STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1821

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

LESSOR: MP1 LLC
PO BOX 990
KETCHUM, ID 83340-0990

RECEIVED
MAR 18 2024
DEPT. OF WATER RESOURCES

RECITALS

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

2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on December 13, 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)
34-662	6/1/1913	EAST FORK BIG LOST RIVER, tributary to BIG LOST RIVER	2.86	Not Stated	93.0
Lease Totals			**2.86**	**Not Stated**	**93.0**

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)
34-662	2.86	326	93.0	0.031	3.5
Lease Totals	**2.86**	**326**	**93.0**	**0.031**	**3.5**

**** The volumes stated in this table are based on the field headgate standard of 3.5 AFA.***

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, 2028. This Lease shall bind the parties and take effect when both parties have signed it.

WATER SUPPLY BANK LEASE CONTRACT No. 1821

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. 1821

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

LESSOR: MP1 LLC
PO BOX 990
KETCHUM, ID 83340-0990

By Kakuie A. Iawia
Title Manager
Date 3/14/24

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

By _____ Date 3/25/24
Brian Patton, Acting Administrator
Idaho Water Resource Board

Lease approved by IDWR _____ Date 3/25/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1821

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): 34-662

EAST FORK BIG LOST RIVER	SWSWNW	Sec. 34	Twp 07N	Rge 21E	CUSTER County
EAST FORK BIG LOST RIVER	NESWNE	Sec. 33	Twp 07N	Rge 21E	CUSTER County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
34-662	IRRIGATION	5/01	to	10/15	2.86 cfs	326 AF
				Totals:	2.86 cfs	326 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	
07N	21E	32	8.0			5.0													13.0
07N	21E	33		1.0	16.0	2.0	8.0	16.0	15.0	22.0									80.0

Total Acres: 93.0

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.

WATER SUPPLY BANK LEASE CONTRACT No. 1821

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. Property also known as Homestead Entry No. 505.
13. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the director of the Idaho Department of Water Resources.
14. Use of water under this right 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.34.

