STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 21 2023
DEPARTMENT OF
WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 701

This is to certify that:

PEACE & QUIET TRUST
PO BOX 7759
KETCHUM, ID 83340-7152

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
37-22019	3/29/1961	GROUND WATER	0.04	7.0	2.0	0.02	3.5
Combined Rental Totals			**0.04**	**7.0**	**2.0**	**0.02**	**3.5**

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2025. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2023, whichever occurs last.

Annual Rental Fee:

2023 - 2025: $161.00 annually

The full fee for the rental of the above-described right(s) is $161.00 per year for years 2023 - 2025. The rental fee includes an administrative fee of $16.10 per year for years 2023 - 2025.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 701

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:

Signature of Renter _____ Date 7/12/2023

PEACE & QUIET TRUST _____ TRUSTEE
Printed Name Title

*Title required if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By _____ Date 8/3/23
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date 8/3/23

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 701

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESE Sec. 23, Twp 05N, Rge 17E, BLAINE County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	0.04 CFS	7.0 AF

SEASON OF USE

Water Right No.	From	To	
37-22019	4/15	10/31	0.04 CFS

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	17E	24										1.3	0.7						2.0

Total Acres: 2.0

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from 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.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. Use of water under this rental may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this rental is within State Water District No. 37.
10. This rental agreement does not authorize the construction of a well.

WATER SUPPLY BANK RENTAL AGREEMENT No. 701

11. Prior to December 31 of each year, the Board may review this rental agreement to determine whether it is consistent with the management plan for the Big Wood River Ground Water Management Area (BWRGWMA). The Board may cancel this rental agreement if the Board determines it is not consistent with the BWRGWMA plan. If this rental agreement is canceled, the cancellation shall not take effect until December 31 of the year in which the rental agreement is canceled.

12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

13. Water shall not be diverted under this right when flows in the Big Wood River are below minimum flow amounts as defined by Right 37-8258. The right holder shall be responsible for monitoring the daily flow of the Big Wood River using real-time data and shall cease diverting water when flows in the Big Wood River are below established minimum flow amounts. Unless otherwise specified by the Director of the Department of Water Resources, data from the U.S. Geological Survey Stream Gage No. 13139510, may be used for purposes of determining the daily flow amounts.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 701

Effective until December 31, 2025

This map depicts the **IRRIGATION rental place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



Legend

- Authorized Rental Place of Use
- Authorized Rental Point of Diversion
- Township/Range
- Sections
- QQ

N

0 0.1 0.2 Miles

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

Print Form

APPLICATION TO RENT WATER FROM THE BOARD'S WATER SUPPLY BANK

RECEIVED
May 10, 2023
DEPARTMENT OF WATER RESOURCES

Applicant Name: Peter Wolff, Trustee of Peace & Quiet Trust dated 8/14/2020

Is this application being submitted with a lease application as a lease/rental package? **Yes** ☑ **No** ☐
If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Attachment	N/A	Yes	
		Yes	
		☑	Completed *Application to Rent Water from the Board's Water Supply Bank*
		☑	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
2		☑	A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
3A	☑	☐	Detailed information on a proposed use of rental water
3F	☐	☑	Authorization from the owner/operator of the rental point(s) of diversion
3H	☑	☐	Water modeling to account for the impacts of the rental request
3J	☑	☐	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	☑	☐	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	☑	☐	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	☑	☐	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

37-2619

2349

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Peter Wolff, Trustee of Peace & Quiet Trust dated 8/14/2020

Mailing Address PO Box 7759, Ketchum, Idaho 83340
Street City State Zip Code

Email Address twolff@awolff.com Phone Number

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☑ No ☐
If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Charlie S. Baser Professional Title Attorney

Organization Givens Pursley LLP Relationship to Applicant Attorney

Mailing Address 601 W. Bannock St., Boise, Idaho 83702

Email Address csb@givenspursley.com Phone Number (208) 388-1200

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental 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 irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:
Residential landscape irrigation

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.02 CFS	4.2 AF	0.02 CFS	4.2 AF	1.2 AC

* ***Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.***

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
		☐ 1	☐ 2	☐ 3	☐ 4	☑ 5		
5/1/2023	6/1/2023						☑ Process application as soon as possible	☐ Return application to applicant

* ***The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.***
** ***Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.***

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):
Stonegate HOA Well, pump, underground sprinkler irrigation system

E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
Stonegate HOA well	ground water	37-20863 37-12679 37-13039 37-12742 37-12284

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

F. Has documented consent from all relevant water delivery entities been obtained? Yes ☑ N/A ☐
If yes, include documented consent as **Attachment 3F**.

G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☐ No ☑
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

H. Has water modeling been provided with your rental request? Yes ☐ N/A ☑
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

☑ Irrigation 1.2 (number of acres) Duration: Subject to IDWR standard seasons of use

☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)

☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☑
If yes, justify the rate of flow and attach any supporting documents as **Attachment 3J**. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

K. Do you own the land at the proposed rental place of use (POU)? Yes ☑ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it **Attachment 3K**.

L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:
37-20863 provides domestic water for new home under construction and irrigation of 0.5A. Total area to be irrigated during the term of rental is 1.7A, unless additional water is identified for rental that would allow irr. of 2.5A

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights? Yes ☑ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. **If no,** continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via IDWR's website.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.** For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
37-2619	Irrigation	0.08	14.0	4.0		0.02	4.2	1.2
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					**TOTAL**	0.02	4.2	1.2
						CFS	**AF**	**AC**

****Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.***

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

N/A

C. Does your rental request propose to change the nature of use for any water right(s) being rented? Yes ☐ No ☑

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☑ No ☐
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☑
If yes, describe:

C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☑
If yes, describe the date and location of the NOV.

D. Additional Information

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.

