STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1886

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

LESSOR: KIRIL SOKOLOFF
PO BOX 6191
KETCHUM, ID 83340

RECEIVED
NOV 01 2024
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 June 20, 2023.

3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS**: The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
37-7926	8/12/1981	GROUND WATER	0.01	1.2	0.4
Lease Totals			**0.01**	**1.2**	**0.4**

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.

WATER SUPPLY BANK LEASE CONTRACT No. 1886

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1886

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

LESSOR: KIRIL SOKOLOFF
PO BOX 6191
KETCHUM, ID 83340

By _____
Title OWNER
Date OCTOBER 30, 2024

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

By _____ Date 11/06/24
Brian Patton, Executive Manager
Idaho Water Resource Board

Lease approved by IDWR _____ Date 11/06/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1886

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): 37-7926

GROUND WATER SENE Sec. 12 Twp 04N Rge 17E BLAINE County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
37-7926	IRRIGATION	04/01	to	11/01	0.01 cfs	1.2 AF
				Totals:	0.01 cfs	1.2 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	17E	12	0.2			0.2													0.4

Total Acres: 0.4

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.

WATER SUPPLY BANK LEASE CONTRACT No. 1886

9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
    a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
    b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
13. The unleased portions of right 37-7926 for irrigation shall not exceed a total diversion rate of 0.06 cfs, a total annual maximum diversion volume of 8.1 af at the field headgate 2.7 acres.
14. Use of water under this right may be regulated by the watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.37

Idaho Water Resource Board

Water Supply Bank Lease Contract No.

37-7926

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

0 130 260 Feet

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
JUN 20 2023
DEPARTMENT OF WATER RESOURCES

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

Designated Applicant Kiril Sokoloff
(Select one owner – see item 1A on the application)

Water Right No. 37-7926
(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 ⁻⁻	Received By: KU	Date Received: 6.20.23	Receipt # C116552
W-9 received? Yes ☑ No ☐ (Route W-9 to Fiscal)		Name on W-9:	Kiril Sokoloff

W-8 - Received.

2686

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 Kiril Sokoloff

Mailing Address PO Box 6191, Ketchum, ID 83340
Street City State Zip Code

Email Address kiril@13d.com Phone Number (208) 726-1859

☑ 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 Thomas J. Budge Organization Racine Olson, PLLP

Professional Title Attorney Email Address tj@racineolson.com

Mailing Address PO Box 1391, Pocatello, Idaho 83204-1391 Phone Number 208-232-6101

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☑ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☐ The full water right is being offered to the Bank.

OR

☑ A part of the water right is being offered to the Bank.
If a portion of the water right is being offered, **complete Attachment 2**.

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☑
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

B. Please provide a description of the current water diversion and delivery system.
Well, pump, underground residential sprinkler irrigation 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. None

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. The portion sought to be leased has been leased to the Bank for the past 5 years

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 ☑

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☑?

If lease, specify the years when the use of water will be suspended: 2023 (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 Rental Rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

Signature of Designated Applicant	Printed Name	Date
Kiril Sokoloff	Kiril Sokoloff	June 12, 2023
Signature of Authorized Representative	Printed Name	Date

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

Form 42-1761-1 10/15

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). _____

_____

	Designated Applicant	Applicant #2	Applicant #3
Name			
Mailing Address			
Phone Number			
Email Address			
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			

Form 42-1761-1 10/15

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)
37-7926	Irrigation	0.01	1.3	0.4
	Total Amounts:			