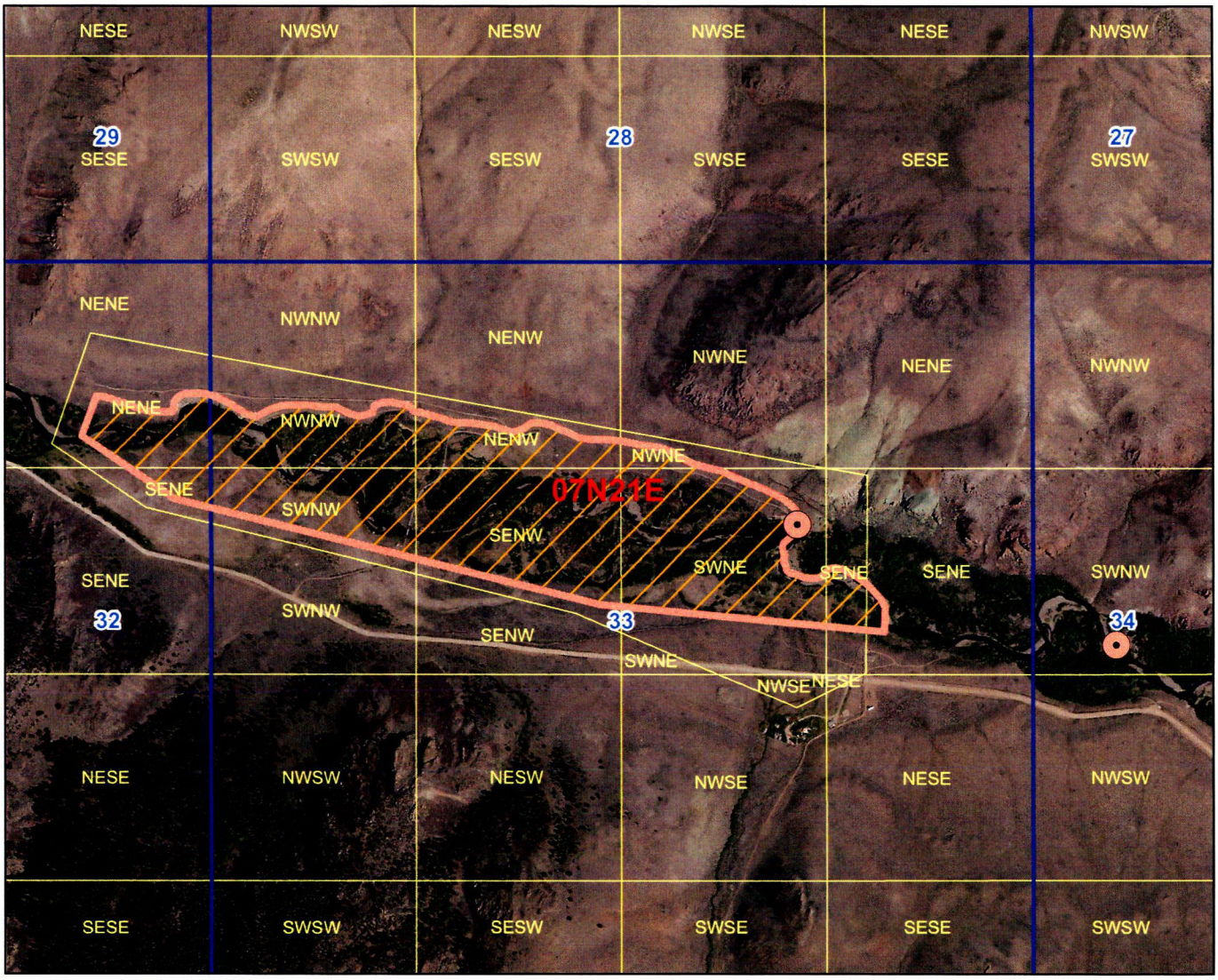
Idaho Water Resource Board

Water Supply Bank Lease Contract No. 1821

34-662

Effective until December 31, 2028

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 1,300 2,600 Feet

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
DEC 13 2023
DEPARTMENT OF WATER RESOURCES

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

Designated Applicant MP1, LLC
(Select one owner – see item 1A on the application)

Water Right No. 34-662
(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:	ICM	Date Received:	12.13.23	Receipt #	C117510
W-9 received?	Yes ☑ No ☐	(Route W-9 to Fiscal)		Name on W-9:	MP1 LLC		

2852

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 MP1 LLC by Kathie Levison, its manager

Mailing Address PO Box 990 (Street) Ketchum (City) ID (State) 83340 (Zip Code)

Email Address klevison@gmail.com Phone Number 208 725-5134

☑ 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 Karl Nichols Organization Sun Valley Law PLLC

Professional Title Attorney Email Address karl@sunvalleylaw.net

Mailing Address PO Box 6200 Ketchum, ID 83340 Phone Number 208 720-7360

☑ 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.
Headgate to flood irrigation ditches.

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. Records are not available. This right was leased to the bank from 2019 to 2023.

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: 2024 (Year) to 2029 (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	Kathie A Levison Printed Name	11/16/23 Date
Signature of Authorized Representative	Karl Nichols Printed Name	12/6/23 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). 34-662

	Designated Applicant	Applicant #2	Applicant #3
Name	MP1 LLC		
Mailing Address	PO Box 990 Ketchum, ID 83340		
Phone Number	208 725-5134		
Email Address	klevison42@gmail.com		
Applicant Declaration	As Designated Applicant, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature	Kathleen A. Trevison		

	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			

0005268960

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 #: 0005268960
Date Filed: 6/6/2023 9:13:08 AM

Entity Name and Mailing Address:

Entity Name:	MP1 LLC
The file number of this entity on the records of the Idaho Secretary of State is:	0004267270
Address	ELIZABETH G MULLINS PO BOX 990 KETCHUM, ID 83340-0990

Entity Details:

Entity Status	Active-Existing
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:	

The registered agent on record is:

Registered Agent	Elizabeth G Mullins Registered Agent Physical Address 242 TIMBERLINE ROAD HAILEY, ID 83333 Mailing Address PO BOX 990 ELIZABETH G MULLINS KETCHUM, ID 83340-0990

Limited Liability Company Managers and Members

Name	TItle	Business Address
Debra G Hastings	Member	40 CARROLL ST. FALMOUTH, ME 04105
Elizabeth G Mullins	Member	PO BOX 990 KETCHUM, ID 83340
Warren C Gifford III	Member	12 COUNTRY LANE NORTHFIELD, IL 60093
Kathie A Levison	Manager	PO BOX 6462 KETCHUM, ID 83340

The annual report must be signed by an authorized signer of the entity.
Job Title: Manager

