

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 2029

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

LESSOR: RICK MOWREY
4160 TECHFARM ROAD
POCATELLO, ID 83204

RECEIVED
JUL 21 2025
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 January 27, 2025.
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)
29-7009	3/22/1968	GROUND WATER	0.09	14.0	3.5
Lease Totals			0.09	14.0	3.5

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)
29-7009	0.03	12.6	3.5	0.02	3.6
Limit Totals	0.03	12.6	3.5	0.02	3.6

** The water right elements rentable have been reduced from the water right elements leased to account for the unleased portions of the water right.*

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

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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.

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WATER SUPPLY BANK LEASE CONTRACT No. 2029

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

LESSOR: RICK MOWREY

4160 TECHFARM ROAD

POCATELLO, ID 83204

By _____

Title _____

Date _____

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 _____

7/30/25

Lease approved by IDWR _____

Date _____

7/30/25

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DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 2029

**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): 29-7009

GROUND WATER NWSWNW Sec. 7 Twp 07S Rge 35E BANNOCK County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
29-7009	IRRIGATION	05/01	to	10/15	0.03 cfs	14.0 AF
Totals:					0.03 cfs	14.0 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	
07S	35E	7							3.5										3.5

Total Acres: 3.5

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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WATER SUPPLY BANK LEASE CONTRACT No. 2029

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 use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before May 1 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
13. The unleased portions of this right are limited to 0.08 cfs, 5.4 af and 1.0 acre of irrigation.

Idaho Water Resource Board
Water Supply Bank Lease Contract No. 2029

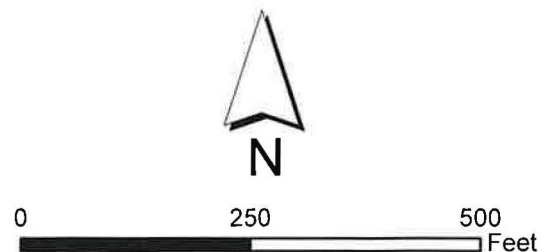
29-7009

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
-  Approved Lease POU
-  Township/Range
-  Sections
- QQ



**APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK**Designated Applicant Rick Mowrey
(Select one owner – see item 1A on the application)Water Right No. 29-7009
(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.**

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MINIMUM REQUIREMENT CHECKLISTAll items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

Yes

- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*.
- ☒ Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
- ☒ Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment N/A Yes

- 1A ☐ ☒ Signatures and contact information for **all owners** of the water right to be leased or sold on this application.
- 1B ☐ ☒ An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.
- 1C ☒ ☐ *Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
- 1D ☒ ☐ Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
- 2 ☐ ☒ Description of a water right portion offered to the Water Supply Bank.
- 3 ☐ ☒ A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.
- 4A ☒ ☐ Written consent from irrigation district or water delivery company.
- 4G ☒ ☐ Evidence demonstrating the water right has not been forfeited pursuant to [Section 42-222\(2\), Idaho Code](#).

Department Use Only

Fee Amount \$ <u>250.00</u>	Received By: <u>Ceth</u>	Date Received: <u>1/27/25</u>	Receipt # <u>EOSO 609</u>
W-9 received? Yes ☐ No ☐ (Route W-9 to Fiscal)		Name on W-9:	

3187

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 Rick Mowrey

Mailing Address 4160 Techfarm Road Pocatello, ID 83204

Street

City

State

Zip Code

Email Address idahoeikhunter@me.com

Phone Number 208-221-4511

☐ 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 _____ Organization _____

Professional Title _____ Email Address _____

Mailing Address _____ Phone Number _____

☐ 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**.

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.

Groundwater is diverted from a well to hand lines that are used to irrigated the property.

- 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.

- 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. Annual volume of 18AFA or rate of 0.11CFS.

- G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒

If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See [Section 42-223, Idaho Code](#) for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?

If yes, describe. Yes ☐ No ☒

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 2029 (maximum lease period 5 calendar years).

(Year) (Year)
2025 2030

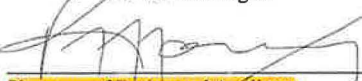
B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

The current rental rate.

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.


Signature of Designated Applicant

Rick Mowrey
Printed Name

01-15-2025
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

STATE OF IDAHO
WATER RESOURCE BOARD

Complete Attachment 1 if more than one applicant/water right holder.