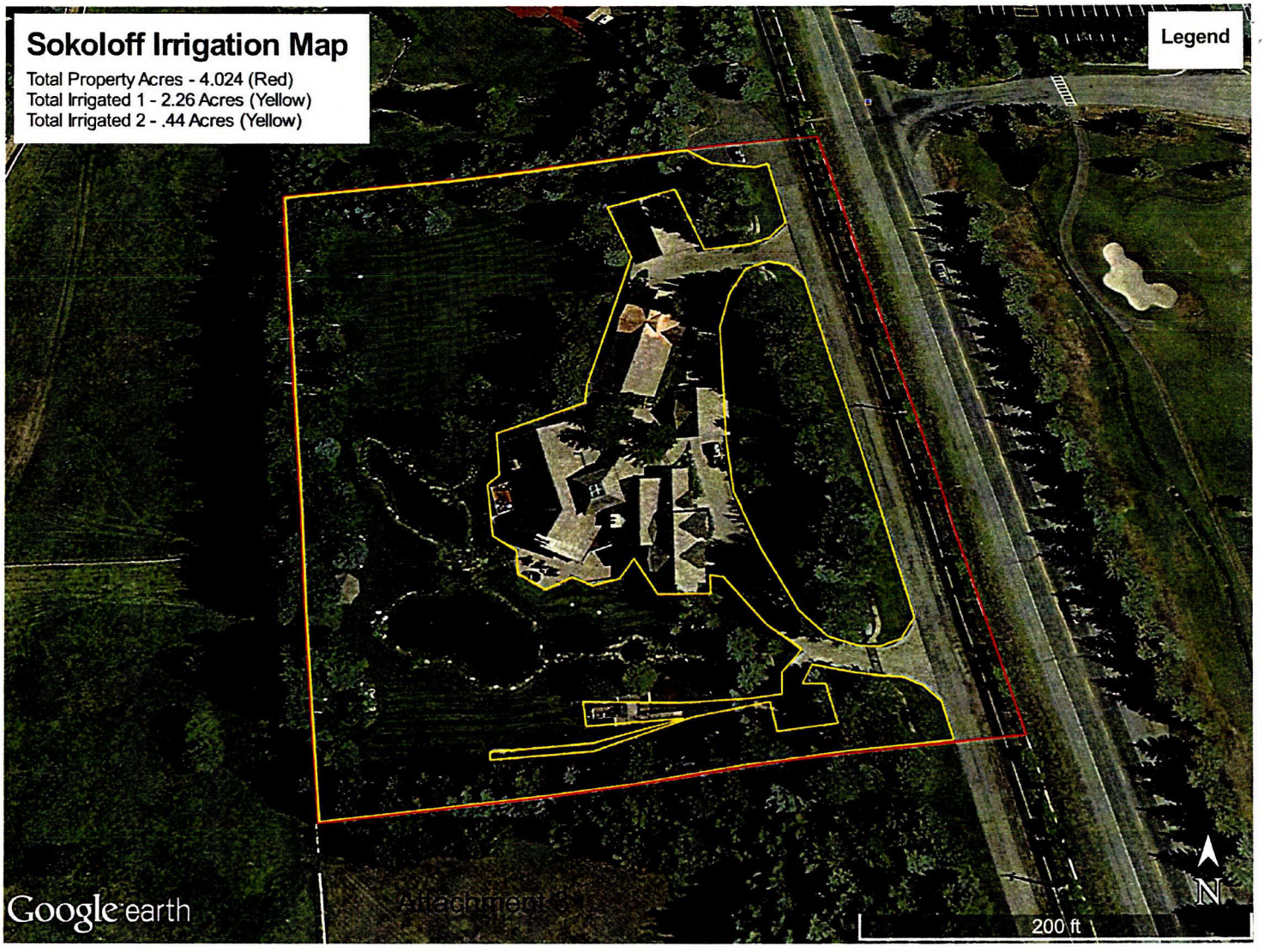
2. Source of water Groundwater tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
4N	17E	12			SE	NE	Blaine

NARRATIVE

The map attached to this Application outlines 2.7 acres (in yellow) which encompasses the lease application that was previously submitted on February 3, 2023 (Contract No. 1689), plus the current application.


Sokoloff Irrigation Map
Total Property Acres - 4.024 (Red)
Total Irrigated 1 - 2.26 Acres (Yellow)
Total Irrigated 2 - .44 Acres (Yellow)
Legend
Google earth
Attachment 3
200 ft
N

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1689

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

RECEIVED
APR 17 2023
DEPARTMENT OF
WATER RESOURCES

LESSOR: KIRIL SOKOLOFF
PO BOX 6191
KETCHUM, ID 83340

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.

2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on February 03, 2023.

