

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 30 2025

DEPT. OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1950

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

LESSOR: MARJEAN BULCHER
2381 BOWLIN LN
TWIN FALLS, ID 83301

LESSOR: MARK C BULCHER
2381 BOWLIN LN
TWIN FALLS, ID 83301

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 09, 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)
37-22822	9/1/1885	GREENHORN CREEK, tributary to BIG WOOD RIVER	0.32	Not Stated	5.6
37-2644E	11/16/1989	GROUND WATER	0.07	12.3	3.5
Lease Totals			0.39	12.3	13.5

Summary of Water Rights Elements Rentable From the Bank

Water Right	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (Limited) (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
37-22822	0.32	19.6	5.6	0.06	3.5
37-2644E	0.07	12.3	3.5	0.02	3.5
Combined Limit Totals	0.11	19.6	5.6	0.02	3.5

** The water right elements rentable have been reduced from the water right elements leased to account for combined limits and the inclusion of a diversion volume.*

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.

SUPPORT DATA**IN FILE #****37-2644E**

WATER SUPPLY BANK LEASE CONTRACT No. 1950

Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** The term of this lease shall be January 1, 2025 to December 31, 2029. 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. 1950

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

LESSOR: MARJEAN BULCHER
2381 BOWLIN LN
TWIN FALLS, ID 83301

By Marjean Bulcher
Title Lessor
Date April 27, 2025

LESSOR: MARK C BULCHER
2381 BOWLIN LN
TWIN FALLS, ID 83301

By Mark C Bulcher
Title Lessor / owner
Date April 27, 2025

IDAHO WATER RESOURCE BOARD

322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By Brian Patton
Brian Patton, Executive Manager
Idaho Water Resource Board

Date 5/1/25

Lease approved by IDWR Phumma

Date 5/1/25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1950

**ATTACHMENT A
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE**

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 37-2644E

GROUND WATER NWSENW Sec. 18 Twp 03N Rge 18E BLAINE County

Source and Location of Point(s) of Diversion for Water Right No(s): 37-22822

GREENHORN CREEK NESWNW Sec. 18 Twp 03N Rge 18E BLAINE County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
37-2644E	IRRIGATION	04/01	to	11/01	0.07 cfs	12.2 AF
37-22822	IRRIGATION	04/01	to	11/01	0.32 cfs	19.6 AF
Totals:					0.11 cfs	19.6 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	
03N	18E	18					5.6												5.6

Total Acres: 5.6

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1950

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. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
14. The unleased portions of rights listed below are limited to the irrigation of a combined total of 2.2 acres in a single irrigation season. Combined Right Nos.: 37-153C, 37-2644C, 37-2644D, 37-2644E, 37-22822, 37-22826 and 37-22827.
15. 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. 37.
16. Place of use is located within Lot 3, Greenhorn Bench Subdivision.

Idaho Water Resource Board
Water Supply Bank Lease Contract No. 1863

37-2644E, 37-22822
Effective until December 31, 2029

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 POD 37-2644E

Approved Lease POD 37-22822

Approved Lease POU

Township/Range

Sections

QQ

0 0.0425 0.085 0.17 Miles



09/2024

RECEIVED

DEC 09 2024

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
WATER RESOURCE BOARD

Print Form

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

Applicant / Designated Lessor

Mark C. or Margaret Bulcher

Water Right No.

37-2644E

(Select one owner – see item 1A on the application)

(One water right per application)

Is this application being submitted with a rental application as a lease/rental package? Yes ☐ No ☒

If yes, include renter and rental fee payment information as attachment 5B.

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.

MINIMUM REQUIREMENT CHECKLIST

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

Yes

Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*, printed **single sided**, per requirement of 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.

N/A

Yes

Attachments



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 Applicant / Designated Lessor.

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 Applicant on this application. If the 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.



5B

Rental rate and owner payment agreement between lessor and renter for lease/rental packages.

Department Use Only

Fee Amount \$ 250.00Received By: BMDate Received: 12-9-24Receipt # C119567W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)Name on W-9: MARK C. BULCHER

3132

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. The applicant or designated lessor must be listed as a current owner of the water right offered for sale or lease to the Water Supply Bank. If there are multiple current owners, choose one owner as the Designated Lessor. Complete and attach the Designated Lessor - Attachment 1A of this application package with the signatures of all current owners.

