

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1585

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

LESSOR: SV RANCH LLC
GREG VIK
PO BOX 1607
BELLEVUE, WA 98009-1607

RECEIVED
JUN 06 2023
DEPARTMENT OF
WATER RESOURCES

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on July 28, 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)
57-235	12/10/1907	CASTLE CREEK, tributary to SNAKE RIVER	0.10	Not Stated	6.0
2-2357A	9/10/1964	SNAKE RIVER, tributary to COLUMBIA RIVER	0.06	Not Stated	3.0
Combined Lease Totals			0.16	Not Stated	9.0

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)
57-235	0.10	27.0	6.0	0.017	4.5
2-2357A	0.06	13.5	3.0	0.020	4.5
Combined Limit Totals	0.16	40.5	9.0	0.018	4.5

*The water right elements rentable include a defined volume limit that is based on the regional field headgate irrigation standard of 4.5 afa/acre.

SUPPORT DATA

IN FILE # 2 - 2357A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1585

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.
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.

SCANNED

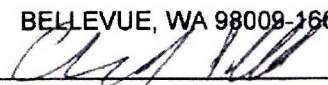
JUN 12 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

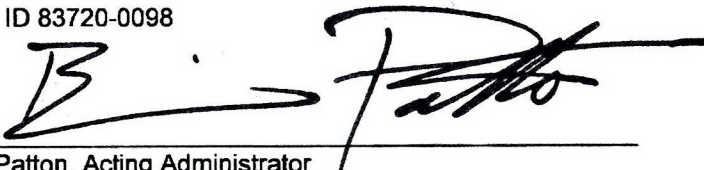
WATER SUPPLY BANK LEASE CONTRACT No. 1585

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

LESSOR: SV RANCH LLC
CHRIS POLLAK
PO BOX 1607
BELLEVUE, WA 98009-1607

By 
Title VICE PRESIDENT
Date 6/2/23

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 6/7/23

Lease approved by IDWR 

Date 6/7/23

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JUN 12 2023

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WATER SUPPLY BANK LEASE CONTRACT No. 1585

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): 57-235

CASTLE CREEK NESE Sec. 13 Twp 04S Rge 01E OWYHEE County

Source and Location of Point(s) of Diversion for Water Right No(s): 57-235

CASTLE CREEK NESE Sec. 35 Twp 03S Rge 01E OWYHEE County

Source and Location of Point(s) of Diversion for Water Right No(s): 2-2357A

SNAKE RIVER NESE Sec. 35 Twp 03S Rge 01E OWYHEE County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
57-235	IRRIGATION	04/01	to	10/15	0.100 cfs	27.0 AF
2-2357A	IRRIGATION	03/15	to	11/15	0.060 cfs	13.5 AF
Totals:					0.160 cfs	40.5 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	
04S	01E	11															3.0		3.0
04S	01E	12															6.0		6.0

Total Acres: 9.0

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.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1585

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. The unleased portions of water right 2-2357A with Rights 57-235 and 57-11709 is limited to a total combined annual diversion volume of 458.4 af.
13. Rights 2-2173, 2-2357B, 2-7046E, 2-10235, 2-10244, 2-10396, 2-10469 and the unleased portion of 2-2357A when combined shall not exceed the irrigation of 2013.4 acres in a single irrigation season.
14. Rights 57-7034A, 57-11666, 57-11667 and 57-11709 and the unleased portion of 57-235 when combined shall not exceed the irrigation of 1795.2 acres within the authorized place of use in a single irrigation season.
15. The unleased portion of water right 57-235 is limited to the irrigation of 57 acres within the authorized place of use in a single irrigation season.
16. The unleased portion of water right 2-2357A is limited to the irrigation of 97 acres within the place of use described above in a single irrigation season.
17. Water right 2-2357A when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
18. The right holder shall maintain a measuring device and lockable controlling works, at the point of diversion located in NESE, S13, T04S, R01E, with a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
19. The following rights are diverted through point of diversion located at Township 03S, Range 01E, Section 36, NESE: 2-2173, 2-2357A, 2-2357B, 2-7046E, 2-10235, 2-10244, 2-10396, and 2-10469.
20. Use of water under water right 57-235 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. 57C. Diversion of this right from the Snake River may be regulated by a watermaster with responsibility for the distribution of water from that source in the event curtailment is necessary in the future.
21. Use of water under water right 2-2357A 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. 2.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1585

