STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1664

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

LESSOR: SECESH UNITED LLC
5055 SE 34TH AVE
PORTLAND, OR 97202-4105

RECEIVED
FEB 03 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 December 21, 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)
77-2119	1/11/1954	ZENA CREEK, tributary to SECESH RIVER	5.0	Not Stated	NA
Lease Totals			**5.0**	**Not Stated**	**NA**

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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WATER SUPPLY BANK LEASE CONTRACT No. 1664

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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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

LESSOR: SECESH UNITED LLC
5055 SE 34TH AVE
PORTLAND, OR 97202-4105

By _____ (Deborah Kane)
Title Managing Member
Date 01.30.2023

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

By _____ Date 2/6/23
Brian Patton, Acting Administrator
Idaho Water Resource Board

Lease approved by IDWR _____ Date 2/6/23

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1664

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): 77-2119
ZENA CREEK NENESE Sec. 29 Twp 20N Rge 06E VALLEY County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
77-2119	POWER	01/01	to	12/31	5.0 cfs	Not Stated
				Totals:	5.0 cfs	Not Stated

PLACES OF USE TO BE IDLED UNDER THIS LEASE: POWER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	06E	29														x			0.0

Total Acres: 0.0

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.
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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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 appropriator shall exercise this right in a manner that recognizes the historic practice that the use of water for power generation is incidental to the rights of others to the use of water for other purposes. The appropriator shall not make a delivery call for hydropower generation except as against junior hydropower rights.

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AUG 14 2023

Idaho Water Resource Board

Water Supply Bank Lease Contract No. 1664

77-2119
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.



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

N

0 500 1,000 Feet

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Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
DEC 21 2022
DEPARTMENT OF WATER RESOURCES

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

Designated Applicant Secesh United LLC
(Select one owner – see item 1A on the application)

Water Right No. 77-2119
(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.**

MIMUMUM 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 $ 250.00	Received By: KM	Date Received: 12.21.22	Receipt # C114928
W-9 received? Yes ☐ No ☑ (Route W-9 to Fiscal)		Name on W-9:	

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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 Secesh United, LLC.

Mailing Address 5055 SE 34th Ave Portland OR 97202
Street City State Zip Code

Email Address boydbouwes@gmail.com Phone Number (208) 315-5864

☐ 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 Boyd Bouwes Organization Secesh United LLC

Professional Title _____ Email Address boydbouwes@gmail.com

Mailing Address 3316 N. 28th St. Boise, ID 83703 Phone Number (208) 315-5864

☑ 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.

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.

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.

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

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

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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: 2022 (Year) to 2027 (Year) (maximum lease period 5 calendar years).

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 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	Printed Name	Date
D Kane	Deborah Kane	
Signature of Authorized Representative	Printed Name	Date
Boyd Bouwes	Boyd Bouwes	12/19/2022

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

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STATE OF IDAHO
WATER RESOURCE BOARD

ATTACHMENT 1A

Additional Water Right Holders Party to the Lease Application

For the water right on this application, list all owners (individuals or business entities) of the right or the property to which it is appurtenant. All water right holders must sign a Water Supply Bank Lease Application. However, only the Designated Applicant needs to provide a completed IRS Form W-9 (Attachment 1B). **All correspondence and any financial payment associated with the rental of this water right will be directed to the Designated Applicant**. If additional space is needed to list any other water right holders, attach a second copy of Attachment 1A.

If submitting multiple applications, it is only necessary to complete one Attachment 1A for the group of applications. List each water right below.

Water Right No(s). 77-2119

	Designated Applicant	Applicant #2	Applicant #3
Name	Secesh United LLC	Boyd Bouwes & Shannon Campbell	
Mailing Address	5055 SE 34th Ave Portland, OR 97202	3316 N. 28th St. Boise, ID 83703	
Phone Number	971 400-6768	(208) 315-5864	
Email Address	deborah.jean.karel@gmail.com	boydbouwes@gmail.com	
Applicant Declaration	As Designated Applicant, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

	Applicant #4	Applicant #5	Applicant #6
Name			
Mailing Address			
Phone Number			
Email Address			
Applicant Declaration	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

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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.

