

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1605

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

LESSOR: SV RANCH REVOCABLE LIVING
TRUST
PO BOX 1607
BELLEVUE, WA 98009-1607

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 October 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	Diversio n Rate (CFS)	Diversion Volume (AF)	Acres (AC)
37-20373	6/15/1886	CORRAL CREEK, tributary to CAMAS CREEK	2.10	Not Stated	153
Lease Totals			2.10	Not Stated	153

Summary of Water Rights Elements Rentable From the Bank

Water Right	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (Limited) (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
37-20373	2.10	535	153	0.014	3.5
Combined Limit Totals	2.10	535	153	0.014	3.5

** The water right elements rentable have been changed from the water right elements leased to account for the inclusion of a diversion volume.*

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.

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Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** The term of this lease shall be January 1, 2023 to December 31, 2027. 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.
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.

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

LESSOR: SV RANCH REVOCABLE LIVING
TRUST
PO BOX 1607
BELLEVUE, WA 98009-1607

By [Signature]
Title Trustee
Date 8/31/2023

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

By [Signature] Date 8/4/23
Brian Patton, Acting Administrator
Idaho Water Resource Board

Lease approved by IDWR [Signature] Date 8/4/23

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**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): 37-20373

CORRAL CREEK NESWSW Sec. 27 Twp 01S Rge 13E CAMAS County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
37-20373	IRRIGATION	04/15	to	10/31	2.10 cfs	Not Stated
Totals:					2.10 cfs	Not Stated

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	
01S	13E	28													38	40	37	38	153

Total Acres: 153

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, 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.

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WATER SUPPLY BANK LEASE CONTRACT No. 1605

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. Use of this water under this right may 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. 37B.

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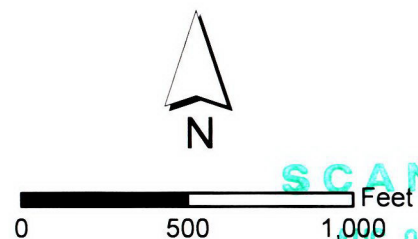
Idaho Water Resource Board
Water Supply Bank Lease Contract No. 1605

37-20373
Effective until December 31, 2027

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.



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



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AUG 09 2023

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

OCT 24 2022

DEPARTMENT OF
WATER RESOURCES

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

Designated Applicant SV RANCH REVOCABLE LIVING TRUST

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

Water Right No. 37-20373

(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 \$ <u>250</u>	Received By: <u>Ka</u>	Date Received:	Receipt # <u>C114402</u>
W-9 received? Yes ☒ No ☐	(Route W-9 to Fiscal)	Name on W-9: <u>SV Ranch Revocable Living Trust</u>	

2471

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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 SV RANCH REVOCABLE LIVING TRUST

Mailing Address PO Box 1607 Bellevue, WA 98009

Street

City

State

Zip Code

Email Address _____ Phone Number 425-460-2542

☒ 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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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 diversion structure, 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. None

- 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. Water right 37-20373 has been leased into the Water Supply Bank since 1/1/2013.

- 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.

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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 ☒.

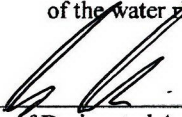
If lease, specify the years when the use of water will be suspended: 2023 to 2027 (maximum lease period 5 calendar years).
(Year) (Year)

- 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

RYAN PORTER, TRUSTEE
Printed Name

9/28/22
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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State of Idaho
Department of Water Resources

Water Right

37-20373

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.

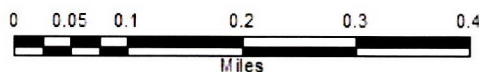


Map center is in T01S R13E

The USDA Forest Service Aerial Photography Field Office asks to be credited in derived products.