3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS**: The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
37-7926	8/12/1981	GROUND WATER	0.02	2.7	0.9
Lease Totals			**0.02**	**2.7**	**0.9**

Summary of Water Rights Elements Rentable From the Bank

Water Right	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (Limited) (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
37-7926	0.02	2.7	0.9	0.02	3.0
Totals	**0.02**	**2.7**	**0.9**	**0.02**	**3.0**

Click here to enter text.

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.

SCANNED
AUG 30 2023

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.

WATER SUPPLY BANK LEASE CONTRACT No. 1689

4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE**: The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.

5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.

6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.

7. **DUPLICATE ORIGINAL**: This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

SCANNED
AUG 30 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1689

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

LESSOR: KIRIL SOKOLOFF
PO BOX 6191
KETCHUM, ID 83340

By _____
Title OWNER
Date APRIL 13, 2023

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

By _____ Date 5/10/23
Brian Patton, Acting Administrator
Idaho Water Resource Board

Lease approved by IDWR _____ Date 5/10/23

SCANNED
AUG 30 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1689

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): 37-7926

GROUND WATER SENE Sec. 12 Twp 04N Rge 17E BLAINE County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
37-7926	IRRIGATION	04/01	to	11/01	0.02 cfs	2.7 AF
				Totals:	0.02 cfs	2.7 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	17E	12	0.3			0.6													0.9

Total Acres: 0.9

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.
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.

SCANNED
AUG 30 2023

WATER SUPPLY BANK LEASE CONTRACT No. 1689

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. Property is also known as Lot 16, Blk 1, Beaver Springs Subdivision.
13. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

SCANNED
AUG 30 2023

Idaho Water Resource Board

Water Supply Bank Lease Contract No. 1689

37-7926

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

0 100 200 Feet

SCANNED
AUG 30 2023

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
FEB 03 2023
DEPARTMENT OF
WATER RESOURCES

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

Designated Applicant Kiril Sokoloff
(Select one owner – see item 1A on the application)

Water Right No. 37-7926
(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: 2.3.23	Receipt # C115231
W-9 received? Yes ☑ No ☐ (Route W-9 to Fiscal)		Name on W-9: Kiril Sokoloff	

SCANNED
AUG 30 2023

25586

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 Kiril Sokoloff

Mailing Address PO Box 6191, Ketchum, ID 83340
Street City State Zip Code

Email Address kiril@13d.com Phone Number (208) 726-1859

☑ 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 Thomas J. Budge Organization Racine Olson, PLLP

Professional Title Attorney Email Address tj@racineolson.com

Mailing Address PO Box 1391, Pocatello, Idaho 83204-1391 Phone Number 208-232-6101

☐ 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.**

SCANNED
AUG 30 2023

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☑
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

B. Please provide a description of the current water diversion and delivery system.
Well, pump, underground residential sprinkler irrigation 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. None

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. The portion sought to be leased has been leased to the Bank for the past 5 years

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 ☑

SCANNED
AUG 3 0 2023

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☑?

If lease, specify the years when the use of water will be suspended: 2023 (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.

Rent will be paid pursuant to a private lease agreement between lessor and lessee. The Water Supply Bank administrative fee should be based on current rental rate.

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

Signature of Designated Applicant	Kiril Sokoloff Printed Name	1-25-2023 Date
Signature of Authorized Representative	Printed Name	Date

