
C/O WESTCHESTER GROUP INVESTMENT MANAGEMENT INC
2004 FOX DR STE L
CHAMPAIGN, IL 61820-7346

RE: APPLICATION TO LEASE WATER RIGHTS 51-13007, 51-13008, 51-13005, 51-13006, 51-13011, 51-13014, 51-13037, 51-13035 & 51-7108A TO THE WATER SUPPLY BANK CONTRACT 1556, 1573 & 1574

******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 ALL 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 right will automatically be released from the Bank on **December 31, 2026**, unless the right is 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 right may not be available for immediate release if it has 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 this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosures: Proposed Lease Contracts

C: Greg Sullivan – Brockway Engineering

SCANNED
OCT 20 2022

MEMORANDUM FOR APPLICATION # 2300

To: Water Right(s) 51-13007 & 51-13008

From: Mackenzie Kienholz

Date: August 18, 2022 – September 6, 2022

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

PURPOSE/NARRATIVE: This application was received on January 24, 2022 for Global Ag Properties USA LLC signed by Bret Andersen. Portions of both 51-13007 and 51-13008 were proposed for lease: 68.3 acres of 51-13007 and 62.0 acres of 51-13008. The majority of these acres are pivot corners. These rights have a combined limit on their diversion rate that requires them to be leased together. The PPU and POD's for the rights are within the Blue Gulch Critical Groundwater Management Area.

AUTHORITY TO FILE: Both rights are currently owned by Global Ag Properties USA LLC, care of Westchester Group Investment Management Inc. The applicant listed is Global Ag Properties USA LLC, C/O Westchester Group Investment Management. Bret Andersen signed the application on behalf of the applicant. A document titled "Written Consent of the Manager of Global Ag Properties USA, LLC, a Delaware Limited Liability Company" was included with the application. Bret Andersen is listed as a vice president of the company in this document.

All parcels under the POU acres to be leased are owned by Westchester Group Investment. Eleven points of diversion in 09S12E and 10S12E are associated with the POU; Global Ag Properties USA LLC has ownership at all eleven. Two new wells, one in 10S12E2 and one in 09S13E30 were also listed on the application.

WATER RIGHT VALIDITY: Both rights were decreed on September 28th, 2007 and leased to the Bank from 2010 to 2015. The rights were accepted for lease again from 2016-2020. The acres proposed for lease beginning in 2022 appear to have been idled during 2021. A review of aerial imagery of the lease POU from the applicant's previous Contract #68 shows evidence that the applicants have complied. No concerns with validity of the water right and portion offered to the bank.

INJURY TO OTHER WATER RIGHTS: Review staff has no information to suggest this application would cause injury to other water rights. Proper review to prevent injury if rented.

ENLARGEMENT OF USE: Multiple water rights share the PPU with rights 51-13007 and 51-13008. A review of the combined limits for all rights within the PPU found that there are sets of rights within the entire suite which have reducing combined limits, however all these smaller groups are additive to the combined limits for the entire suite for all rights in the PPU (see below). 51-13007 and 51-13008 have a combined limit, but this limit is additive to the overall limits and as such these two rights can be leased as a two-right package without having to add in the additional rights.

A review of aerial imagery of irrigated acres within the PPU found that about 3,303 acres have been irrigated in recent years. The total combined acre limit for the PPU is 3,925.3. The total number of acres proposed for lease in 2022 (applications #2288, #2300, & #2301) is 282.5. Leasing these amounts still keeps the sum of the irrigated and leased acres under the PPU acre combined limit.

SCANNED
OCT 7 0 2022

