IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
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Governor Brad Little **Director Mathew Weaver**

September 15, 2025

CITY OF BOISE
C/O ROBIN LEE-BEUSAN
150 N CAPITOL BLVD.
BOISE, ID 83702-5920

RE: WATER SUPPLY BANK LEASE CONTRACTS 2017 FOR WATER RIGHTS 63-7755B

Dear Lessor:

Water right **63-7755B 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,

Kris Margheim
Technical Records Specialist

Enclosure: Executed Lease Contract

c: IDWR- Western Region Office
Robin Lee-Beusan (via email)
Water District No. 63 (via email)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 2017

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

LESSOR: CITY OF BOISE
PUBLIC WORKS 150 N CAPITOL BLVD
BOISE, ID 83702-5920

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 March 07, 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)
63-7755B	3/23/1973	GROUND WATER	0.34	90.0	20.0
Lease Totals			**0.34**	**90.0**	**20.0**

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)
63-7755B	0.000	0.0	0.0	0.00	0.00
Combined Limit Totals	**0.00**	**0.0**	**0.0**	**0.00**	**0.00**

**** The water right elements rentable have been reduced from the water right elements leased to account for enlargement concerns due to combined limits.***

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

LESSOR: CITY OF BOISE
PUBLIC WORKS 150 N CAPITOL BLVD
BOISE, ID 83702-5920

By _____
Title Public Works Director
Date 8/22/25

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

By _____ Date 9/15/25
Brian Patton, Executive Manager
Idaho Water Resource Board

Lease approved by IDWR _____ Date 9/15/25

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ATTACHMENT A
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Source and Location of Point(s) of Diversion for Water Right No(s): 63-7755B

GROUND WATER	NWNW	Sec. 35	Twp 01N	Rge 01E	ADA County
GROUND WATER	NENW	Sec. 35	Twp 01N	Rge 01E	ADA County
GROUND WATER	SESW	Sec. 23	Twp 01N	Rge 01E	ADA County
GROUND WATER	SESW	Sec. 25	Twp 01N	Rge 01E	ADA County
GROUND WATER	SENW	Sec. 25	Twp 01N	Rge 01E	ADA County
GROUND WATER	NWSE	Sec. 25	Twp 01N	Rge 01E	ADA County
GROUND WATER	NENE	Sec. 36	Twp 01N	Rge 01E	ADA County
GROUND WATER	SWNE	Sec. 34	Twp 01N	Rge 01E	ADA County
GROUND WATER	NENE	Sec. 33	Twp 01N	Rge 01E	ADA County
GROUND WATER	NWNW	Sec. 34	Twp 01N	Rge 01E	ADA County
GROUND WATER	SWSW	Sec. 24	Twp 01N	Rge 01E	ADA County
GROUND WATER	NWSW	Sec. 27	Twp 01N	Rge 01E	ADA County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
63-7755B	IRRIGATION	03/01	to	11/30	0.34 cfs	90.0 AF
				Totals:	0.34 cfs	90.0 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	22																0.1	0.1
01N	01E	23			0.1	0.2			0.1	0.1	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	320.5
01N	01E	24							0.1		40.0	40.0	40.0	40.0					160.1
01N	01E	25	41.0	41.0	41.0	41.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	41.0	41.0	41.0	16.0	623.0
01N	01E	26	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
01N	01E	27	41.0	41.0	41.0	41.0	40.0	40.0	40.0	41.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	645.0
01N	01E	28												0.2			0.2	0.2	0.6
01N	01E	33	41.0	41.0	41.0	41.0	41.0			41.0	41.0				40.0	41.0			368.0
01N	01E	34	41.0	41.0	41.0	41.0	41.0	41.0	41.0	41.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	648.0
01N	01E	35	40.0	40.0	40.0	40.0	41.0	41.0	41.0	41.0	40.0	41.0	40.0	40.0	40.0	40.0	40.0	40.0	645.0
01N	01E	36	32.0	37.0	3.3	27.0	40.0	40.0	18.0	10.0									207.3
01S	01E	3	0.1 L1	0.8 L2			1.1 L3	0.7 L4											2.7

Total Acres: 279.0
Acres to be Idled: 20.0

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ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
    a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
    b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
13. Rights 63-3013, 63-3014, 63-7005B, 63-7042B, 63-7047, 63-7053, 63-7055A, 63-7055C, 63-7055D, 63-7064A, 63-7064B, 63-7078B, 63-7755B, 63-8130B, 63-8435, 63-9243, 63-9359, 63-12461 and 63-12470 when combined shall not exceed a total diversion rate of 60.87 cfs, and a total annual maximum diversion volume of 16,808.1 af for the irrigation of 3,646.0 acres, industrial, stockwater and domestic uses.
14. Rights 63-7005B, 63-7042B, 63-7053, 63-7055C, 63-7055D, 63-7064A, 63-7064B, 63-7078B, 63-7755B, 63-8130B, 63-9243 and 63-9359 when combined shall not exceed a total diversion rate of

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37.53 cfs, and a total annual maximum diversion volume of 10,213.1 af for the irrigation of 2,261.0 acres, industrial, stockwater and domestic uses.

15. Rights 63-3013, 63-3014, 63-7005B, 63-7042B, 63-7047, 63-7053, 63-7055A, 63-7055C, 63-7055D, 63-7064A, 63-7064B, 63-7078B, 63-7755B, 63-8130B, 63-8435, 63-9243 and 63-9359 when combined shall not exceed a total diversion rate of 51.07 cfs, and a total annual maximum diversion volume of 14,490.5 af for the irrigation of 3,051.0 acres, industrial, stockwater and domestic uses.
16. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
17. The unleased portion of water right 63-7755B shall not exceed a total diversion rate of 4.38 cfs, a total annual maximum diversion volume of 1165.5 af at the field headgate, and the irrigation of 259.0 acres.