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**

June 4, 2025

DS EVANS LLC
PO BOX 34
ARIMO, ID 83214

RE: WATER SUPPLY BANK LEASE CONTRACT 1958
FOR WATER RIGHT 29-7220

Dear Lessor:

Water right **29-12518 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,

-Kris Margheim
Technical Records Specialist I
Enclosure: Executed Lease Contract

c: IDWR- Eastern Region Office – James Cefalo

Water District No. 29H – Kristin Evans

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1958

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

RECEIVED
JUN 02 2025
DEPT. OF WATER RESOURCES

LESSOR: DS EVANS LLC
PO BOX 34
ARIMO, ID 83214

By Sally Evans
Title President & owner
Date May 31, 2025

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

By _____ Date 6/4/25
Brian Patton, Executive Manager
Idaho Water Resource Board

Lease approved by IDWR _____ Date 6/4/25

Idaho Water Resource Board

Water Supply Bank Lease Contract No. 1958

29-12518

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 POD

Approved Lease POU

Township/Range

Sections

QQ

N

0 600 1,200 Feet

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 20, 2025

DS EVANS LLC
PO BOX 34
ARIMO, ID 83214

RE: APPLICATION TO LEASE WATER RIGHTS 29-12518 TO THE WATER SUPPLY BANK CONTRACT 1958

******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,

Emma Channpraseut

Emma Channpraseut
for
Water Supply Bank

Enclosures: Proposed Lease Contracts (2)
POU & POD Map
Receipt C119468

MEMORANDUM FOR APPLICATION # 3116 / CONTRACT #1958

To: Water Right(s) 29-12518

From: Emma Channpraseut, Water Resource Agent

Date: 5/20/2025

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

---

PURPOSE/NARRATIVE: Lease application 3116 was sent in by designated applicant of DS Evans LLC with the correct fee paid of $250 was received November 21, 2024. The lease term requested is from 2024-2028. The proposed lease of 25 Leased Acres is partially offered from water right. DS Evans LLC is the owner of the Place of Use (POU) and Point of Diversion (POD) of water right 29-12518 as a ground water source.

The water right is within Snake River Basin Area Moratorium Area and Water District 29H.

AUTHORITY TO FILE: The application was submitted by Sally Evans for DS Evans LLC. According to the Idaho Secretary of State Business website, Sally Evans is a registered agent. The current owner of both POD and POU for the water right 29-12518 is DS Evans LLC. No concerns over authority to file.

WATER RIGHT VALIDITY: Water right 29-12518 was decreed on 3/22/2004 and was most recently irrigated in 2019. No concerns with validity of the water right and portion offered to the bank.

ENLARGEMENT OF USE: Right 29-12518 is an enlargement right of right 29-7220 for an additional 269.5 af and 25 acres (no additional rate). To ensure enlargement of the rights does not occur an equal portion of the rate and volume will be leased but the volume and total acres when combined with right 29-7220 will be reduced. Since right 29-7220 authorizes the full rate and is not proposed for lease, right 29-12518 cannot be rented without an enlargement.

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 Eastern Region and Water District 29H. Comment has been requested from James Cefalo, IDWR Eastern regional manager and the water master for water district 29H on 5/20/2025. If no response is received, it will be assumed there are no issues/comment/concerns regarding this lease.

Form 42-1761-1
09/2024

RECEIVED
NOV 21 2024
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
WATER RESOURCE BOARD

Print Form

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

Applicant / Designated Lessor DS Evans LLC
(Select one owner – see item 1A on the application)

Water Right No. 29-12518
(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 $ 250.00 Received By: M. Jenkins Date Received: 11/21/24 Receipt # C1194468

W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal) Name on W-9: Sally Evans, DS Evans LLC

3116

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 DS evans LLC

Mailing Address P.O. Box 34 (Street) Arimo (City) ID (State) 83214 (Zip Code)

Email Address edairy1972@yahoo.com Phone Number 208-251-2080

☑ 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 D Sevans LLC

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.
Groundwater pump into 8" pipeline piped to center pivot

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. 29-7220 same water delivery system

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. All water will be used on the current center pivot irrigation system.

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. Stopped watering May 2019 upon completion of new center pivot system. Hoping IDWR will make exception for being a few months late with this application.

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. 600 gallons per minute for 110 days a year

H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan? ☐ Yes ☑ No

If yes, describe.

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: 2025 (year)

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

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

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).***

N/A

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.

Signature of Designated Lessor or Applicant	Printed Name	Date
Sally Evans	Sally Evans	Nov 19, 2024
Signature of Co-Applicant	Printed Name	Date
Signature of Authorized Representative	Printed Name	Date
Sally Evans for D S Evans LLC	Sally Evans	Nov 19, 2024

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

Print Form

Form 42-1761-1
07/2024

STATE OF IDAHO
WATER RESOURCE BOARD

Complete Attachment 2 if only a portion of the water right is offered to the Bank.
Only one water right per form.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1. Water Right Number	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
29-12518	Irrigation			25
	Total Amounts:			25

2. Source of water Groundwater tributary to _____

3. **Point(s) of diversion**. Locate the point of diversion within each 40-acre tract and/or the U.S. Government Lot of the Public Land Survey System. Spring sources should be described to the nearest 10-acre tract. Identify the county where the point of diversion is located.

