

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1698

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

LESSOR: JAMES & MARIA A SLEGRS
REVOCABLE LIVING TRUST
7260 WILD HORSE WAY 994 N Demarini Ave
NAMPA, ID 83686 Eagle, ID 83616

RECEIVED
AUG 23 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 February 24, 2023.
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)
63-7753A	4/15/1973	GROUND WATER	0.38	126	28
Lease Totals			0.38	126	28

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, 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.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1698

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: JAMES & MARIA A SLEGERS
REVOCABLE LIVING TRUST
7260 WILD HORSE WAY 994 N Demarini Ave
Nampa, ID 83686 Eagle, ID 83616

By [Signature]
Title Trustee
Date 8/18/23

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

By [Signature]
Brian Patton, Acting Administrator
Idaho Water Resource Board

Date 8/24/23

Lease approved by IDWR [Signature]

Date 8/24/23

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SEP 28 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1698

**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): 63-7753A

GROUND WATER	NWSE	Sec. 16	Twp 01N	Rge 01W	ADA County
GROUND WATER	SENE	Sec. 17	Twp 01N	Rge 01W	ADA County
GROUND WATER	L 4SWSW	Sec. 16	Twp 01N	Rge 01W	ADA County
GROUND WATER	L 4SWSW	Sec. 16	Twp 01N	Rge 01W	ADA County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
63-7753A	IRRIGATION	03/15	to	11/15	0.38 cfs	126 AF
Totals:					0.38 cfs	126 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	
01N	01W	16													8.5	6.5	5.5 L6	7.5 L7	28

Total Acres: 28

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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SEP 7 8 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1698

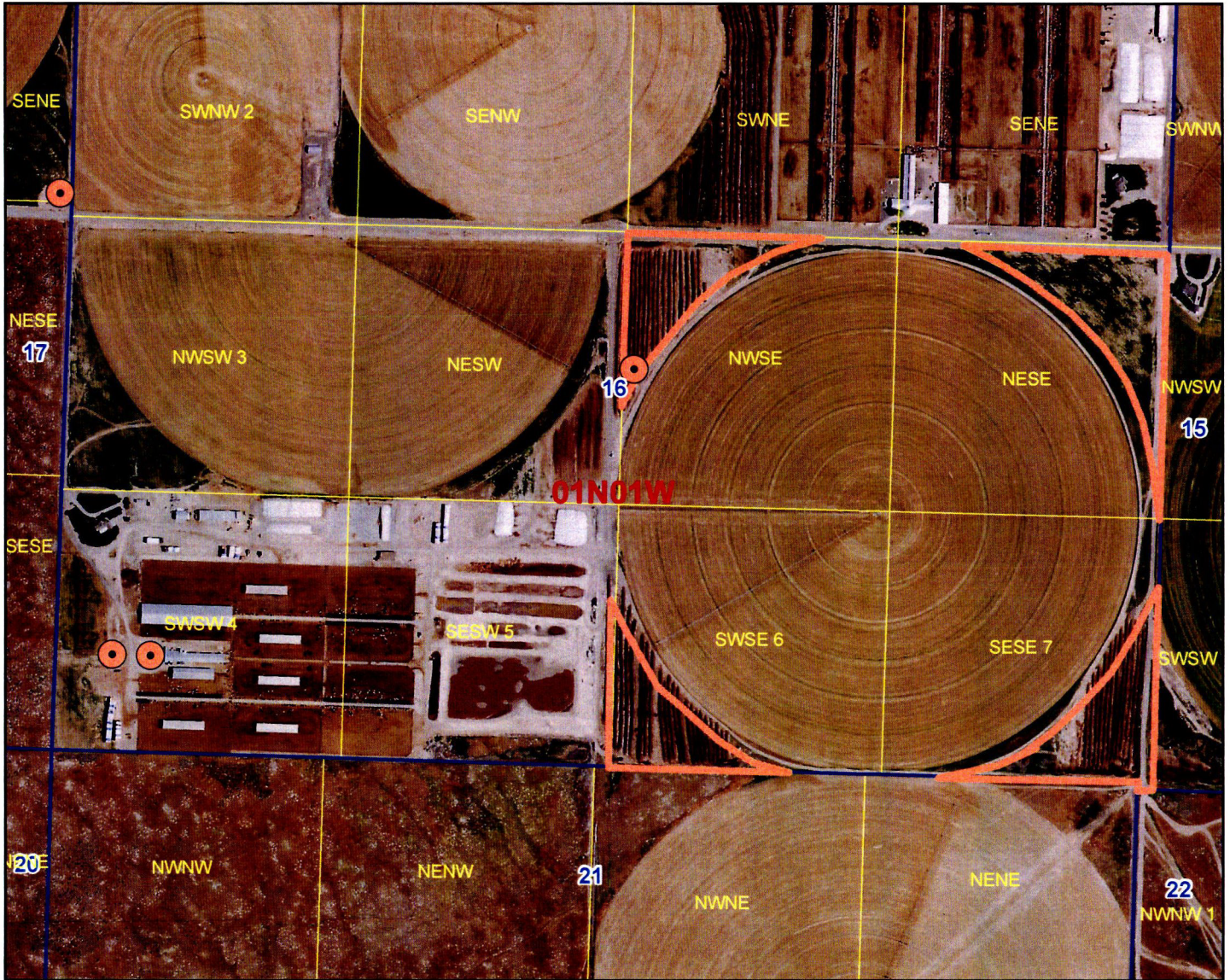
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right 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. 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.
13. The unleased portion shall not exceed the total diversion rate of 1.74 cfs, a total annual maximum diversion volume of 576 af, and the irrigation of 128 acres.
14. Rights 63-7427D, 63-7427E, 63-7753A and 63-33309 when combined shall not exceed the irrigation of 300.3 acres.
15. 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 April 3, 2009.
16. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
17. The following rights are diverted through points of diversion described above: 63-7427D, 63-7427E, 63-7427F, 63-7753A and 63-33309.