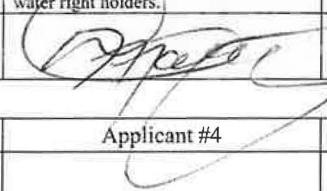
ATTACHMENT 1A

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.

29,7000
Water Right No(s). _____

	Designated Applicant	Applicant #2	Applicant #3
Name	Rick Mowrey	Kristie Mowrey	
Mailing Address	4160 Techfarm Road Pocatello, ID 83204	4160 Techfarm Road Pocatello, ID 83204	
Phone Number	208-221-4511	208-221-4511	
Email Address	idahoelkhunter@me.com	idahoelkhunter@me.com	
Applicant Declaration	As Designated Applicant, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature			

	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			

Attachment 1A

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JAN 31 2025

DEPT. OF WATER RESOURCES

**STATE OF IDAHO
WATER RESOURCE BOARD**

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

ATTACHMENT 2

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

<u>Water Right Number</u>	<u>Nature of Use</u>	<u>Leased Rate</u> (cfs)	<u>Leased Volume</u> (af)	<u>Leased Acres</u> (ac)
29-7009	Irrigation	0.09	14.0	3.5
Total Amounts:		0.09	14.0	3.5

2. Source of water Groundwater tributary to N/A

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
07S	35E	7	2	NW	SW	NW	Bannock

Water Right Report : 29-7009(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	MOWREY, KRISTIE	4160 TECHFARM ROAD	POCATELLO	ID	83204
Current Owner	MOWREY, RICK	4160 TECHFARM ROAD	POCATELLO	ID	83204
Previous Owner	BAKER, ELSA M	4160 TECH FARM RD	POCATELLO	ID	83204
Previous Owner	BAKER, JAY E	4160 TECH FARM RD	POCATELLO	ID	83204

Water Right Status

Priority Date : 3/22/1968
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	07S	35E	7	0	NW	SW	NW	BANNOCK	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	05/01	10/15	0.11 CFS	18.00 AFA
STOCKWATER	01/01	12/31	0.02 CFS	0.20 AFA
DOMESTIC	01/01	12/31	0.04 CFS	1.20 AFA
TOTAL			0.11 CFS	18.00 AFA

Places of Use



Place of Use Legal Description : IRRIGATION (BANNOCK county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
07S	35E	7			SW	NW	4.5

Irrigation Totals

Total Acres Acre Limit
4.50

Conditions

Code Conditions

- C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- S41 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Dates

Licensed Date :
Decreed Date : 3/22/2004
Permit Proof Due Date :

Other Information

State or Federal : S
Water District Number : 129
Generic Max Rate Per Acre : 0

Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Generic Max Volume Per Acre
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

1/27/2025

Water Right Report : 29-7009(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	MOWREY, KRISTIE	4160 TECHFARM ROAD	POCATELLO	ID	83204
Current Owner	MOWREY, RICK	4160 TECHFARM ROAD	POCATELLO	ID	83204
Previous Owner	BAKER, ELSA M	4160 TECH FARM RD	POCATELLO	ID	83204
Previous Owner	BAKER, JAY E	4160 TECH FARM RD	POCATELLO	ID	83204

Water Right Status

Priority Date : 3/22/1968

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	07S	35E	7	0	NW	SW	NW	BANNOCK	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	05/01	10/15	0.11 CFS	18.00 AFA
STOCKWATER	01/01	12/31	0.02 CFS	0.20 AFA
DOMESTIC	01/01	12/31	0.04 CFS	1.20 AFA
TOTAL			0.11 CFS	18.00 AFA

Places of Use

[Print Report](#) [Print View](#)

Place of Use Legal Description : IRRIGATION (BANNOCK county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
07S	35E	7			SW	NW	4.5

Irrigation Totals

Total Acres Acre Limit

4.50

Conditions

Code Conditions

- C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- S41 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Dates

Licensed Date :

Decreed Date : 3/22/2004

Permit Proof Due Date :

