STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# WATER SUPPLY BANK LEASE CONTRACT No. 1852

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

**LESSOR:** SALMON FALLS LAND & LIVESTOCK CO INC
MICHAEL J HENSLEE
95A BELL RAPIDS RD
HAGERMAN, ID 83332-6039

RECEIVED
OCT 03 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 March 14, 2024.

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) |
|---|---|---|---|---|---|
| 2-7462 | 9/29/1969 | SNAKE RIVER, tributary to COLUMBIA RIVER | 1.25 | Not Stated | 63.0 |
| 2-7249 | 2/7/1977 | SNAKE RIVER, tributary to COLUMBIA RIVER | 1.87 | Not Stated | 101.5 |
| **Combined Lease Totals** | | | **1.87** | **Not Stated** | **152.1** |

**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) |
|---|---|---|---|---|---|
| 2-7462 | 1.25 | 252 | 63.0 | 0.020 | 4.0 |
| 2-7249 | 1.87 | 406 | 101.5 | 0.018 | 4.0 |
| **Combined Limit Totals** | **1.87** | **608** | **152.1** | **0.012** | **4.0** |

**** The water right elements rentable have been reduced from the water right elements leased to account for combined limits.***

SUPPORT DATA
IN FILE # 2-7249

# WATER SUPPLY BANK LEASE CONTRACT No. 1852

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, 2024 to December 31, 2025. 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.

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. 1852

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

**LESSOR:** SALMON FALLS LAND & LIVESTOCK CO INC
MICHAEL J HENSLEE
95A BELL RAPIDS RD
HAGERMAN, ID 83332-6039

By Michael J. Henslee
Title V.P.
Date 9/30/24

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

By _____ Date 10/4/24
Brian Patton, Acting Administrator
Idaho Water Resource Board

Lease approved by IDWR _____ Date 10/4/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# WATER SUPPLY BANK LEASE CONTRACT No. 1852

## 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): 2-7249, 2-7462**

SNAKE RIVER NESE Sec. 7 Twp 08S Rge 14E TWIN FALLS County

| Water Right | Beneficial Use | Season of Use | | | Diversion Rate (CFS) | Volume (AF) |
|---|---|---|---|---|---|---|
| | | From | | To | | |
| 2-7249 | IRRIGATION | 04/01 | to | 10/31 | 1.87 cfs | 406 AF |
| 2-7462 | IRRIGATION | 04/01 | to | 10/31 | 1.25 cfs | 252 AF |
| | | | | Totals: | 1.87 cfs | 608 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 | |
| 08S | 13E | 11 | | | | | | | | | | | 23 | 12 | | | 15 | 11.6 | 61.6 |
| 08S | 13E | 13 | | 15 | | | | 20 | 14 | | | | | | | | | | 49 |
| 08S | 13E | 14 | 9.5 | | | 18 | 14 | | | | | | | | | | | | 41.5 |

Total Acres: 152.1

### 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.

# WATER SUPPLY BANK LEASE CONTRACT No. 1852

8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.

9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.

10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

    a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
    b. New lessor(s) of record will receive payment for any subsequent rental seasons.

11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

12. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

13. The unleased portions of rights 02-7249 and 02-7462 when combined shall not exceed a total diversion rate of 28.02 cfs, a total annual maximum diversion volume of 9119 af at the field headgate, and the irrigation of 2279.9 acres.

14. The unleased portion of right 2-7249 is limited to a total diversion rate of 18.75 cfs and the irrigation of 1522.5 acres within the place of use described above in a single irrigation season.

15. The unleased portion of right 2-7462 is limited to a total diversion rate of 28.02 and the irrigation of 944.2 acres within the place of use described above in a single irrigation season.

16. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

17. Water shall not be diverted under this right unless the flow of the Snake River exceeds flows required by prior downstream minimum stream flow rights.

18. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/10/2010.

19. Use of water under this agreement 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 water right is within State Water District No. 02.