Signature of Applicant	Peter Wolff, Trustee Printed Name of Applicant	4/10/22 Date
Signature of Representative	Printed Name of Representative	Date

Mail to:

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

From: Sean Renkly
To: James Speck
Cc: Tim Wolff; ron@lutskoassociates.com
Subject: RE: RE: 110 Stonegate Circle
Date: Monday, April 11, 2022 1:45:39 PM

Jim,

This has been approved by the Board pending IDWR approval of course.

Thanks,
Sean

-----Original Message-----
From: James Speck <jim@speckandaanestad.com>
Sent: Monday, April 11, 2022 9:56 AM
To: Sean Renkly <sean@darkskyproperty.com>
Cc: Tim Wolff <tim@atindustrialco.com>; ron@lutskoassociates.com
Subject: RE: RE: 110 Stonegate Circle

Sean,

Attached is a copy of the Application to Rent Water we propose to file with IDWR. Please present this to the HOA board and let me know right away if there are any questions or concerns. If the board consents to our use of the HOA well and water delivery system for this rental can you have them sign a quick letter to that effect to be submitted along with the Application?

Many thanks for your help.

Jim

-----Original Message-----
From: Sean Renkly
Sent: Tuesday, April 05, 2022 9:15 AM
To: James Speck
Cc: Tim Wolff; ron@lutskoassociates.com

No problem.

From: James Speck <jim@speckandaanestad.com>
Sent: Tuesday, April 5, 2022 9:12 AM
To: Sean Renkly <sean@darkskyproperty.com>
Cc: Tim Wolff <tim@atindustrialco.com>; ron@lutsckoassociates.com
Subject: RE: 110 Stonegate Circle

Thank you, Sean. I'll put together the application and send it to you to get the approval.

Jim

Peace & Quiet Trust
Application to Rent Water Right
Attachment 3F


Peace & Quiet Trust
Application to Rent
Water Right #2349
Attachment 2
NWSW and SWSW
Section 24, T5N, R17E
Rental place of use 1.2 ac.
Rental point of diversion
133
137
129
141
145
149
153
121
117
106
113
157
T5NR17E
506sqft
524sqft
525sqft
676sqft
531sqft
1,728sqft
1,070sqft
46,527sqft
1.2 acre = 52,272sqft
irrigated extent as shown = 52,087sqft
PROPERTY LINE
ADJOINING PROPERTY LINE
EDGE PAVEMENT
IRRIGATION EXTENT

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
Apr 11, 2022
DEPARTMENT OF
WATER RESOURCES

APPLICATION TO RENT WATER FROM THE BOARD'S WATER SUPPLY BANK

Applicant Name: Peter Wolff, Trustee of Peace & Quiet Trust dated 8/14/2020

Is this application being submitted with a lease application as a lease/rental package? **Yes** ☐ **No** ☑
If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Attachment	N/A	Yes	
		☑	Completed *Application to Rent Water from the Board's Water Supply Bank*
		☑	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
2		☑	A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
3A	☑	☐	Detailed information on a proposed use of rental water
3F	☑	☐	Authorization from the owner/operator of the rental point(s) of diversion
3H	☑	☐	Water modeling to account for the impacts of the rental request
3J	☑	☐	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	☑	☐	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	☑	☐	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	☑	☐	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

37-22019

2349

SUPERSEDED

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Peter Wolff, Trustee of Peace & Quiet Trust dated 8/14/2020

Mailing Address PO Box 7759 (Street) Ketchum (City) ID (State) 83340-7152 (Zip Code)

Email Address twolff@awolff.com Phone Number

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☑ No ☐

If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative James P. Speck Professional Title attorney

Organization Speck & Aanestad, A Professional Corp Relationship to Applicant attorney

Mailing Address PO Box 987, Ketchum, ID 83340

Email Address jim@speckandaanestad.com Phone Number 208-726-4421

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental 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 irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

Residential landscape irrigation

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.04 CFS	7.0 AF	0.04 CFS	7.0 AF	2.0 AC

* ***Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.***

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
		☐ 1	☐ 2	☐ 3	☑ 4	☐ 5	☑ Process application as soon as possible	☐ Return application to applicant
5/1/2022	6/1/2022							

* ***The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.***

** ***Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.***

SUPERSEDED

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):
Stonegate HOA Well, pump, underground sprinkler irrigation system

E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
Stonegate HOA well	ground water	37-20863 37-12679 37-13039 37-12742 37-12284

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

F. Has documented consent from all relevant water delivery entities been obtained? Yes ☑ N/A ☐
If yes, include documented consent as **Attachment 3F**.

G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☐ No ☑
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

H. Has water modeling been provided with your rental request? Yes ☐ N/A ☑
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

☑ Irrigation 2.0 (number of acres) Duration: Subject to IDWR standard seasons of use

☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)

☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☑
If yes, justify the rate of flow and attach any supporting documents as **Attachment 3J**. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

K. Do you own the land at the proposed rental place of use (POU)? Yes ☑ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it **Attachment 3K**.

L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:
37-20863 provides domestic water for new home under construction and irrigation of 0.5A. Total area to be irrigated during term of rental is 2.5A

SUPERSEDED

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights? Yes ☑ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. **If no,** continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via IDWR's website.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request**. For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
37-22019	irrigation	8.78	1593.5	455.3		0.04	7.0	2.0
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					**TOTAL**	0.04	7.0	2.0
						CFS	**AF**	**AC**

**Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.*

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

N/A

C. Does your rental request propose to change the nature of use for any water right(s) being rented? Yes ☐ No ☑

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

SUPERSEDED

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☑ No ☐
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☑
If yes, describe:

C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☑
If yes, describe the date and location of the NOV.

D. Additional Information

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.

Signature of Applicant	Peter Wolff, Trustee Printed Name of Applicant	4.1.22 Date
Signature of Representative	Printed Name of Representative	Date

Mail to:

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

SUPERSEDED

From: Sean Renkly
To: James Speck
Cc: Tim Wolff; ron@lutskoassociates.com
Subject: RE: RE: 110 Stonegate Circle
Date: Monday, April 11, 2022 1:45:39 PM

Jim,

This has been approved by the Board pending IDWR approval of course.