Other Information

State or Federal : S

Water District Number : 129

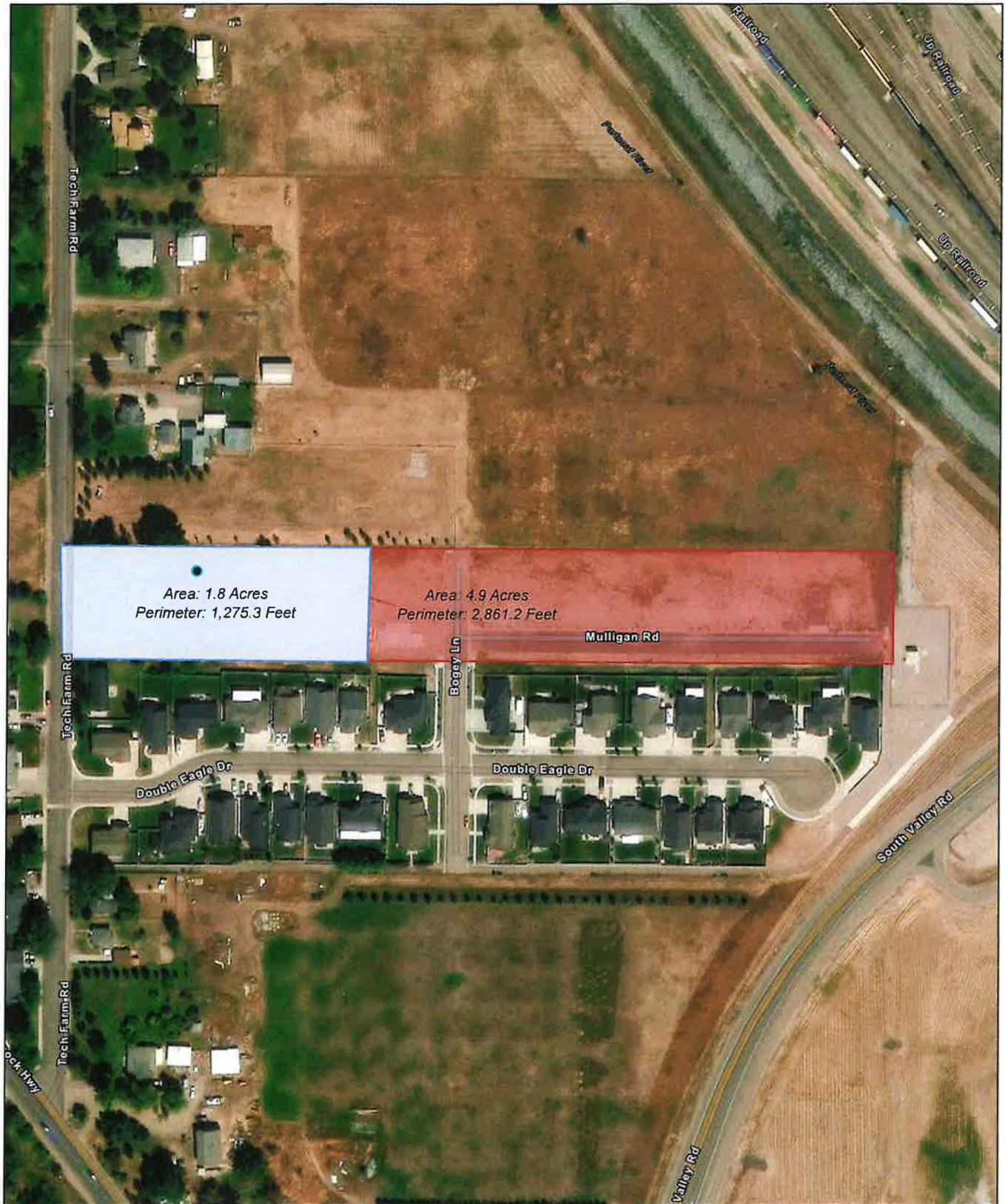
Generic Max Rate Per Acre : 0

Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Generic Max Volume Per Acre
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

1/27/2025

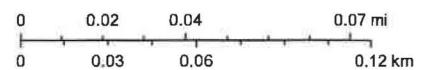


2/19/2025, 12:31:01 PM

Legend

- =POU preposed lease acres
- = POD
- =POU Unleased Acres

1:2,257



Maxar, Microsoft, Esri Community Maps Contributors, ©
OpenStreetMap, Microsoft, Esri, TomTom, Garmin,
SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,
Bureau of Land Management, EPA, NPS, US Census
Bureau, USDA, USFWS



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

August 5, 2025

RICK MOWREY
4160 TECH FARM RD
POCATELLO ID 83204

**RE: WATER SUPPLY BANK LEASE CONTRACTS 2029
FOR WATER RIGHT 29-7009**

Dear Lessor:

Water rights **29-7009** are/is 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,