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
MAR 14 2024
DEPT. OF WATER RESOURCES

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

**Designated Applicant** Salmon Falls Land & Livestock Co. INC
(Select one owner – see item 1A on the application)

**Water Right No.** 2-7462
(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 $ 500.00 | Received By: KM | Date Received: 3.14.24 | Receipt # C117950 |
| W-9 received? Yes ☑ No ☐ | (Route W-9 to Fiscal) | Name on W-9: Salmon Fall Land & livestock Co. | |

2960

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 Salmon Falls Land & Livestock Co. Inc

Mailing Address 95A Bell Rapids Rd. Hagerman, ID 83332
Street City State Zip Code

Email Address _____ Phone Number 208-837-6053

☑ 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 Zach Latham Organization Brockway Engineering PLLC

Professional Title Hydrologist Email Address zach.latham@brockwayeng.com

Mailing Address 2016 Washington Ave. N Suite #4 Twin Falls ID 83301 Phone Number 208-736-8543

☐ 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.
Existing pump station and buried mainlines convey water water to place of use.

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. Portions of 2-7249 and 7462 are being offered for lease to the Water Supply Bank.

D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☑ No ☐
***Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of $500.***

E. Will the present place of use continue to receive water from any other source? Yes ☑ No ☐
**If yes**, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased. Un-leased portions of 2-7249 and 2-7462 will continue to be used at present POU.

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. See approved 2023 IDWR lease contract.

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. N/A.

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 ☑
N/A.

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: 2024 (Year) to 2025 (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 |
|---|---|---|
| by Michael J. Henslee V.P. | Michael J. Henslee V.P. | 3/08/2024 |
| | | |
| 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**

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.

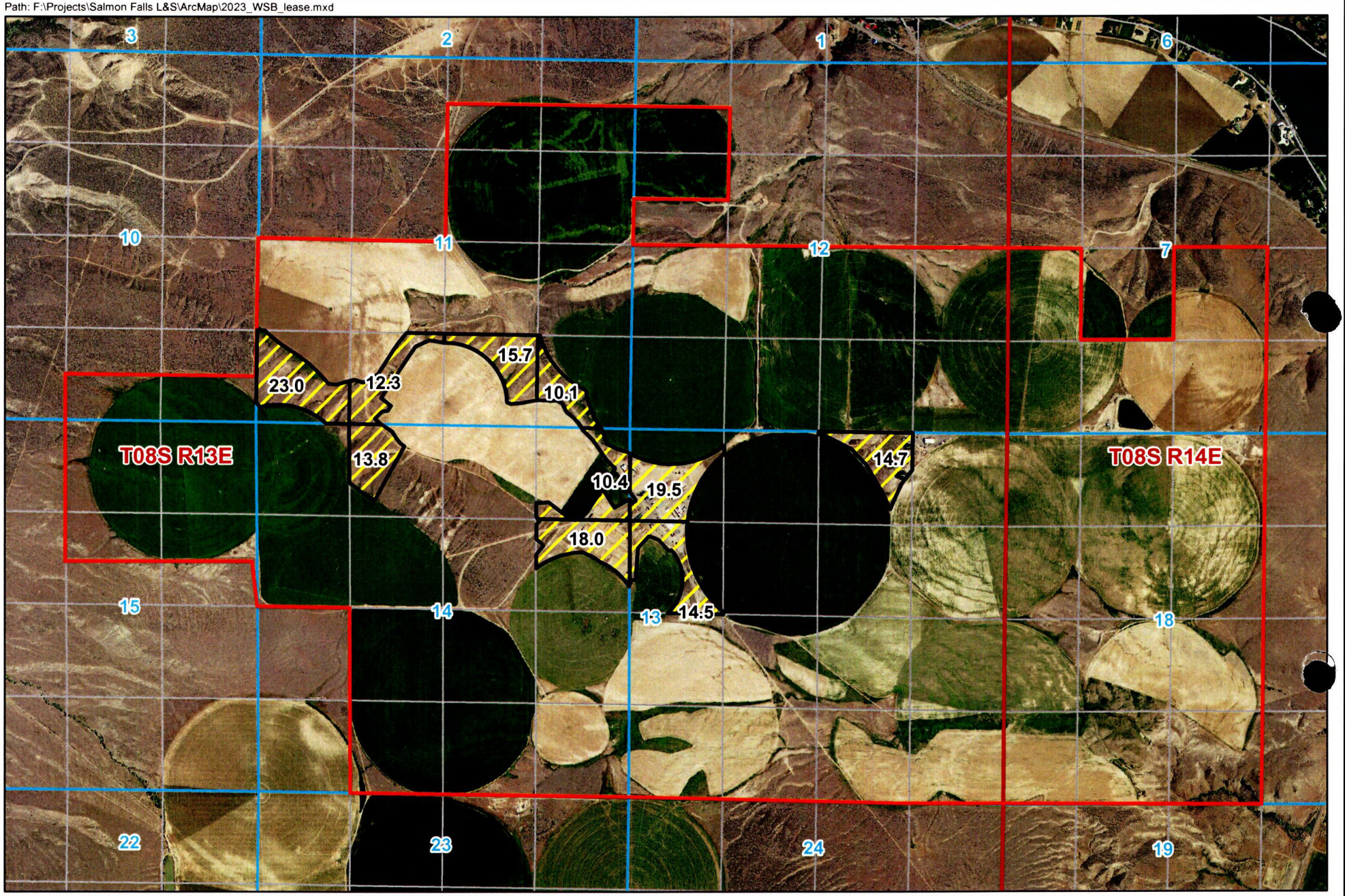
| Water Right Number | Nature of Use | Leased Rate (cfs) | Leased Volume (af) | Leased Acres (ac) |
|---|---|---|---|---|
| 2-7462 | Irrigation | 1.25 | 251.8 | 63.0 |
| | | | | |
| | | | | |
| | | | | |
| | Total Amounts: | 1.25 | 251.8 | 63.0 |