Water Right Number	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
77-2119	Power	5.0	N/A	N/A
	Total Amounts:			

2. Source of water Zena Creek tributary to Secesh River

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
20N	06E	29		NE	NE	SE	Valley

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Photos/Maps – Zena Creek Fish Passage Project

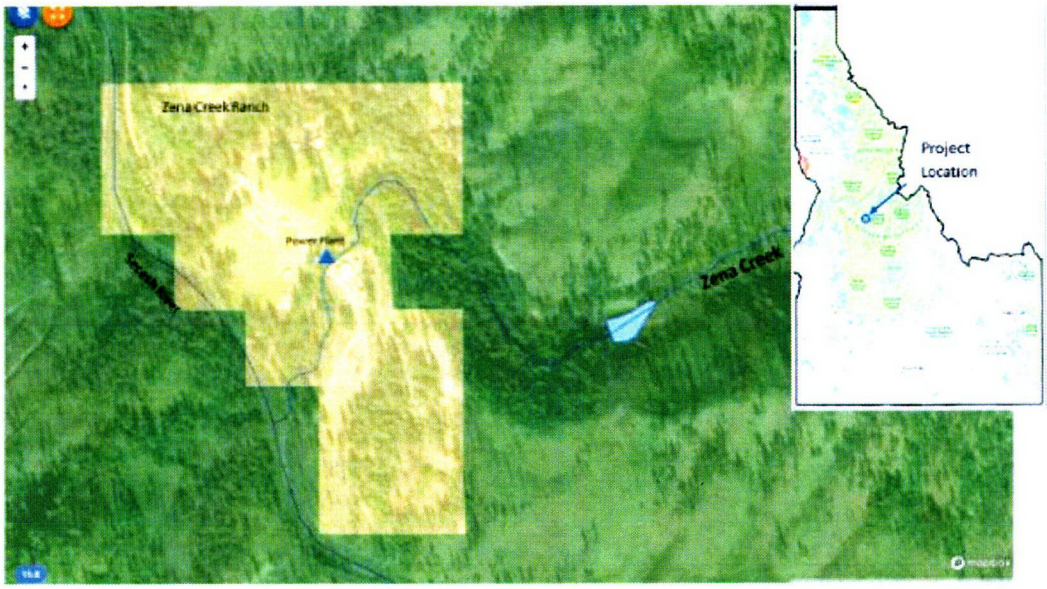
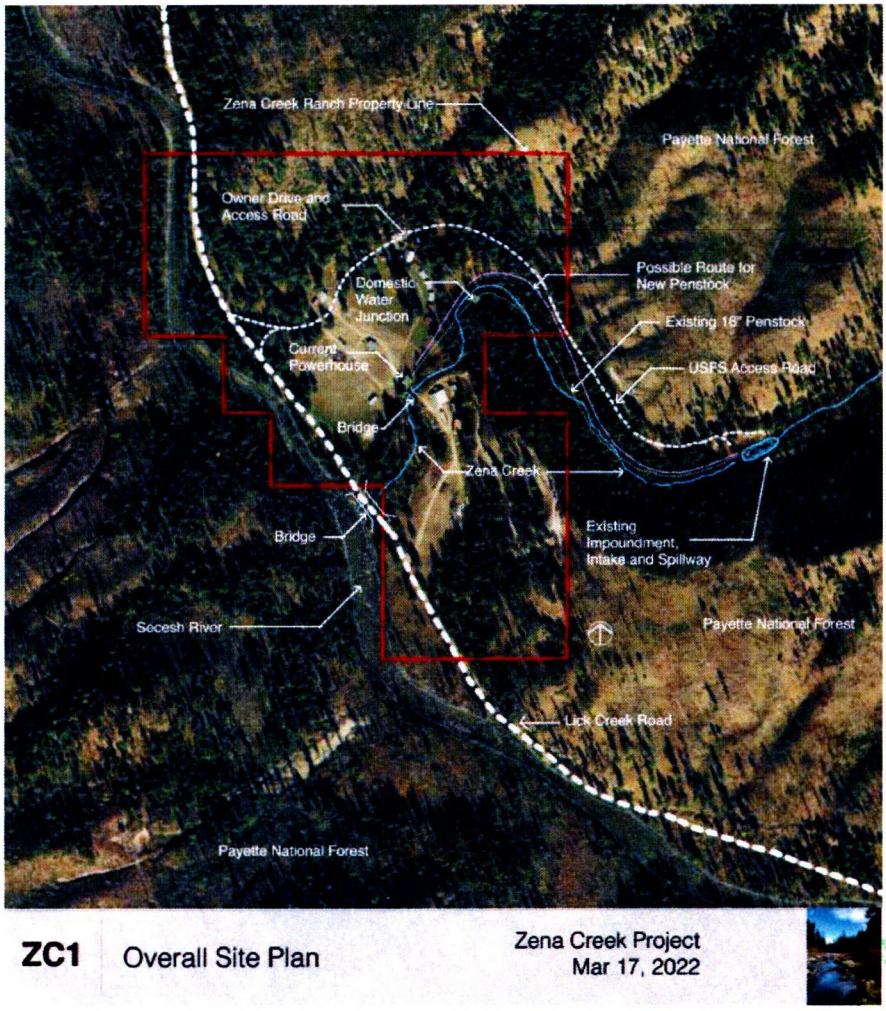