Thanks,
Sean

-----Original Message-----
From: James Speck <jim@speckandaanestad.com>
Sent: Monday, April 11, 2022 9:56 AM
To: Sean Renkly <sean@darkskyproperty.com>
Cc: Tim Wolff <tim@atindustrialco.com>; ron@lutskoassociates.com
Subject: RE: RE: 110 Stonegate Circle

Sean,

Attached is a copy of the Application to Rent Water we propose to file with IDWR. Please present this to the HOA board and let me know right away if there are any questions or concerns. If the board consents to our use of the HOA well and water delivery system for this rental can you have them sign a quick letter to that effect to be submitted along with the Application?

Many thanks for your help.

Jim

-----Original Message-----
From: Sean Renkly
Sent: Tuesday, April 05, 2022 9:15 AM
To: James Speck
Cc: Tim Wolff; ron@lutskoassociates.com

No problem.

From: James Speck <jim@speckandaanestad.com>
Sent: Tuesday, April 5, 2022 9:12 AM
To: Sean Renkly <sean@darkskyproperty.com>
Cc: Tim Wolff <tim@atindustrialco.com>; ron@lutsckoassociates.com
Subject: RE: 110 Stonegate Circle

Thank you, Sean. I'll put together the application and send it to you to get the approval.

Jim

Peace & Quiet Trust
Application to Rent Water Right
Attachment 3F

SUPERSEDED

RECEIVED
Apr 22, 2022
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO RENT WATER #2349

Application to Rent Water (Continued) AMENDED P.4

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights? Yes ☑ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. **If no,** continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via IDWR's website.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request**. For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
37-22019	irrigation	8.78	1593.5	455.3		0.05	8.4	2.4
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL	0.05	8.4	2.4
						CFS	AF	AC

****Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.***

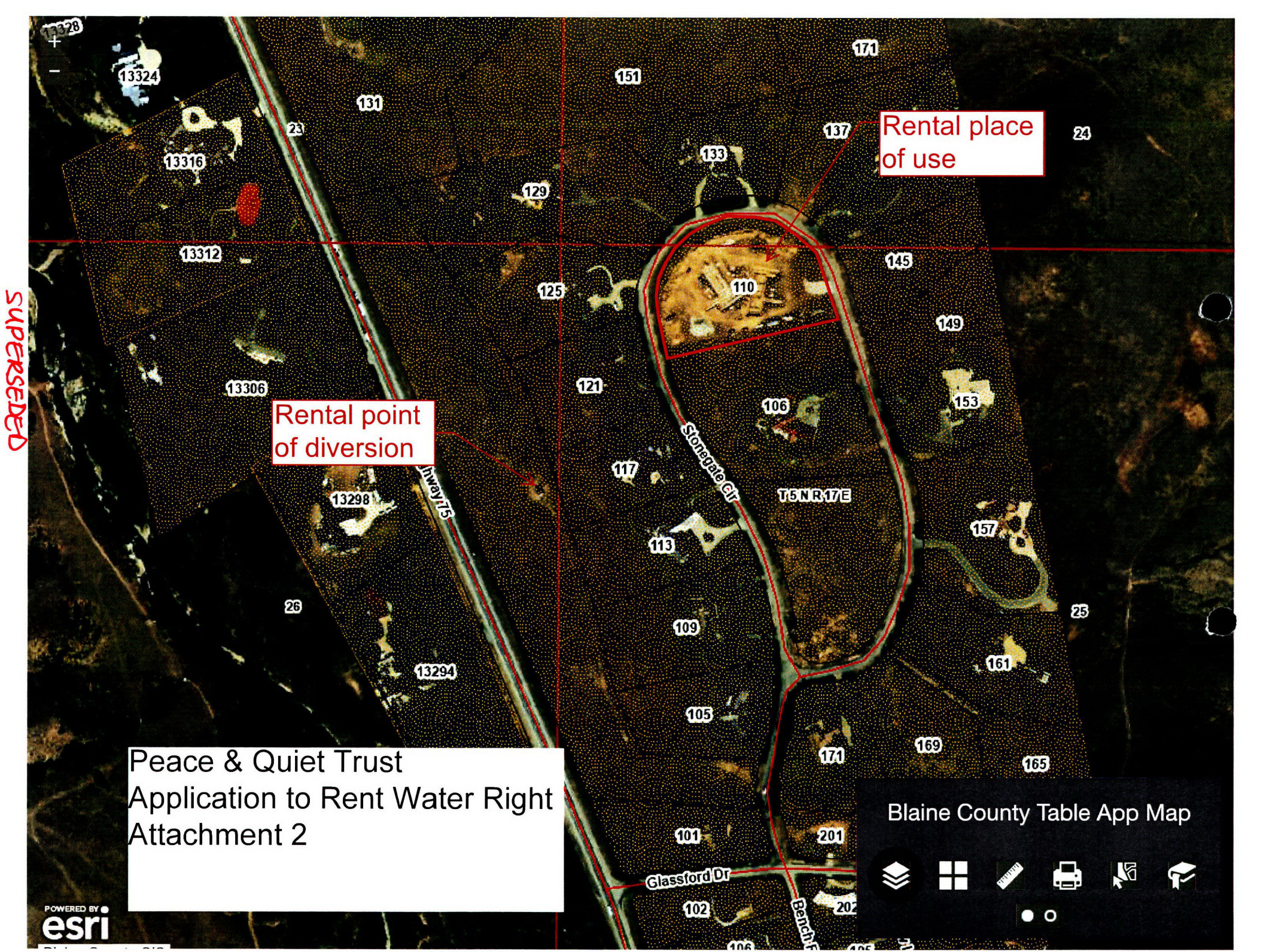
B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