Date created: 9/15/2022



Legend

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



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SV RANCH REVOCABLE LIVING TRUST

June 10, 2022

To Whom it May Concern:

I am the Trustee of the SV Ranch Revocable Living Trust (the "Trust"). The purpose of this letter is to authorize Greg Vik and/or Chris Pollak to act on behalf of the Trust in all matters, including the purchase, sale and lease of real property, and transactions of any and all other kind. Each of them should sign documents as "Authorized Representative of SV Ranch Revocable Living Trust."

If you have any questions or need further information, please do not hesitate to contact me.

Very truly yours,



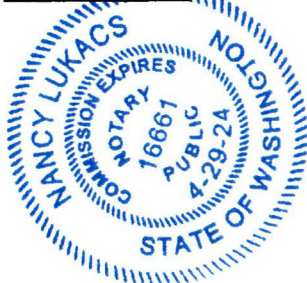
Ryan Porter
Trustee, SV Ranch Revocable Living Trust

RP/nhl

STATE OF WASHINGTON)
)
COUNTY OF KING) ss:

I certify that I know or have satisfactory evidence that Ryan Porter is the person who appeared before me, and said person signed this instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED: JUNE 10, 2022.



Nancy Lukacs
Print Name: NANCY LUKACS
NOTARY PUBLIC in and for the State of
WA, residing at KIRKLAND
My Appointment expires: 4-29-24

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AUG 09 2023

RECEIVED

RECEIVED ✓

AUG 04 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 27 2022

DEPARTMENT OF
WATER RESOURCESNOTICE OF CHANGE IN WATER RIGHT OWNERSHIP DEPT OF WATER RESOURCES
SOUTHERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
See Exhibit A	Yes ☐	Yes ☒		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: SV Ranch LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): SV Ranch Revocable Living Trust

New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

PO Box 1607 Bellevue WA 98009
Mailing address City State Zip
425-460-2542
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: February 18, 2022

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - ☒ Filing fee (see instructions for further explanation):
 - o \$25 per *undivided* water right.
 - o \$100 per *split* water right.
 - o No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE # 37-7028

- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Chris Polwak AUTHORIZED REPRESENTATIVE
Signature of new owner/claimant OF SV RANCH REVOC. 6/20/22
Print name LIVING TRUST Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant
Print name

Received by SG Date 7/27/2022 For IDWR Office Use Only: Receipt No. 5039359 Receipt Amt. \$1,050.00
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by _____ Processed by John Date 8-5-22

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AUG 08 2022

Exhibit A

Ryan Porter, Trustee, SV Ranch Revocable Trust

Water Right Change of Ownership

Brockway Engineering

	Water Right	Split	Leased to Water Supply Bank	IDWR Aerial Map
1	37-7028	No	No	Yes
2	37-7029	No	No	Yes
3	37-7295A	No	No	Yes
4	37-7295B	No	Yes	Yes
5	37-8880	No	No	Yes
6	37-13059	No	No	Yes
7	37-13064	No	No	Yes
8	37-13067	No	No	Yes
9	37-13070	No	No	Yes
10	37-13071	No	No	Yes
11	37-13072	No	No	Yes
12	37-13073	No	No	Yes
13	37-13074	No	No	Yes
14	37-13075	No	No	Yes
15	37-13118	No	No	Yes
16	37-20315	No	No	Yes
17	37-20373	No	Yes	Yes
18	37-20374	No	Yes	Yes
19	37-20557	No	No	Yes
20	37-20558	No	No	Yes
21	37-20559	No	No	Yes
22	37-20560	No	No	Yes
23	37-20561	No	No	Yes
24	37-20562	No	No	Yes
25	37-21958	No	No	Yes
26	37-22786	No	No	Yes
27	37-22787	No	No	Yes
28	37-22788	No	No	Yes
29	37-22789	No	No	Yes
30	37-22790	No	No	Yes
31	37-22791	No	No	Yes
32	37-22816	No	No	Yes
33	37-22817	No	No	Yes
34	37-22818	No	No	Yes
35	37-22819	No	No	Yes
36	37-22820	No	No	Yes
37	37-22843	No	No	Yes
38	37-22844	No	No	Yes
39	37-22845	No	No	Yes
40	37-22884	No	No	Yes
41	37-22885	No	No	Yes
42	37-22886	No	No	Yes

WSB Mailing Checklist for Leases

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

Key: Who Completes What?