Applicant / Designated Lessor Mark C. or Marjean Bulcher
Mailing Address 2381 Bowlin Lane Twin Falls Id. 83301
Street City State Zip Code
Email Address mark.bulcher@gmail.com Phone Number 208.308.9518

☒ The Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Lessor is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Lessor / Applicant submitted an [IRS Form W-9](#) to this Department within 6 months? 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 Water Right Holder? Yes ☐ No ☒
If yes, representatives (includes employees of Water Right Holder companies) must complete this section and submit documentary proof of their authority to represent the Water Right Holder (Attachment 1D).

Name of Representative _____ Organization _____

Professional Title _____ Email Address _____

Mailing Address _____ Phone Number _____

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

OR

☐ Send original correspondence to the Designated Lessor / 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 and none will still be used.

OR

☐ A portion of the water right is being offered to the Bank and a portion will still be used.

If a portion of the water right is being offered, complete Attachment 2.

3. MAP

Attach a map The map must locate the point of diversion from the source of water and the location of the lands to be idled or the place where the water will no longer be used. The map must also show townships, ranges, sections, and government lots. For irrigation purposes, mark the number of acres for lease per 40-acre tract (1/4-1/4). 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. Identify the owner of the water delivery system or well Mark C. or Marjean Bulcher
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](#) (Label Attachment 4A)
- B. Please provide a description of the current water diversion and delivery system, including source, pump, pipeline or diversion.
Well on property with .07 cfs irrigation right.
- C. Describe any other water sources, including municipal, irrigation company shares, or water rights with combined limits to the water right offered to the bank, which are used for the same purpose at the same place of use as the water right being offered to the Bank. N/A
- 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, and usually have combined limits in the conditions of the water rights. 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, including those listed in 4C? 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. 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 (Label Attachment 4G). See [Section 42-223, Idaho Code](#) for exceptions to forfeiture, including lease into the Bank. Your application may be denied if forfeiture concerns are not addressed.
- G. Identify annual volumes and/or rates of water diverted (used) in the last 5 years to accomplish the beneficial use authorized by this water right.
- 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 CONTRACT

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

If lease, specify the first calendar year when the use of water will be suspended: 2030

All lease contracts are for a calendar year from January 1st to December 31st (year)

*Mark Desired Lease Duration (Calendar Years)					
☐ 1	☐ 2	☐ 3	☐ 4	☒ 5	Other Term Length (# of years): <i>*Prior IWRB approval required</i>

B. Show the minimum payment acceptable to the seller/lessor. If lease, the minimum payment may be shown as the "current rental rate" as established by the IWRB, or a negotiated rental rate with submittal of an agreement between the lessor and the renter. *The owner payment is 90% of the rental fee. The administrative fee retained by the IWRB is 10% of either the current rental rate or the negotiated rental fee, whichever is higher. Include the method of determining the minimum payment if submitted as a companion lease rental package, and whether the owner payment will be paid directly to the lessor from the renter or if owner payment should be collected by the Department from the renter for payment to the lessor. (Label attachment 5B).*

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 Lessor / Applicant acknowledges the following:

1. Payment to the Designated Lessor / 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 Lessor / 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.

Marjean Bulcher
Mark C Bulcher
Signature of Designated Lessor or Applicant

MARJEAN Bulcher
MARK Bulcher
Printed Name

12-06-2024
Date

Signature of Co-Applicant

Printed Name

Date

Signature of Authorized Representative

Printed Name

Date

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

Print Form

09/2024

RECEIVED

STATE OF IDAHO
WATER RESOURCE BOARD

Print Form

DEC 09 2024

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Applicant / Designated Lessor

Mark C or Marjean Bulcher
(Select one owner – see item 1A on the application)

Water Right No.

37-22822
(One water right per application)Is this application being submitted with a rental application as a lease/rental package? Yes ☐ No ☒

If yes, include renter and rental fee payment information as attachment 5B.

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.

MINIMUM REQUIREMENT CHECKLIST

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

Yes

Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*, printed **single sided**, per requirement of 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.

N/A

Yes

Attachments



1A

Signatures and contact information for **all owners** of the water right to be leased or sold on this application.

1B

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1C

Notice of Change in Water Right Ownership form (accessible from www.idwr.idaho.gov).

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Contact information for an authorized representative and documentary proof they are authorized to represent the Applicant on this application. If the Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.



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Evidence demonstrating the water right has not been forfeited pursuant to [Section 42-222\(2\), Idaho Code](#).