N/A

C. Does your rental request propose to change the nature of use for any water right(s) being rented? Yes ☐ No ☑

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

SUPERSEDED


Rental place of use
Rental point of diversion
Peace & Quiet Trust
Application to Rent Water Right
Attachment 2
Blaine County Table App Map
SUPERSEDED
13324
13316
13312
13306
13298
13294
Stonegate Cir
Glassford Dr
T5 N R17E
Highway 75

WSB Mailing Checklist for Rentals

(For use on all new rental applications)

Executed 8/3/23
Scanned 9/22/23
moved to 2023

Key: Who Completes What?	
CLERICAL STAFF:	~~MC~~ MK
REVIEWER:	ME & MK

Received Date: **April 11, 2022**

Latest Start Date: **6/01/2022** 2023

Renter: **Peter Wolff, Trustee of Peace & Quiet Trust**

Rental Expiration Date 2025

Lease/Rental Package Y (N)

Application #**2349**

Agreement # 701

Water Right	Lease Contract ID
#37-22019	1273
#	
# 37-22019	App 2042
# 37-22019	1273
#	
#	
#	
#	
#	
#	
#	
#	
#	

Applicant Authorized?	(Y) / N
Map of POU and POD	(Y) / N
POD consent?	(Y) / N Maybe yes
ESPA Modeling?	Y / N (NA)
Application Complete?	(Y) / N
Minimum Checklist in database?	☑
Request for additional information letter sent:	Y (NA)
WSB Action Request for deficiencies	☐

Comments:

Mailings (per application)	Original	CC	Email or Address
Renter: Peace & Quiet	☐	☐	
Attorney: Charlie Baser - Givens Pursley LLP	☐	☐	
Consultants Name: James Speck	☐	☐	
Conveyence Entity: HOA well (final only) permission needed Ex. Irrigation Dist. of Canal Co.		☐	
(Ground) Water Dist: Caldwa GWD (final only)		☐	
Other: (final only) WD Snake 01, Boise, Payette, and Bear River		☐	
Region: Southern (final only)		☐	
Watermaster: WD 37 (final only)		☐	
Compliance: N/A (final only)		☐	

Resolving NOV? Y / (N)
#

Call up Date:_____

DO NOT SCAN

** Interim Policy abt MSF **

App Processing Memo 64 - request comment from Planning Bureau (1999)

Transfer 73969 - Rohe

RETURN 30 Days

Conditions: 227, WB9

SW 37-574

*see email from Mary ↘ look @ zones again

37-11550 0.6 2023 8559 8609

37-1598 2.6 23-28 8858

37-20567 2.0 23-24 22681 20901

37-20805 4.1 2023

37-21569 0.8 23-25

37-21668 5.0 23-27 low

37-22019

37-22128 1.3 22914 23060 23167 23229 2557R 1.1 26098 2618 7483 7800 8205 8250

22593

22888

22889

(37-2644D 1.0 acres)
sent Cody email 3.8.23

BRING WEDNESDAY

↘ no leased GW along this MSF section available

* 37-22019 Big Wood River MSF 37-7919

* Rental POD Big Wood River MSF 37-8258

↳ SENW S10 T5N R17E to SENW S13 T4N R17E

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

August 8, 2023

PEACE & QUIET TRUST
PO BOX 7759
KETCHUM, ID 83340-7152

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-22019, AGREEMENT 701

Dear Renter:

Please find enclosed a receipt in the amount of **$161.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 7.0 acre-feet of water for irrigation of 2.0 acres during 2023. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or $144.90 of the rental fee will be paid to the lessor(s) and 10% or $16.10 will be retained by the Department to offset administrative costs for 2023.

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

Sincerely,

Mackenzie Kienholz
Water Supply Bank Specialist

Enclosures: Receipt No. C116776
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR - Southern Region Office
Charlie Baser – Givens Pursley LLP
Water District No. 37
Galena GWD

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

June 29, 2023

PEACE & QUIET TRUST
PO BOX 7759
KETCHUM, ID 83340-7152

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-22019 AGREEMENT 701**

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

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, together with the rental fee described below, the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

A rental fee of $161.00 per year was calculated based on the current rental rate of $23.00 per acre-foot times a diversion volume of 7.00 acre-feet.

Please send a check for $161.00 for 2023 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement**, **within 14 days** so I can complete processing. An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Pursuant to the Water Supply Bank Rules, 90% or $144.90 of the rental fee will be paid to the lessor(s) and 10% or $16.10 will be retained by the Department to offset administrative costs for **2023**.

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

Sincerely,

Water Supply Bank

Enclosure

c: IDWR Front Desk

MEMORANDUM

To: Water Right(s) 37-22019

From: Michele Edl, Mackenzie Kienholz

Date: September 19, 2022; December 23, 2022

Re: Review and Analysis of Application #2349 to Rent Water to the State Water Supply Bank

---

PURPOSE/NARRATIVE: On April 11, 2022, IDWR received an application to rent a portion of water right 37-22019 from the Water Supply Bank (WSB) for four years (2022-2025). The rental application was submitted by James P. Speck (Speck & Aanestad, a professional corporation) on behalf of Peter Wolff, Trustee of Peace & Quiet Trust.

The application requested water to irrigate 2.0 acres that isn't currently authorized as the place-of-use (POU) for any water right. The rental water would be diverted from an existing well which is the authorized point-of-diversion (POD) for several rights including right 37-20863 which provides the domestic water.

> August 2022 imagery suggested that water had not been applied to the proposed acres in 2022. Confirmation was received that the rental was not needed for 2022, and that the start date should be pushed to 2023. MK 12/23/2022

AUTHORITY TO FILE: According to the available Blaine County parcel data, the Peace & Quiet Trust dated 8/14/2020, (Peter Wolff, Trustee) owns the property which contains the rental POU. Peter Wolff, the Trustee signed the application.
The 3-acre parcel is currently known as Lot 20A of the Stonegate Subdivision.

The well which is proposed as the rental point-of-diversion (POD) is an existing well. The well is identified as WMIS#1001334 and is the POD for Water Right 37-20863 which is held by Stonegate Homeowners Association, Inc.