2. Source of water Snake River tributary to Columbia River

3. Point(s) of diversion:

| Twp | Rge | Sec | Lot | ¼ | ¼ | ¼ | County |
|---|---|---|---|---|---|---|---|
| 08S | 14E | 7 | 6 | NE | NE | SE | TWIN FALLS |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

Path: F:\Projects\Salmon Falls L&S\ArcMap\2023_WSB_lease.mxd




0 750 1,500 3,000 Feet

# SALMON FALLS LAND & LIVESTOCK CO INC

WATER SUPPLY BANK LEASE

WSB Lease Areas 2023

Salmon Falls L&L- PPU

N

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 3/11/2024

2021 NAIP AERIAL

0005124423

# STATE OF IDAHO

*Office of the secretary of state, Phil McGrane*

## 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 #: 0005124423

Date Filed: 2/24/2023 11:13:48 AM

Entity Name and Mailing Address:

| | |
|---|---|
| Entity Name: | SALMON FALLS LAND & LIVESTOCK COMPANY |
| The file number of this entity on the records of the Idaho Secretary of State is: | 0000104980 |
| Address | 95A BELL RAPIDS RD<br>HAGERMAN, ID 83332-6039 |

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: | C30678 |

The registered agent on record is:

| | |
|---|---|
| Registered Agent | TIMOTHY J STOVER<br>Registered Agent<br>Physical Address<br>905 SHOSHONE ST N<br>TWIN FALLS, ID 83301<br>Mailing Address<br>83332-6039 |

Corporate Officers and Directors:

| Name | Title | Business Address |
|---|---|---|
| KATHERINE A. HENSLEE | Secretary | 123 BELL RAPIDS RD.<br>HAGERMAN, ID 83332 |
| MICHAEL J. HENSLEE | Vice President | 23 SAYLOR CR. RD.<br>HAGERMAN, ID 83332 |
| MARK W. HENSLEE | Vice President | 3016 SOUTH 1000 E.<br>HAGERMAN, ID 83332 |