22. The following rights are diverted through the point of diversion located in Township 04S, Range 01E, Section 13, NESE and Township 03S, Range 01E, Section 35, NESE described above: 57-235, 57-7034A, 57-11666, 57-11667 and 57-11709.
23. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 5/11/2009.
24. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
25. Diversion of water from the Snake River is limited to those times when water is available for diversion under this right and priority from Castle Creek. Availability of water from the Snake River shall be determined based on the lesser of the flow in Castle Creek at the authorized point of diversion or at the mouth of Castle Creek.
26. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 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 1/24/2002.

STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED
JUL 28 2022
DEPARTMENT OF
WATER RESOURCES

Designated Applicant SV Ranch LLC

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

Water Right No. 57-235

(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 | ☒ | ☐ | <i>Notice of Change in Water Right Ownership</i> 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>500-</u>	Received By: <u>LM</u>	Date Received: <u>7.28.22</u>	Receipt # <u>6113544</u>
W-9 received? Yes ☒ No ☐	(Route W-9 to Fiscal)	Name on W-9: <u>SV Ranch LLC</u>	

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JUN 12 2023

2412

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 LLC

Mailing Address PO Box 1607 Bellevue WA 98009

Street City State Zip Code

Email 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 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, ID 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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JUN 12 2023

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 POD, 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. 2-2357A and 57-235

- 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. See transfer 85379.

- 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. Water right 2-10452 and 57-11794 were included in transfer 85379 that was approved on May 31, 2022. These water right permits were rescinded back into 2-2357A and 57-235.

- 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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JUN 12 2023

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.

Chris Polak
Signature of Designated Applicant

CHRIS POLAK, VP,
Printed Name INVESTMENTS
MANAGER, ITS MANAGER

6/20/22
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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JUN 12 2023
Page 4

**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

1. <u>Water Right Number</u>	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
57-235	Irrigation	0.1		6.0
	Total Amounts:	0.1		3.0

2. Source of water Castle Creek tributary to Snake River

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
03S	01E	35			NE	SE	Owyhee
04S	01E	13			NE	SE	Owyhee