Figure 1. Zena Creek Site and Infrastructure Map



AUG - 4 2023

Figure 2. Zena Creek Site and Infrastructure Map

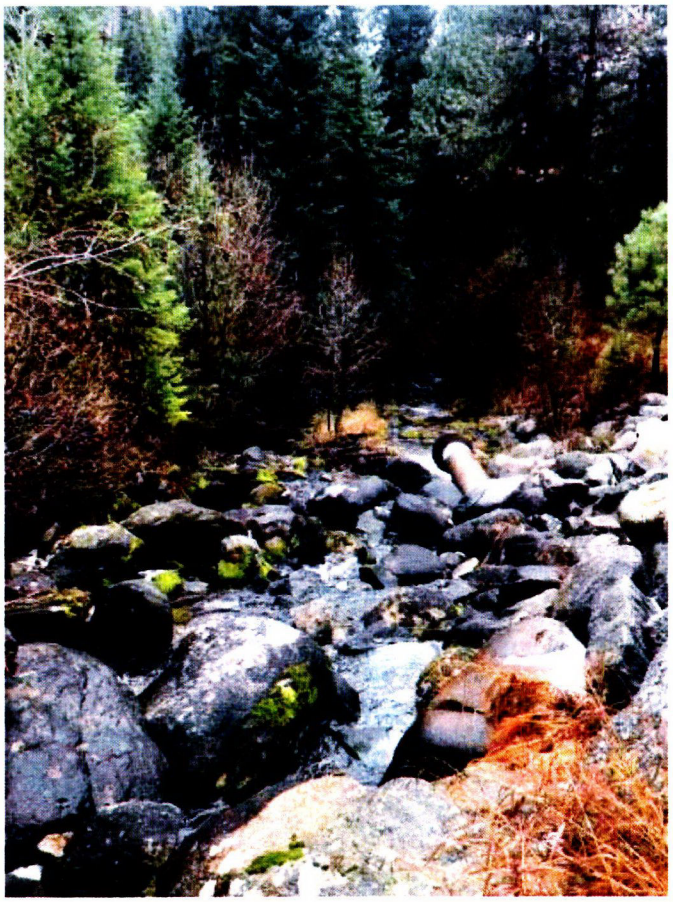


Figure 3. Zena Creek below the diversion dam (low flows)