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

Job Title: Vice President

*Michael J. Henslee* — Sign Here

*02/24/2023* — Date

B0780-5525 02/24/2023 11:13 AM Received by Office of the Idaho Secretary of State



Page 1 of 1

# United States Department of the Interior
BUREAU OF LAND MANAGEMENT
BUREAU OF LAND MANAGEMENT
Jarbidge Field Office
2878 Addison Ave. East
Twin Falls, Idaho 83301

In Reply Refer To:
2920 IDI-31038
(IDT010) **P**

April 10, 2018

CERTIFEID MAIL: 7013 2250 0001 7619 2523
RETURN RECEIPT REQUESTED

Decision

| | | |
|---|---|---|
| Salmon Falls Land & Livestock | : | |
| Attn: Mike Henslee | : | Land Use Permit Issued |
| 123 Bell Rapids Rd. | : | IDI-31038 |
| Hagerman, ID 83332 | : | |

Land Use Permit Approved
Rental Determined
Monitoring Fee Determined

The Bureau of Land Management (BLM), Jarbidge Field Office has completed a review of an application from Salmon Falls Land & Livestock for the renewal of a land use permit (LUP), referenced as IDI-31038. This LUP authorizes the operation, maintenance and removal of two circular wet pivot crossings on public lands in Twin Falls County, Idaho. The LUP occupies 19.9 acres, more or less, located on a portion of public lands legally described as:

Boise Meridian, T. 08 S., R. 14 E., sec. 07, NE¼SW¼.

Based on a review of the LUP proposal and the categorical exclusion documentation (CX), it has been determined that the proposed action would not result in unnecessary or undue environmental degradation and is in conformance with the applicable land use plans. Furthermore, the proposed action is categorically excluded from the National Environmental Policy Act (NEPA) under 516 DM 11.9 E. (9). Accordingly, it has been determined that CX documentation is appropriate because there are no extraordinary circumstances having effects that may significantly affect the environment.

In addition to, this permit shall be automatically renewable upon payment of the annual rental unless the BLM Authorized Officer notified the permittee within 60 days of the expiration date of the permit that the permit shall not be renewed (43 CFR 2920(i)).

Rent for use of public lands must be paid in advance of such use and prior to issuance of the LUP. The Office of Appraisal Services determined a minimum rental rate of $250 annually. The rental payment has been received, so no additional rent is due at this time.

According to Federal regulations contained in 43 CFR 2920.6 and 43 CFR 2805.16, LUP and right-of-way holders must pay a fee to reimburse the BLM for the costs incurred in monitoring the operation, maintenance and termination of the project authorized through the permit or grant. These fees are categorized according to the number of work hours necessary to monitor the permit, and are not refundable. A monitoring fee was estimated at the time your permit was offered to you as a Category 1, which requires a fee of **$125.00**. Since you accepted the permit without any changes, it has been determined that the Category 1 monitoring fee is appropriate and due at this time.

Therefore, it is the decision of the authorized officer to grant Salmon Falls Land & Livestock a LUP for two wet pivot crossings across public lands pursuant to Title III of the Federal Land Policy and Management Act of October 21, 1976, as amended, 43 USC 1732 for a term of 3 years. Enclosed is a copy of the executed LUP, serial number IDI-31038.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, the notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except at otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1) The relative harm to the parties if the stay is granted or denied,
2) The likelihood of the appellant's success on the merits,
3) The likelihood of immediate and irreparable harm if the stay is not granted, and
4) Whether the public interest favors granting the stay.

If you have any questions please contact Lisa Claxton, Realty Specialist at (208) 736-2360 or by email lclaxton@blm.gov.

