

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## WATER SUPPLY BANK LEASE CONTRACT No. 1823

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

**LESSOR:** CONRAD ISAAK  
3202 HEDSTROM LN  
AMERICAN FALLS, ID 83211

RECEIVED  
JUL 22 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 29, 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)   |
|---------------------|---------------|--------------|----------------------|-----------------------|--------------|
| 29-14015            | 2/28/1977     | GROUND WATER | 2.02                 | 481.4                 | 137.9        |
| <b>Lease Totals</b> |               |              | <b>2.02</b>          | <b>481.4</b>          | <b>137.9</b> |

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, 2026. 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.

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5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.
6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.
7. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

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

**LESSOR:** CONRAD ISAAK  
3202 HEDSTROM LN  
AMERICAN FALLS, ID 83211

By   
Title OWNER  
Date 7/17/2024

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

By   
Brian Patton, Acting Administrator  
Idaho Water Resource Board

Date 7/23/24

Lease approved by IDWR 

Date 7/23/24

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## WATER SUPPLY BANK LEASE CONTRACT No. 1823

### 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): 29-14015**

GROUND WATER                      SENW                      Sec. 8                      Twp 07S                      Rge 32E                      POWER County

| Water Right    | Beneficial Use | Season of Use |    |       | Diversion Rate (CFS) | Volume (AF) |
|----------------|----------------|---------------|----|-------|----------------------|-------------|
|                |                | From          |    | To    |                      |             |
| 29-14015       | IRRIGATION     | 04/01         | to | 10/31 | 2.02 cfs             | 481.4 AF    |
| <b>Totals:</b> |                |               |    |       | 2.02 cfs             | 481.4 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 |        |
| 07S | 32E | 8   |    | 9.9<br>L1 | 34.0<br>L2 |    | 9.8 | 1.7 | 40.0 | 41.0 | 0.5 | 0.5 |    |    |    | 0.5<br>L3 |    |    | 137.9  |

Total Acres: 137.9

### 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.

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DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK LEASE CONTRACT No. 1823**

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.

Idaho Water Resource Board

Water Supply Bank Lease Contract No. 1823

29-14015

Effective until December 31, 2026

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



STATE OF IDAHO  
WATER RESOURCE BOARD

RECEIVED

JUN 24 2024

DEPT. OF WATER RESOURCES

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

**Designated Applicant** Conrad Isaak and Adriane Isaak  
(Select one owner – see item 1A on the application)

**Water Right No.** 29-14015  
(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.**

### MINIMUM 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](http://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](http://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 \$ <u>250.00</u>                                                       | Received By: <u>KM</u> | Date Received: <u>6.24.24</u>    | Receipt # <u>2118528</u> |
| W-9 received? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | (Route W-9 to Fiscal)  | Name on W-9: <u>Conrad Isaak</u> |                          |

2999 2874

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 Conrad Isaak and Adriane Isaak  
Mailing Address 3202 Hedstrom Lane, American Falls, Idaho 83211  
Street City State Zip Code  
Email Address cj\_isaak@yahoo.com Phone Number 208-241-0005

☒ 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 Thomas J. Budge Organization Racine Olson, PLLP  
Professional Title Attorney Email Address tj@racineolson.com  
Mailing Address PO Box 1391, Pocatello, Idaho 83204-1391 Phone Number 208-232-6101

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

OR

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

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

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

OR

☒ A part of the water right is being offered to the Bank.

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

**3. MAP**

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

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**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.  
Well with electric pump.  
\_\_\_\_\_  
\_\_\_\_\_
- 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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 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? Yes ☐ No ☒  
If yes, describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF IDAHO  
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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 to 2026 (maximum lease period 5 calendar years).  
(Year) (Year)
- 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.  
\$100 per acre.

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.

