

# 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 5/20/2022

Desired Lease Duration 2022-2026

Lease / Rental Package Y N

If yes, Renter Name: \_\_\_\_\_

Application # 2379

Contract # 1579

| WR#s       |   | # 65-2543 |
|------------|---|-----------|
| # 65-11362 | # |           |
| #          | # |           |
| #          | # |           |
| #          | # |           |
| #          | # |           |
| #          | # |           |
| #          | # |           |

|                                                 |                                     |
|-------------------------------------------------|-------------------------------------|
| 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?                 | <input checked="" type="checkbox"/> |
| Request for additional information letter sent: | Y <u>NA</u>                         |
| WSB Action Request for deficiencies             | <input type="checkbox"/>            |

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: <u>Black Canyon Property Partners</u> | <input type="checkbox"/> | <input type="checkbox"/> | EMAIL: _____    |
| Attorney: _____                                             | <input type="checkbox"/> | <input type="checkbox"/> | EMAIL: _____    |
| Consultants Name: _____                                     | <input type="checkbox"/> |                          | Comments: _____ |
| Watermaster: _____                                          | <input type="checkbox"/> |                          | _____           |
| Delivery Entity: _____                                      | <input type="checkbox"/> |                          |                 |
| Water District: <u>WS</u>                                   | <input type="checkbox"/> |                          |                 |
| Ground Water District: _____                                | <input type="checkbox"/> |                          |                 |
| Region: _____                                               | <input type="checkbox"/> |                          |                 |
| Other: _____                                                | <input type="checkbox"/> | <input type="checkbox"/> |                 |
| Address: _____                                              |                          |                          |                 |

Call up Date: \_\_\_\_\_

DO NOT SCAN



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

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

Governor Brad Little

Director Gary Spackman

January 26, 2023

BLACK CANYON PARTNERS LLC  
PO BOX 7  
EMMETT, ID 83617

**RE: WATER SUPPLY BANK LEASE CONTRACT 1581, 1578, 1580, 1582 & 1583  
FOR WATER RIGHTS 65-2538, 65-11362, 65-2633, 65-7817, 65-11363, 65-2541, 65-10453, 65-2307 & 65-2546**

Dear Lessor:

Water right(s) **65-2538, 65-11362, 65-2633, 65-7817, 65-11363, 65-2541, 65-10453, 65-2307 & 65-2546** was/were leased into the Water Supply Bank (Bank) as of January 1, 2022, in accordance with the enclosed executed lease contract. **Your water rights, as described on the lease contract, are considered leased into the Bank and should remain unused until they are formally released from the Bank.** More information and further restrictions placed on your water rights while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The right(s) will automatically be released from the Bank on **December 31, 2026**, unless the rights are released earlier by the Water Resource Board (Board). On behalf of the Board, the Department of Water Resources (Department) can evaluate an early release of the lease contract upon your request. To release the water rights from the Bank prior to the release date, submit a written request on the *Request to Release a Water Right from the Bank* form. This form is available on our public website at [www.idwr.idaho.gov](http://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](mailto:bank@idwr.idaho.gov) or 208-287-4800.

Sincerely,

*Amanda Johnson-Veibell*

for  
Water Supply Bank

Enclosure: Executed Lease Contract

SCANNED  
JAN 26 2023



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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

November 15, 2022

BLACK CANYON PARTNERS LLC  
PO BOX 7  
EMMETT, ID 83617

**RE: APPLICATION TO LEASE WATER RIGHTS 65-2538, 65-2543, 65-11362, 65-2633, 65-7817, 65-11363, 65-2541, 65-10453, 65-2307 & 65-2546 TO THE WATER SUPPLY BANK CONTRACTS 1581, 1578, 1580, 1582 & 1583**

**\*\*\*TIME SENSITIVE RESPONSE REQUIRED\*\*\***

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please sign and return ALL Lease Contracts within 14 days.** Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The right will automatically be released from the Bank on **December 31, 2026**, unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your right may not be available for immediate release if it has been rented.

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

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

If you have questions regarding this matter, please contact this office at [bank@idwr.idaho.gov](mailto:bank@idwr.idaho.gov) or 208-287-4800.

Sincerely,

*Amanda Johnson-Veibell*

for  
Water Supply Bank

Enclosures: Proposed Lease Contracts

SCANNED  
JAN 4 6 2023

# Memorandum

**TO:** water rights 65-2543 and 65-11362

**FROM:** Amanda Veibell, Cody Parker

**RE:** Evaluation of WSB Lease Application 2379

**DATE:** November 2, 2022

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## Purpose

The purpose of this application is to lease the entirety of water rights 65-2543 and 65-11362 into the Bank for a five-year period beginning in 2022.

## Authority to File

The water rights' current owner is Black Canyon Partners LLC. The lease applications are signed by Harry Bettis. According to the Idaho Secretary of State website, Harry Bettis is the active registered agent of Black Canyon Partners LLC.

## Water Right Validity

The two water rights were decreed in 2002. In 2011 there appears to have been irrigation of the place of use. The rights were leased into the WSB from 2017 to 2021. No concerns

## Injury to Other Water Rights

Lease of these water rights would not cause injury to other water rights.

## Enlargement of Use

No enlargement is expected through the lease of these 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 location for the lease POD is subject to Water District 65. A letter was submitted with each lease application stating that the Water Master, Neil Shippy, had no objections to the water rights being leased into the bank.