



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 16th, 2025

HA WINTERFELL LLC
C/O HANNON ARMSTRONG CAPITAL LLC
ONE PARK PLACE, SUITE 200
ANNAPOLIS MD 21401-3581

**RE: WATER SUPPLY BANK LEASE CONTRACT 1975
FOR WATER RIGHTS 63-34914, 63-34915, 63-34916, 63-34917, 63-34918, 63-34919,
63-34920, 63-34921, 63-34922, & 63-34923**

Dear Lessor:

Water rights 63-34914, 63-34915, 63-34916, 63-34917, 63-34918, 63-34919, 63-34920, 63-34921, 63-34922, & 63-34923 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,

-Kris Margheim
Technical Records Specialist I

Enclosure: Executed Lease Contract #

c: IDWR- Region Office
Dylan B Lawrence
Water District No. 63

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1975

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

LESSOR: HA WINTERFELL LLC
C/O HANNON ARMSTRONG CAPITAL LLC
ONE PARK PL STE 200
ANNAPOLIS, MD 21401-3581

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 November 13, 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)
63-34917	1/16/1961	GROUND WATER	0.51	150.0	33.4
63-34916	6/4/1963	GROUND WATER	0.04	11.8	2.6
63-34919	6/4/1963	GROUND WATER	0.15	35.0	7.8
63-34922	1/20/1967	GROUND WATER	1.10	157.0	34.8
Combined Limit Totals			1.80	335.4	74.6
63-34920	6/4/1963	GROUND WATER	0.40	99.0	22.0
63-34923	3/4/1966	INDIAN CREEK, tributary to BOISE RIVER	0.30	69.3	15.4
63-34918	1/16/1961	GROUND WATER	0.04	17.6	3.9
63-34921	1/21/1971	GROUND WATER	0.17	37.8	8.4
Combined Limit Totals			0.68	154.5	34.3
63-34914	7/16/1982	INDIAN CREEK, tributary to BOISE RIVER	0.22	75.5	13.3
63-34915	6/21/1990	GROUND WATER	0.13	29.0	6.5
Combined Lease Totals			2.80	560.0	122.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1975

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, 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.

RECEIVED

MAY 12 2025

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1975

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

LESSOR: HA WINTERFELL LLC
C/O HANNON ARMSTRONG CAPITAL LLC
ONE PARK PL STE 200
ANNAPOLIS, MD 21401-3581

By 
Title Authorized representative
Date 5/12/2025

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

By 
Brian Patton, Executive Manager
Idaho Water Resource Board

Date 5/16/25

Lease approved by IDWR 

Date 5/16/25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1975

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): 63-34914

INDIAN CREEK	NWNE	Sec. 10	Twp 01N	Rge 01E	ADA County
SAND CREEK	SWNE	Sec. 10	Twp 01N	Rge 01E	ADA County

Source and Location of Point(s) of Diversion for Water Right No(s): 63-34915, 63-34916, 63-34917, 63-34918, 63-34919, 63-34920, 63-34921, 63-34922

GROUND WATER	SWSW	Sec. 3	Twp 01N	Rge 01E	ADA County
GROUND WATER	NWNE	Sec. 10	Twp 01N	Rge 01E	ADA County
GROUND WATER	SWNE	Sec. 10	Twp 01N	Rge 01E	ADA County

Source and Location of Point(s) of Diversion for Water Right No(s): 63-34923

INDIAN CREEK	NWSW	Sec. 3	Twp 01N	Rge 01E	ADA County
--------------	------	--------	---------	---------	------------