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County	Source	Local name or tag #
10s	36	15	N ½	SW¼			Bannock	Groundwater	

4. Place of Use to be idled. Mark the idled place of use within each 40-acre tract in the appropriate box using the number of acres for irrigation, or the symbol listed below for other uses.

D - domestic, S - stockwater, M - municipal, C - commercial, I - industrial, X - other.

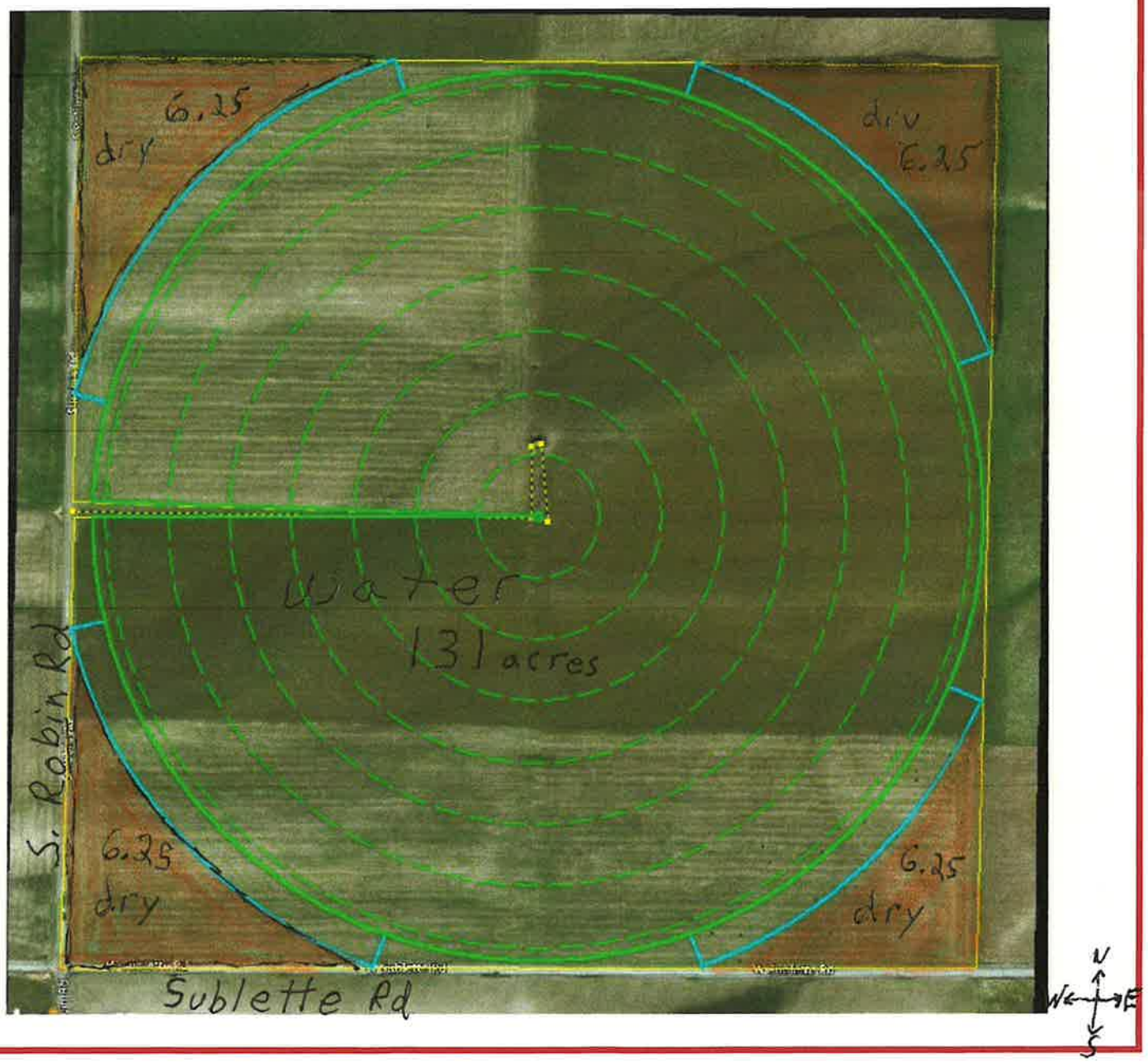
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10s	36	15	6.25					6.25					6.25					6.25	25

ZIMMATIC BY LINDSAY

Design Detail

Valley Implement & Irrigation
515 West 2500 North
N. Logan, UT 84341
Office: 435-787-1586; (2): 435 881-6950
phil@valley-implement.com

Bannock county
Parcel #s 4265012900
4265013000

Trent Evans

Robin Design