Kathie A Levison — Sign Here
06/06/2023 — Date

B080?-5542 06/06/2023 9:13 AM Received by Office of the Idaho Secretary of State

Page 1 of 1

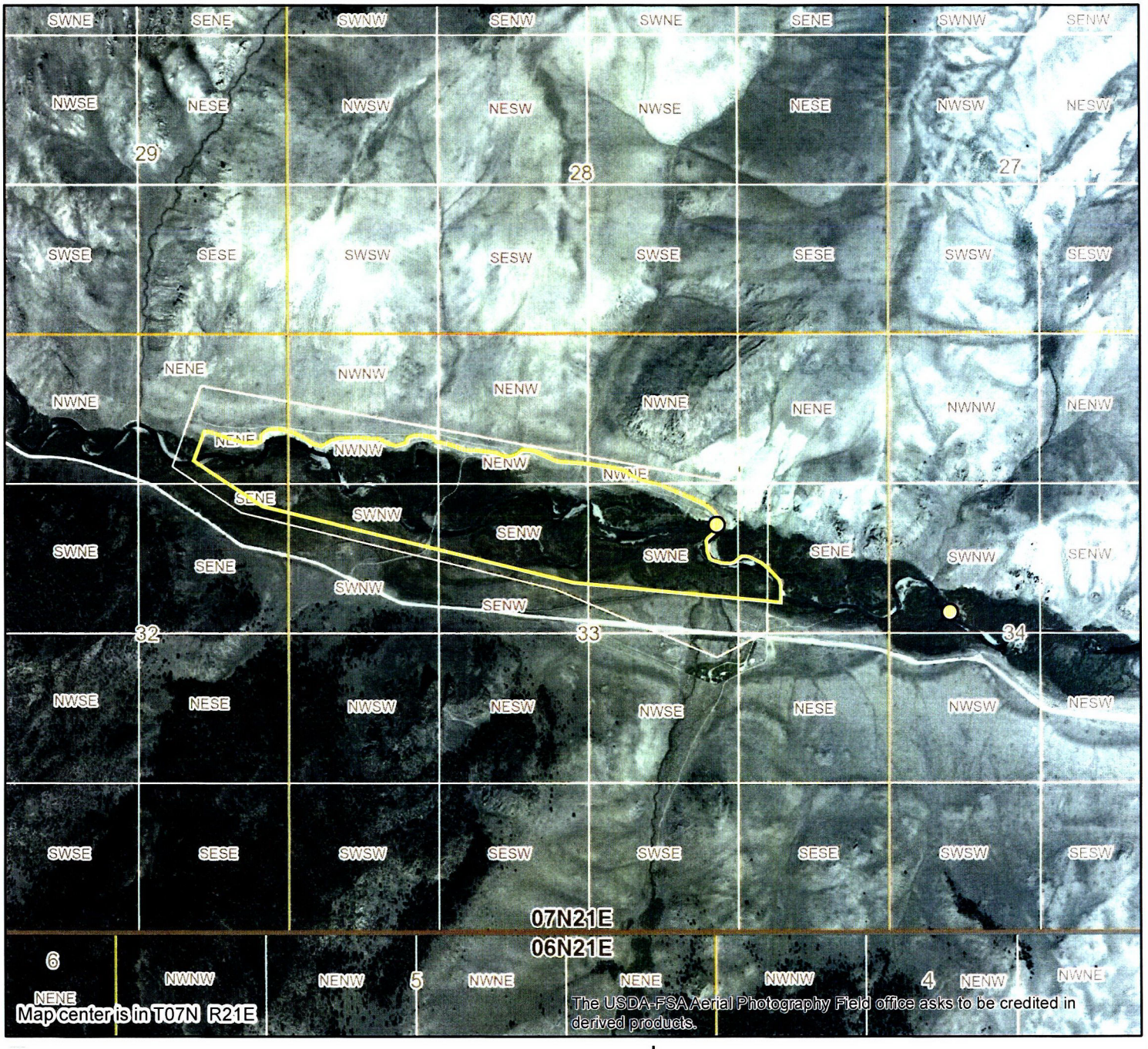
State of Idaho
Department of Water Resources

Water Right

34-662

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



0 0.075 0.15 0.3 0.45 0.6
Miles

Legend
- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

N

Date created: 6/7/2023

Form 42-248/42-1409(6) Rev. 7/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 29 2023
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions. DE

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-662	Yes ☐	Yes ■		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Elizabeth G. Mullins, Warren C. Gifford, III, and Debra G. Hastings
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): MP1 LLC, an Idaho Limited Liability Company
   New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

   PO Box 990 (Mailing address) | Ketchum (City) | ID (State) | 83340 (Zip)

   208 720-7360 / 208 725-5790 (Telephone) | klevison42@gmail.com (Email)

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ■ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: May 5, 2022 (via the enclosed quitclaim deeds).

6. Do you own the land identified as the water right place of use? Yes ■ No ☐
   - o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ■ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ■ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ■ Filing fee (see instructions for further explanation):
     - o $25 per *undivided* water right.
     - o $100 per *split* water right.
     - o No fee is required for pending adjudication claims.
   - ■ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ■ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Kathie A. Levison (Signature of new owner/claimant) | Manager (Title, if applicable) | (Date)
   Kathie A. Levison (Print name)

   Signature: (Signature of new owner/claimant) | (Title, if applicable) | Date

   (Print name)

SCANNED
OCT 06 2023

For IDWR Office Use Only:

Receipted by KH Date 8-29-23 Receipt No. C116971 Receipt Amt. $ 25.00

Active in the Water Supply Bank? Yes ☑ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☑ No ☐

Name on W-9 MP1 LLC Approved by _____ Processed by _____ Date 10-6-23

After recording return to:
MP1 LLC
c/o Elizabeth G. Mullins
PO Box 990
Ketchum, ID 83340

Parcel No.: RPHO07N21E7400 A

262462
#
Custer County Req. of
MP1 LLC
Time 1:40 PM Date 5/3/2022
Lura H. Baker, Clerk
$ 15.00
Deputy

QUIT CLAIM DEED

BE IT KNOWN BY ALL, that Warren C. Gifford, III, a married man, **whose address is** 12 Country Lane, Northfield, Illinois 60093 grants to MP1 LLC *("Grantee")*, an Idaho Limited Liability Company, **whose tax mailing address is** PO Box 990 Ketchum, Idaho 83340, all his right, title, interest and claim in the following real estate property located at 6252 North Copper Basin Road in the City/Township of Mackay, located in the County of Custer and State of Idaho and ZIP code of 83251, to-wit:

> His sole and separate interest in an undivided one-third (1/3) in the following:
> H.E. Survey No. 505 embracing a portion of approximately Sections Thirty-two (32) and Thirty-three (33) in Township 7 North (T 7 N) Range Twenty-one (21) East Boise Meridian lying East of the Copper Basin Road consisting of (129) acres more or less with water rights in the Big Lost River of approximately one Hundred and Thirty (130) inches and all other ditch and ditch rights, water and water rights appurtenant to the described property subject to easements granted to the electric service company, serving the home situated upon the described real property.