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

SCANNED
AUG 30 2023

Form 42-1761-1 10/15

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

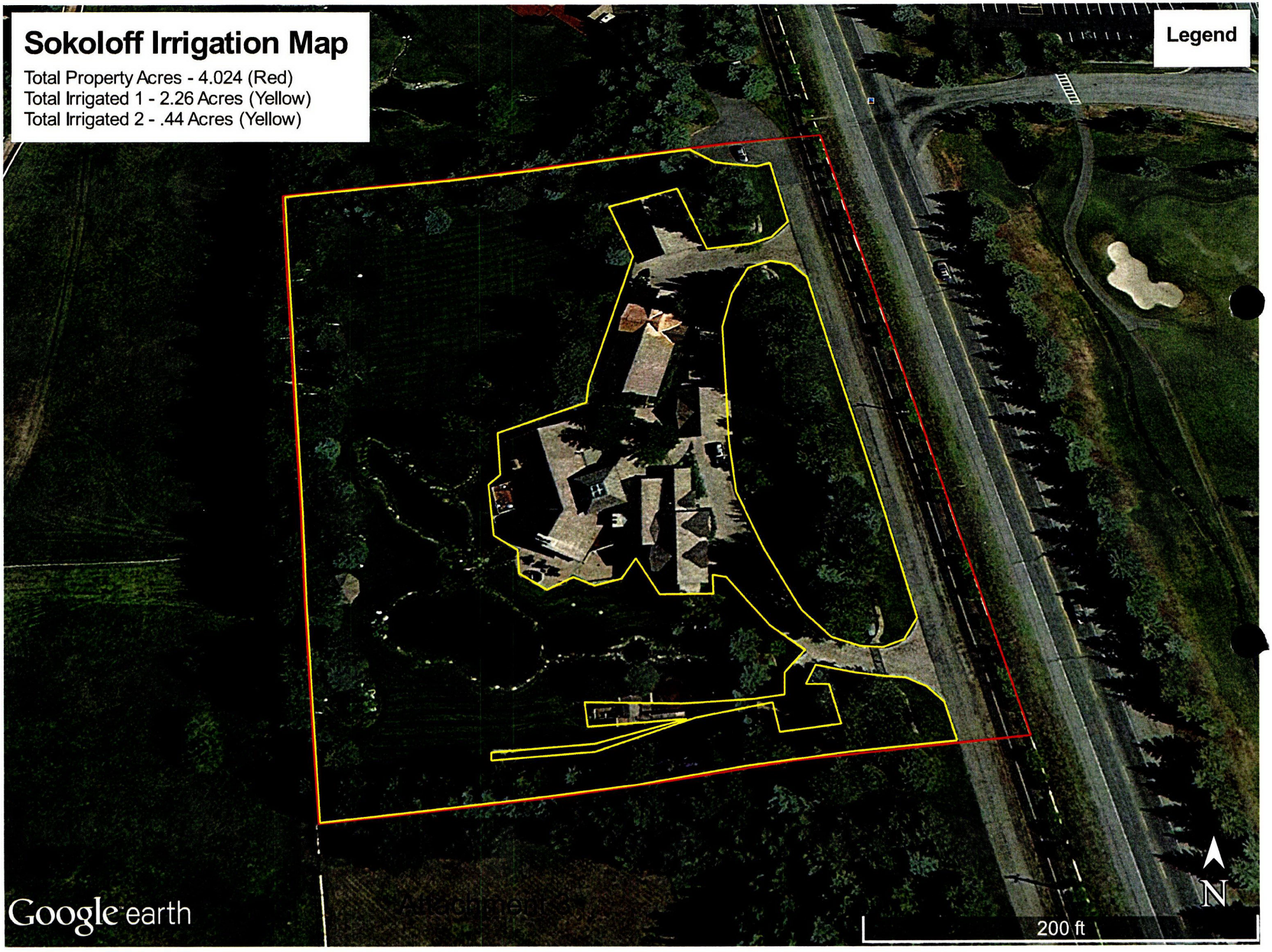
1. Water Right Number	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
37-7926	Irrigation	0.02	2.7	0.9
	Total Amounts:			

2. Source of water Groundwater tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
4N	17E	12			SE	NE	Blaine

SCANNED
AUG 30 2023


Sokoloff Irrigation Map
Total Property Acres - 4.024 (Red)
Total Irrigated 1 - 2.26 Acres (Yellow)
Total Irrigated 2 - .44 Acres (Yellow)
Legend
Google earth
200 ft
N

WSB Mailing Checklist for Leases

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

Key: Who Completes What?
CLERICAL STAFF: MK
REVIEWER: ~~SW~~ CB

Received Date: 6/20/2023

Desired Lease Duration: 2023-2027

Lease / Rental Package: Y (N)