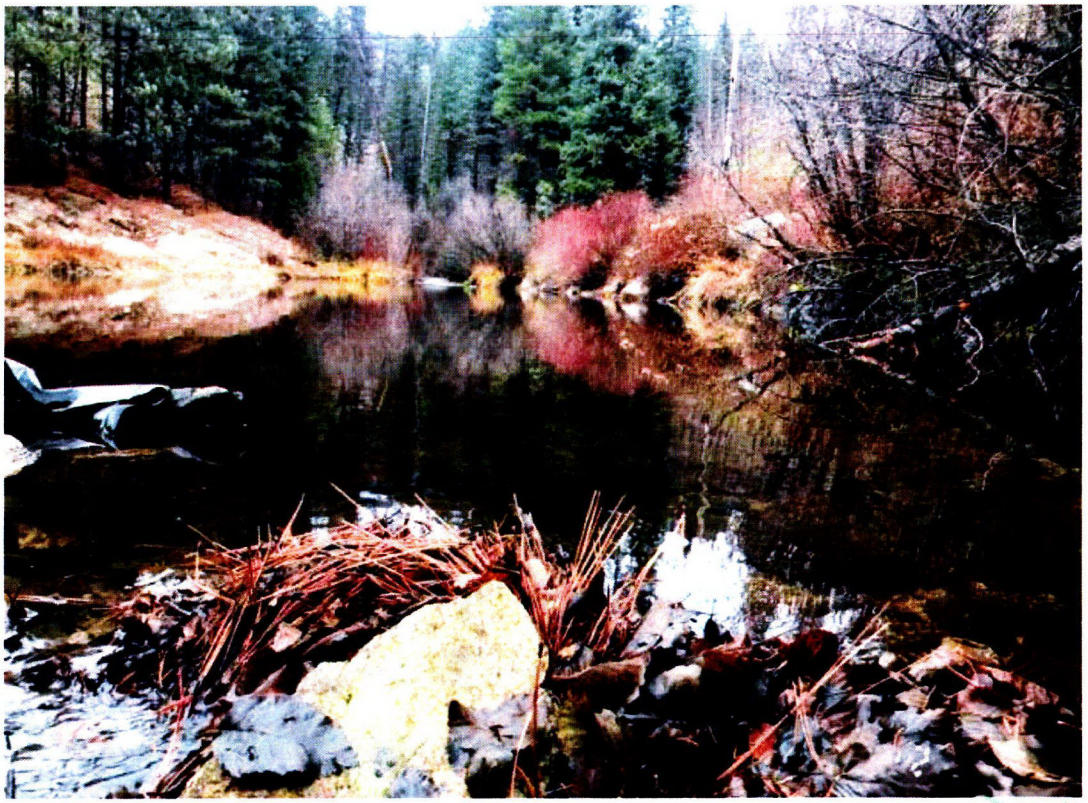


Figure 4. Impoundment/holding pond

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State of Idaho, County of Valley

My current legal name is James Brack Adkins, and I am currently retired. I am presently 84 years old, and my current address of residence is 2377 Lower Pond Lane, Homedale, ID 83628.

I was the owner of the Zena Creek ranch located at 3118 Lick Creek Road, Valley County, Idaho, 83677. I sold the property to Secesch United LLC, Boyd Bouwes and Shannon Campbell on September 1st 2021. As the previous owner I hereby state that I used the entire water right (number 77-2119) of 7.1 CFS the entire time I owned the property. The source of water supply came from Zena Creek. I owned and operated the Zena Creek Diversion structure located Township 20 N range 06 E Section 29 NE ¼ of the NE ¼, of SE ¼ , since July 30th 1977. I used the full 7.0 CFS for power and the .1 CFS for irrigation every year from 1977 to 2021.

I herby state that the information above is true, to the best of my knowledge. I also confirm that the information here is both accurate and complete, and relevant information has not been omitted.

Signature of Individual

James B. Adkins

Date

February 27 – 2022

AUG . 4 2023

4 G

WSB Mailing Checklist for Leases

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

Executed 2/6/23

Key: Who Completes What?	
CLERICAL STAFF:	MK
REVIEWER:	Jan

Received Date: 12/21/2022

Desired Lease Duration: ~~2022-2025~~ 2023-2027

Lease / Rental Package: Y (N)

If yes, Renter Name:

Application # 2536 Contract # 1664

WR#s	# 77-2119
#	#
#	#
#	#
#	#
#	#
#	#

Stacked Water Rights Need to be Leased? ☐

If checked, list water rights:

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
WSB Action Request for deficiencies	☐

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: Secesh United LLC	☐	☐	EMAIL:
Attorney:	☐	☐	EMAIL:
Consultants Name:	☐		**Comments:** see ownership change c
Watermaster:	☐		
Delivery Entity:	☐		
Water District:	☐		
Ground Water District:	☐		
Region: Western	☐		
Other: Boyd Bowles	☐	☐	
Address:			

HG 3.0

Call up Date: 2-13-23

DO NOT SCAN

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little **Director Gary Spackman**

February 8, 2023

SECESH UNITED LLC
5055 SE 34TH AVE
PORTLAND OR 97202-4105

RE: WATER SUPPLY BANK LEASE CONTRACT 1664
FOR WATER RIGHTS 77-2119

Dear Lessor:

Water right(s) **77-2119** 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,

Jean Hersley

for
Water Supply Bank

Enclosure: Executed Lease Contract

c: Boyd Bouwes

SCANNED
AUG 14 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Gary Spackman

January 27, 2023

SECESH UNITED LLC
5055 SE 34TH AVE
PORTLAND OR 97202-4105

RE: APPLICATION TO LEASE WATER RIGHTS 77-2119 TO THE WATER SUPPLY BANK CONTRACT 1664

******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, 2027,** unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at http://www.idwr.idaho.gov. Please note your right may not be available for immediate release if it has been rented.