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the above described property unto the said Grantee, Grantee's heirs, administrators, executors, successors and/or assigns forever; so that neither Grantor nor Grantor's heirs, administrators, executors, successors and/or assigns shall have, claim or demand any right or title to the aforesaid property, premises or appurtenances or any party thereof.

Warren C. Gifford, III

STATE OF IDAHO)
COUNTY OF CUSTER)SS
I hereby certify that the foregoing is a full, true and correct copy of the original on file in this office.
Date 5-25-22
Tara McAffee
Deputy Clerk

AUDITOR AND RECORDER
CUSTER COUNTY
IDAHO

SCANNED
OCT 06 2023

2627462

Signed in our presence:

Shelley Shelly
(Witness #1 Signature)

Shelley Shelly
(FIRST WITNESS NAME PRINTED)

Katherine Robinson
(Witness #2 Signature)

Katherine Robinson
(SECOND WITNESS NAME PRINTED)

STATE OF Il

COUNTY OF Cook

The foregoing Quit Claim Deed was acknowledged before me on 4/13/2022 by Warren C. Gifford, III, who is personally known to me or who produced a valid driver's license and/or passport as identification, and such individual(s) having executed aforementioned instrument of his/her/their free and voluntary act and deed.

IN WITNESS THEREOF, to this Quit Claim Deed, I set my hand and seal.

Signed, sealed and delivered in the presence of:

(Signature of Notary)

Deanne Beth Cooper
(Printed Notary Name)

My Commission expires: 7/19/2025

This instrument was prepared by Kathie A. Levison, PO Box 6462, Ketchum, Idaho 83340

OFFICIAL SEAL
DEANNE BETH COOPER
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES: 7/19/2025

SCANNED
OCT 06 2023

After recording return to:
MP1 LLC
c/o Elizabeth G. Mullins
PO Box 990
Ketchum, ID 83340

Parcel No.: RPHO07N21E7400 A

262460
Custer County Req. of
MP1 LLC
Time 1:40 PM Date 5/3/2022
Lura H. Baker, Clerk
Deputy $15.00

QUIT CLAIM DEED

BE IT KNOWN BY ALL, that Debra G. Hastings, (who acquired title as Debra A. Gifford), a married woman, **whose address is** 40 Carroll St., Falmouth, Maine 04105 grants to MP1 LLC *("Grantee")*, an Idaho Limited Liability Company, **whose tax mailing address is** PO Box 990 Ketchum, Idaho 83340, all right, title, interest and claim in the following real estate property located at 6252 North Copper Basin Road in the City/Township of Mackay, located in the County of Custer and State of Idaho and ZIP code of 83251, to-wit:

> Her sole and separate interest in an undivided one-third (1/3) in the following:
> H.E. Survey No. 505 embracing a portion of approximately Sections Thirty-two (32) and Thirty-three (33) in Township 7 North (T 7 N) Range Twenty-one (21) East Boise Meridian lying East of the Copper Basin Road consisting of (129) acres more or less with water rights in the Big Lost River of approximately one Hundred and Thirty (130) inches and all other ditch and ditch rights, water and water rights appurtenant to the described property subject to easements granted to the electric service company, serving the home situated upon the described real property.

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the above described property unto the said Grantee, Grantee's heirs, administrators, executors, successors and/or assigns forever; so that neither Grantor nor Grantor's heirs, administrators, executors, successors and/or assigns shall have, claim or demand any right or title to the aforesaid property, premises or appurtenances or any party thereof.

Debra G. Hastings, f/k/a Debra A. Gifford, a married woman

STATE OF IDAHO)
COUNTY OF CUSTER)SS
I hereby certify that the foregoing is a full, true and correct copy of the original on file in this office.
Date 5-25-22
Deputy Clerk

Signed in our presence:

(Witness #1 Signature) (Witness #2 Signature)

Peter G. Hastings III (FIRST WITNESS NAME PRINTED)

Christopher Craig (SECOND WITNESS NAME PRINTED)

AUDITOR AND RECORDER
CUSTER COUNTY
IDAHO

STATE OF Maine

COUNTY OF Cumberland

The foregoing Quit Claim Deed was acknowledged before me on November 17, 2021 by Debra G. Hastings, who is personally known to me or who produced a valid driver's license and/or

SCANNED
OCT 06 2023

passport as identification, and such individual(s) having executed aforementioned instrument of his/her/their free and voluntary act and deed.

IN WITNESS THEREOF, to this Quit Claim Deed, I set my hand and seal.

262460

Signed, sealed and delivered in the presence of:

(Signature of Notary)

(Printed Notary Name) Susannah R. Moore

My Commission expires: 10/2027

This instrument was prepared by Kathie A. Levison, PO Box 6462, Ketchum, Idaho 83340

Note: The Original Copy of the Quit Claim Deed must be filed with the "Recorder of Deeds" with the Clerk of Courts having jurisdiction where this property is located and only upon payment of any associated recording fees due at time of filing with the Clerk of Courts.