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Idaho Water Resource Board
Water Supply Bank Lease Contract No. 1698

63-7753A
Effective until December 31, 2027

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



Legend

- Water Supply Bank Lease POD
- Water Supply Bank Lease POU
- Township/Range
- Sections
- QQ

0 750 1,500 2,250 Feet



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STATE OF IDAHO
WATER RESOURCE BOARD

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

RECEIVED
FEB 24 2023
DEPARTMENT OF
WATER RESOURCES

Designated Applicant James and Maria A Slegers Revocable Living Trust
(Select one owner – see item 1A on the application)

Water Right No. 63-7753A
(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 <i>all owners</i> of the water right to be leased or sold on this application. |
| 1B | ☐ | ☒ | An <u>Internal Revenue Service (IRS) Form W-9</u> 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 <u>Section 42-222(2), Idaho Code</u> . |

Department Use Only

Fee Amount \$ <u>250.00</u>	Received By: <u>MS</u>	Date Received: <u>2.24.23</u>	Receipt # <u>C115395</u>
W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)		Name on W-9: <u>James + Maria A. Slegers Revocable Living Trust</u>	

2605

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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 James and Maria A. Slegers Revocable Living Trust

Mailing Address <u>1616 N Watson Pl</u>	City <u>Eagle</u>	State <u>ID</u>	Zip Code <u>83616</u>
Street	City	State	Zip Code

Email Address <u>maslegs55@gmail.com</u>	Phone Number <u>208-631-0560</u>
--	----------------------------------

☒ 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 Lori Graves Organization HDR Inc.

Professional Title Sr. Water Rights Specialist Email Address lori.graves@hdrinc.com

Mailing Address 412 E Parkcenter Blvd, Ste 100, Boise, ID 83706 Phone Number 208-387-7000

☐ 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.**

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.
Wells, pumps
- 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. POU overlap with water rights 63-7427D, 63-7427E and 63-33309 that, when combined, allow irrigation of 328.3 acres within a 399-acre PPU. Enlargement is not at issue since the rights each have an acre limit that totals 328.3 acres, thereby making the rights additive and not overlapping.
- 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. n/a - water has been banked through 12/31/2022 under Contract 743. Applicant wishes to renew the lease contract for the 2023 irrigation season.
- 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 ☒.

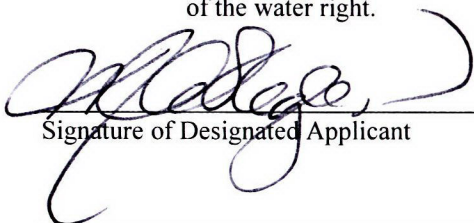
If lease, specify the years when the use of water will be suspended: 2023 to 2024 (maximum lease period 5 calendar years).
(Year) (Year)

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. Propose lease through 2023 irrigation season.