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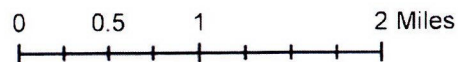
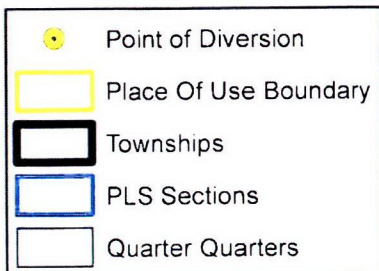
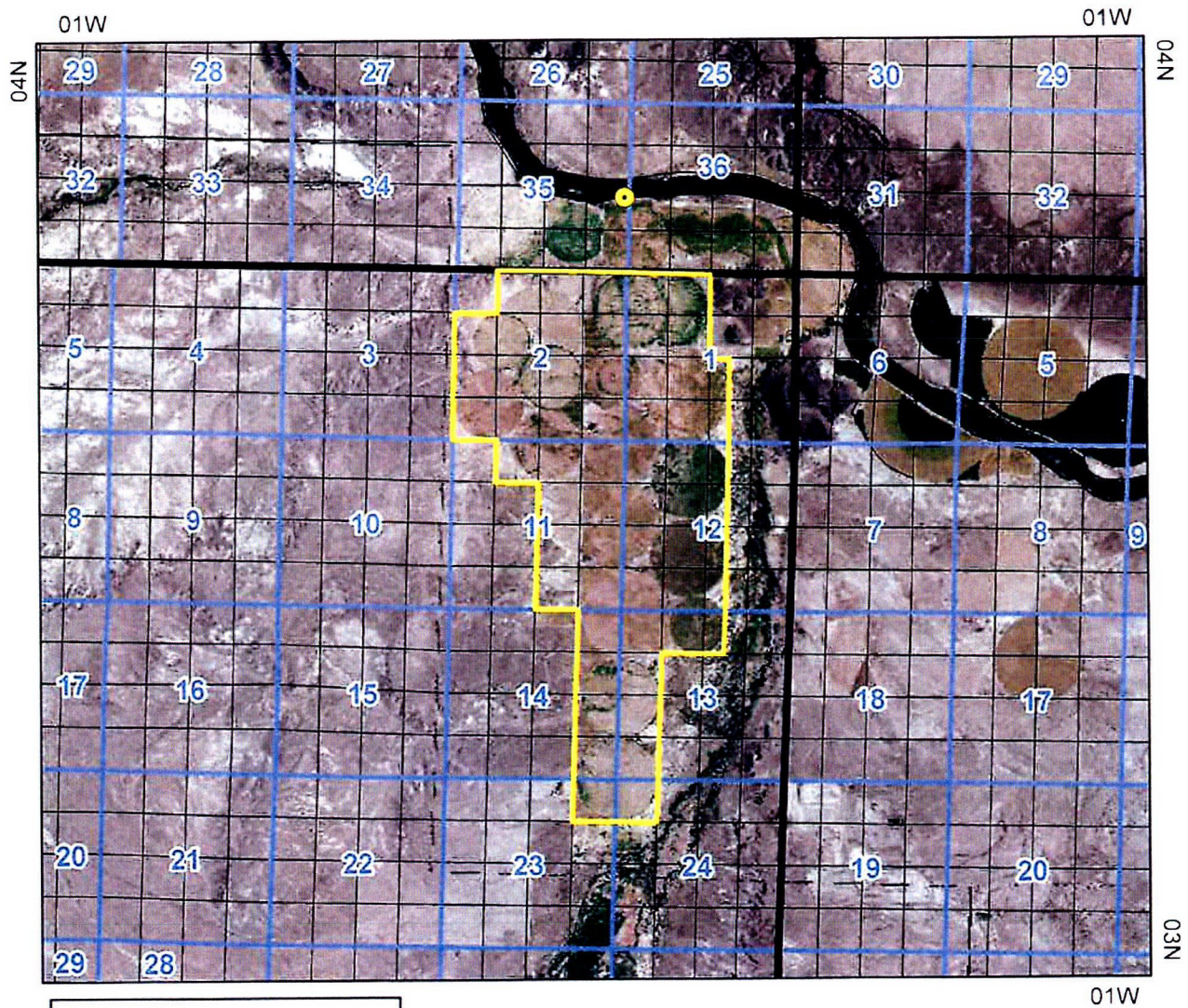
JUN 12 2023

State of Idaho
Department of Water Resources

Attachment to Transfer No. 85379

Water Right(s): 2-2357A

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.