SCANNED
OCT 06 2023

After recording return to:
MP1 LLC
c/o Elizabeth G. Mullins
PO Box 990
Ketchum, ID 83340

Parcel No.: RPHO07N21E7400 A

262458
Custer County Req. of
MP1 LLC
Time 1:40 PM Date 5/3 2022
Lura H. Baker, Clerk
Deputy 15.00

QUIT CLAIM DEED

BE IT KNOWN BY ALL, that Elizabeth G. Mullins, (who acquired title as Elizabeth J. Gifford), a married woman, *("Grantor")* **whose mailing address is** PO Box 990 Ketchum, Idaho 83340 grants to MP1 LLC *("Grantee")*, an Idaho Limited Liability Company, **whose tax mailing address is** PO Box 990 Ketchum, Idaho 83340, all right, title, interest and claim in the following real estate property located at 6252 North Copper Basin Road in the City/Township of Mackay, located in the County of Custer and State of Idaho and ZIP code of 83251, to-wit:

> Her sole and separate interest in an undivided one-third (1/3) in the following:
> H.E. Survey No. 505 embracing a portion of approximately Sections Thirty-two (32) and Thirty-three (33) in Township 7 North (T 7 N) Range Twenty-one (21) East Boise Meridian lying East of the Copper Basin Road consisting of (129) acres more or less with water rights in the Big Lost River of approximately one Hundred and Thirty (130) inches and all other ditch and ditch rights, water and water rights appurtenant to the described property subject to easements granted to the electric service company, serving the home situated upon the described real property.

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the above described property unto the said Grantee, Grantee's heirs, administrators, executors, successors and/or assigns forever; so that neither Grantor nor Grantor's heirs, administrators, executors, successors and/or assigns shall have, claim or demand any right or title to the aforesaid property, premises or appurtenances or any party thereof.

Elizabeth G. Mullins, a married woman (f/k/a Elizabeth J. Mullins)

STATE OF IDAHO)
COUNTY OF CUSTER)SS
I hereby certify that the foregoing is a full, true and correct copy of the original on file in this office.
Date 5-25-22
Deputy Clerk

AUDITOR AND RECORDER
CUSTER COUNTY
IDAHO

SCANNED
JUL 06 2023

262458

Signed in our presence:

(Witness #1 Signature)

(Witness #2 Signature)

DEHLAH CARAIN
(FIRST WITNESS NAME PRINTED)

Megan Tamous
(SECOND WITNESS NAME PRINTED)

STATE OF Idaho

COUNTY OF Blaine

The foregoing Quit Claim Deed was acknowledged before me on March 18, 2022 by Elizabeth G. Mullins, who is personally known to me or who produced a valid driver's license and/or passport as identification, and such individual(s) having executed aforementioned instrument of his/her/their free and voluntary act and deed.

IN WITNESS THEREOF, to this Quit Claim Deed, I set my hand and seal.

Signed, sealed and delivered in the presence of:

Kristen Bohachef
(Signature of Notary)

Kristen Bohachef
(Printed Notary Name)

KRISTEN BOHACHEF NOTARY PUBLIC Comm. No. 20200652 STATE OF IDAHO

My Commission expires: 03/05/2026

This instrument was prepared by Kathie A. Levison, PO Box 6462, Ketchum, Idaho 83340

SCANNED
OCT 06 2023

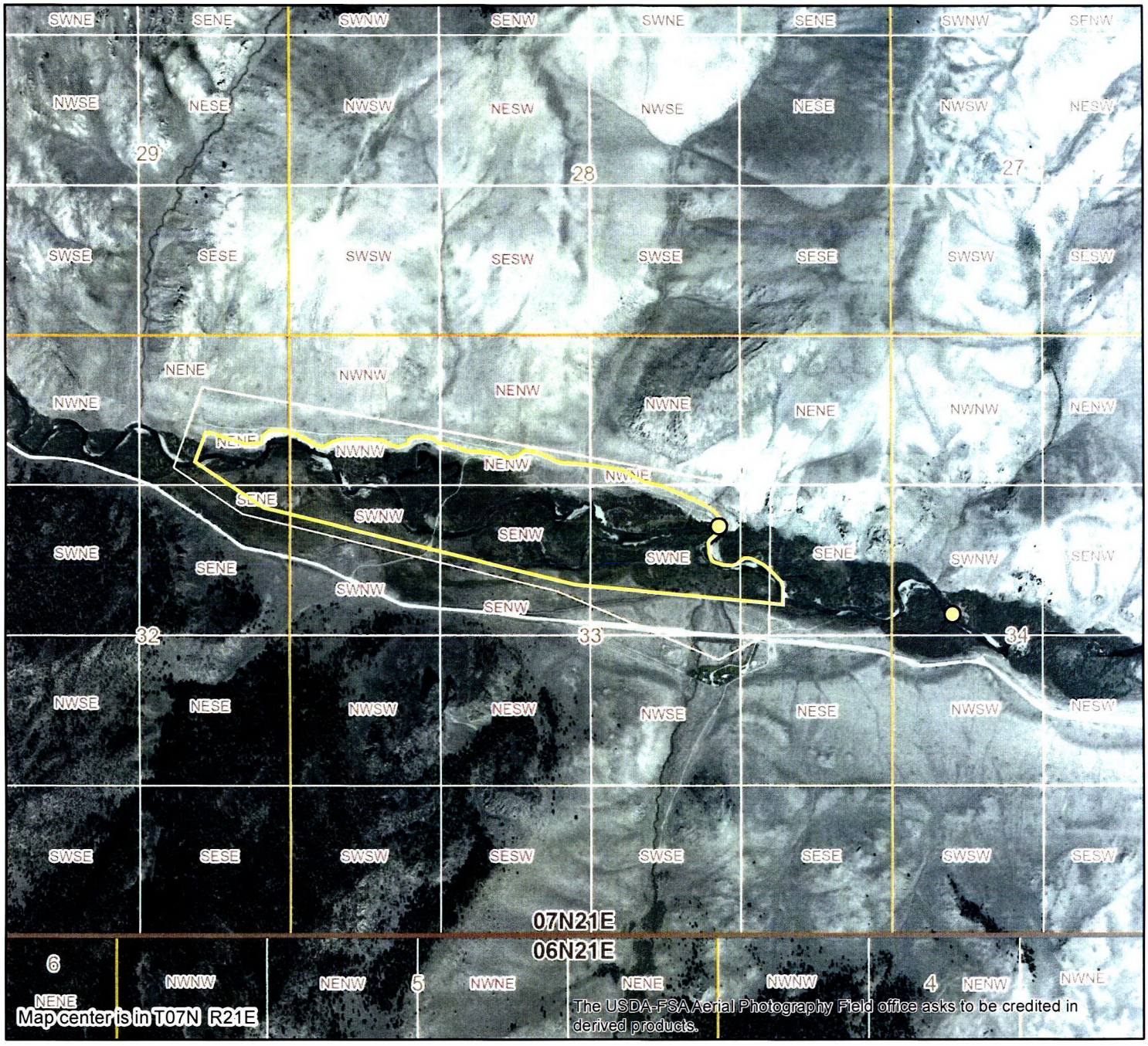
State of Idaho
Department of Water Resources