Conrad Isaak  
Signature of Designated Applicant

Conrad Isaak  
Printed Name

5/13/24  
Date

Adriane Isaak  
Signature of Authorized Representative

Adriane Isaak  
Printed Name

5/13/24  
Date

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

**STATE OF IDAHO  
WATER RESOURCE BOARD**

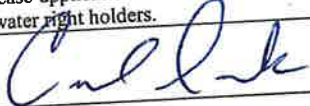
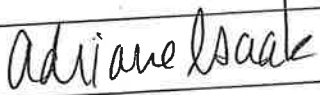
**ATTACHMENT 1A**

**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). 29-14015

|                       | Designated Applicant                                                                                 | Applicant #2                                                                         | Applicant #3                                                                  |
|-----------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Name                  | Conrad Isaak                                                                                         | Adriane Issak                                                                        |                                                                               |
| Mailing Address       | 3202 Hedstrom Lane, American Falls, Idaho 83211                                                      | 3202 Hedstrom Lane, American Falls, Idaho 83211                                      |                                                                               |
| Phone Number          |                                                                                                      |                                                                                      |                                                                               |
| Email Address         |                                                                                                      |                                                                                      |                                                                               |
| Applicant Declaration | As Designated Applicant, I submit this lease application on behalf of all other water right holders. | I authorize the Designated Applicant to submit this application on my behalf.        | I authorize the Designated Applicant to submit this application on my behalf. |
| Signature             |                   |  |                                                                               |

|                       | Applicant #4                                                                  | Applicant #5                                                                  | Applicant #6                                                                  |
|-----------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Name                  |                                                                               |                                                                               |                                                                               |
| Mailing Address       |                                                                               |                                                                               |                                                                               |
| Phone Number          |                                                                               |                                                                               |                                                                               |
| Email Address         |                                                                               |                                                                               |                                                                               |
| Applicant Declaration | I authorize the Designated Applicant to submit this application on my behalf. | I authorize the Designated Applicant to submit this application on my behalf. | I authorize the Designated Applicant to submit this application on my behalf. |
| Signature             |                                                                               |                                                                               |                                                                               |

STATE OF IDAHO  
WATER RESOURCE BOARD

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

**ATTACHMENT 2**

ATTACHMENT 2

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

| DESCRIPTION OF USE           |                      | Leased Rate<br>(cfs) | Leased Volume<br>(af) | Leased Acres<br>(ac) |
|------------------------------|----------------------|----------------------|-----------------------|----------------------|
| 1. <u>Water Right Number</u> | <u>Nature of Use</u> |                      |                       |                      |
| <u>29-14015</u>              | <u>Irrigation</u>    | <u>1.72</u>          | <u>299</u>            | <u>103.2</u>         |
|                              |                      |                      |                       |                      |
|                              |                      |                      |                       |                      |
|                              |                      |                      |                       |                      |
|                              |                      | <u>1.72</u>          | <u>299</u>            | <u>103.2</u>         |
|                              | Total Amounts:       |                      |                       |                      |

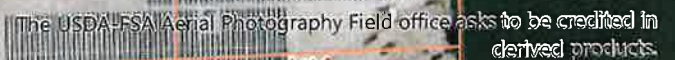
2. Source of water Groundwater tributary to \_\_\_\_\_

3. Point(s) of diversion:

[illegible]

29-14015

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.



## Legend

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





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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Mathew Weaver

July 24, 2024

CONRAD ISAAK  
3202 HEDSTROM LN  
AMERICAN FALLS, ID 83211

**RE: WATER SUPPLY BANK LEASE CONTRACT 1823  
FOR WATER RIGHT 29-14015**

Dear Lessor:

Water right **29-14015** 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](http://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](mailto:bank@idwr.idaho.gov) or 208-287-4800.

Sincerely,

*Catalina Beck*

Enclosure: Executed Lease Contract

c: IDWR- Region Office Representative  
Water District No. 120



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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Mathew Weaver**

July 9, 2024

CONRAD & ADRIANE ISAAK  
3202 HEDSTROM LN  
AMERICAN FALLS, ID 83211

**RE: APPLICATION TO LEASE WATER RIGHT 29-14015 TO THE WATER SUPPLY BANK  
CONTRACT 1823**

**\*\*\*\*TIME SENSITIVE RESPONSE REQUIRED\*\*\***

Dear Applicant:

The Department of Water Resources has adjusted the proposed lease of the above-mentioned water right to the Water Supply Bank through 2026. **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, 2026**, 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](mailto:bank@idwr.idaho.gov) or 208-287-4800.

Sincerely,

*Clayton D. Murdock*  
Water Supply Bank Specialist

Enclosures: Proposed Lease Contracts

**From:** [Condon, Mary](#)  
**To:** [tj@racineolson.com](mailto:tj@racineolson.com)  
**Cc:** [Bank; Howe, Bob](#)  
**Subject:** Conrad Isaak lease application 2994 & 2874 for water right 29-14015  
**Date:** Tuesday, June 4, 2024 9:52:53 AM  
**Attachments:** [image001.png](#)

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Good morning, Mr. Budge,

We received another lease application (2994) for Conrad Isaak for water right 29-14015 on May 28, 2024, requesting to lease in the entire right from 2024 through 2026.