There is correspondence between Sean Renkly, the property manager for the HOA and James Speck, the representative for the applicant, but no authorization from the HOA to use their well. In a phone call on 9/16/2021 with Mr. Roger Dailey (president of the HOA), I discussed the rental application. He was not sure that the HOA well would be capable of delivering this additional amount of water. But he said he would forward the information I gave him to the person who maintained the well and pump system for a confirmation.

> Because the start date was pushed to 2023, Mr. Dailey requested that review staff check with the HOA again when it was time to review the application. This allowed the HOA time to inquire about specifics regarding their well capacities. In email correspondence on 12/22/2022, Mr. Dailey stated that he had checked with Walker Water Quality about the HOA's well's capabilities, who responded that the rental should not pose any issues. Mr. Dailey also noted that they would be switching to even more efficient pumps in the spring of 2023. Mr. Dailey stated that he, Jeff Camps, the other HOA Board member authorized to make this decision, and Sean Renkly feel that it is appropriate to proceed with the rental. MK 12/23/2022

WATER RIGHT VALIDITY: A thorough validity review of the leased right was completed in preparation for transfer 84115 (approved August 3, 2020) and for the subsequent lease contract. The right is currently under contract to remain in the WSB until December 31, 2025. There are no concerns related to water right validity at this time.

Enough leased water is available to satisfy this rental request.

INJURY TO OTHER WATER RIGHTS:
The leased right, Water Right 37-22019, authorizes diversion of ground water from the Wood River Valley Aquifer at a location near the Friedman Memorial Airport south of Hailey. The rental location is approximately 16.5 miles due north of Hailey. Many water rights divert from ground water or surface water between the lease POD and the rental POD.

Idaho Department of Water Resources (IDWR) has recognized that the surface and ground waters of the Big Wood River drainage are interconnected. Pumping ground water under this rental may result in a depletion of water in the Big Wood River.

After this rental request was received, IDWR designated a ground water management area for the Big Wood River drainage and approved a management plan to coordinate use of the hydraulically connected ground and surface waters. The order approving the management plan and the plan itself can be found at this link: Order Approving Groundwater Management Plan and Final BWAGWMA Plan (idaho.gov)

The rental approval will call attention to the requirements of the management plan with the following condition:

> Prior to December 31 of each year, the Board may review this rental agreement to determine whether it is consistent with the management plan for the Big Wood River Ground Water Management Area (BWRGWMA). The Board may cancel this rental agreement if the Board determines it is not consistent with the BWRGWMA plan. If this rental agreement is canceled, the cancellation shall not take effect until December 31 of the year in which the rental agreement is canceled.

Water rights diverting from this area are also subject to a Trust Water Rights review. The right providing the rental water is senior to October 1, 1984, and therefore protected from a call to meet the minimum stream flow at the Murphy gage on the Snake River.

ENLARGEMENT OF USE: No enlargement of water use is anticipated through this rental. The Peace & Quiet Trust property is located within a subdivision and is provided water for domestic use through a shared well and distribution system. Available August 2022 imagery of the rental POU indicates a newly constructed residence but little or no water use.

The rental application requested 2 acres worth of irrigation in 3-acre lot. But the new residence occupies a portion of that acreage, and the existing water right authorizes 0.5 acre of irrigation under the umbrella of domestic use.

The headgate volume allowance, nature-of-use and season-of-use for the water will not be changed by this rental. The rental rate and volume have been made proportionate to the elements of the lease right.

LOCAL PUBLIC INTEREST: Review staff have no information to suggest that this rental application is inconsistent with the local public interest.

Both the lease and the rental POUs and PODs are within the Galena Ground Water District. The district made commitments to a plan for management of the Big Wood River which was approved by all parties after this rental was received.

In a phone call on 9/12/2022, Water District 37 staff stated that the Galena GWD had met its commitment to the management plan.

The order approving the management plan and the plan itself can be found at this link: Order Approving Groundwater Management Plan and Final BWAGWMA Plan (idaho.gov)

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The lease appears consistent with the conservation of water resources in Idaho.

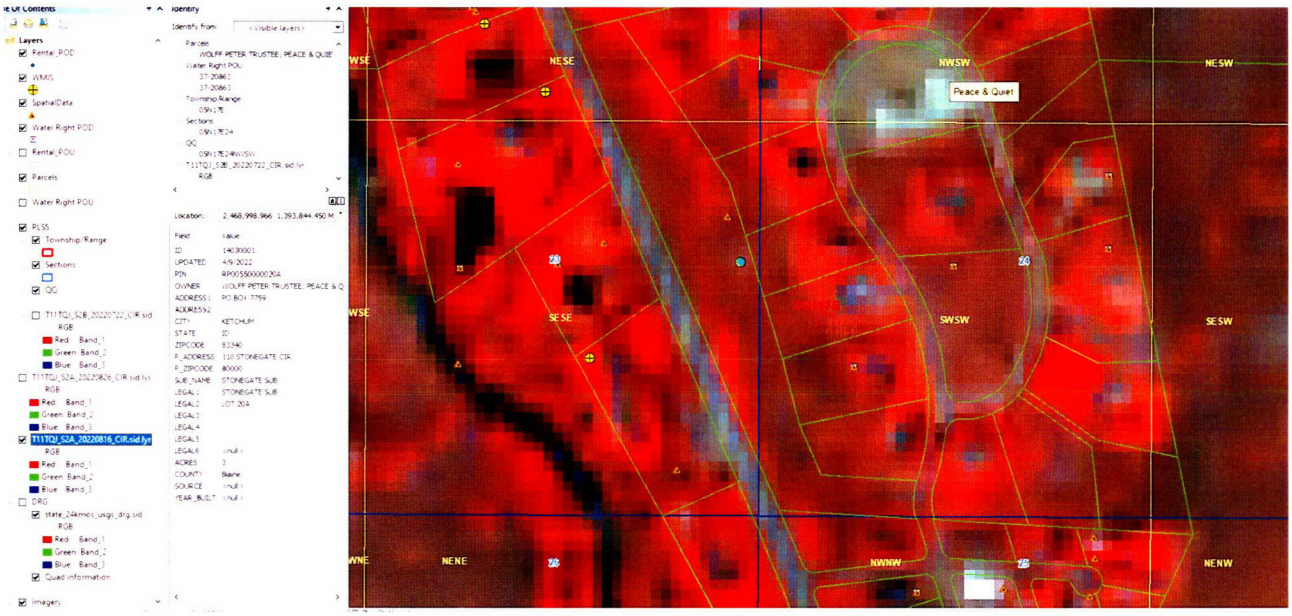
DEPARTMENT STAFF OR WATERMASTER COMMENTS: The rental well-POD is identified as WMIS# 1001546. It is subject to oversight by Water District 37 and water use reporting to the Galena Ground Water District.