Water Right

34-662

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



0 0.075 0.15 0.3 0.45 0.6
Miles

Legend
- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

N

SCANNED
OCT 16 2023

Date created: 6/7/2023

0005268960

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 #: 0005268960
Date Filed: 6/6/2023 9:13:08 AM

Entity Name and Mailing Address:

Entity Name:	MP1 LLC
The file number of this entity on the records of the Idaho Secretary of State is:	0004267270
Address	ELIZABETH G MULLINS PO BOX 990 KETCHUM, ID 83340-0990

Entity Details:

Entity Status	Active-Existing
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:	

The registered agent on record is:

Registered Agent	Elizabeth G Mullins Registered Agent Physical Address 242 TIMBERLINE ROAD HAILEY, ID 83333 Mailing Address PO BOX 990 ELIZABETH G MULLINS KETCHUM, ID 83340-0990

Limited Liability Company Managers and Members

Name	TItle	Business Address
Debra G Hastings	Member	40 CARROLL ST. FALMOUTH, ME 04105
Elizabeth G Mullins	Member	PO BOX 990 KETCHUM, ID 83340
Warren C Gifford III	Member	12 COUNTRY LANE NORTHFIELD, IL 60093
Kathie A Levison	Manager	PO BOX 6462 KETCHUM, ID 83340

The annual report must be signed by an authorized signer of the entity.
Job Title: Manager

Kathie A Levison — Sign Here
06/06/2023 — Date

B0807-5542 06/06/2023 9:13 AM Received by Office of the Idaho Secretary of State

SCANNED
OCT 06 2023

Page 1 of 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

LESSOR DESIGNATION FORM

When multiple individuals or business entities jointly own property to which a water right is appurtenant, the parties can use this form to nominate a designated lessor to represent their common interests on a Water Supply Bank lease contract. The signatures of all water right holders are required on this form to elect a designated lessor. The designated lessor is required to provide a completed IRS Form W-9 to receive any payment associated with the rental of a water right under a Water Supply Bank lease contract. **All correspondence and any financial payment associated with the rental of this water right will be directed to the designated lessor.** If additional space is needed to list any other water right holders, attach a second copy of this Lessor Designation Form.

Water Right No(s). 34-662

	Designated Lessor	Water Right Co-owner	Water Right Co-owner
Name	Elizabeth G. Mullins	Warren C. Gifford, III	Debra G. Hastings
Mailing Address	c/o Kathie A Levison PO Box 6462 Ketchum, ID 83340	717 Locust St. Winnetka, IL 60093	40 Carroll St. Falmouth, ME 04105
Phone Number	208 725-5790	847 736-8436	207 415-0192
Email Address	klevison42@gmail.com	colby.gifford@goldbergkohn.com	dgiffhas@me.com
Water Right Owner Declaration	As designated lessor, I will represent the interest of all other water right owners on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature	Elizabeth G. Mullins	W. C. Gifford III	Debra G Hastings

	Water Right Co-owner	Water Right Co-owner	Water Right Co-owner
Name			
Mailing Address			
Phone Number			
Email Address			
Water Right Owner Declaration	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.	I authorize the designated lessor to represent me on the lease of a water right to the Water Supply Bank.
Signature			

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OCT 06 2023

WSB Mailing Checklist for Leases

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

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

Received Date 12/13/2023

Desired Lease Duration 2024-2028

Lease / Rental Package Y (N)