If yes, Renter Name: _____

Application # 26686 Contract # 1886

WR#s	# 37-7926
#	#
#	#
#	#
#	#
#	#
#	#

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: Kiril Sokoloff	☐	☒	EMAIL:
Attorney: Thomas J Budge - Racine Olson PLLP	☒	☐	EMAIL:
Consultants Name:	☐		Comments:
Watermaster: ~~Kevin Lathey~~ Sunny Healey (watermaster / watermanager @ wd37.org)	☐		* Active lease contract #1689 for different portion of same WR
Delivery Entity:	☐		↳ See if they'd like to be combined into one new lease → emailed TJ 6/26/23 -MK
Water District: 37	☐		↳ they do
Ground Water District: Big Wood (Galena Groundwater District / Big Wood River Groundwater)	☐		↳ cannot combine because lease #1689 has been rented.
Region: Southern	☐		
Other:	☐	☐	
Address:			

Call up Date: _____

DO NOT SCAN

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little Director Mathew Weaver

November 7, 2024

KIRIL SOKOLOFF
PO BOX 6191
KETCHUM ID 83340

RE: WATER SUPPLY BANK LEASE CONTRACT 1886
FOR WATER RIGHT 37-7926

Dear Lessor:

Water right **37-7926 is** leased into the Water Supply Bank (Bank) as of January 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). 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 are rented.**

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

Sincerely,

Technical Records Specialist I

Enclosure: Executed Lease Contract

c: IDWR Southern Region Office
Representative
Water District No. 37

Mansfield, Debra

From: Mansfield, Debra
Sent: Thursday, November 7, 2024 7:56 AM
To: watermanager; TJ Budge; Skinner, Corey
Cc: Bank
Subject: WSB Executed Lease Contract
Attachments: Executed WSB Lease Contract 1886 Kiril Sokoloff 2023-2027.pdf

Hello,

Please see the attached copy of Executed WSB Lease Contract 1886, in the name of Kiril Sokoloff, for your records.

Thank you,

Debra Mansfield | Technical Records Specialist 1
IDWR – State Office
322 E Front St, Boise ID 83702-7371
(208) 287-4921 | Debra.Mansfield@idwr.idaho.gov

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 Mathew Weaver

October 23, 2024

KIRIL SOKOLOFF
PO BOX 6191
KETCHUM ID 83340

RE: APPLICATION TO LEASE WATER RIGHTS 37-7926 TO THE WATER SUPPLY BANK CONTRACT 1886

******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,

Debra Mansfield
for
Water Supply Bank

Enclosures: Proposed Lease Contracts

C: Consultant (via email)

Mansfield, Debra

From: Mansfield, Debra
Sent: Tuesday, October 22, 2024 12:29 PM
To: TJ Budge
Cc: Bank
Subject: Proposed WSB Lease Contract 1886, K Sokoloff
Attachments: Proposed WSB Lease Contract 1886 Kiril Sokoloff 2023-2027.pdf

Hello,

Please see the attached copy of Proposed WSB Lease Contract 1886, in the name of Kiril Sokoloff, for your records.

Thank you,

Debra Mansfield | Technical Records Specialist 1
IDWR – State Office
322 E Front St, Boise ID 83702-7371
(208) 287-4921 | Debra.Mansfield@idwr.idaho.gov

MEMORANDUM FOR APPLICATION # 2686

To: Water Right 37-7926

From: Shilynn Novak And Catalina Beck

Date: March 20, 2024

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

---

PURPOSE/NARRATIVE: This lease application was received by the Department on June 20, 2023. Thomas J. Budge applied on behalf of Kiril Sokoloff. The application proposed to lease 0.4 acres of 37-7926 to the Water Supply Bank. Lease Contract 1689 was executed for 0.9 acres of the same right on May 10, 2023, and Rental Agreement 729 rented 0.4 acres. Both leases total 1.3 acres and 1.3 acres of irrigation has been leased to the WSB since 2015.

The representative requested to have this lease and Lease Contract 1689 combined into one lease. The two leases cannot be combined because Lease Contract 1689 was rented, so there will be two leases for the same water right.