Comments regarding the rental were requested from the Watermaster for District 37 via phone call 9/12/2022. The remaining watermaster responded but stated that she was too new to the position to understand the ramifications of this rental or to have concerns.

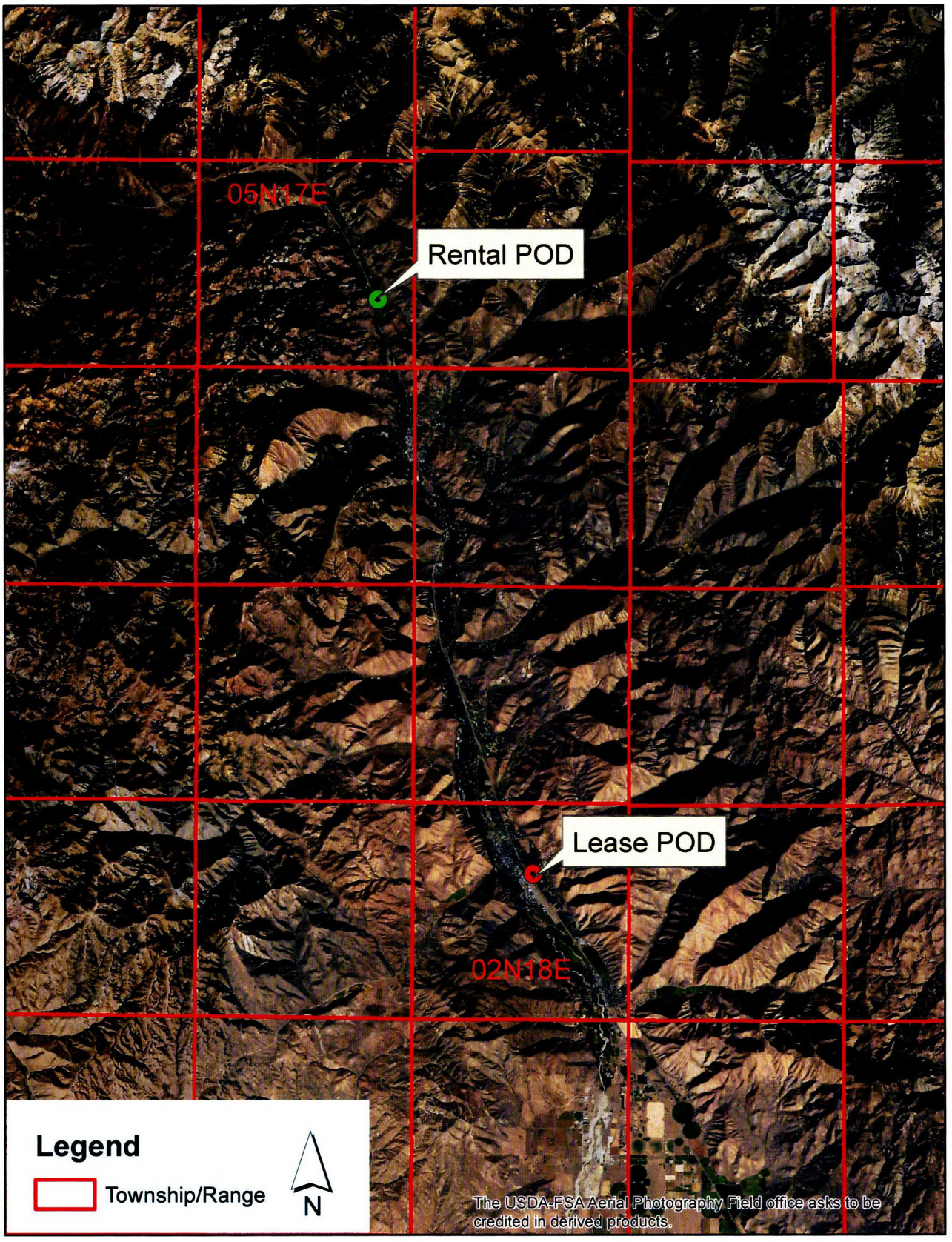
I requested comment from the manager of IDWR's Southern Regional Office in an email on 9/12/2022. No response has been received as of this date.

> A second request for comments was sent to the WD #37 watermaster and the Southern Regional Office on 12/23/2022. MK 12/23/2022

I created the POU shape based on the available the Blaine County parcel layer.
Sentinel satellite imagery dated August 16, 2022, shows little or no irrigation of the property.
See below



Rental Application #2349 - Peace & Quiet Trust 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

April 3, 2023

PETER WOLFF, TRUSTEE OF PEACE & QUIET TRUST
PO BOX 7759
KETCHUM ID 83340-7152

RE: NOTICE OF NO AVAILABILITY FOR APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Applicant:

On April 11, 2022 the Idaho Department of Water Resources (Department) received your application to rent water from the Water Supply Bank (Bank) for irrigation during 2022-2025. The requested start date was later moved to 2023. This letter is to inform you that review of the application found that the water right(s) requested cannot be used to satisfy your request, and no other suitable rights have been identified by review staff. Your application will be retained by the Department until the latest possible start date indicated, but it may be returned, unprocessed, if no suitable rights become available before that time.