If yes, Renter Name: _____

Application # 2852 Contract # ~~1827~~

WR#s	# 34-6602
#	#
#	#
#	#
#	#
#	#
#	#

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: MP1 LLC	☐	☐	EMAIL:
Attorney: Karl Nichols - Sun Valley Law PLLC	☐	☐	EMAIL:
~~Consultants~~ Name: —	☐		Comments:
Watermaster: Preston Marcroft / Taylor Hanson	☒		→ waterdist34@atcnet.net
Delivery Entity:	☐		
Water District: WD-34 Big Lost River	☒		
Ground Water District: WD-34 - Big Lost River	☒		blrgwd@atcnet.net
Region: EASTERN - JAMES CoFab	☒		
Other:	☐	☐	
Address:			

signed lease PA 3/25/24

CP

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

March 25, 2024

MP1 LLC
PO BOX 990
KETCHUM, ID 83340-0990

RE: WATER SUPPLY BANK LEASE CONTRACT 1821
FOR WATER RIGHT 34-662

Dear Lessor:

Water right **34-662 is** leased into the Water Supply Bank (Bank) as of January 2024 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, 2028,** 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,
Signature

Enclosure: Executed Lease Contract

c: IDWR- Eastern Region Office
Water District No. 34

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

March 5, 2024

MP1 LLC, CO Karl Nichols-Sun Valley Law PLLC
PO BOX 6200
KETCHUM, ID 83340

RE: APPLICATION TO LEASE WATER RIGHT 34-662 TO THE WATER SUPPLY BANK CONTRACT 1821

******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, 2028,** 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,

Bob Howe

for
Water Supply Bank

Enclosures: Proposed Lease Contracts

C: Eastern Regional Manager- James Cefalo
WD 34- Watermaster-Preston Marcroft, Assistant-Taylor Hanson

Howe, Bob

From: Howe, Bob
Sent: Monday, March 4, 2024 12:16 PM
To: karl@sunvalleylaw.net; klevison@gmail.com
Cc: Bank
Subject: Water Supply Bank-Lease Contract 1821-MP1 LLC-Mailed for Signature
Attachments: Lease 1821 Cover Letter-Proposed Contract-14 Days.pdf; Lease Contract-1821.pdf; Lease 1821 Map.pdf

Good Afternoon Kathie Levison & Karl Nichols,

Water Supply Bank Lease Contract 1821 for right 34-662 have been submitted for mailing to the representative's address on the lease application for signature and return. I have attached the mailed documents for your records. Feel free to reach out with any questions or concerns. Thank you and have a great day.

Bob Howe

IDAHO DEPARTMENT OF
WATER RESOURCES
Bob Howe | Water Resource Agent
322 E Front St, PO Box 83720, Boise, ID 83720
(208) 287-4800 | www.idwr.idaho.gov

Howe, Bob

From:	Howe, Bob
Sent:	Monday, March 4, 2024 12:07 PM
To:	blrgwd@atcnet.net; waterdist34@atcnet.net; Cefalo, James
Cc:	Bank
Subject:	Comment Requested-Lease Contract 1821-MP1-LLC-Mailed for Signature
Attachments:	Lease Contract-1821.pdf; Lease 1821 Map.pdf; Lease Application 2852 Review Checklist .pdf

Dear Interested Agencies:

The Department of Water Resources is seeking comment from your agency, regarding the Water Supply Bank (WSB) Lease Contract 1821, for MP1 LLC. The lease is for the same right and portion as the previous lease (Contract 946-ending 12/31/2023), for a new term from 2024-2028. A copy of the proposed lease contract, the lease review, and map are attached for your reference.

Please submit your comments within 14 days, no later than March 18, 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 pertaining to the execution of the lease.

Comments are preferred to be received by e-mail to bob.howe@idwr.idaho.gov. However, comments by regular mail and/or FAX to 208-287-6700 are acceptable.

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

Bob Howe

IDAHO DEPARTMENT OF
WATER RESOURCES
Bob Howe | Water Resource Agent
322 E Front St, PO Box 83720, Boise, ID 83720
(208) 287-4800 | www.idwr.idaho.gov