CLERICAL STAFF: MK

REVIEWER:

Received Date 10/24/2022

Desired Lease Duration 2023 - 2027

Lease / Rental Package Y (N)

If yes, Renter Name: _____

Application # 2471

Contract # 1605

WR#s		#
		37-20373
#		#
#		#
#		#
#		#
#		#
#		#

Applicant Authorized?	<u>(Y)</u> N
Multiple owners, Attach 1A included?	Y / N <u>NA</u>
If portion is offered, Attach 2 included?	Y / N <u>NA</u>
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 NA
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: SV Ranch Revocable Living Trust

☐
☒

EMAIL:

Attorney:

☐
☐

EMAIL:

Consultants

Name: Greg Sullivan-Brockway Engineering

☒

Comments: contract # 763
prev agreement

Watermaster: Rusty Kramer

☐

Delivery Entity:

☐

Water District: 37B

☐

Ground Water District:

☐

Region: Southern

☐

Other: Big Wood River GWMA

☐
☐

Address:

Call up Date: _____

DO NOT SCAN



IDAHO DEPARTMENT
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

August 4, 2023

SV RANCH REVOCABLE LIVING TRUST
PO BOX 1607
BELLEVUE ID 98009

RE: WATER SUPPLY BANK LEASE CONTRACT 1605

Dear Lessor:

Water right(s) 37-20373 is leased into the Water Supply Bank (Bank) as of January 1, 2023, 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 right(s) will automatically be released from the Bank on December 31, 2027, 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,

for
Water Supply Bank

Enclosure: Executed Lease Contract

c: Greg Sullivan, Brockway Engineering (service by email)

SCANNED
AUG 09 2023

Hummer, Phill

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Thursday, August 3, 2023 3:52 PM
To: Hummer, Phill; IDWR File
Subject: RE: SV Ranch WSB Lease App 2471 WR 37-20373
Attachments: tb-backoffice_20230803_122449.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Phill,

See the attached signed lease contracts for 37-20373.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Hummer, Phill [mailto:Phill.Hummer@idwr.idaho.gov]
Sent: Thursday, August 03, 2023 9:14 AM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: SV Ranch WSB Lease App 2471 WR 37-20373

Greg,

I apologize for delays. Attached is the lease contract for right 37-20373. Please have the applicant sign and return two copies, either by regular mail, hand delivery, or by email to file@idwr.idaho.gov.

-Phill

SCANNED

AUG 09 2023

MEMORANDUM FOR APPLICATION # 2471

To: Water Right No. 37-20373

From: Skyler Cheever – Water Resource Agent

Date: 10/27/2022

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

PURPOSE/NARRATIVE:

Application 2471 was sent in by SV Ranch Revocable Living Trust and received on October 24th, 2022, with payment received the same date. The application proposes to lease the full right 37-20373 into the water supply bank from 2023 to 2027. The water right authorizes the use of water from Corral Creek, tributary to Camas Creek, to irrigate 153 acres. The point of diversion is within the Big Wood River GWMA, Snake River Moratorium, and Trust Water Area. The right has been leased into the water supply bank since 2013 with the current contract to expire December 31st, 2022.

AUTHORITY TO FILE:

Ryan Porter signed the application. Mr. Porter has the authority to file this application because he is a trustee of SV Ranch Revocable Family Trust according to Department Records. An ownership change, approved in 2022, changed the name of the current owner from SV Ranch to SV Ranch Revocable Living Trust. SV Ranch Revocable trust is the current owner of the water right according to Department records.