0004705123

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0004705123

Date Filed: 4/19/2022 11:37:05 AM

Entity Name and Mailing Address:		
Entity Name:	SV RANCH LLC	
Foreign Name (name in home jurisdiction):	SV RANCH LLC	
The file number of this entity on the records of the Idaho Secretary of State is:	0000070867	
Address	10900 NE 4TH ST STE 1850 BELLEVUE, WA 98004-8341	
Entity Details:		
Entity Status	Active-Existing	
This entity is organized under the laws of:	WASHINGTON	
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	W19047	
The registered agent on record is:		
Registered Agent	NATIONAL REGISTERED AGENTS INC Commercial Registered Agent Physical Address 921 S ORCHARD ST STE G BOISE, ID 83705 Mailing Address 921 S ORCHARD ST STE G BOISE, ID 83705	
Agent or Address Change		
☐ Select if you are appointing a new agent.		
Limited Liability Company Managers and Members		
Name	Title	Business Address
INVESTMENTS MANAGER LLC	Manager	10900 NE 4TH STREET SUITE 1850 BELLEVUE, WA 98004
The annual report must be signed by an authorized signer of the entity.		
Job Title: Attorney for LLC		
<i>Peterson Russell Kelly Livengood PLLC</i>		<i>04/19/2022</i>
Sign Here		Date

B0702-0932 04/19/2022 11:37 AM Received by ID Secretary of State Lawrence Denney

SCANNED
JUN 12 2023

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,



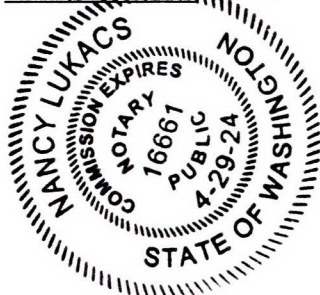
Ryan Porter
Trustee, SV Ranch Revocable Living Trust

RP/nhl

STATE OF WASHINGTON)
) ss:
COUNTY OF KING)

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

SCANNED

JUN 12 2023

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85379**

This is to certify that: SV RANCH LLC
GREG VIK
PO BOX 1607
BELLEVUE, WA 98009-1607

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
2-2357A	WR/DECREED	9/10/1964	2.000 cfs	N/A	97.0	2178.0	SNAKE RIVER
57-235	WR/DECREED	12/10/1907	1.100 cfs	N/A	57.0	2178.0	CASTLE CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
2-2357A	NO	NO	NO	NO	YES	YES
57-235	NO	NO	NO	NO	YES	YES

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
2-2357A	2-2357A	2.000 cfs	N/A	100.0	2178.0	N/A	N/A	N/A	N/A	N/A
57-235	57-235	1.100 cfs	N/A	63.0	2178.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.100 cfs	40.5 af	163.0	2178.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 31st day of May, 2022


SCOTT STORMS, Water Rights Supervisor

Transfer No. 85379

WATER RIGHT NO. 57-235**As Modified by Transfer No. 85379**

In accordance with the approval of Transfer No. 85379, Water Right No. 57-235 is now described as follows:

Right Holder: SV RANCH LLC
GREG VIK
PO BOX 1607
BELLEVUE, WA 98009-1607

Priority Date: 12/10/1907

Source: CASTLE CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/15

Diversion Rate
1.100 cfs
1.100 cfs

LOCATION OF POINT(S) OF DIVERSION

CASTLE CREEK NESE Sec 35 Twp 03S Rge 01E OWYHEE County
CASTLE CREEK NESE Sec 13 Twp 04S Rge 01E OWYHEE County

PLACE OF USE: 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	
04S	01E	1					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		19.0	19.0		358.0
							L 3	L 4											
04S	01E	2	40.0	40.0	40.0	40.0	41.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	601.0
			L 1	L 2			L 3												
04S	01E	11	40.0	40.0	40.0	40.0	40.0								40.0	40.0	40.0	40.0	360.0
04S	01E	12		19.0	19.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		20.0	20.0		398.0
04S	01E	13		21.0			40.0	40.0	40.0			40.0	40.0						221.0
04S	01E	14	40.0			40.0									40.0			40.0	160.0
04S	01E	23	40.0																40.0
04S	01E	24					40.0												40.0

Right Acre Limit: 63.0
POU Total Acres: 2178.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 85379