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
63-34915	IRRIGATION	03/15	to	11/15	0.13 cfs	29.0 AF
63-34916	IRRIGATION	03/01	to	11/15	0.04 cfs	11.8 AF
63-34917	IRRIGATION	03/15	to	11/15	0.51 cfs	150.0 AF
63-34918	IRRIGATION	03/15	to	11/15	0.04 cfs	17.6 AF
63-34919	IRRIGATION	03/01	to	11/15	0.15 cfs	35.0 AF
63-34920	IRRIGATION	03/15	to	11/15	0.40 cfs	99.0 AF
63-34921	IRRIGATION	03/15	to	11/15	0.17 cfs	37.8 AF
63-34922	IRRIGATION	03/15	to	11/15	1.10 cfs	157.0 AF
63-34923	IRRIGATION	03/01	to	11/15	0.30 cfs	69.3 AF
63-34914	IRRIGATION	03/15	to	11/15	0.22 cfs	59.9 AF
63-34914	IRRIGATION STORAGE	01/01	to	12/31	Not Stated	7.8 AF
63-34914	IRRIGATION FROM STORAGE	03/15	to	11/15	Not Stated	7.8 AF
Totals:					2.80 cfs	560.0 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	
01N	01E	10			10.0		40.0	40.0	40.0	40.0									170.0

Total Acres: 170.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1975

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is **subject to the limitations and conditions** of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is **cause** for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
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 make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
14. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used on the

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1975

land with an appurtenant surface water right(s) without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

15. The period of use for the irrigation described in the approval of water rights 63-34914, 63-34915, & 63-34923 may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/10/2007.
16. The period of use for the irrigation described in the approval of water right 63-34922 may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/16/2007.
17. The period of use for the irrigation described in the approval of water rights 63-34917, 63-34918, 63-34920, & 63-34921 may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/6/2007.
18. Water right 63-34914 is limited to the irrigation of 13.3 acres within the authorized place of use in a single irrigation season.
19. Water right 63-34915 is limited to the irrigation of 6.5 acres within the authorized place of use in a single irrigation season.
20. Water right 63-34916 is limited to the irrigation of 2.6 acres, a diversion rate of 0.04 cfs and a diversion volume of 11.8 af within the authorized place of use in a single irrigation season.
21. Water right 63-34917 is limited to the irrigation of 33.4 acres within the authorized place of use in a single irrigation season.
22. Water right 63-34918 is limited to the irrigation of 3.9 acres within the authorized place of use in a single irrigation season.
23. Water right 63-34919 is limited to the irrigation of 7.8 acres within the authorized place of use in a single irrigation season.
24. Water right 63-34920 is limited to the irrigation of 22.0 acres within the authorized place of use in a single irrigation season.
25. Water right 63-34921 is limited to the irrigation of 8.4 acres within the authorized place of use in a single irrigation season.
26. Water right 63-34922 is limited to the irrigation of 34.8 acres within the authorized place of use in a single irrigation season.
27. Water right 63-34923 is limited to the irrigation of 15.4 acres within the authorized place of use in a single irrigation season.
28. Water right 63-34923 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
29. Rights 63-34916, 63-34917, 63-34919 and 63-34922 when combined shall not exceed a total diversion rate of 1.80 cfs, a total annual maximum diversion volume of 335.4 af at the field headgate, and the irrigation of 74.6 acres in a single irrigation season.
30. Rights 63-34918, 63-34920, 63-34921 and 63-34923 when combined shall not exceed a total diversion rate of 0.68 cfs, a total annual maximum diversion volume of 154.5 af at the field headgate, and the irrigation of 34.3 acres in a single irrigation season.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1975

31. Rights 63-34914, 63-34915, 63-34916, 63-34917, 63-34918, 63-34919, 63-34920, 63-34921, and 63-34922 when combined shall not exceed a total diversion rate of 2.80 cfs, a total annual maximum diversion volume of 560.0 af at the field headgate, and the irrigation of 122.2 acres in a single irrigation season.
32. Water rights 63-34915, 63-34916, 63-34917, 63-34918, 63-34919, 63-34920, 63-34921, 63-34922 & 63-34923 when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 560.0 af at the field headgate for the place of use.
33. 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(s).
34. 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. 63.