Jean Hersley
Technical Records Specialist II

Enclosure: Executed Lease Contract

- c: IDWR-Eastern Region Office
Water District No. 129



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Governor Brad Little

Director Mathew Weaver

July 11, 2025

RICK MOWREY
4160 TECH FARM RD
POCATELLO ID 83204

**RE: APPLICATION TO LEASE WATER RIGHT 29-7009 TO THE WATER SUPPLY BANK
CONTRACT 2029**

******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.

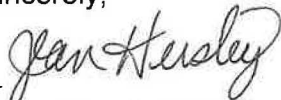
The right will automatically be released from the Bank on **December 31, 2029** unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To 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,


for
Water Supply Bank

Enclosures: Proposed Lease Contracts
Receipt E050609

CC: Representative

BasinNumber	SequenceNumber	OverallMaxDiversionRate	OverallMaxDiversionVolume	TotalAcres
29	7009			
	Irrigation	0.11	18	4.5
	Stockwater	0.02	0.2	
	Domestic	0.04	1.2	
	total	0.11	18	
Not Leased	Irrigation	0.02	4	1
	Stockwater	0.02	0.2	
	Domestic	0.04	1.2	
		0.08	5.4	
	total	0.11	18	4.5
	not leased	0.08	5.4	3.5
	rentable	0.03	12.6	1

WATER SUPPLY BANK

Lease Review Checklist

Applicant(s) Name: Rick Mowrey

Memo Date: June 17, 2025

Water Right Number(s): 29-7009

Reviewers Name: Jean

Quick Tools

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

	Check box	COMMENTS/CONCERNS:
1 Fill out WSB Data Entry Checklist for Leases (Front of File)	x	
2 Reason for lease of water rights (Brief description of lease proposal in narrative)		
Portion of right	x	
All of right		
3 Check GWMA/CGWA/ADC and basin 63 areas of concern (note area in comments)		
	Yes No	
4 Rentable? (If no explain in comments or narrative)	x	
5 Authority to file		
Current owner or designated applicant	x	
SOS Web site checked for business entity		
Other (explain in comments)		
6 Water Right validity		
Decreed/Licensed/Statutory claim date (write in comments section)		2004
Past irrigation to ensure forfeiture is not an issue if decreed or licensed over 7 years ago (consider transfers that changed the POU, rentals to the POU etc.)		
Has this right previously been leased to the bank or in CREP?	x	
7 Injury to other water rights		
If the POD is through a delivery entity, was consent provided?	na	
If the POD is through a delivery entity, was holdback required? (percentage in comments)		%
Any other concerns		
8 Enlargement concerns	Check box	
Complete a POU comparison overlap analysis	x	
Complete a combined limits review	x	
Complete POD overlap analysis (if there is an overlap add condition to lease)	x	
	Yes No	
Are there overlapping rights that need to be placed in the bank also?	x	
Will the place of use continue to receive water? (if yes explain in comments)	x	City of Pocatello
9 Local Public Interest		
Does the processor know of any problems this action will cause for the local public?	x	
10 Have you contacted regional office and watermaster for comment/concerns?	x	
Send the watermaster comment request form or e-mail request	x	
11 Area Headgate requirement (write in Comments)		4
12 Is water right involved in any other department action? Pull file and check database		
() Ownership Change () Transfer () Mitigation () Other - Explain in comments	x	
13 Narrative: The Department received this application on January 31, 2025. The applicant, Rick Mowrey, wishes to place 3.5 acres of this right in the Bank. This right was decreed in 2004. In the evaluation memo for a transfer filed in 2024, the applicant stated the property had been irrigated from 2018-2020 for a horse pasture prior to the sale of the property in 2021. The property was sold without water rights. Forfeiture does not appear to be an issue. If the other parcels receive water, it will be from the City of Pocatello. This right is within the ESPA GWMA, the Snake River Basin Moratorium and WD 129.		