Jeffrey W. Ross
for Elliot Traher
Field Manager

3- Enclosures:
1- Form 1842-1 (2 pp)
2- IDI-31038 LUP
3- Monitoring Fee Courtesy Statement

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# WATER SUPPLY BANK LEASE CONTRACT No. 1710

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

**LESSOR:** SALMON FALLS LAND & LIVESTOCK CO INC
MICHAEL J HENSLEE
95A BELL RAPIDS RD
HAGERMAN, ID 83332-6039

RECEIVED
JUN 26 2023
DEPARTMENT OF
WATER RESOURCES

## RECITALS

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

2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on March 31, 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) |
|---|---|---|---|---|---|
| 2-7462 | 9/29/1969 | SNAKE RIVER, tributary to COLUMBIA RIVER | 1.25 | Not Stated | 63.0 |
| 2-7249 | 2/7/1977 | SNAKE RIVER, tributary to COLUMBIA RIVER | 1.87 | Not Stated | 101.5 |
| **Combined Lease Totals** | | | **1.87** | **Not Stated** | **152.1** |

**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) |
|---|---|---|---|---|---|
| 2-7462 | 1.25 | 252 | 63.0 | 0.020 | 4.0 |
| 2-7249 | 1.87 | 406 | 101.5 | 0.018 | 4.0 |
| **Combined Limit Totals** | **1.87** | **608** | **152.1** | **0.012** | **4.0** |

**** The water right elements rentable have been reduced from the water right elements leased to account for combined limits.***

SCANNED
AUG 04 2023

SUPPORT DATA
IN FILE # 2-7249

# WATER SUPPLY BANK LEASE CONTRACT No. 1710

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, 2023. 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.

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

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

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

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AUG 04 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# WATER SUPPLY BANK LEASE CONTRACT No. 1710

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

**LESSOR:** SALMON FALLS LAND & LIVESTOCK CO INC
MICHAEL J HENSLEE
95A BELL RAPIDS RD
HAGERMAN, ID 83332-6039

By Michael J. Henslee V.P.
Title Vice President
Date 06/18/2023

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

By _____ Date 6/27/23
Brian Patton, Acting Administrator
Idaho Water Resource Board

Lease approved by IDWR _____ Date 6/27/23

SCANNED
AUG 14 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# WATER SUPPLY BANK LEASE CONTRACT No. 1710

## 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): 2-7249, 2-7462**

SNAKE RIVER NESE Sec. 7 Twp 08S Rge 14E TWIN FALLS County

| Water Right | Beneficial Use | Season of Use | | | Diversion Rate (CFS) | Volume (AF) |
|---|---|---|---|---|---|---|
| | | From | | To | | |
| 2-7249 | IRRIGATION | 4/01 | to | 10/31 | 1.87 cfs | 406 AF |
| 2-7462 | IRRIGATION | 4/01 | to | 10/31 | 1.25 cfs | 252 AF |
| | | | | **Totals:** | 1.87 cfs | 608 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 | |
| 08S | 13E | 11 | | | | | | | | | | | 23 | 12 | | | 15 | 11.6 | 61.6 |
| 08S | 13E | 13 | | 15 | | | | 20 | 14 | | | | | | | | | | 49.0 |
| 08S | 13E | 14 | 9.5 | | | 18 | 14 | | | | | | | | | | | | 41.5 |

Total Acres: 152.1

### 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.

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AUG 4 2023

# WATER SUPPLY BANK LEASE CONTRACT No. 1710

8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
    a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
    b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
13. The unleased portions of rights 02-7249 and 02-7462 when combined shall not exceed a total diversion rate of 28.02 cfs, a total annual maximum diversion volume of 9119 af at the field headgate, and the irrigation of 2279.9 acres.
14. The unleased portion of right 2-7249 is limited to a total diversion rate of 18.75 cfs and the irrigation of 1522.5 acres within the place of use described above in a single irrigation season.
15. The unleased portion of right 2-7462 is limited to a total diversion rate of 28.02 and the irrigation of 944.2 acres within the place of use described above in a single irrigation season.
16. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
17. Water shall not be diverted under this right unless the flow of the Snake River exceeds flows required by prior downstream minimum stream flow rights.
18. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/10/2010.
19. 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. 02.