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

Maria A. Slegers
Printed Name

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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SEP 28 2023

**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)
63-7753A	Irrigation	0.38 cfs	126.0 afa	28.0
	Total Amounts:	0.38 cfs	126.0 afa	28.0

2. Source of water Ground Water tributary to _____

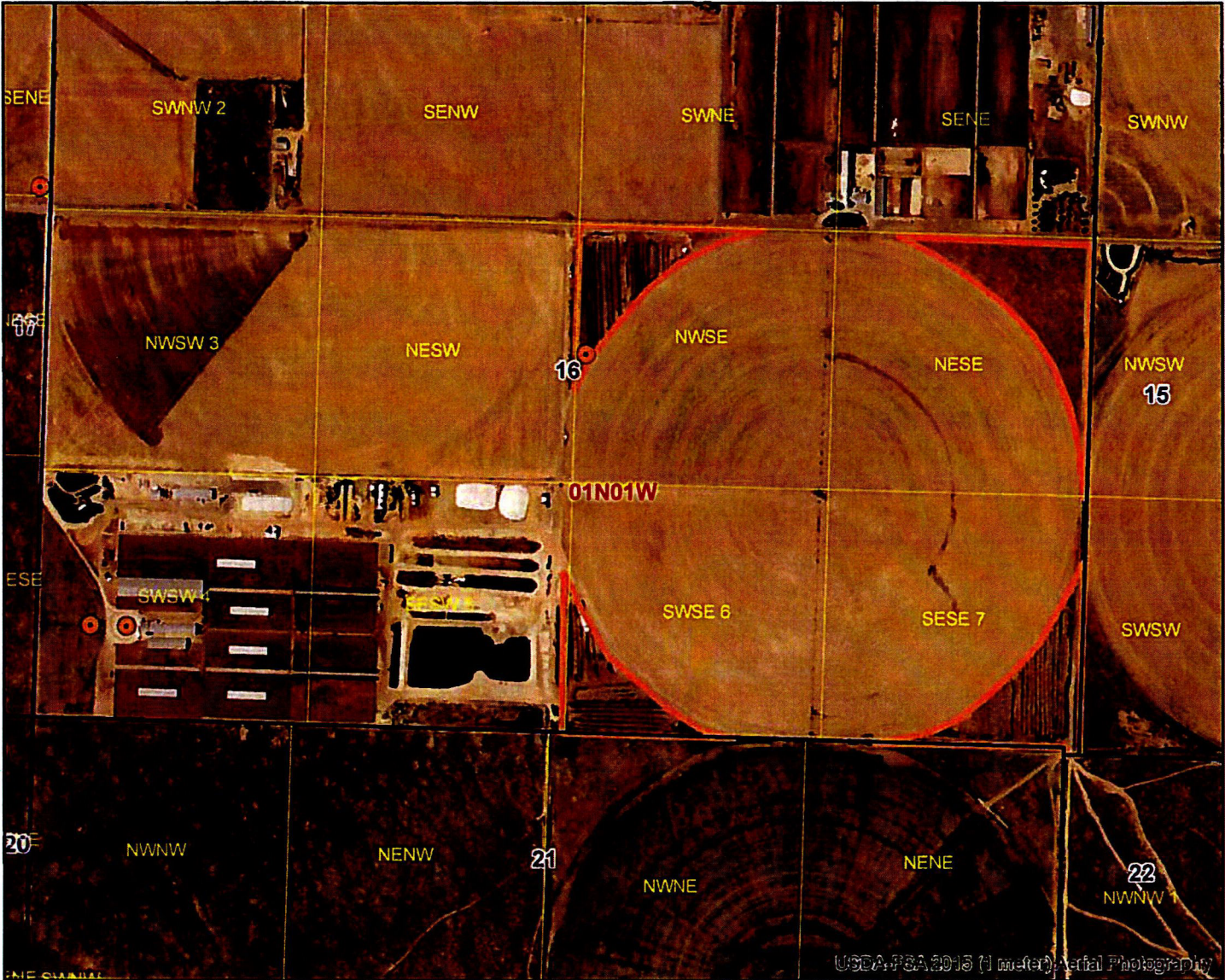
3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
1N	1W	16	4		SW	SW	Ada
		16	4		SW	SW	Ada
		16			NW	SE	Ada
		17			SE	NE	Ada

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Idaho Water Resource Board
Water Supply Bank Lease Contract No. 743
63-7753A
Effective until December 31, 2022

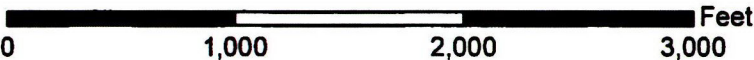
This map depicts the place of use to be idled pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



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



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SEP 28 2023



WSB Mailing Checklist for Leases

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

executed
8/24/23

Key: Who Completes What?