WATER SUPPLY BANK

Lease Review Checklist

Applicant(s) Name: MP1 LLC- Kathie Levison, Manager

Memo Date: February 15, 2024

Water Right Number(s): 34-662

Reviewers Name: Bob Howe

Quick Tools

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

		Check box		COMMENTS/CONCERNS:
1	**Fill out WSB Data Entry Checklist for Leases (Front of File)**	x		
2	**Reason for lease of water rights (Brief description of lease proposal in narrative)**			
	Portion of right			
	All of right	x		
3	Check GWMA/CGWA/ADC and basin 63 areas of concern (note area in comments)			
		Yes	**No**	
4	Rentable? (If no explain in comments or narrative)	x		
5	**Authority to file**			
	Current owner or designated applicant	x		Received 2023 Annual Report & rep
	SOS Web site checked for business entity	x		Authorization with application
	Other (explain in comments)			
6	**Water Right validity**			
	Decreed/Licensed/Statutory claim date (write in comments section)			2001
	Past irrigation to ensure forfeiture is not an issue if decreed or licensed over 7 years ago (consider transfers that changed the POU, rentals to the POU etc.)			
	Has this right previously been leased to the bank or in CREP?	x		2012-2016, 2019-2023
7	**Injury to other water rights**			
	If the POD is through a delivery entity, was consent provided?		na	
	If the POD is through a delivery entity, was holdback required? (percentage in comments)			%
	Any other concerns		x	
8	**Enlargement concerns**	**Check box**		
	Complete a POU comparison overlap analysis	x		
	Complete a combined limits review	x		
	Complete POD overlap analysis (if there is an overlap add condition to lease)	x		
		Yes	**No**	
	Are there overlapping rights that need to be placed in the bank also?		x	
	Will the place of use continue to receive water? (if yes explain in comments)		x	
9	**Local Public Interest**			
	Does the processor know of any problems this action will cause for the local public?		x	
10	**Have you contacted regional office and watermaster for comment/concerns?**	x		
	Send the watermaster comment request form or e-mail request	x		
11	Area Headgate requirement (write in Comments)			3.5
12	**Is water right involved in any other department action? Pull file and check database** ( ) Ownership Change ( ) Transfer ( ) Mitigation ( ) Other - Explain in comments		x	Ownership Change in 2023

Narrative: The Department received the application to lease full right 34-662 into the Water Supply Bank on December 13, 2023. The application was signed by Kathie Levison, manager of MP1,LLC, and submitted by representative Karl Nichols (Sun Valley Law PLLC). MP1. LLC, the current right owners (ownership changed in IDWR records2023) wish to lease the full right for a 5-year term from 2024-2028. This right was decreed in 2001 and was leased into the WSB 2012-2016 and 2019-2023. Aerial Imagery and Landsat indicate irrigation took place in 2017 & 2018. However, the proximity of the river make subirrigation a possible contributor. There are no overlapping irrigation rights. Domestic groundwater right 34-10249 and USFS Instream Stockwater right 34-11438 have overlapping POUs. However, given the different beneficial uses and/or source there are no concerns of the rights being negatively impacted by proposed lease.This right is administered by WD 34-WatermasterPreston Marcroft & Assist.Taylor Hanson. The watermaster and Eastern Regional Manager were solicited for

13 comment via email at the time of mailing for signature.

Sun Valley Law PLLC
111 N. Main St. 2nd Fl. Ste. B • PO Box 6200
Ketchum, Idaho 83340
(208) 726-5962 • (208) 913-0500 (f)
karl@sunvalleylaw.net

RECEIVED
DEC 13 2023
DEPARTMENT OF
WATER RESOURCES

December 8, 2023

Idaho Department of Water Resources
322 E. Front St.
Boise, ID 83702

Re: Water Right 34-662

To Whom it May Concern,

Enclosed, please find an Application to Sell or Lease a Water Right to the Water Supply Bank ("Application") from MP1 LLC ("MP1") for Water Right 34-662 ("Right").

Please note the following, by question:

1. Question 1A. The owner of the Right is MP1 and therefore the Designated Applicant. Kathie Levison is the Manager of MP1 and has authority to bind MP1.

2. Question 1D. MP1 has retained me to represent it in this matter. As such, please consider this letter as documentary proof that I have been authorized for such representation. My contact information is above.

3. Question 4G. The Right was in the water bank from 2019-2023 and therefore, under Idaho Code Section 42-223(5), is not subject to Idaho Code Section 42-222(2) forfeiture.

Sincerely,

Karl Nichols

Encl.: The Annual Report of MP1, as filed with the office of the Idaho Secretary of State on June 6, 2023.
An IRS Form W-9 for MP1.
A map showing where the beneficial use of water will be suspended.

2852

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 06, 2023

MP1 LLC
PO BOX 990
KETCHUM ID 83340-0990

Re: Change in Ownership for Water Right No(s): 34-662

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right(s) **34-662** was leased to the Water Supply Bank (bank) in **2019**. In accordance with the bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while it is in the bank, even if the right(s) is not rented from the bank. The right(s) will remain in the bank **December 31, 2023** unless released earlier by the Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release and notify the right holder of the release date.

Also note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: KARL NICHOLS

SCANNED
OCT 06 2023

SUN VALLEY LAW PLLC
111 N. MAIN ST. 2ND FL. STE. B • PO BOX 6200
KETCHUM, IDAHO 83340
(208) 726-5962 • (208) 913-0500 (F)
KARL@SUNVALLEYLAW.NET

RECEIVED
AUG 29 2023
DEPARTMENT OF
WATER RESOURCES

August 24, 2023

Idaho Department of Water Resources
322 E. Front St.
Boise, ID 83702

Re: Water Right 34-662

To Whom it May Concern,

Enclosed, please find a Notice of Change in Water Right Ownership application for water right 34-662 (the "Right") along with the following supporting documentation:

1. Copies of the quitclaim deeds transferring property and water rights, including the Right, from Elizabeth G. Mullins, Warren C. Gifford, and Debra G. Hastings to MP1 LLC;
2. The aerial photograph showing the place of use and point of diversion for the Right;
3. The Lessor Designation Form;
4. A W-9 for MP1 LLC;
5. The annual report for MP1 LLC; and
6. A check for the $25 application fee.

Please contact me directly at 208 720-7360 or by email at karl@sunvalleylaw.net if you have any questions. Thank you.

Sincerely,

Karl Nichols

SCANNED
OCT 06 2023