

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**WATER SUPPLY BANK LEASE CONTRACT No. 2038**

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

LESSOR: SUN VALLEY COMMUNITY
SCHOOL INC
PO BOX 2118
SUN VALLEY, ID 83353-2118

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 July 24, 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)
37-8157	6/30/1983	UNNAMED STREAM, tributary to SINKS	Not Stated	14.6	4.2
Lease Totals			Not Stated	14.6	4.2

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** The term of this lease shall be January 1, 2025 to December 31, 2025. 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 2038

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 2038

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

LESSOR: SUN VALLEY COMMUNITY
SCHOOL INC
PO BOX 2118

SUN VALLEY, ID 83353-2118

By B. J. - [Signature]
Title Head of School
Date 09/30/25

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

By [Signature]
Brian Patton, Executive Manager
Idaho Water Resource Board

Date 10/6/25

Lease approved by IDWR [Signature]

Date 10/6/25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 2038

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): 37-8157

UNNAMED STREAM NWSW Sec. 16 Twp 04N Rge 18E BLAINE County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
37-8157	IRRIGATION STORAGE	01/01	to	12/31	Not Stated	14.6 AF
	IRRIGATION FROM STORAGE	04/15	to	10/31	Not Stated	14.6 AF
Totals:					Not Stated	14.6 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	16										X							

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION FROM STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	16							1.0			2.0	1.2						4.2

Total Acres: 4.2

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 2038

7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
 - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. The leased portion of water right 37-8157 of contract 2038 must be rented with 4.2 acres of the leased portion of 37-20901 under contract 2037 to prevent enlargement of the rights.
13. The unleased portions of rights 37-8157, 37-22681, and 37-20901 when combined shall not exceed the irrigation of 10.6 acres.
14. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
15. The reservoir established by the storage of water under this right shall not exceed a total capacity of 1.9 acre-feet or a total surface area of 0.25 acres.
16. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
17. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

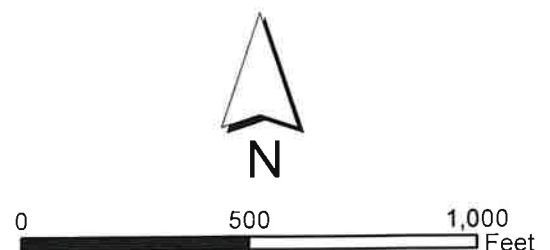
Idaho Water Resource Board
Water Supply Bank Lease Contract No. 2038

37-8157
Effective until December 31, 2025

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



RECEIVED

STATE OF IDAHO
WATER RESOURCE BOARD

MAY 29 2025

Print Form

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKApplicant / Designated Lessor Sun Valley Community School, Inc.Water Right No. 37-20901

(Select one owner – see item 1A on the application)

(One water right per application)

Is this application being submitted with a rental application as a lease/rental package? Yes ☐ No ☒

If yes, include renter and rental fee payment information as attachment 5B.

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. Applications that do not meet the minimum requirements will not be processed and may be returned or denied.

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Yes	N/A	Yes	Attachments	
☒				Completed <i>Application to Sell or Lease a Water Right to the Water Supply Bank</i> , printed single sided , per requirement of the Water Supply Bank.
☒				Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
	☐	☒	1A	Signatures and contact information for all owners of the water right to be leased or sold on this application.
	☐	☒	1B	An <u>Internal Revenue Service (IRS) Form W-9</u> for the Applicant / Designated Lessor.
	☐	☒	1C	<i>Notice of Change in Water Right Ownership</i> form (accessible from www.idwr.idaho.gov).
	☐	☒	1D	Contact information for an authorized representative and documentary proof they are authorized to represent the Applicant on this application. If the Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
	☐	☒	2	Description of a water right portion offered to the Water Supply Bank.
	☐	☒	3	A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov .
	☒	☐	4A	Written consent from irrigation district or water delivery company.
	☒	☐	4G	Evidence demonstrating the water right has not been forfeited pursuant to <u>Section 42-222(2), Idaho Code</u> .
	☒	☐	5B	Rental rate and owner payment agreement between lessor and renter for lease/rental packages.

Department Use Only

Fee Amount \$	Received By:	Date Received:	Receipt #
W-9 received? Yes ☐ No ☐	(Route W-9 to Fiscal)	Name on W-9:	

3234

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. The applicant or designated lessor must be listed as a current owner of the water right offered for sale or lease to the Water Supply Bank. If there are multiple current owners, choose one owner as the Designated Lessor. Complete and attach the Designated Lessor - Attachment 1A of this application package with the signatures of all current owners.