WATER RIGHT NO. 57-235

As Modified by Transfer No. 85379

CONDITIONS OF APPROVAL

3. 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.
4. 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. 57C. Diversion of this right from the Snake River may be regulated by a watermaster with responsibility for the distribution of water from that source in the event curtailment is necessary in the future.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department for measuring the flow in Castle Creek at the original point of diversion, at the mouth of Castle Creek, and at the point of diversion from the Snake River.
6. The right holder shall maintain a measuring device and lockable controlling works, at the point of diversion located in NESE, S13, T04S, R01E, with a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. Diversion of water from the Snake River is limited to those times when water is available for diversion under this right and priority from Castle Creek. Availability of water from the Snake River shall be determined based on the lesser of the flow in Castle Creek at the authorized point of diversion or at the mouth of Castle Creek.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 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 1/24/2002.
9. This right is limited to the irrigation of 63 acres within the authorized place of use in a single irrigation season.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
11. Rights 57-235, 57-7034A, 57-11666, 57-11667 and 57-11709 when combined shall not exceed the irrigation of 1801 acres within the authorized place of use in a single irrigation season.
12. The following rights are diverted through the point of diversion described above: 57-235, 57-7034A, 57-11666, 57-11667 and 57-11709.

WATER RIGHT NO. 2-2357A**As Modified by Transfer No. 85379**

In accordance with the approval of Transfer No. 85379, Water Right No. 2-2357A is now described as follows:

Right Holder: SV RANCH LLC
GREG VIK
PO BOX 1607
BELLEVUE, WA 98009-1607

Priority Date: 9/10/1964

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	2.000 cfs
			2.000 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER NESE Sec 35 Twp 03S Rge 01E OWYHEE County

PLACE OF USE: 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	
04S	01E	1					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		19.0	19.0		358.0
							L 3	L 4											
04S	01E	2	40.0	40.0	40.0	40.0	41.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	601.0
			L 1	L 2			L 3												
04S	01E	11	40.0	40.0	40.0	40.0	40.0								40.0	40.0	40.0	40.0	360.0
04S	01E	12		19.0	19.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		20.0	20.0		398.0
04S	01E	13		21.0			40.0	40.0	40.0			40.0	40.0						221.0
04S	01E	14	40.0			40.0									40.0			40.0	160.0
04S	01E	23	40.0																40.0
04S	01E	24						40.0											40.0

Right Acre Limit: 100.0
POU Total Acres: 2178.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 85379