Diversion and use of water is not authorized under the rental application. Any use associated with your proposed rental request is not authorized until an approved agreement is executed and, if occurring, will be subject to any necessary enforcement action.

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

Sincerely,

Mackenzie Kienholz
Water Supply Bank Specialist

c: James Speck – Speck & Aanestad, A Professional Corp

Kienholz, Mackenzie

From: Kienholz, Mackenzie
Sent: Friday, December 23, 2022 10:10 AM
To: Skinner, Corey; watermanager@wd37.org
Subject: Comments Requested: WSB Rental Application #2349 - Peace & Quiet Trust
Attachments: WM Copy Rental Review Memo (Peace & Quiet Trust).pdf; Rental Map - Agreement # 701.pdf; Move Map - Rental App #2349.pdf

Hello,

Please see the attached review memo and maps for Peace & Quiet Trust's Water Supply Bank Rental Application #2349, and kindly respond with questions or comments within 14 days.

Thank you,

Mackenzie Kienholz
Water Supply Bank Specialist

IDAHO DEPARTMENT OF WATER RESOURCES

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

Kienholz, Mackenzie

From: Kienholz, Mackenzie
Sent: Thursday, December 22, 2022 12:52 PM
To: Rogerdailey; Jeffrey Camps
Cc: jim@speckandaanestad.com; Sean Renkly; walkerwaterquality@gmail.com; mpl@givenspursley.com
Subject: RE: Peace & Quiet Trust Water Supply Bank Rental Application

Hello Mr. Dailey,

Thank you for your prompt response. I will add this correspondence to the application file and note that the application review may proceed. I will also note that Mr. Lawrence is your new attorney.

Thank you again,

Mackenzie Kienholz
Water Supply Bank Specialist

IDAHO DEPARTMENT OF WATER RESOURCES

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

From: Rogerdailey <rogerdailey@comcast.net>
Sent: Thursday, December 22, 2022 12:43 PM
To: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>; Jeffrey Camps <jeffcamps@gmail.com>
Cc: jim@speckandaanestad.com; Sean Renkly <sean@darkskyproperty.com>; walkerwaterquality@gmail.com; mpl@givenspursley.com
Subject: Re: Peace & Quiet Trust Water Supply Bank Rental Application

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.**

Hello Mackenzie,

We checked with Walker Water Quality this Fall and this is the response we got on 10-7-22:

Hi Sean,

Natalie said you were looking to see if the Stonegate water system could handle additional capacity.

She said ½ - but I'm not sure ½ of what? If she means a half-acre, I'm sure you'll be fine. Those wells are really good, and the pumps are still keeping up with current demand.

Thanks,

--David M. Koffer

Walker Water Quality

www.walkerwaterquality.com

We will be changing to new pumps (variable drive) in the Spring and I am told they should be even more efficient. As such, Jeff Camps and myself and Sean Renkly feel that the additional time limited water request for new landscape irrigation for the Wolff's property is unlikely to pose a problem for the HOA and therefore feel it is appropriate to proceed. It is our understanding that additional water use in the first year or two for establishment of new landscape has been common practice in this neighborhood for many years.

In addition, please note that we have changed legal representation as Mr. Speck has retired as of the end of this year. Mike Lawrence is our new attorney for these matters and I have cc'd him here for informational purposes.

Thank you,

Roger Dailey
President
Stonegate HOA

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On 12/22/2022 10:07 AM Kienholz, Mackenzie <mackenzie.kienholz@idwr.idaho.gov> wrote:

Hello,

Water Supply Bank Rental Application #2349 for Peace & Quiet Trust is ready to be reviewed by an agent for 2023-2025. There were questions about the Trust using the Stonegate HOA's point of diversion for this rental as was proposed in their application due to well capacity concerns. I would like to open this discussion again to determine whether we can move forward with the application as proposed, need to amend the application, or will need to return the application as unprocessed due to these concerns. Please inform me of your thoughts on the matter and whether there are any questions that I or the Department may be able to answer that would help with your decision. I am attaching a copy of the application to this email for your review.

Thank you,

Mackenzie Kienholz

Water Supply Bank Specialist

IDAHO DEPARTMENT OF WATER RESOURCES

Planning & Projects

Mackenzie.kienholz@idwr.idaho.gov

Phone: (208) 287-4822

Edl, Michele

From: Roger Dailey <rogerdailey@comcast.net>
Sent: Friday, September 16, 2022 5:16 PM
To: Edl, Michele
Subject: Re: first contact

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.**

Thank you Michele. Again, have a great weekend.

Sent from my iPhone

> On Sep 16, 2022, at 3:45 PM, Edl, Michele <Michele.Edl@idwr.idaho.gov> wrote:
>
> Mr. Dailey,
> It was pleasure to speak with you this afternoon. As promised, here is a brief summary.
> The quantity of water that has been requested for use by Peace & Quiet Trust is:
> 0.05 cfs or **22.4 gpm** for irrigation of 2.4 acres for 4 years beginning 2022.
> The water is proposed to be diverted from the HOA's well but the proposal did not include permission from the HOA for use of their well and that ok is needed before I can process the request.
>
> In addition, although the request for water was received in April 2022, the property does not appear to have been irrigated this year so far. It makes more sense to postpone the proposed water use to start in 2023 and I will ask the applicant if that is acceptable.
> Whenever this additional withdrawal occurs, it must be done by authorization of the HOA.
>
> Sincerely,
> Michele Edl
> 208-287-4946

Edl, Michele

From: Sean Renkly <sean@darkskyproperty.com>
Sent: Friday, September 16, 2022 2:05 PM
To: Edl, Michele
Subject: RE: Stonegate Homeowners Association ok needed

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Oh yes, this is for 110 Stonegate Circle.

I'll have to pass it through the Board for approval as I'm just the HOA property manager.