Applicant / Designated Lessor Sun Valley Community School, Inc.
Mailing Address PO Box 2118 Sun Valley Idaho 83353
Street City State Zip Code
Email Address bpettit@communityschool.org Phone Number 208-622-3955

☒ The Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Lessor is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Lessor / Applicant submitted an IRS Form W-9 to this Department within 6 months? Yes ☐ No ☒
If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Water Right Holder? Yes ☒ No ☐
If yes, representatives (includes employees of Water Right Holder companies) must complete this section and submit documentary proof of their authority to represent the Water Right Holder (Attachment 1D).

Name of Representative Chris M. Bromley Organization McHugh Bromley, PLLC
Professional Title Attorney Email Address cbromley@mchughbromley.com
Mailing Address PO Box 107, Boise, ID 83701 Phone Number 208-287-0991

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

OR

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

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☐ The full water right is being offered to the Bank and none will still be used.

OR

☒ A portion of the water right is being offered to the Bank and a portion will still be used.

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

3. MAP

Attach a map The map must locate the point of diversion from the source of water and the location of the lands to be idled or the place where the water will no longer be used. The map must also show townships, ranges, sections, and government lots. **For irrigation purposes**, mark the number of acres for lease per 40-acre tract (1/4-1/4). If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Identify the owner of the water delivery system or well Applicant

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e. (Label Attachment 4A)

- B. Please provide a description of the current water diversion and delivery system, including source, pump, pipeline or diversion.

Three wells pump into a common mainline that gravity flows into a pond where water is pumped into a pressurized sprinkler system.

- C. Describe any other water sources, including municipal, irrigation company shares, or water rights with combined limits to the water right offered to the bank, which are used for the same purpose at the same place of use as the water right being offered to the Bank. 37-8157, 3720901, 37-22681

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☒ No ☐

Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands, and usually have combined limits in the conditions of the water rights. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

- E. Will the present place of use continue to receive water from any other source, including those listed in 4C? Yes ☐ No ☒

If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased. _____

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

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

- G. Identify annual volumes and/or rates of water diverted (used) in the last 5 years to accomplish the beneficial use authorized by this water right. n/a

- 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

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE CONTRACT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒ ?

If lease, specify the first calendar year when the use of water will be suspended: 1/1/2024

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

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

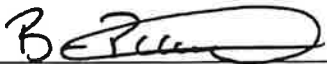
B. Show the minimum payment acceptable to the seller/lessor. If lease, the minimum payment may be shown as the "current rental rate" as established by the IWRB, or a negotiated rental rate with submittal of an agreement between the lessor and the renter. *The owner payment is 90% of the rental fee. The administrative fee retained by the IWRB is 10% of either the current rental rate or the negotiated rental fee, whichever is higher. Include the method of determining the minimum payment if submitted as a companion lease rental package, and whether the owner payment will be paid directly to the lessor from the renter or if owner payment should be collected by the Department from the renter for payment to the lessor. (Label attachment 5B).*

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 Lessor / Applicant acknowledges the following:

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


Signature of Designated Lessor or Applicant

Ben Pettit, Head of School
Printed Name

05/23/25
Date

Signature of Co-Applicant

Printed Name

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

ATTACHMENT 2

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

1. Water Right Number 37-20901 Nature of Use Irrigation Leased Rate 0.22 Leased Volume 87.15 Leased Acres 24.9
(cfs) (af) (ac)
Total Amounts: 0.22 87.15 24.9

2. Source of water Ground Water tributary to _____

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

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
4N	18E	16		SW	NW		Blaine	Ground Water	
4N	18E	16		SW	NW		Blaine	Ground Water	
4N	18E	16		NW	SW		Blaine	Ground Water	