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

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

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

Sincerely,

Jean Hersley
for
Water Supply Bank

Enclosures: Proposed Lease Contracts

C: Boyd Bouwes

SCANNED
AUG 14 2023

WATER SUPPLY BANK

Lease Review Checklist

Applicant(s) Name: Secesh United LLC & #677 Pioneer Exchange Accommodation

Memo Date: January 23, 2023

Water Right Number(s): 77-2119

Reviewers Name: Jean

Quick Tools

Decreed Year	No Forfeiture Concerns Thru:
2011	2017
2012	2018
2013	2019
2014	2020
2015	2021

		Check box		COMMENTS/CONCERNS:
1	**Fill out WSB Data Entry Checklist for Leases (Front of File)**	x		
2	**Reason for lease of water rights (Brief description of lease proposal in narrative)**			
	Portion of right	x		
	All of right			
3	Check GWMA/CGWA/ADC and basin 63 areas of concern (note area in comments)			
		Yes	**No**	
4	Rentable? (If no explain in comments or narrative)	x		
5	**Authority to file**			
	Current owner or designated applicant	x		
	SOS Web site checked for business entity	x		
	Other (explain in comments)			
6	**Water Right validity**			
	Decreed/Licensed/Statutory claim date (write in comments section)			2006
	Past irrigation to ensure forfeiture is not an issue if decreed or licensed over 7 years ago (consider transfers that changed the POU, rentals to the POU etc.)			
	Has this right previously been leased to the bank or in CREP?		x	
7	**Injury to other water rights**			
	If the POD is through a delivery entity, was consent provided?		na	
	If the POD is through a delivery entity, was holdback required? (percentage in comments)			%
	Any other concerns		x	
8	**Enlargement concerns**	**Check box**		
	Complete a POU comparison overlap analysis	x		
	Complete a combined limits review	x		
	Complete POD overlap analysis (if there is an overlap add condition to lease)			
		Yes	**No**	
	Are there overlapping rights that need to be placed in the bank also?		x	
	Will the place of use continue to receive water? (if yes explain in comments)		NA	
9	**Local Public Interest**			
	Does the processor know of any problems this action will cause for the local public?		x	
10	**Have you contacted regional office and watermaster for comment/concerns?**	x		
	Send the watermaster comment request form or e-mail request			NA
11	Area Headgate requirement (write in Comments)			3
12	**Is water right involved in any other department action? Pull file and check database** ( ) Ownership Change ( ) Transfer ( ) Mitigation ( ) Other - Explain in comments		x	

13 **Narrative:** The Department received this application on December 21, 2022. The applicant would like to place 5.0 cfs of the power use in the Bank. An affidavit from the previous owner states the water has been used in full for years. #677 is listed as a current owner on the water right however according to the respresentative of Secesh United, #677 only owned the land for 6 months. The attached warranty deed shows the land was conveyed to Boyd Bouwes and Shannon Campbell. They signed the designated lessor form. I will send a Notice of Change in Water Right ownership form to Bouwes and Campbell. The right was decreed in 2006. The 5 acres of irrigation use will continue. This right is not currently within a water district.

SCANNED
AUG 14 2023

Instrument # 448894
VALLEY COUNTY, CASCADE, IDAHO
03-22-2022 11:45:35 No. of Pages: 4
Recorded for: TITLEONE BOISE
DOUGLAS A. MILLER Fee: $15.00
Ex-Officio Recorder Deputy: AMF
Electronically Recorded by Simplifile

Recording Requested By and
When Recorded Return to:

BOYD BOUWES AND SHANNON CAMPBELL
3316 N. 28th St.
Boise, ID 83703
17671-ID

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this "Deed"), made as of March 9, 2022, **is between #677 PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER, LLC**, an Idaho limited liability company ("**Grantor**"), and Boyd Bouwes and Shannon Campbell, husband and wife ("**Grantee**"), whose legal address is: 3316 N. 28th St. Boise, ID 83703

WITNESSETH, That Grantor, for and in consideration of One Dollar and No/100 ($1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto Grantee, its successors and assigns forever, all the real property, together with improvements, located in the County of Valley, State of Idaho, more particularly described as follows:

See Exhibit A attached hereto and made a part hereof.