I'll come back to you.
Sean

From: Edl, Michele <Michele.Edl@idwr.idaho.gov>
Sent: Friday, September 16, 2022 1:37 PM
To: Sean Renkly <sean@darkskyproperty.com>
Subject: RE: Stonegate Homeowners Association ok needed

Thank you for your quick response.
The application to rent water for irrigation of 2 acres in 2022 was submitted by Mr. Speck in April 2022.

From: Sean Renkly <sean@darkskyproperty.com>
Sent: Friday, September 16, 2022 1:18 PM
To: Edl, Michele <Michele.Edl@idwr.idaho.gov>
Subject: RE: Stonegate Homeowners Association ok needed

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I'm confused as to what this is for, please provide more information of when this was filed?

Sean

From: Edl, Michele <Michele.Edl@idwr.idaho.gov>
Sent: Friday, September 16, 2022 12:58 PM
To: Sean Renkly <sean@darkskyproperty.com>
Subject: FW: Stonegate Homeowners Association ok needed

From: Edl, Michele
Sent: Friday, September 16, 2022 12:49 PM
To: sean@darkshyproperty.com

Cc: James Speck <jim@speckandaanestad.com>
Subject: Stonegate Homeowners Association ok needed

Sean Renkly,
I have the assignment to process a request to rent water from the Water Supply Bank that James Speck submitted on behalf of the Peace & Quiet Trust (Peter Wolff, Trustee) earlier this year.

The purpose of this email is twofold.

- To confirm that the Stonegate Homeowner's Association approved of the use of their well for this rental. There is correspondence between you and Mr. Speck attached to the rental application but your authority in the homeowners association is not clear. Are you a board member?
  Mr. Speck requested a letter signed by the HOA be provided. If that letter was drafted and signed, it was not included in the rental package provided to the water supply bank.
- To confirm that the rental water is needed for this year. The request was for water for 2022-2025. The water is available for the request, but a review of recent aerial photography indicates that although the residence may be completed very little if any water has been used for irrigation of the property. If it's needed, we can complete the rental process to authorize the proposed irrigation of 2 acres for the remainder of the irrigation season which ends Oct 31 and continue the authorization through 2025. Or we can move the start date for the rental to begin in 2023.

At your earliest convenience, call me at 208-287-4946 or email me with your questions or to provide the clarification I need to proceed.

Sincerely,
Michele Edl
Idaho Department of Water Resources
State Office
322 E Front St.
Boise ID 83720

0004689478

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 #: 0004689478

Date Filed: 4/5/2022 9:21:12 PM

Entity Name and Mailing Address:

Entity Name:	STONEGATE HOMEOWNERS' ASSOCIATION, INC.
The file number of this entity on the records of the Idaho Secretary of State is:	0000194612
Address	SEAN RENKLY PO BOX 6211 KETCHUM, ID 83340-6211

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:	C61132

The registered agent on record is:

Registered Agent	BLACK DIAMOND AFFILIATES LLC Registered Agent Physical Address 455 EAST FORK ROAD HAILEY, ID 83333 Mailing Address 455 EAST FORK ROAD Sean Renkly HAILEY, ID 83333

Agent or Address Change

☐ Select if you are appointing a new agent.

Corporate Officers and Directors:

Name	Title	Business Address
~~- ROBERT WALSH~~	~~President~~	~~5064 SW HILLTOP LANE PORTLAND, OR 97221~~
• Roger Dailey	President	2629 SW ALTA VISTA PLACE PORTLAND, OR 97201
Pam Green	Director	414 MCGILVRA BLVD. EAST SEATTLE, WA 98112
+ Jeff Camps	Vice President	P.O. BOX 9360 KETCHUM, ID 83340

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

Job Title: Manager

Sean Renkly — Sign Here

04/05/2022 — Date

Page 1 of 1

DOCUMENT ELECTRONICALLY RECORDED BY SECURITY TITLE COMPANY 04/07/2022 9:21 PM

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

May 9, 2022

PEACE AND QUIET TRUST
C/O PETER WOLFF
PO BOX 7759
KETCHUM ID 83340-7152

RE: APPLICATIONS 2349 TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Applicant:

The Idaho Department of Water Resources (Department) acknowledges receipt of your application(s) to rent water from the Idaho Water Resource Board's Water Supply Bank (Bank) for the irrigation of 2.0 acres. Filing a Bank rental application does not automatically result in approval.

Before a rental application can be approved, the rental request must be reviewed, a rental agreement must be prepared, the agreement must be approved by the applicant and the Department, and the rental fee must be paid. To maximize the number of rental applications processed while managing competing priorities, the Department begins accepting rental applications on November 1 for use in the next calendar year, and it processes as many applications as it can before the start of the irrigation season in March or April. Once the irrigation season begins, Department staff members are reassigned to address field work and other duties. Consequently, few rental applications are processed after May 1.

Because your application was received near the beginning of the irrigation season, which is now underway, the Department will not be able to process your application prior to the latest possible start date on your application. Your application will remain in the order it was received for review, unless you request it be returned, or the irrigation season ends prior to finalization of a review.

Water Supply Bank Processing for application status may be found on the Department's website at https://idwr.idaho.gov/iwrb/programs/water-supply-bank/reports/

If you have questions regarding this matter, please contact me at 287-4936.

Sincerely,

Mary Condon
Water Supply Bank Coordinator

c: James Speck – Speck & Aanestad

Hersley, Jean

From:	James Speck <jim@speckandaanestad.com>
Sent:	Friday, April 22, 2022 2:09 PM
To:	IDWR File
Cc:	Condon, Mary; Tim Wolff; Ron Lutsko (ron@lutskoassociates.com)
Subject:	Peter Wolff, Trustee of Peace & Quiet Trust dated 8/14/2020 - Application to Rent Water #2349 - Amended P.4
Attachments:	WSB rental application - peace & quiet trust - amended p4.pdf

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue North
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.720.4423 (mobile)
208.726.0752 (fax)
jim@speckandaanestad.com

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