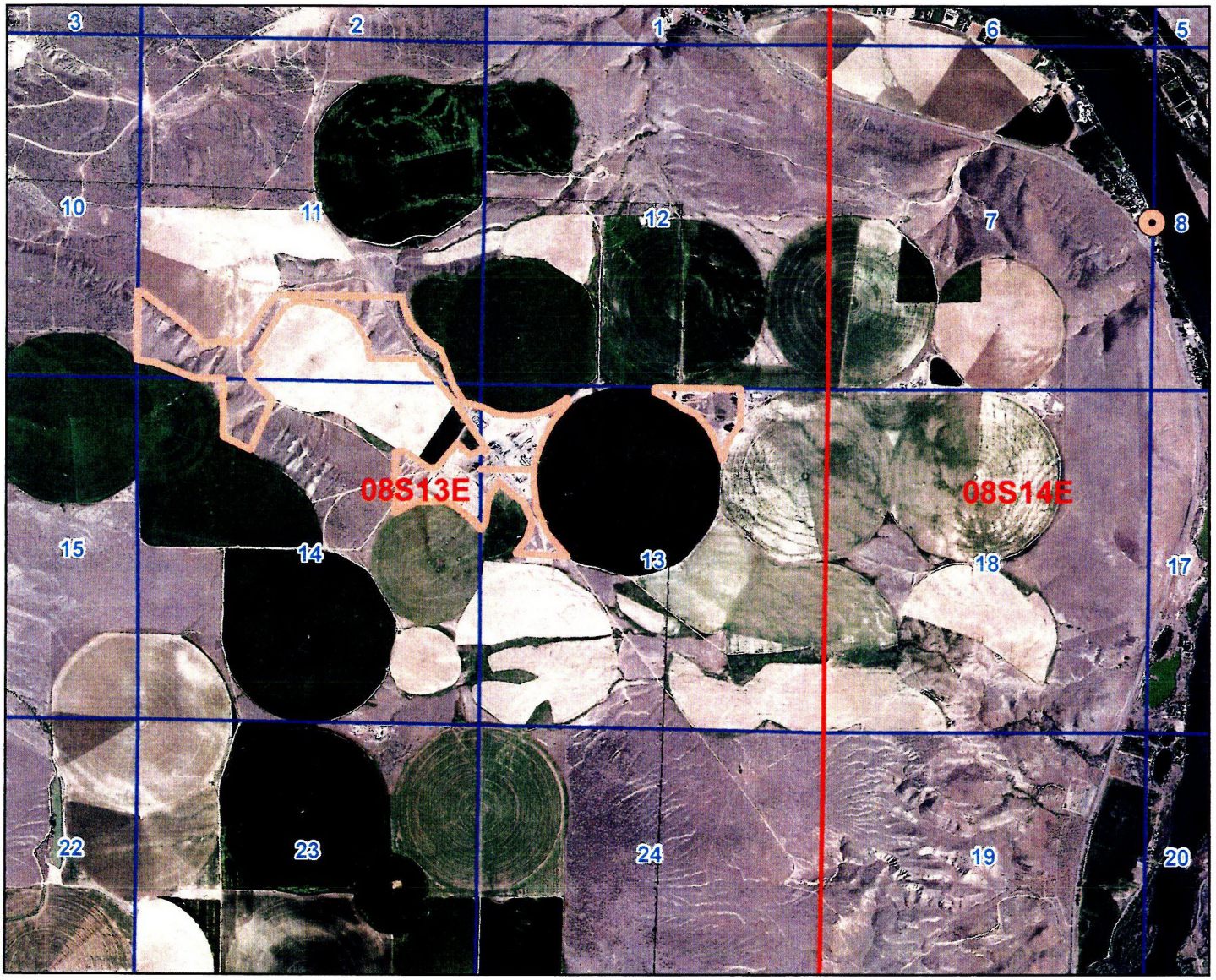
SCANNED
AUG - 4 2023

# Idaho Water Resource Board

# Water Supply Bank Lease Contract No. 1710

2-7249 & 2-7462
Effective until December 31, 2023

This map depicts the **IRRIGATION 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