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of in and to the above bargained premises, with the hereditaments, easements, rights of way and appurtenances, and with all of Grantor's interest, if any, in and to any and all minerals, water, ditches, wells, reservoirs and drains, and all water, ditch, well, reservoir and drainage rights which are appurtenant to, located on, now or hereafter acquired under or above or used in connection with the property (collectively, the "**Property**").

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, its successors and assigns forever. Grantor, for itself, and its successors and assigns, does covenant, grant, bargain and agree to and with the Grantee, its successors and assigns, that at the time of the ensealing and delivery of these presents, Grantor is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, as of 2nd day of September, 2021.

The Grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof BY, THROUGH OR UNDER Grantor.

SCANNED
AUG 14 2023

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date set forth above.

#677 PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER, LLC,
an Idaho limited liability company

By: Pioneer 1031 Company, Sole Member

By: Lauren Pena
Its: Banking Coordinator and Assistant Accommodator

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this March 9, 2022 before me, the undersigned, a Notary Public in and for said State, personally appeared Lauren Pena, known to me to be the Banking Coordinator and Assistant Accommodator of Pioneer 1031 Company, an Idaho corporation, which corporation is the Sole Member of #677 Pioneer Exchange Accommodation Titleholder, LLC, an Idaho limited liability company, and acknowledged to me that she/he executed the within and foregoing instrument for and on behalf of said corporation as Sole Member of said limited liability company and in said corporation's name as Sole Member of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 8/18/2026

(NOTARIAL SEAL)

JESSICA KEITH
COMMISSION #64115
NOTARY PUBLIC
STATE OF IDAHO

SCANNED
AUG 14 2023

stewart

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Issuing Office File Number: 484629AM

EXHIBIT 'A'

File No. 484629AM

Parcel 1:

Section 29: W 1/2 SW 1/4 NE 1/4 SE 1/4,
SW 1/4 NW 1/4 NE 1/4 SE 1/4,
W 1/2 SW 1/4 SE 1/4 NE 1/4,
S 1/2 SW 1/4 NE 1/4,
NE 1/4 NW 1/4 SE 1/4,
NE 1/4 NW 1/4 NW 1/4 SE 1/4 and
E 1/2 SE 1/4 NW 1/4 SE 1/4,

Township 20 North, Range 6 East, B.M. Valley County, Idaho.

SAVE AND EXCEPTING THERBFROM:

Beginning at a point which is the NE corner of SW 1/4 SW 1/4 NE 1/4 of Section 29, T. 20 N., R. 6 E., B.M., Valley County, Idaho, thence south along the E. line of the SW 1/4 SW 1/4 NE 1/4 339 feet to a point: thence S 35° W 107 feet to a point; thence N 86° W 313 feet to a point which is on the easterly right of way boundary of the McCall-Stibnite Road; thence N 12° W 151 feet along said right of way boundary to a point, which is the approximate Highway Station 1644+69 as shown on the McCall-Stibnite Highway Survey on file in the office of the Dept. of Public Works of the State of Idaho and the U.S. Forest Service Office at Ogden, Utah; thence N 3° W 254 feet along said right of way boundary to a point which is the boundary at Station 1642+15 of said Survey, which is approximately 200 feet East of the NW corner of the SW 1/4 SW 1/4 NE 1/4, Section 29; thence S. 89°53' E approximately 408 feet to the point of beginning.

SCANNED
AUG 14 2023

ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE B PART II

stewart

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Issuing Office File Number: 484629AM

Parcel 2:

Beginning at a point which is the NE corner of SW 1/4 SW 1/4 NE 1/4 of Section 29, T. 20 N., R. 6 E., B.M., Valley County, Idaho, thence south along the E. line of the SW 1/4 SW 1/4 NE 1/4 339 feet to a point: thence S 35° W 107 feet to a point; thence N 86° W 313 feet to a point which is on the easterly right of way boundary of the McCall-Stibnite Road; thence N 12° W 151 feet along said right of way boundary to a point, which is the approximate Highway Station 1644+69 as shown on the McCall-Stibnite Highway Survey on file in the office of the Dept. of Public Works of the State of Idaho and the U.S. Forest Service Office at Ogden, Utah; thence N 3° W 254 feet along said right of way boundary to a point which is the boundary at Station 1642+15 of said Survey, which is approximately 200 feet East of the NW corner of the SW 1/4 SW 1/4 NE 1/4, Section 29; thence S. 89°53' E approximately 408 feet to the point of beginning.