AUTHORITY TO FILE: The lease application was signed by Kiril Sokoloff. The application listed Thomas J. Budge of Racine Olson, PLLP as the representative. Blaine County parcel data shows Jackson Mountain LLC as the property owner. According to the IDSOS website, Kiril Sokoloff is listed as a member of Jackson Mountain LLC. There are no concerns about the authority to file.

WATER RIGHT VALIDITY: Water right 37-7926 was decreed with 4 acres of irrigation in 2010 and placed 1.3 of irrigated acres in the Bank in 2015. The same 1.3 acres has been in the Bank since 2015. This year, two separate leases were filed and would have been combined, but one lease was rented. To avoid any availability issues with the leases, there will be two separate leases.

The map submitted with the application showed the areas of irrigation which totaled 2.7 acres of irrigation occurring under the 4.0 acres allowable irrigation with the water right. Subtracting the total acres of irrigation from 4.0 acres, leaves 1.3 acres of property that is not irrigated. Lease contract 1689 was for 0.9 acres which leaves 0.4 acres available to lease to the Bank.

This water right was decreed for a total of 4.0 acres and parcel data from Blaine County states the property is 4.024 acres. The original field examination recommended a license of 4.0 acres and noted 3.76 acres of actual irrigation. Although the actual irrigation is less than what was licensed, this lease will protect the additional amount. No concerns with the validity of the water right and portion offered to the bank.

INJURY TO OTHER WATER RIGHTS: There are no concerns regarding injury to other water rights holders as a result of the lease portion in the Water Supply Bank.

ENLARGEMENT OF USE: The original licensing exam excludes the house and driveway and notes 3.3 acres of irrigation, however with the water right being decreed for 4 acres, the extra amount is protected and is not concerned for enlargement if rented. The place of use is overlapped by municipal water rights for the City of Ketchum. There are no enlargement concerns with the lease portion of 0.4 acres of the developed portion of the water right.

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

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the lease PD is subject to Water District # 37 and within the Big Wood River Groundwater Management and Galena Ground Water District. Comments were requested by the watermaster and Regional Manager on August 7, 2024.

Beck, Catalina

From: Beck, Catalina
Sent: Wednesday, August 7, 2024 10:34 AM
To: Cefalo, James
Cc: Bank; watermanager; Galena Ground Water District
Subject: Comment for Lease Application 2686
Attachments: Lease Review Memo app #2686.docx; WSB Lease Application # 2686 (1).pdf; map for comment.pdf

Good Morning James:

We are seeking comments, regarding the Water Supply Bank (WSB) Lease Application 2686 for 0.4 acres for Kiril Sokoloff. The lease is for the same water right as the current lease (Contract 1689), in which the total acres not being irrigated to the property is 1.3 acres with lease 1689 leasing 0.9 acres, 0.4 acres are available to lease to the bank. A copy of the lease application, the lease review, and a map for your reference.

Please submit your comments within 7 days, no later than August 14, 2024. If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions about the lease.

Comments are preferred to be received by e-mail to catalina.beck@idwr.idaho.gov. However, comments by regular mail and/or FAX to 208-287-7420 are acceptable.

If you have any questions, don't hesitate to contact me at the State Office at (208) 287-4847.

Catalina Beck
Water Resource Agent
208-287-4920
Catalina.beck@idwr.idaho.gov

Idaho Department of Water Resources State Office
322 E Front Street Boise, ID 83702

Novak, Shilynn

From: Condon, Mary
Sent: Thursday, March 21, 2024 1:29 PM
To: Novak, Shilynn
Subject: RE: WSB Questions - Sokoloff Lease App 2686

Hi Shilynn,

I would just process it separately, since it may skew the availability for the portion added to the lease. You can make a reference in the review memo that a portion of the right is already also leased in for the same term as part of a companion lease rental package. You won't need to worry about pricing, since there is not a rental with this other portion of the lease.

Hope this helps,
Mary

Mary Condon
Water Supply Bank Program Coordinator
IDAHO DEPARTMENT OF WATER RESOURCES

From: Novak, Shilynn <Shilynn.Novak@idwr.idaho.gov>
Sent: Thursday, March 21, 2024 12:12 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: WSB Questions - Sokoloff Lease App 2686

Hi Mary,

I have lease application #2686 for Sokoloff and had a couple questions as I work through it.