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Department Use Only

Fee Amount \$ 250.00Received By: BMDate Received: 12-9-24Receipt # C19567W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)Name on W-9: MARK C. BULCHER

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WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
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☒ The Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Lessor is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Lessor / Applicant submitted an [IRS Form W-9](#) to this Department within 6 months? 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 Water Right Holder? Yes ☐ No ☒
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STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

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- B. Please provide a description of the current water diversion and delivery system, including source, pump, pipeline or diversion.
Greenhorn Creek
- C. Describe any other water sources, including municipal, irrigation company shares, or water rights with combined limits to the water right offered to the bank, which are used for the same purpose at the same place of use as the water right being offered to the Bank. N/A
- 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, and usually have combined limits in the conditions of the water rights. 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, including those listed in 4C? 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. 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 (Label Attachment 4G). See [Section 42-223, Idaho Code](#) for exceptions to forfeiture, including lease into the Bank. Your application may be denied if forfeiture concerns are not addressed.
- G. Identify annual volumes and/or rates of water diverted (used) in the last 5 years to accomplish the beneficial use authorized by this water right.
- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan? ☐ ☒
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STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE CONTRACT

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

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- B. Show the minimum payment acceptable to the seller/lessor. If lease, the minimum payment may be shown as the "current rental rate" as established by the IWRB, or a negotiated rental rate with submittal of an agreement between the lessor and the renter. *The owner payment is 90% of the rental fee. The administrative fee retained by the IWRB is 10% of either the current rental rate or the negotiated rental fee, whichever is higher. Include the method of determining the minimum payment if submitted as a companion lease rental package, and whether the owner payment will be paid directly to the lessor from the renter or if owner payment should be collected by the Department from the renter for payment to the lessor. (Label attachment 5B).*

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 Lessor / Applicant acknowledges the following:

1. Payment to the Designated Lessor / 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 Lessor / 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.

Mar Jean Bulcher
Mark C Bulcher
Signature of Designated Lessor or Applicant

MARJEAN Bulcher
MARK C Bulcher
Printed Name

12-06-24
12-06-2024
Date

Signature of Co-Applicant

Printed Name

Date

Signature of Authorized Representative

Printed Name

Date

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

Print Form



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

May 12, 2025

MARJEAN BULCHER
MARK C BULCHER
2381 BOWLIN LN
TWIN FALLS, ID 83301

**RE: WATER SUPPLY BANK LEASE CONTRACT 1950
FOR WATER RIGHTS 37-22822 & 37-2644E**

Dear Lessor:

Water rights **37-22822 & 37-2644E** are leased into the Water Supply Bank (Bank) as of January **2025** 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, 2029**, 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,

Debra Mansfield

Technical Records Specialist I

Enclosure: Executed Lease Contract, Receipt No. C119567

c: IDWR Southern Region Office
Water District No. 37
Galena Groundwater District

Mansfield, Debra

From: Mansfield, Debra
Sent: Friday, May 9, 2025 4:37 PM
To: Skinner, Corey; watermanager; galenagwd@gmail.com
Cc: Bank
Subject: Executed WSB Lease Contract 1950
Attachments: Executed WSB Lease Contract 1950 Bulcher 2025-2029.pdf

Hello,

Please see the attached copy of executed WSB Lease Contract 1950, in the names of Marjean Bulcher and Mark C Bulcher, for your records.

Thank you,

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



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Mathew Weaver

April 21, 2025

MARJEAN AND MARK BULCHER
2381 BOWLIN LN
TWIN FALLS, ID 83301

**RE: APPLICATION TO LEASE WATER RIGHTS 37-2644E AND 37-22822 TO THE WATER SUPPLY
BANK CONTRACT 1950**

******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, 2029**, 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,

Aaron Olson

for
Water Supply Bank

Enclosures: Proposed Lease Contracts

Mansfield, Debra

From: Olson, Aaron
Sent: Wednesday, February 26, 2025 4:30 PM
To: wooddriverorganics@gmail.com
Cc: galenagwd@gmail.com
Subject: Water Supply Bank Lease Application 3132 Mark & Marjean Bulcher
Attachments: Lease App 3132 Review Memo.docx; App 3132 Contract 1950 Lease Map.pdf

Good Afternoon Judd,

Please find attached a Water Supply Bank Lease (application #3132) for comment review. Attached is a review memo and map of the place of use, if you have any comments please respond within 7 days. If no response is received, it will be assumed there are no issues/comments/concerns regarding this Lease. Please let me know if there if you have any questions.