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 29-7009

6/17/2025

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICK MOWREY 4160 TECHFARM ROAD POCATELLO, ID 83204 (208) 221-4511
Current Owner	KRISTIE MOWREY 4160 TECHFARM ROAD POCATELLO, ID 83204 (208) 221-4511
Previous Owner	JAY E BAKER 4160 TECH FARM RD POCATELLO, ID 83204 (208) 232-8675
Previous Owner	ELSA M BAKER 4160 TECH FARM RD POCATELLO, ID 83204 (208) 232-8675

Priority Date: 3/22/1968

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.110 CFS	18.0 AF
STOCKWATER	01/01	12/31	0.020 CFS	0.2 AF
DOMESTIC	01/01	12/31	0.040 CFS	1.2 AF
	<u>Total Diversion</u>		0.110 CFS	18.0 AF

Source and Point(s) of Diversion:

GROUND WATER NWSWNW Sec. 7, Twp 07S, Rge 35E, BANNOCK County

Place Of Use:

IRRIGATION within BANNOCK County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	35E	7							4.5										4.5

POU Total Acres: 4.5

STOCKWATER Same as IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 29-7009

6/17/2025

DOMESTIC Same as IRRIGATION

Conditions of Approval:

1. S41 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Comments:

Dates and Other Information:

Decreed Date: 3/22/2004
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 129
Mitigation Plan: False

Combined Use Limits:

N/A

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	6/4/2001	csaxton			Closed
Priority Date	6/4/2001	csaxton			Closed
POD	6/4/2001	csaxton			Closed
Source	6/4/2001	csaxton			Closed
Use	6/4/2001	csaxton			Closed
POU	6/4/2001	csaxton			Closed
Season	6/4/2001	csaxton			Closed
Quantity	6/4/2001	csaxton			Closed
Summary	6/4/2001		6/4/2001	csaxton	Closed

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 29-7009

6/17/2025

SubCase:

N/A

Water Supply Bank:

Lease ID: 2029

Lease Type: Contract
Lease Status: Under Review
Lease Start Date: 1/1/2025
Lease End Date: 12/31/2029

Beneficial Use	Div Rate Leased	Div Volume Leased	Acre Limit Leased	Total Acres Leased
Irrigation	0.08	14.00	4.50	4.50

Lease ID: 3187

Lease Type: Application
Lease Status: Under Review
Lease Start Date: 1/1/2025
Lease End Date: 12/31/2029

Beneficial Use	Div Rate Leased	Div Volume Leased	Acre Limit Leased	Total Acres Leased
Irrigation	0.08	14.00	4.50	4.50

RECORDING REQUESTED BY

First American Title Company

OFFICIAL RECORD BK# 0
BANNOCK COUNTY IDAHOFEE 15.00 DEPUTY JM
RECORDED AT REQUEST OF

First American Title - Pocatello

AND WHEN RECORDED MAIL TO:First American Title Company
223 North 15th Avenue
Pocatello, ID 83201

22107178

2021 Mar 31 PM 01:21

Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEEDFile No.: **960152-P (sg)**Date: **March 25, 2021**

RA
For Value Received, **Rick Mowrey, an unmarried man**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Dykman Realty Inc.**, hereinafter called the Grantee, whose current address is **P.O. Box 4434, Pocatello, ID 83205**, the following described premises, situated in **Bannock County, Idaho**, to-wit:

see attached Exhibit A

NO WATER RIGHTS ARE INCLUDED : PP

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

477
Rick Mowrey

STATE OF Idaho)
)
COUNTY OF Bannock)

Instrument: 22107178 Page:0

On this **Thirty-first day of March, 2021**, before me, a Notary Public in and for said State, personally appeared **Rick Mowrey**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Notary Public for the State of Idaho

Residing at: _____

My Commission Expires: _____

State of Idaho
Residing: Inkom, Idaho
Comm. Expires: 09/30/2023

Unofficial

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Bannock, State of Idaho, described as follows:

A TRACT OF LAND SITUATED IN LOTS 2, SECTION 7, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 7, BEING MONUMENTED BY A BANNOCK COUNTY BRASS CAP MONUMENT ALONGSIDE AN INDIAN ALLOTMENT MONUMENT AS DESCRIBED IN CORNER PERPETUATION DOCUMENTS RECORDED UNDER INSTRUMENT NOS. 687256 & 762166 IN THE OFFICIAL RECORDS OF BANNOCK COUNTY;

THENCE NORTH $0^{\circ}11'31''$ EAST, ALONG THE WEST LINE OF SECTION 7, A DISTANCE OF 1023.00 FEET; THENCE SOUTH $89^{\circ}15'55''$ EAST A DISTANCE OF 33.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF TECH FARM ROAD;

THENCE CONTINUING SOUTH $89^{\circ}15'55''$ EAST A DISTANCE OF 419.56 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH $89^{\circ}15'55''$ EAST A DISTANCE OF 806.90 FEET;