CLERICAL STAFF: MK

REVIEWER: SC

Received Date

2/24/2023

Desired Lease Duration

2023-2027

Lease / Rental Package

Y

(N)

If yes, Renter Name:

Application # 2605

Contract # 1698

WR#s		#
		63-7753A
#		#
#		#
#		#
#		#
#		#
#		#
#		#

Applicant Authorized?

(Y) / N

Multiple owners, Attach 1A included?

Y / N NA

If portion is offered, Attach 2 included?

(Y) / N NA

Map of POU and POD?

(Y) / N NA

POD Consent (if required)?

Y / N NA

Application Complete?

(Y) / N

Minimum checklist in data base?

☐

Request for additional information letter sent:

Y NA

Stacked Water Rights Need to be Leased?

☐

WSB Action Request for deficiencies

☐

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: James + Maria A Slegers Revocable Living Trust

☐

☒

EMAIL:

Attorney:

☐

☐

EMAIL:

Consultants

Name: Lori Graves - HDR Inc

☒

Comments:

prev LC # 743

Watermaster:

☐

Delivery Entity:

☐

Water District:

☐

Ground Water District:

☐

Region: Western

☐

Other:

☐

☐

Address:

Call up Date:

DO NOT SCAN

revised
9/28/23



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 25, 2023

JAMES & MARIA A SLEGGERS REVOCABLE LIVING TRUST
994 N DEMARINI AVE
EAGLE, ID 83616

RE: WATER SUPPLY BANK LEASE CONTRACT 1698 FOR WATER RIGHT 63-7753A

Dear Lessor:

Water right(s) **63-7753A** was/were 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,

A handwritten signature in black ink, appearing to read "Mackenzie Kienholz".

Mackenzie Kienholz
Water Supply Bank Specialist

Enclosure: Executed Lease Contract

c: IDWR - Western Region Office
Lori Graves – HDR Inc.

SCANNED

SEP 28 2023

MEMORANDUM FOR APPLICATION # 2605

To: Water Right No. 63-7753A

From: Skyler Cheever – Water Resource Agent; Mackenzie Kienholz

Date: 3/7/2023; 8/24/2023

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

PURPOSE/NARRATIVE:

Application 2605 was sent in by the James and Maria A. Slegers Revocable Living Trust and received on February 24th, 2023, with fee payment received the same date. The application proposes to lease water right 63-7753A into the water supply bank from 2023-2024. This application is a renewal of contract 743 which expired on December 31st, 2022.

Note from M. Kienholz 8/24/2023: The application was originally proposed to just be for 2023. It was an error that the application said 2023-2024; the representative thought that 2023-2024 just meant until 1/1/2024, not including the 2024 season. In August, after the lease contract was reviewed by Water Rights Supervisor Phill Hummer, copies of the contract were emailed to the applicant's representative, Lori Graves – HDR Inc., and it was noted that as it was already time to start submitting lease applications for 2024, the applicants could adjust the end date on the contract if they wished to have a lease longer than one year. The applicants returned the signed contracts with an end date of 12/31/2027, therefore this lease will be for the period of 2023-2027.

AUTHORITY TO FILE:

Maria Slegers signed the application. James and Maria Sleger are the owners of water right 63-7753A. However, a designated applicant form was not provided with the application with signatures from both Maria and James. After an email conversation with the representative on March 3rd, 2023, it was discovered James passed away. Because the water right is under a trust only one member of the trust would be required to sign. Under the circumstances it is reasonable Maria would have authority to file.

WATER RIGHT VALIDITY:

The water right 63-7753A was decreed in 2009. It was continuously leased into the water supply bank since 2013. A water right leased into or rented from the water supply bank is in exception to abandonment or forfeiture according to Idaho Code § 42-223(5). Therefore, there are no validity concerns.

ENLARGEMENT OF USE:

Water rights 63-7753A, 63-7427D, 63-7427E, and 63-33309 are limited to the irrigation of 328.3 acres. However, combined acre limits are additive. Therefore, the portion of 63-7753A can be lease separately without causing enlargement because water rights do not overlap. Since a portion of water right 63-7753A is being idled, the unleased portions of the right will be limited to the remaining acre limit and total combined limit with other water rights. This will prevent the spreading of water to idle acres causing enlargement.