N

0 1,500 3,000 4,500 Feet

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AUG 14 2023

Form 42-1761-1 10/15

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MAR 31 2023
DEPARTMENT OF
WATER RESOURCES

**STATE OF IDAHO**
**WATER RESOURCE BOARD**

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

**Designated Applicant** Salmon Falls Land & Livestock Co. INC
(Select one owner – see item 1A on the application)

**Water Right No.** 2-7462
(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: KM | Date Received: 3.31.23 | Receipt # C115745 |
| W-9 received? Yes ☐ No ☑ (Route W-9 to Fiscal) | | Name on W-9: | |

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AUG 14 2023

2638

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 Salmon Falls Land & Livestock Co. Inc

Mailing Address 95A Bell Rapids Rd. Hagerman, ID 83332
Street City State Zip Code

Email Address _____ Phone Number 208-837-6053

☑ 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 Zach Latham Organization Brockway Engineering PLLC

Professional Title Hydrologist Email Address zach.latham@brockwayeng.com

Mailing Address 2016 Washington Ave. N Suite #4 Twin Falls ID 83301 Phone Number 208-736-8543

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

**OR**

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

## 2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

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

**OR**

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

## 3. MAP

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

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AUG 4 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.
Existing pump station and buried mainlines convey water water to place of use.

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. Portions of 2-7249 and 7462 are being offered for lease to the Water Supply Bank.

D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☑ No ☐
***Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of $500.***

E. Will the present place of use continue to receive water from any other source? Yes ☑ No ☐
**If yes**, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased. Un-leased portions of 2-7249 and 2-7462 will continue to be used at present POU.

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. See approved IDWR lease contract no's. 1539 (2022).

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. N/A.

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 ☑
N/A.

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AUG 14 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 2023 (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 |
|---|---|---|
| Salmon Falls Land & Livestock Co. | Salmon Falls Land & Livestock Co. | 3/28/2023 |
| by Michael J. Henslee V.P. | Michael J. Henslee V.P. | 3/28/2023 |
| ~~Signature of Authorized Representative~~ | ~~Printed Name~~ | Date |

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

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AUG 04 2023

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). 2-7249 and 2-7462

| | **Designated Applicant** | Applicant #2 | Applicant #3 |
|---|---|---|---|
| Name | Salmon Falls Land & Livestock Co. Inc | | |
| Mailing Address | 95A Bell Rapids Rd, Hagerman ID 83332 | | |
| Phone Number | 208-837-6053 | | |
| 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** | | | |

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AUG - 4 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) |
|---|---|---|---|---|
| 2-7462 | Irrigation | 1.25 | 251.8 | 63.0 |
| | | | | |
| | | | | |
| | | | | |
| | Total Amounts: | 1.25 | 251.8 | 63.0 |