SCANNED
AUG 14 2023

Hersley, Jean

From: Boyd Bouwes <boydbouwes@gmail.com>
Sent: Monday, January 23, 2023 2:35 PM
To: Hersley, Jean
Subject: Re: WSB Lease Application for Secesh United LLC
Attachments: 448894.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.

Jean, here is the updated Warranty deed.

Boyd Bouwes
Watershed Solutions, Inc.
boydbouwes@gmail.com
(208) 315-5864
3316 N. 28th St.
Boise, ID
83703
><((((º> ><((((º> ><((((º> ><((((º>

On Mon, Jan 23, 2023 at 2:22 PM Boyd Bouwes <boydbouwes@gmail.com> wrote:

Hi Jean,I will contact Valley County to get it.

Boyd Bouwes
Watershed Solutions, Inc.
boydbouwes@gmail.com
(208) 315-5864
3316 N. 28th St.
Boise, ID
83703
><((((º> ><((((º> ><((((º> ><((((º>

On Mon, Jan 23, 2023 at 2:10 PM Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

Thank you. Do you have a copy of the deed after the 1031 exchange? You can email it to me.

Jean Hersley

Technical Records Specialist II

SCANNED
AUG 14 2023

Idaho Dept Water Resources

(208) 287-4942

From: Boyd Bouwes <boydbouwes@gmail.com>
Sent: Monday, January 23, 2023 2:08 PM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Subject: Re: WSB Lease Application for Secesh United LLC

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 Jean, I have answered you questions in red below. Let me know if this works for you.

I am in the process of reviewing your application to place 5 cfs of the power use of water right 77-2119 in the Water Supply Bank. I need a few things clarified for me.

- Did you want the lease to expire December 31, 2025, or 2027? 2027
- You did not provide a response for #4B on page 3 of the application. "Please provide a description of the current water diversion and delivery system." The current water diversion and delivery system is a holding pond with a 16" penstock coming out of it, that delivers the water to the hydro power system
- Do you have authorization from #677 Pioneer Exchange Accommodation Titleholder, LLC to sign on their behalf? #677 Pioneer Exchange Accommodation Titleholder, LLC is listed as one of the current owners and the department will need documentation that you are authorized to sign the application on their behalf. We did a 1031 exchange when we bought the ranch and Pioneer Exchange only held the title for 6 months. The deed is now in our name (Boyd Bouwes and Shannon Campbell) in conjunction with Secesh United.

Please provide the requested information within 30 days or the Department may return the application unprocessed. Let me know if you have any questions. Thank you.

SCANNED
AUG 14 2023

cheers

Boyd

Boyd Bouwes
Watershed Solutions, Inc.
boydbouwes@gmail.com
(208) 315-5864
3316 N. 28th St.
Boise, ID
83703

><((((º> ><((((º> ><((((º> ><((((º>

On Mon, Jan 23, 2023 at 1:57 PM Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

I am in the process of reviewing your application to place 5 cfs of the power use of water right 77-2119 in the Water Supply Bank. I need a few things clarified for me.

- Did you want the lease to expire December 31, 2025, or 2027?
- You did not provide a response for #4B on page 3 of the application. "Please provide a description of the current water diversion and delivery system."
- Do you have authorization from #677 Pioneer Exchange Accommodation Titleholder, LLC to sign on their behalf? #677 Pioneer Exchange Accommodation Titleholder, LLC is listed as one of the current owners and the department will need documentation that you are authorized to sign the application on their behalf.

Please provide the requested information within 30 days or the Department may return the application unprocessed. Let me know if you have any questions. Thank you.