WATER RIGHT VALIDITY:

The water right has been leased continually into the water supply bank since 2013. There are no concerns with continued lease of this right

ENLARGEMENT OF USE:

Three groundwater irrigation rights overlap the place of use, 37-22884, 37-22885, 37-22886. Surface water right, 37-20373, has been idled into the water supply bank since 2013. There is no functioning surface water diversion at this time to deliver water for 37-20373. Groundwater rights were transferred to the place of use in 2015. Therefore, these rights were not historically used together. There are no enlargement concerns with leasing 37-20373 separately. A 131.3-acre pivot at the place of use will continue being irrigated with groundwater rights.

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 point of diversion is within Basin 37 and Water District 37B. The Watermaster and Southern Regional Manager were contacted for comment on October 27th, 2022. No response was received, it is assumed there is no concern.

SCANNED

AUG 09 2023

Cheever, Skyler

From: Cheever, Skyler
Sent: Thursday, October 27, 2022 11:23 AM
To: Skinner, Corey; waterdistrict37b@outlook.com
Subject: Comment Email for Lease Application 2471
Attachments: Lease Contract 1605.docx; Lease Review Memo 2471.docx; Lease_2471 Map.pdf

Hello Mr. Skinner and Mr. Kramer,

I am currently reviewing a Water Supply Bank Lease within Basin 37 and Water District 37B. The lease proposes to lease the entire Water Right No. 37-20373 to the water supply bank. This right diverts surface water from Corral Creek to irrigate 153 acres. This property has been leased in the supply bank from January 2018 through December 31st, 2022. Attached to this email is the draft review memo, draft map of the place of use and draft contract. Please send any comments if applicable in 7 days. If you have any questions or need clarification, please let me know.

Best,

Skyler

Skyler Cheever
Water Resource Agent, State Office
Email: skyler.cheever@idwr.idaho.gov
Phone: 208-287-4913

SCANNED
AUG 09 2023



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Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 26, 2022

SV RANCH REVOCABLE LIVING TRUST
PO BOX 1607
BELLEVUE WA 98009

**RE: APPLICATION(S) TO LEASE WATER RIGHT NO(S). 37-20373 TO THE WATER
SUPPLY BANK**

Dear Applicant:

The Idaho Department of Water Resources (Department) acknowledges receipt of the application(s) to lease the above referenced water right(s) to the Idaho Water Resource Board's Water Supply Bank (Bank). The Department will review your application as resources allow. If the application(s) is not processed prior to the end of the proposed lease period, it will be returned to the applicant. The Department regrets any inconvenience caused by the delay.

If the right(s) is determined to be eligible for acceptance into the Bank, the right will be entered as of the date of receipt of the application. The acceptance date may be adjusted if additional information is required.

Please note the forfeiture period is not tolled unless a right is accepted into the Bank, or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. If forfeiture is a concern, you may consider filing an Application for Extension of Time to Avoid Forfeiture of a Water Right form. This and other water right forms are available from the Department's web site at www.idwr.idaho.gov.

If you have any questions, please contact me at (208) 287-4822.

Sincerely,

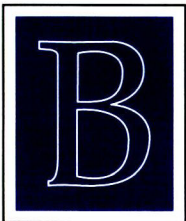
A handwritten signature in black ink, appearing to read "Mackenzie Kienholz", written over a horizontal line.

Mackenzie Kienholz
Water Supply Bank Specialist

c: Greg Sullivan – Brockway Engineering

Enclosure: Receipt #C114402

SCANNED
AUG 09 2023



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
OCT 24 2022
DEPARTMENT OF
WATER RESOURCES

October 20, 2022

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

Re: SV Ranch Revocable Living Trust

Dear Ms. Condon:

Lease application for water right 37-20373 is attached to this letter. This water right is owned by SV Ranch Revocable Living Trust. The lease period for this water right will be for the 2023, 2024, 2025, 2026 and 2027 irrigation seasons.

Three lease packages are being submitted at this time but only one check for \$1,250.00 will be submitted to the Idaho Water Supply Bank.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Greg Vik, Rod Gonsales

Enc: Lease Application, Aerial Map, W-9 Form, Brockway Engineering Check #
17162 for \$1,250.00

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

AUG 09 2023

2471