2. Source of water Snake River tributary to Columbia River

3. Point(s) of diversion:

| Twp | Rge | Sec | Lot | ¼ | ¼ | ¼ | County |
|---|---|---|---|---|---|---|---|
| 08S | 14E | 7 | 6 | NE | NE | SE | TWIN FALLS |
| | | | | | | | |
| | | | | | | | |
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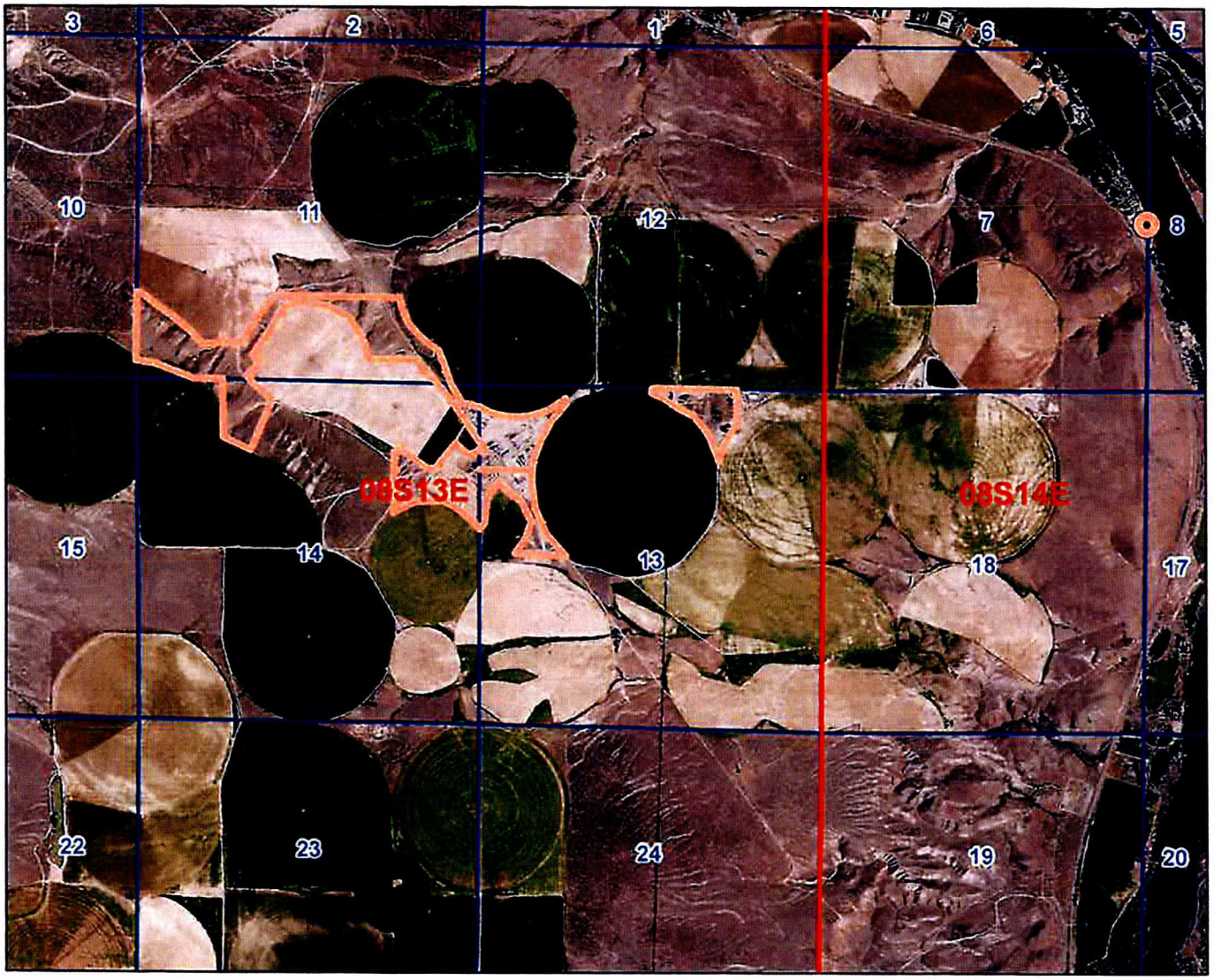
SCANNED
AUG - 4 2023

**Idaho Water Resource Board**

# Water Supply Bank Lease Contract No. 1539

2-7249 & 2-7462
Effective until December 31, 2022

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




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

N

0 1,500 3,000 4,500 Feet

SCANNED
AUG 14 2023