LOCAL PUBLIC INTEREST:

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

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:

COANNED
SEP 28 2023

The lease appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:

The point of diversion is within basin 63. The Western Regional Manager was contacted for comment on March 8th, 2023. No response was received, it is assumed there is no concern with this proposal.

SCANNED

SEP 7 8 2023



RECEIVED

AUG 23 2023

DEPARTMENT OF
WATER RESOURCES

August 23, 2023

Phill Hummer
IDWR State Office
PO Box 83720
Boise, ID 83720-0098

**Subject: 63-7753A Water Bank Lease Contract 1698
63-7427E Water Bank Lease Application**

Dear Phill,

Enclosed are two copies of signed Lease Contract 1698 for water right 63-7753A. The applicant would like to extend the lease period from one year to five years as modified on the enclosed contracts. Thank you for the opportunity to do so. Please also note the applicant's address change. A signed *Address Change Notice* is included to allow the change.

Also enclosed is an application to lease water right 63-7427E to the water supply bank. The water right's current lease contract #882 will expire on 12/31/2023. Applicant is requesting the lease be renewed for another four years. Doing so will allow both water rights 63-7753A and 63-7427E to be released from the bank at the same time, thereby making future re-leases easier to track.

Check No. 16232 is enclosed for the \$250 filing fee. Please let me know if there are any questions. Thanks Phill.

Sincerely,

HDR Engineering, Inc.

Lori Graves

Lori Graves
Sr. Water Rights Specialist

Cc: Maria Slegers

Enclosers: contracts, application, address change notice, check 16232

Project #10363933

hdrinc.com

HDR | SPF, 412 E Parkcenter Blvd, Suite 100, Boise, ID 83706
(208) 387-7000

SCANNED

SEP 28 2023

COPY

2728

Kienholz, Mackenzie

From: Graves, Lori <Lori.Graves@hdrinc.com>
Sent: Tuesday, August 22, 2023 12:28 PM
To: Hummer, Phill
Subject: RE: Lease App 2605 for WR 63-7753A

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.

Hi Phill.

Just an update. Client is mailing today. Will have to you this week.

Lori Graves, Sr. Water Rights Specialist
D 208.872.9519 M 208.850.4601

hdrinc.com/follow-us

From: Hummer, Phill <Phill.Hummer@idwr.idaho.gov>
Sent: Thursday, August 3, 2023 8:51 AM
To: maslegs55@gmail.com; Graves, Lori <Lori.Graves@hdrinc.com>
Subject: Lease App 2605 for WR 63-7753A

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lori,

Lease application 2605 for right 63-7753A proposes a partial lease of 28 acres for 1 year. If executed as applied the right would be accepted into the bank for 2023 and automatically released in December. I am writing this email to ask whether or not the applicant wants to extend the lease period to longer than 1 year. We typically make lease application processing the high priority tasks starting in September and would be looking for the applicant to reapply for this right to be accepted into the bank for 2024 by the time the executed 2023 is received in the mail and they would be required to pay an additional 250\$.

I have attached the lease contract for 28 acres. Please have the applicant sign two copies of the contract and return them either by regular mail or by email to file@idwr.idaho.gov. I am send the contract in word document format so you can change the end date if the applicant wants to extend the lease period. If you have any questions please let me know.

-Phill

SCANNED
SEP 28 2023

Kienholz, Mackenzie

From: Hummer, Phill
Sent: Thursday, August 3, 2023 8:51 AM
To: maslegs55@gmail.com; Graves, Lori
Subject: Lease App 2605 for WR 63-7753A
Attachments: Lease Contract 1698.docx; Lease Map 1698.pdf; Lease Cover Letter-Proposed Contract.doc

Lori,

Lease application 2605 for right 63-7753A proposes a partial lease of 28 acres for 1 year. If executed as applied the right would be accepted into the bank for 2023 and automatically released in December. I am writing this email to ask whether or not the applicant wants to extend the lease period to longer than 1 year. We typically make lease application processing the high priority tasks starting in September and would be looking for the applicant to reapply for this right to be accepted into the bank for 2024 by the time the executed 2023 is received in the mail and they would be required to pay an additional 250\$.

I have attached the lease contract for 28 acres. Please have the applicant sign two copies of the contract and return them either by regular mail or by email to file@idwr.idaho.gov. I am send the contract in word document format so you can change the end date if the applicant wants to extend the lease period. If you have any questions please let me know.