We already processed and proposed a new lease contract 1823 in March for years 2024 through 2025, but it has not been returned with signature yet. I was also under the impression from the original lease application 2874 that the water would be rented by Heritage Farms. We have not received a rental application yet from Heritage Farms, Driscoll Brothers.

Please let me know if the new lease contract 1823 already proposed should be extended through 2026, and we can send it out again for signature.

Thank you,  
Mary

Mary Condon  
Water Supply Bank Program Coordinator

 IDAHO DEPARTMENT OF  
**WATER RESOURCES**  
Planning & Projects  
[mary.condon@idwr.idaho.gov](mailto:mary.condon@idwr.idaho.gov)  
Direct: (208) 287-4936



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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Mathew Weaver

March 5, 2024

CONRAD & ADRIANE ISAAK  
3202 HEDSTROM LN  
AMERICAN FALLS, ID 83211

**RE: APPLICATION TO LEASE WATER RIGHT 29-14015 TO THE WATER SUPPLY BANK  
CONTRACT 1823**

**\*\*\*\*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, 2025**, 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](mailto: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

Aberdeen-American Falls Groundwater District- Heather Rice

Water District 120-Watermaster-Blake Jordan

## Howe, Bob

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**From:** Howe, Bob  
**Sent:** Monday, March 4, 2024 12:59 PM  
**To:** cj\_isaak@yahoo.com  
**Cc:** Bank  
**Subject:** Water Supply Bank-Lease Contract 1823-Conrad Isaak-Mailed for Signature  
**Attachments:** Lease 1823 Cover Letter-Proposed Contract-14 Days.pdf; Lease Contract 1823.pdf; Lease 1823 Map.pdf

Good Afternoon Conrad & Adriane Isaak,

Water Supply Bank Lease Contract 1823 for right 29-14015 has been submitted for mailing to the 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](http://www.idwr.idaho.gov)

## Howe, Bob

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**From:** Howe, Bob  
**Sent:** Monday, March 4, 2024 12:55 PM  
**To:** Jordan, Blake; americanfalls.aberdeen.gwd@gmail.com; Cefalo, James  
**Cc:** Bank  
**Subject:** Comment Requested-Lease Contract 1823-Conrad Isaak-Mailed for Signature  
**Attachments:** Lease Review Memo.pdf; Lease Contract 1823.pdf; Lease 1823 Map.pdf

Dear Interested Agencies:

The Department of Water Resources is seeking comment from your agency, regarding the Water Supply Bank (WSB) Lease Contract 1823, for Conrad Isaak. The lease is for the same right and portion as the previous lease (Contract 1516-ending 12/31/2023), for a new term from 2024-2025. 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](mailto: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](http://www.idwr.idaho.gov)

## MEMORANDUM FOR LEASE CONTRACT 1823

**To:** Water Right 29-14015

**From:** Bob Howe

**Date:** February 16, 2024

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

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**PURPOSE/NARRATIVE:** The application for the lease of the full right 29-14015 into the Water Supply Bank (WSB) for a 2-year term (2024-2025) was received December 29, 2023. The Previous Lease Contract 1173, leased in 168 acres (full right 29-14015 prior to 2021) for 2 years, from 2020-2022. However, transfers 84045, 84802 & 84797 and changes in ownership reduced the acres owned by Conrad Isaak from 167.9 to 137.9 acres, as of May 27, 2021. The acres under Lease Contract 1173 were reduced to reflect the full right after the transfers and ownership change. Lease contract 1516 leased 137.9 acres, the full amount of right 29-14015, into the WSB from 2022-2023.

**AUTHORITY TO FILE:** The application for lease was signed by Conrad Isaak. IDWR records list Conrad and Adriane Isaak as current owners of WR 29-14015. Power County Tax Parcel records list Conrad and Adriane Isaak as current owners of the parcels appurtenant to the leased right POU. There are no concerns regarding the authority to lease right 29-14015 into the WSB.

**WATER RIGHT VALIDITY:** Water right 29-14015 was decreed in 2004 and the full right has been leased into the WSB from 2020 to present. A solar farm was built on the place of use after 2015. A review of aerial imagery found evidence of irrigation in 2015 with a transition to the solar farm some time in 2016 (see figures 1-3). The period of non-use for irrigation is estimated to be a 4-year period. No concerns with validity of the water right and portion offered to the bank.