WATER RIGHT NO. 2-2357A
As Modified by Transfer No. 85379

CONDITIONS OF APPROVAL

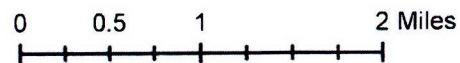
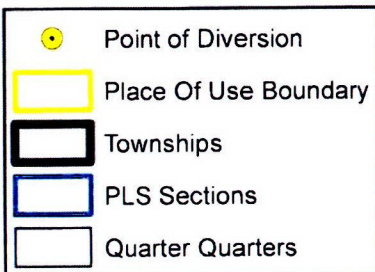
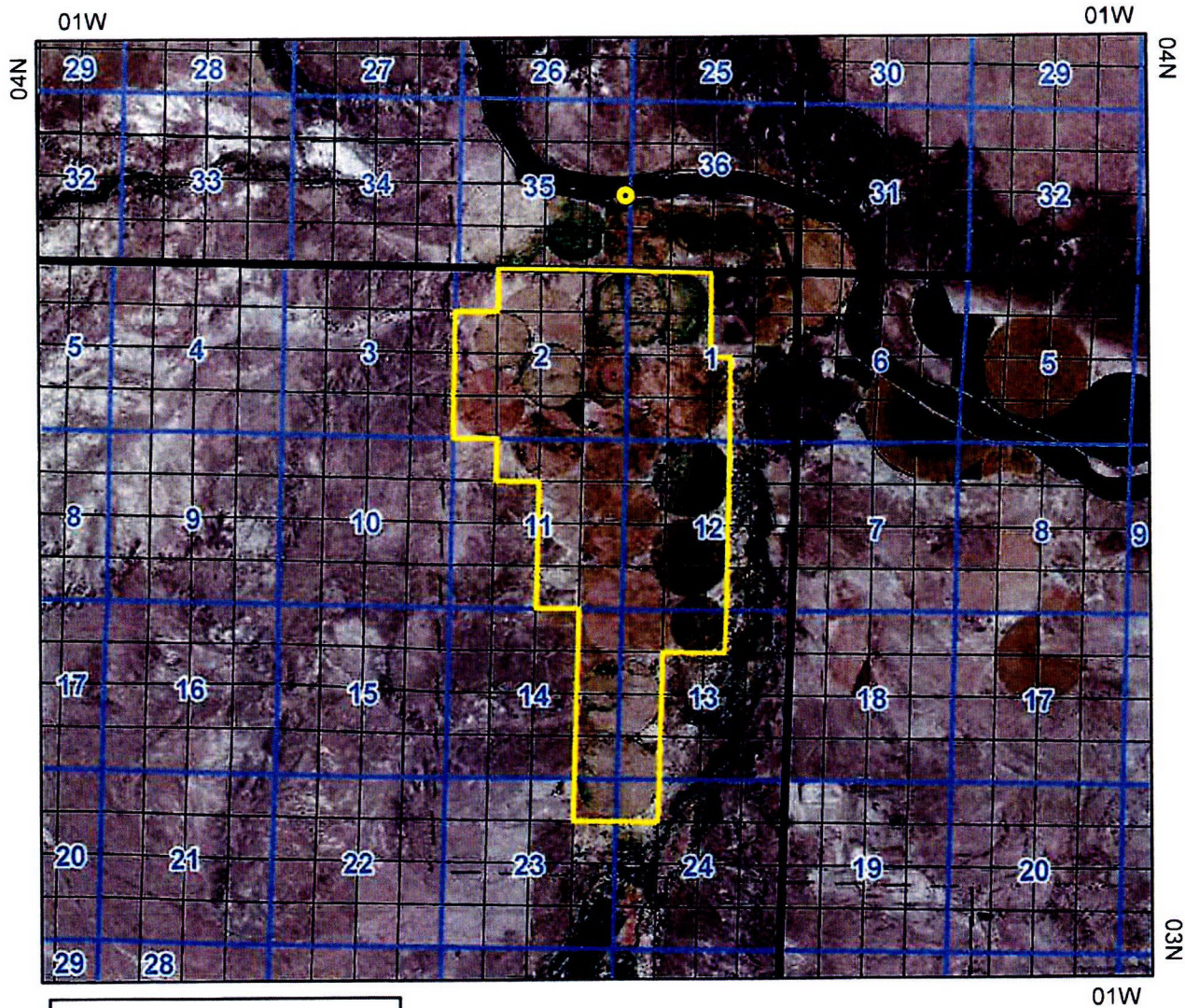
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
5. This right is limited to the irrigation of 100 acres within the place of use described above in a single irrigation season.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 5/11/2009.
7. Rights 2-2173, 2-2357A, 2-2357B, 2-7046E, 2-10235, 2-10244, 2-10396 and 2-10469 when combined shall not exceed the irrigation of 2016.4 acres in a single irrigation season.
8. Use of this right with Rights 57-235 and 57-11709 is limited to a total combined annual diversion volume of 500 af.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
10. The following rights are diverted through point of diversion described above: 2-2173, 2-2357A, 2-2357B, 2-7046E, 2-10235, 2-10244, 2-10396, and 2-10469.