-Phill

SCANNED
SEP 7 8 2023

Cheever, Skyler

From: Cheever, Skyler
Sent: Wednesday, March 8, 2023 8:54 AM
To: Miller, Nick
Subject: Water Supply Bank Lease Application 2605
Attachments: Lease Review Memo 2605.docx; Lease Contract 1698.docx; Lease Map 1698.pdf

Hello Nick,

I am finishing my review of a lease application within Basin 63. The applicant is the James and Maria A. Sleger Revocable Living Trust. The application proposes to lease water right 63-7753A into the water supply bank from 2023-2024. Attached to this email is a copy of the draft lease contract, review memo, and map of the place of use. If you have any comments, please reply to this email within 14 days as needed.

Best,

Skyler

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

SCANNED
SEP 28 2023

Kienholz, Mackenzie

From: Kienholz, Mackenzie
Sent: Friday, March 3, 2023 12:01 PM
To: Graves, Lori
Subject: RE: Water Supply Bank Application #2605 0 James & Maria A Slegers

Lori,

Your email should be sufficient. If the reviewer finds it is necessary, they will contact you. Thank you for the clarification.

Best,
Mackenzie

From: Graves, Lori <Lori.Grares@hdrinc.com>
Sent: Friday, March 3, 2023 11:45 AM
To: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Subject: RE: Water Supply Bank Application #2605 0 James & Maria A Slegers

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.

James passed away. Do you need the death certificate?

Lori Graves, Sr. Water Rights Specialist
D 208.872.9519 M 208.850.4601

hdrinc.com/follow-us

From: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Sent: Friday, March 3, 2023 11:44 AM
To: Graves, Lori <Lori.Grares@hdrinc.com>
Cc: maslegs55@gmail.com
Subject: RE: Water Supply Bank Application #2605 0 James & Maria A Slegers

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Lori,

I saw this document as well. However, it does not grant Maria authority to be the sole signee. We need either a new signature page signed by both James and Maria, Attachment 1A signed by James and Maria assigning Maria as the designated lessor, or some sort of evidence showing that any one trustee is authorized to sign on behalf of the trust and thus indicating that we don't need all trustees to sign.

Thank you,
Mackenzie

SCANNED
SEP 7 8 2023

From: Graves, Lori <Lori.Graves@hdrinc.com>
Sent: Friday, March 3, 2023 11:34 AM
To: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Cc: maslegs55@gmail.com
Subject: RE: Water Supply Bank Application #2605 0 James & Maria A Slegers

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.

Hi Mackenzie,
I found the attached deed was in the Department backfiles for the WB lease submitted in 2013. Please let me know if you need anything else.

Lori Graves, Sr. Water Rights Specialist
D 208.872.9519 M 208.850.4601

hdrinc.com/follow-us

From: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Sent: Friday, March 3, 2023 11:03 AM
To: Graves, Lori <Lori.Graves@hdrinc.com>
Subject: Water Supply Bank Application #2605 0 James & Maria A Slegers

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Lori,

I am finishing the intake for Water Supply Bank Lease Application #2605 for water right 63-7753A in the name of James and Maria A Slegers Revocable Living Trust. I will need some sort of evidence showing that Maria Slegers has sole authority to sign on behalf of the trust in this matter, or I will need new signature pages signed by all trustees. Previous applications were signed by both James and Maria.

Thank you,

Mackenzie Kienholz
Water Supply Bank Specialist



Planning & Projects
Mackenzie.kienholz@idwr.idaho.gov
Phone: (208) 287-4822

SCANNED
SEP 28 2023



RECEIVED

FEB 24 2023

DEPARTMENT OF
WATER RESOURCES

February 15, 2023

Mary Condon
IDWR State Office
PO Box 83720
Boise, ID 83720-0098

Subject: 63-7753A Water Bank Lease Application

Dear Mary,

Enclosed on behalf of the James and Maria A Slegers Revocable Living Trust, is an application to lease water right 63-7753A to the water supply bank. The water right's current lease contract #743 expired 12/31/2022. Applicants wish to renew their lease for the 2023 irrigation season.

Check No. 16226 is enclosed for the \$250 filing fee. Please let me know if there are any questions. Thanks Mary.

Sincerely,

HDR Engineering, Inc.

Lori Graves

Lori Graves
Sr. Water Rights Specialist

Cc: Maria Slegers

Enclosures: lease application, check

Project #10363933

hdrinc.com

HDR | SPF, 412 E Parkcenter Blvd, Suite 100, Boise, ID 83706
(208) 387-7000

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SEP 18 2023

2605