THENCE SOUTH $0^{\circ}09'12''$ WEST A DISTANCE OF 165.00 FEET TO THE NORTHEAST CORNER OF IRON EAGLE ESTATES DIVISION 1, A SUBDIVISION RECORDED UNDER INSTRUMENT NO. 21517814;

THENCE NORTH $89^{\circ}15'55''$ WEST, ALONG THE NORTH BOUNDARY LINE OF SAID SUBDIVISION, AND ALSO ALONG THE NORTH BOUNDARY LINE OF IRON EAGLE ESTATES DIVISION 1, A SUBDIVISION RECORDED UNDER INSTRUMENT NO. 21206868, A DISTANCE OF 808.57 FEET;

THENCE NORTH $0^{\circ}44'05''$ EAST A DISTANCE OF 164.99 FEET TO THE POINT OF BEGINNING.

2629221.68
1293371.907

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, June 5, 2025 10:25 AM
To: 'idahoelkhunter@me.com'
Subject: WSB Lease Application- Additional information needed
Attachments: Letter Requesting Additional Information for WSB Lease Application.pdf

Please see the attached letter. Hard copy will go out in the mail tomorrow. Let me know if you have any questions. Thank you.



*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*



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 5, 2025

RICK MOWREY
4160 TECH FARM RD
POCATELLO ID 83204

**RE: ADDITIONAL INFORMATION REQUEST FOR PROCESSING APPLICATION TO
LEASE WATER RIGHT NO 29-7009 TO THE WATER SUPPLY BANK**

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

Dear Applicant:

The Idaho Department of Water Resources (Department) acknowledges receipt of the application to lease the above referenced water right to the Idaho Water Resource Board's Water Supply Bank (Bank). The Department will review your application as resources allow.

If the right is determined to be eligible for acceptance into the Bank, the right will be entered as of the date of receipt of the application. The acceptance date may be adjusted when additional information is required. A preliminary review of your application has been completed, and it has been determined that additional information is required to continue processing.

Please provide the following information or request withdrawal of your application within 30 days of the date of this letter or the application will be returned unprocessed, and your application fee will be refunded:

- **During the review of this application, it appears that this water right has not been put to beneficial use in the last 5 years. Please provide evidence of use. Also, it appears the land appurtenant to water right 29-7009 has been sub-divided and some of the lots have been sold. Unless you withheld the water right is the sale of the lots, the new property owners will need to give you permission to place the water right in the Bank, if evidence of use is provided.**

The department will continue processing your application once you have submitted the requested information. Water right forms are available from the Department's website at www.idwr.idaho.gov. If you have any questions, please contact this office at (208) 287-4800.

Sincerely,


for
Water Supply Bank

Crichton, Izzy

From: Crichton, Izzy
Sent: Tuesday, February 4, 2025 11:00 AM
To: idahoelkhunter@me.com
Cc: Bank
Subject: Request Place of Use & Point of Diversion map for Water Right #29-7009

Good Morning Rick,

I have started the intake process on your lease application for Water Right #29-7009. When leasing portions of water rights into the Water Supply Bank, a map of the Place of Use (POU) and Point of Diversion (POD) are required to show the places to be idled for the lease.

Here are some instructions to complete this on your personal computer:

1. Follow the link: [Water Supply Bank](#)
2. Under the layers list, check the boxes: Groundwater Lease PODs, Idaho, and PLS
3. In the top left corner there is a search bar, enter your Water Right Number in here and search
4. Once you have found the location of your Water Right, open the "Draw" tab in the bottom left corner
5. There are several draw modes to choose from, and when you hover your mouse over the options it will tell you what kind of drawing it is, the "polygon" is the best drawing mode for this kind of map
6. Once you choose the color of your polygon, set the transparency to at least 50% so you can still see the land under the polygon. Toggle the "show area measurement" to on and choose acre as your unit of measurement.
7. Once you're happy with your polygon and it shows the POU you want idled, open the "Print or Download" tab in the bottom left corner
 - a. Map title should be your last name and the Water Right numbers
 - b. Layout is A3 Portrait
 - c. Format is PDF

Once this is completed, please send a copy of the map to me or the Water Supply Bank email within 14 days of this email date (2/18/2025) so we can continue to process your lease application.

If you have any questions please feel free to reach out.

Thank you,

Izzy Crichton
Water Supply Bank Specialist



322 E Front St
Boise, Idaho 83702
(208)-287-4963