State of Idaho
Department of Water Resources

Attachment to Transfer No. 85379

Water Right(s): 2-2357A

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

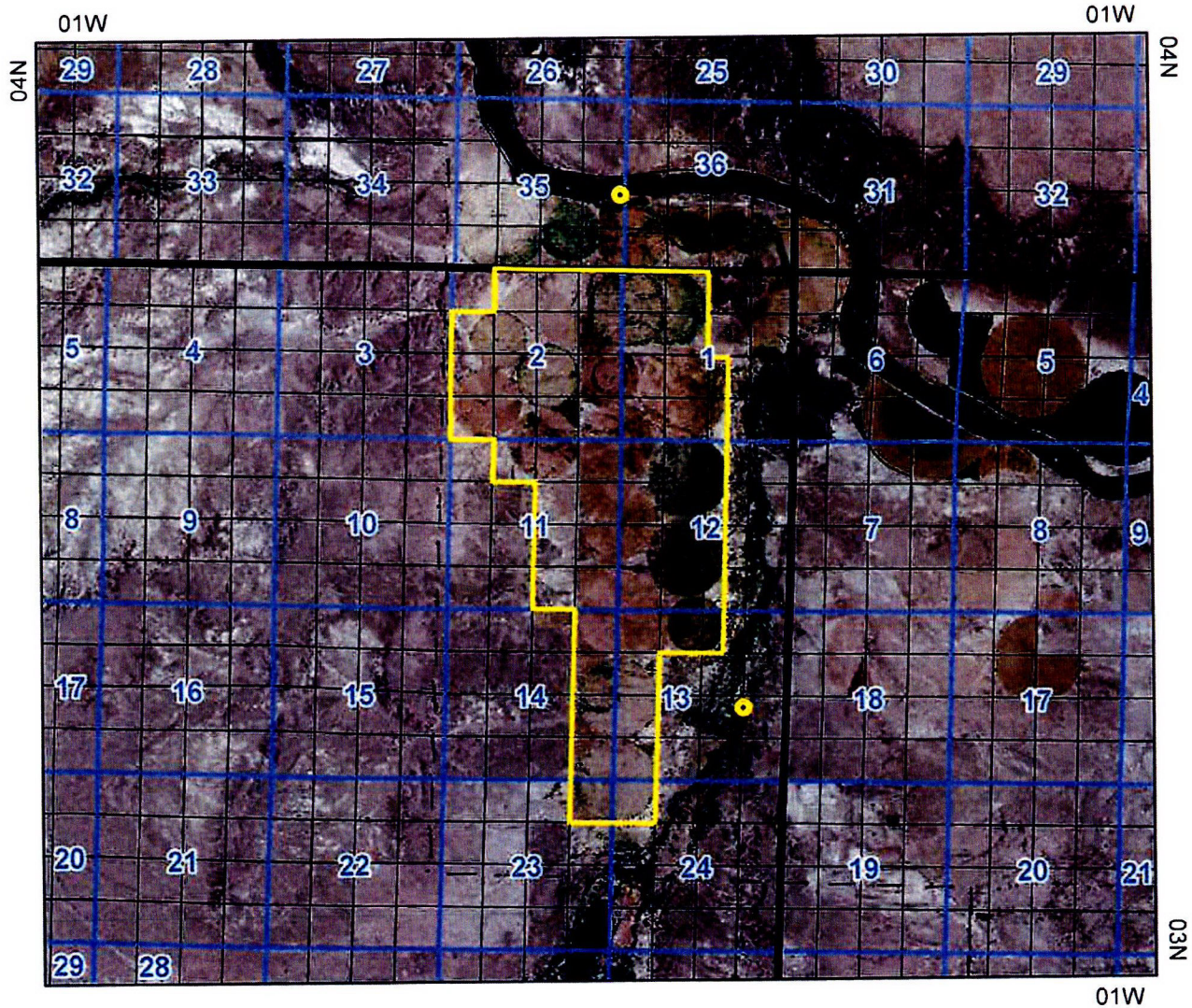


State of Idaho
Department of Water Resources

Attachment to Transfer No. 85379

Water Right(s): 57-235

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.5 1 2 Miles