Jean Hersley

Technical Records Specialist II

Idaho Dept Water Resources

(208) 287-4942

SCANNED
AUG 14 2023

AMENDED ANNUAL REPORT

Corporation Division
www.filinginoregon.com

E-FILED
Mar 02, 2022
OREGON SECRETARY OF STATE

REGISTRY NUMBER

180929193

REGISTRATION DATE

04/14/2021

BUSINESS NAME

SECESH UNITED, LLC

BUSINESS

REAL ESTATE INVESTMENT

MAILING ADDRESS

5055 SE 34TH AVE
PORTLAND OR 97202 USA

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

PRIMARY PLACE OF BUSINESS

5055 SE 34TH AVE
PORTLAND OR 97202 USA

JURISDICTION

OREGON

REGISTERED AGENT

DEBORAH KANE

5055 SE 34TH AVE
PORTLAND OR 97202 USA

If the Registered Agent has changed, the new agent has consented to the appointment.

MEMBER

DEBORAH KANE

5055 SE 34TH AVE
PORTLAND OR 97202 USA

MEMBER

CAITLIN CAMPBELL

2228 N HUMBOLDT ST
PORTLAND OR 97217 USA

SCANNED
AUG 14 2023

MEMBER

ELIZABETH KANE

112 LATANE ST
WINCHESTER VA 22601 USA

MANAGER

DEBORAH KANE

5055 SE 34TH AVE
PORTLAND OR 97202 USA

I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

DEBORAH JEAN KANE

TITLE

MEMBER MANAGER

DATE

03-02-2022

SCANNED
AUG 04 2023

0004363713

STATE OF IDAHO

Office of the secretary of state, Lawerence Denney

CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $100.00

For Office Use Only

-FILED-

File #: 0004363713

Date Filed: 8/2/2021 4:45:08 PM

Certificate of Organization Limited Liability Company Select one: Standard, Expedited or Same Day Service (see descriptions below)	Standard (filing fee $100)
1. Limited Liability Company Name Type of Limited Liability Company	Limited Liability Company
Entity name	#677 Pioneer Exchange Accommodation Titleholder, LLC
2. The complete street address of the principal office is: Principal Office Address	1211 W MYRTLE STRET 100 BOISE, ID 83702
3. The mailing address of the principal office is: Mailing Address	1211 W MYRTLE ST STE 100 BOISE, ID 83702-6992
4. Registered Agent Name and Address Registered Agent	Registered Agent Jesse Hamilton Physical Address: 1211 W MYRTLE STRET 100 BOISE, ID 83702 Mailing Address: 1211 W MYRTLE ST STE 100 BOISE, ID 83702-6992

☒ I affirm that the registered agent appointed has consented to serve as registered agent for this entity.

5. Governors

Name	Address
Pioneer 1031 Company	1211 W MYRTLE STRET 100 BOISE, ID 83702

Signature of Organizer:

Jesse Hamilton
Sign Here

8-5-21
Date

Print & Mail Enclosures

☒ I understand the document can ONLY be filed if the following items are included:

Payment in the amount of $100.00 (if expedited, $140; if 24 hours processing, $200) - checks payable to the Secretary of State, signed and recently dated.

This filing form (submit within 30 days) **with the required signature(s)**.

If you are submitting a correction, return the correction letter with your updated document.

SCANNED
AUG 14 2023

BNC26-2660 08/09/2021 3:50 PM Received by ID Secretary of State Lawrence Denney

0004934413

STATE OF IDAHO

Office of the secretary of state, Lawerence 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 #: 0004934413

Date Filed: 10/4/2022 7:47:21 AM

Entity Name and Mailing Address:

Entity Name:	PIONEER 1031 COMPANY
The file number of this entity on the records of the Idaho Secretary of State is:	0000321340
Address	1211 W MYRTLE ST STE 100 BOISE, ID 83702-6992

Entity Details:

Entity Status	Active-Good Standing
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	C104058

The registered agent on record is:

Registered Agent	TIM BUNDGARD Registered Agent Physical Address 8151 W RIFLEMAN BOISE, ID 83704 Mailing Address

Corporate Officers and Directors:

Name	Title	Business Address
Jesse R Hamilton	Vice President	JESSE HAMILTON 1211 W. MYRTLE STREET, SUITE 100 BOISE, ID 83702

The annual report must be signed by an authorized signer of the entity.

Job Title: Corporate Secretary

Jesse Hamilton — Sign Here

10/04/2022 — Date

SCANNED
AUG 14 2023

Page 1 of 1

B0745-4937 10/04/2022 7:47 AM Received by Office of the Idaho Secretary of State