**ENLARGEMENT OF USE:** The place of use for the water right is not combined or stacked with other rights. GIS shapefile shows Falls View Irrigation District extends over the place of use. However, they confirmed the place of use is not within their district per review memo for transfer 84045. There are currently no rights being processed for dust abatement on the solar farm. No enlargement is expected through the lease of this right.

**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 location for the rental POD is subject to Water District # 120, Aberdeen-American Falls GWD, and the ESPA-GWMA. When the contracts were mailed for signature comment requests were solicited via email from Eastern Regional Manager- James Cefalo, Watermaster-Blake Jordan, and the AF-Aberdeen GWD Manager-Heather Rice.

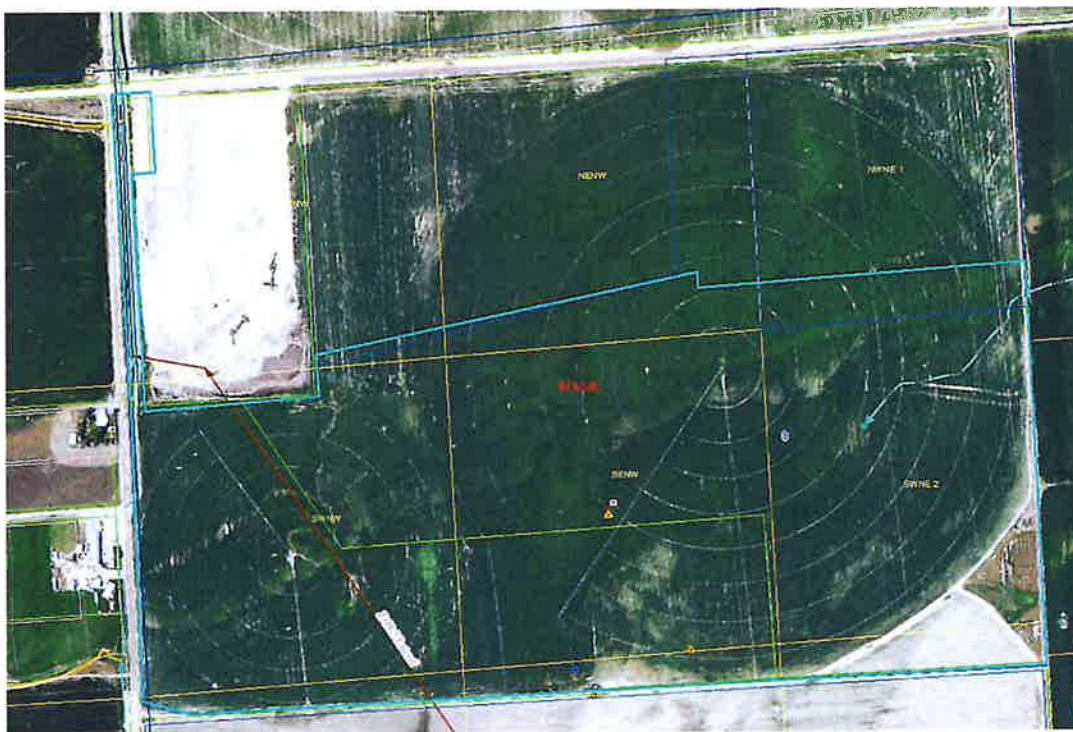


Figure 1- GIS-2015 Aerial Imagery of the right POU. Irrigation evident throughout the parcels offered into the WSB.



Figure 2- Landsat (p39r30) June 2016-change in use evident.



Figure 3- GIS 2017- Aerial Imagery of the parcels appurtenant to right 29-14015



RECEIVED

JUN 24 2024

DEPT. OF WATER RESOURCES

June 21, 2024

Water Supply Bank  
Idaho Department of Water Resources  
P.O. Box 83720  
Boise, Idaho 83720-0098

**Re: Applications to Rent Water from the Water Supply Bank**

To Whom It May Concern,

Enclosed please find for filing the original and copies of one Application to Lease and four Applications to Rent Water from the Water Supply Bank, together with a check in amount of \$250.00 for the filing fee. Please file the originals and conform stamp and return the extra copies in the enclosed stamped and addressed return envelope.

Thank you for your assistance. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads 'T. J. Budge'.

T. J. BUDGE

-2999 2874