There is an email in the file requesting this lease and Lease Contract 1689 to be combined for a total of 1.3 acres. (One lease app was filed February requesting 0.9 acres and the other lease app was received June for 0.4 acres.) While doing research, I noticed Lease Contract 1689 was used for Rental 729 from 2023 to 2027. Is there a way to combine both leases even with the rental?

I also noticed that lease application #2686 had "Current Rental Rate" listed and Lease Contract 1689 and previous contracts were private agreements. Is this something that I will have to double check with the applicant? Lease application #2686 was not part of a lease/rental package like the Lease Contract 1689.

Thank you for your help with these questions.

Sincerely,
Shilynn

IDAHO DEPARTMENT OF WATER RESOURCES
Shilynn Novak
Water Resource Agent, Sr. | Water Rights Section
322 E Front St Ste 648 | Boise ID 83702-7371
Direct: 208.287.4915 | Front Desk: 208.287.4800

Kienholz, Mackenzie

From: TJ Budge <tj@racineolson.com>
Sent: Monday, June 26, 2023 7:52 PM
To: Kienholz, Mackenzie
Cc: Tessa Sparrow
Subject: RE: Water Supply Bank Lease Application for K Sokoloff

CAUTION: **This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.**

Hi Mackenzie. Thanks for asking. Yes, the applicant would prefer to have the leases combined.

Thanks,

T.J. Budge
RACINE OLSON
201 E. Center St. | P.O. Box 1391 | Pocatello, Idaho 83204
Office: (208) 232-6101 | Direct: (208) 478-3467 | Cell: (208) 705-0826 | racineolson.com

Assistant: Tessa Sparrow | Direct: (208) 478-3444 | tessa@racineolson.com

CONFIDENTIALITY NOTICE - This email and its attachments may contain information that is confidential, privileged, or otherwise protected from disclosure. If you believe this email may have been sent to you in error, please notify me immediately.

From: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Sent: Monday, June 26, 2023 4:24 PM
To: TJ Budge <tj@racineolson.com>
Subject: Water Supply Bank Lease Application for K Sokoloff

Good afternoon, T.J.,

We received Water Supply Bank Lease Application #2686 for 0.4 acres of right 37-7926 in the name of Kiril Sokoloff. It was noted on the application that this portion is in addition to the 0.9 acres which are currently actively leased to the Bank. If the application is approved, would the applicant prefer that the two leases be combined into one, 1.3 acre lease?

Thank you,

Mackenzie Kienholz
Water Supply Bank Specialist

IDAHO DEPARTMENT OF WATER RESOURCES

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

WSB Mailing Checklist for Leases

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

Executed 5/10/23

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

Received Date 2/3/2023

Desired Lease Duration 2023 - 2027

Lease / Rental Package (Y) N

If yes, Renter Name: Damo LLC

Application # 2586 Contract # 1689

WR#s	# 37-7926
#	#
#	#
#	#
#	#
#	#
#	#

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	☐

Stacked Water Rights Need to be Leased? ☐

If checked, list water rights: _____

If the WR owner provided a different address on the application than what's in our database, update address in workflow.

Mailings (per lease application)	CC	Original	
Designated Applicant: Kiril Sokoloff	☐	☐	EMAIL:
Attorney: Thomas J Budge - Racine Olson PLLP	☐	☐	EMAIL:
Consultants Name:	☐		Comments: prev contract # 775 ↳ diff # acres
Watermaster:	☐		
Delivery Entity:	☐		
Water District:	☐		
Ground Water District:	☐		
Region:	☐		
Other:	☐	☐	
Address:			

Call up Date: _____

DO NOT SCAN

IDAHO DEPARTMENT
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

July 7, 2023

KIRIL SOKOLOFF
PO BOX 6191
KETCHUM ID 83340

RE: WATER SUPPLY BANK LEASE CONTRACT 1689, FOR WATER RIGHTS 37-7926

Dear Lessor:

Water right(s) **37-7926** 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 me at 287-4936.