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

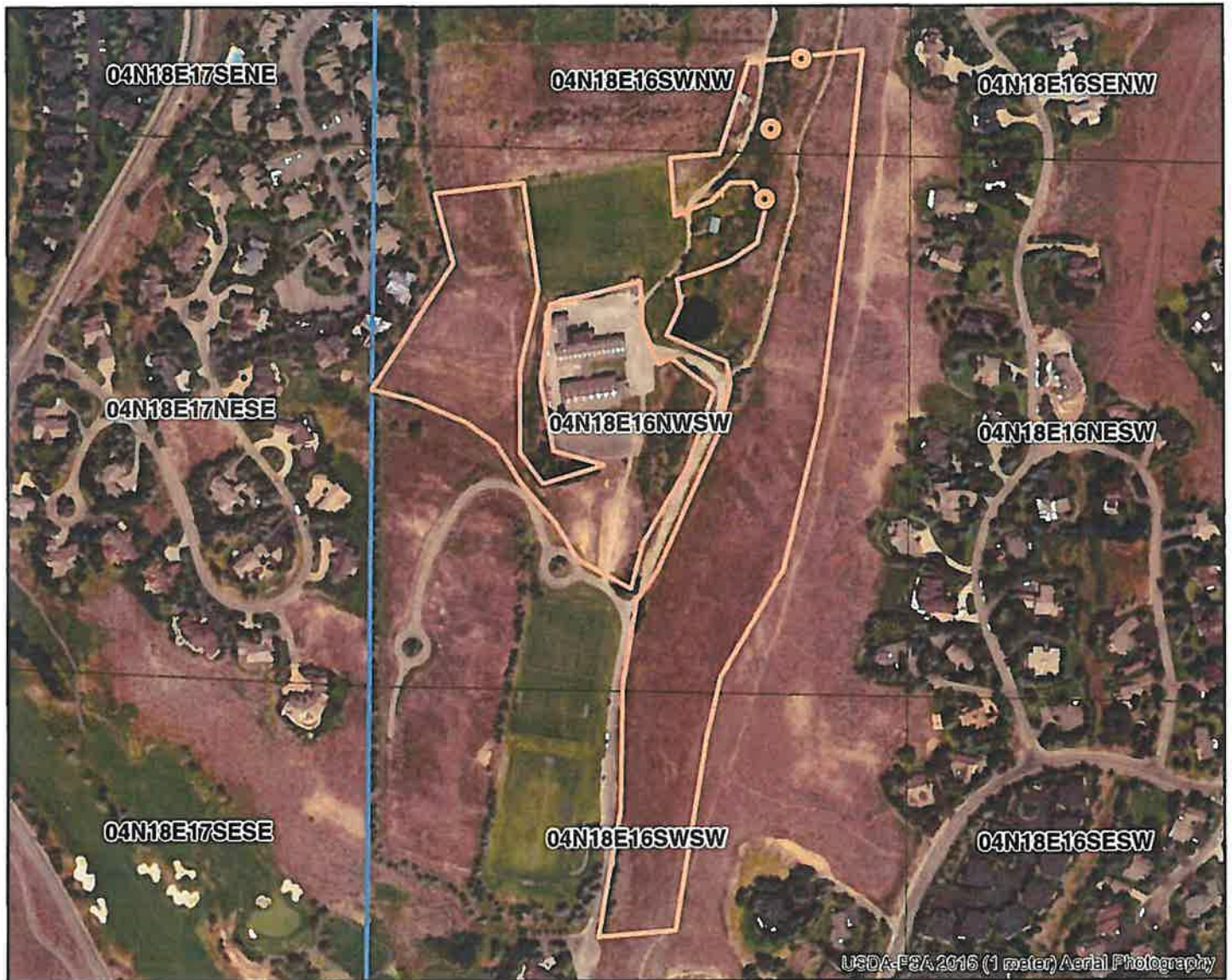
D - domestic, S - stockwater, M - municipal, C - commercial, I - industrial, X - other.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	18E	16							1.0			20.1	3.8						24.9

Water Supply Bank Lease Application

37-20901

This map depicts the place of use to be idled



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



0 500 1,000 Feet

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

MAY 29 2025

DEPARTMENT OF
WATER RESOURCES

Print Form

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

Applicant / Designated Lessor Sun Valley Community School, Inc.
(Select one owner – see item 1A on the application)

Water Right No. 37-22681
(One water right per application)

Is this application being submitted with a rental application as a lease/rental package? Yes ☐ No ☒

If yes, include renter and rental fee payment information as attachment 5B.

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. Applications that do not meet the minimum requirements will not be processed and may be returned or denied.

MINIMUM REQUIREMENT CHECKLIST
Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Yes



Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*, printed **single sided**, per requirement of the Water Supply Bank.



Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.

N/A

Yes

Attachments



1A

Signatures and contact information for **all owners** of the water right to be leased or sold on this application.



1B

An Internal Revenue Service (IRS) Form W-9 for the Applicant / Designated Lessor.



1C

Notice of Change in Water Right Ownership form (accessible from www.idwr.idaho.gov).



1D

Contact information for an authorized representative and documentary proof they are authorized to represent the Applicant on this application. If the Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.



2

Description of a water right portion offered to the Water Supply Bank.



3

A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.



4A

Written consent from irrigation district or water delivery company.



4G

Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.



5B

Rental rate and owner payment agreement between lessor and renter for lease/rental packages.