Thanks,

Aaron

Aaron Olson - Water Resource Agent, Principal
Idaho Dept. of Water Resources
322 E Front St Ste 648
Boise, ID 83702-7371
(208) 287-4907
Aaron.Olson@idwr.idaho.gov

Mansfield, Debra

From: Olson, Aaron
Sent: Wednesday, February 26, 2025 4:30 PM
To: watermanager
Subject: Water Supply Bank Lease Application 3132 Mark & Marjean Bulcher
Attachments: Lease App 3132 Review Memo.docx; App 3132 Contract 1950 Lease Map.pdf

Good Afternoon Sunny,

Please find attached a Water Supply Bank Lease (application #3132) for comment review. Attached is a review memo and map of the place of use, if you have any comments please respond within 7 days. If no response is received, it will be assumed there are no issues/comments/concerns regarding this Lease. Please let me know if there if you have any questions.

Thanks,

Aaron

Aaron Olson - Water Resource Agent, Principal
Idaho Dept. of Water Resources
322 E Front St Ste 648
Boise, ID 83702-7371
(208) 287-4907
Aaron.Olson@idwr.idaho.gov

Mansfield, Debra

From: Olson, Aaron
Sent: Wednesday, February 26, 2025 4:26 PM
To: Skinner, Corey
Attachments: Lease App 3132 Review Memo.docx; App 3132 Contract 1950 Lease Map.pdf

Good Afternoon Corey,

Please find attached a Water Supply Bank Lease (application #3132) for comment review. Attached is a review memo and map of the place of use, if you have any comments please respond within 7 days. If no response is received, it will be assumed there are no issues/comments/concerns regarding this Lease. Please let me know if there if you have any questions.

Thanks,

Aaron

Aaron Olson - Water Resource Agent, Principal
Idaho Dept. of Water Resources
322 E Front St Ste 648
Boise, ID 83702-7371
(208) 287-4907
Aaron.Olson@idwr.idaho.gov

MEMORANDUM FOR APPLICATION #3132 / CONTRACT #1950

To: Water Right 37-2644E, 37-22822

From: Aaron Olson

Date: 2/25/2024

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

PURPOSE/NARRATIVE:

An application to lease water rights 37-2644E and 37-22822 was received December 9, 2024. The application proposes a 5-year lease term for the full water rights beginning in 2025 and ending in 2029. The water rights have previously been leased to the bank under contracts no. 282 and then 1138 since 2015. The two rights share a place of use for irrigation while right 37-2644E is sourced from ground water and 37-2822 from Greenhorn Creek. The two rights share a combined limit of 13.5 acres of irrigation with water rights 37-153C, 37-2644C, 37-2644D, 37-22826 and 37-22827 which are on adjacent parcels.

The water rights are within the Snake River Basin Moratorium Area, Big Wood River Moratorium Area, Big Wood River Ground Water Management Area, and the Galena Ground Water District.

AUTHORITY TO FILE:

IDWR records show the applicants Mark C and Marjean Bulcher as the current owners of the water rights. The application was signed by both applicants. Blaine County parcel data shows the land at the place of use is owned by the applicant.

WATER RIGHT VALIDITY:

Water rights 37-2644E and 37-22822 were both decreed September 24, 2010, and the rights have been leased to the Water Supply Bank continuously since 2015. There are no concerns with validity of the water right and portion offered to the bank.

ENLARGEMENT OF USE:

No additional irrigation water rights overlap the place of use of the stacked rights. The point of diversion from Greenhorn Creek is shared with several rights that are included in a combined limit condition, all rights that use this point of diversion have measuring device and lockable controlling works conditions for Water District 37. The 13.5 acre combined limit is the sum of acres for the surface water rights. Right 37-22822 has an acre total of 5.6 acres, to prevent enlargement the lease contract will be limited to a rentable amount of 5.6 acres for irrigation so that the combined use limit will not be exceeded. The rights are also limited to a diversion rate of 0.02 cfs and a volume of 3.5 acre-feet per acre, so the rentable amounts will be 0.11 cfs and 19.6 afa. All of the rights included in the 13.5 acre combined limit except for 37-22827 are currently leased to the bank. To prevent enlargement a condition will be added to the contract stating that the unleased portion of the group of rights will be limited to a combined total 2.2 acres of irrigation which has been added in previous lease contracts.

LOCAL PUBLIC INTEREST:

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

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:

The lease appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:

The water right is within the Southern region and Water District 37. Requests for comment were sent to the Southern Regional Manager and Water District No. 37 Watermaster on February 26, 2025.