Sincerely,

Mary Condon
Water Supply Bank Coordinator

Enclosure: Executed Lease Contract

c: IDWR – Southern Regional Office
Watermaster - Water District No. 37
Thomas J Budge – Racine Olson PLLP

SCANNED
AUG 30 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

KIRIL SOKOLOFF
PO BOX 6191
KETCHUM ID 83340

RE: APPLICATION TO LEASE WATER RIGHT 37-7926 TO THE WATER SUPPLY BANK CONTRACT 1689

******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,

for
Water Supply Bank

Enclosures: Proposed Lease Contracts

C: Thomas J Budge – Racine Olson PLLP – *via email*

SCANNED
AUG 30 2023

MEMORANDUM FOR LEASE APPLICATION #2586

To: Water Right 37-07926

From: Bob Howe

Date: **02/10/2023**

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

---

PURPOSE/NARRATIVE:
The complete application for lease to the water supply bank with applicable fee for a portion of water right (WR) 37-7926 was received on February 3rd, 2023. The application was submitted by Thomas J. Budge (Racine Olson, PLLP) on behalf of Kiril Sokoloff, lessor. The purposed lease would lease 0.02cfs and 2.7 AF into the Water Supply Bank (WSB) by idling 0.9 acres. The application for lease states that the portion being leased is the same as the last 5 years. There is an existing private fee between the lessor and renter, so only administrative fees will be applied to the rental.

AUTHORITY TO FILE:
The lease application was signed by Kiril Sokoloff, naming Thomas J. Budge as representative. IDWR records for WR 37-7926 name Kiril Sokoloff as the current owner. Parcel data for the property appurtenant to WR 37-7926, names Jackson Mountain, LLC as the parcel owner. A business search through the Idaho Secretary of State's office shows that Jackson Mountain, LLC is currently registered for business in Idaho and the 2022 Annual Report lists Kiril Sokoloff is as an authorized member. There are no concerns regarding the authority to file the lease application.

WATER RIGHT VALIDITY:
A 1.3 acre portion of WR 37-7926 was previously leased into the WSB from 2018-2022. The current application purposes a smaller portion of the same areas previously leased for another 5 years. I was able to use to use GIS imagery to confirm that the areas previously leased are developed and were idled for the duration of the 2018-2022 lease. There are no concerns with validity of the water right and portion offered to the bank.

INJURY TO OTHER WATER RIGHTS:
The lease and rental POD well locations are within approximately 500 feet of one another. There are no concerns regarding injury to other water rights as a result of the lease of a portion of WR 37-7926 into the WSB.

ENLARGEMENT OF USE:
The place of use is overlapped by municipal water rights for the City of Ketchum. The idled acres are developed and have been leased into the Water Supply Bank for the last 5 years. There are no enlargement concerns with the lease of 0.9 acres of the developed portion of the water right.

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

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS:
The lease and rental PODs are administered by Water District #37 and is within the Big Wood River Ground Water Management Area (GWMA) and the Galena Ground Water District. Comment requests were emailed to the watermaster and Regional Manager Corey Skinner.

SCANNED
AUG 30 2023

RACINE OLSON
ATTORNEYS

RECEIVED
FEB 03 2023
DEPARTMENT OF
WATER RESOURCES

January 26, 2023

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

Re: Application to Sell or Lease a Water Right to the Water Supply Bank
Application to Rent Water from the Water Supply Bank

To whom it may concern:

Enclosed please find the originals and extra copies of an Application to Sell or Lease a Water Right to the Water Supply Bank and Application to Rent Water from the Water Supply Bank, together with a check in the amount of $250 for the filing fee. Please file and process the originals and conform stamp and return the copies to me in the enclosed stamped and addressed return envelope.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely,

T. J. BUDGE

SCANNED
AUG 30 2023

2586 & 2587

201 E. Center St. | P.O Box 1391 | Pocatello, ID 83204
P: (208) 232-6101 | F: (208) 232-6109 | racineolson.com
Offices in Boise and Pocatello