Department Use Only

Fee Amount \$

Received By:

Date Received:

Receipt #

W-9 received? Yes ☐ No ☐ (Route W-9 to Fiscal)

Name on W-9:

3234

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

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Applicant / Designated Lessor Sun Valley Community School, Inc.
Mailing Address PO Box 2118 Sun Valley Idaho 83353
Street City State Zip Code
Email Address bpettit@communityschool.org Phone Number 208-622-3955

- ☒ The Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

- ☐ The Designated Lessor is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Lessor / Applicant submitted an IRS Form W-9 to this Department within 6 months? Yes ☐ No ☒
If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Water Right Holder? Yes ☐ No ☐
If yes, representatives (includes employees of Water Right Holder companies) must complete this section and submit documentary proof of their authority to represent the Water Right Holder (Attachment 1D).

Name of Representative Chris M. Bromley Organization McHugh Bromley, PLLC
Professional Title Attorney Email Address cbromley@mchughbromley.com
Mailing Address PO Box 107, Boise, ID 83701 Phone Number 208-287-0991

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

OR

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

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

- ☐ The full water right is being offered to the Bank and none will still be used.

OR

- ☒ A portion of the water right is being offered to the Bank and a portion will still be used.
If a portion of the water right is being offered, complete Attachment 2.

3. MAP

Attach a map. The map must locate the point of diversion from the source of water and the location of the lands to be idled or the place where the water will no longer be used. The map must also show townships, ranges, sections, and government lots. For irrigation purposes, mark the number of acres for lease per 40-acre tract (1/4-1/4). If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Identify the owner of the water delivery system or well Applicant
If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e. (Label Attachment 4A)
- B. Please provide a description of the current water diversion and delivery system, including source, pump, pipeline or diversion.
Three wells pump into a common mainline that gravity flows into a pond where water is pumped into
a pressurized sprinkler system.
- C. Describe any other water sources, including municipal, irrigation company shares, or water rights with combined limits to the water right offered to the bank, which are used for the same purpose at the same place of use as the water right being offered to the Bank. 37-8157, 3720901, 37-22681
- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☒ No ☐
Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands, and usually have combined limits in the conditions of the water rights. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.
- E. Will the present place of use continue to receive water from any other source, including those listed in 4C? Yes ☐ No ☒
If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.
- F. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒
If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Label Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture, including lease into the Bank. Your application may be denied if forfeiture concerns are not addressed.
- G. Identify annual volumes and/or rates of water diverted (used) in the last 5 years to accomplish the beneficial use authorized by this water right. n/a
- 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

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE CONTRACT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒ ?

If lease, specify the first calendar year when the use of water will be suspended: 1/1/2024

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

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

B. Show the minimum payment acceptable to the seller/lessor. If lease, the minimum payment may be shown as the "current rental rate" as established by the IWRB, or a negotiated rental rate with submittal of an agreement between the lessor and the renter. *The owner payment is 90% of the rental fee. The administrative fee retained by the IWRB is 10% of either the current rental rate or the negotiated rental fee, whichever is higher. Include the method of determining the minimum payment if submitted as a companion lease rental package, and whether the owner payment will be paid directly to the lessor from the renter or if owner payment should be collected by the Department from the renter for payment to the lessor. (Label attachment 5B).*

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 Lessor / Applicant acknowledges the following:

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


Signature of Designated Lessor or Applicant

Ben Pettit, Head of School
Printed Name

05/23/25
Date

Signature of Co-Applicant

Printed Name

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

ATTACHMENT 2

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

1. <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)
37-22681	Irrigation	0.06	19.25	5.5
				5.5
	Total Amounts:	0.06	19.25	5.5

2. Source of water Ground Water tributary to _____

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

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County	Source	Local name or tag #
4N	18E	16		SW	NW		Blaine	Ground Water	
4N	18E	16		SW	NW		Blaine	Ground Water	
4N	18E	16		NW	SW		Blaine	Ground Water	

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

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

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	18E	16										3.1	2.4						5.5

Water Supply Bank Lease Application

37-22681

This map depicts the place of use to be idled



Lease Point of Diversion



Lease Place of Use



Townships



PLS Sections



Quarter Quarters





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

October 6, 2025

SUN VALLEY COMMUNITY SCHOOL INC
PO BOX 2118
SUN VALLEY, ID 83353-2118

**RE: WATER SUPPLY BANK LEASE CONTRACT 2037
FOR WATER RIGHTS 37-20901, 37-22681**

Dear Lessor:

Water rights **37-20901, 37-22681** are leased into the Water Supply Bank (Bank) as of January **2025** in accordance with the enclosed executed lease contract. **Your water rights, as described on the lease contract, are considered leased into the Bank and should remain unused until they are formally released from the Bank.** More information and further restrictions placed on your water rights while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The right(s) will automatically be released from the Bank on **December 31, 2025**, 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

Kris Margheim
Technical Records Specialist

Enclosure: Executed Lease Contract

c: IDWR- Southern Region Office
Chris Bromley (via email)
Water District No. 37 (via email)



Outlook

Water Supply Bank Lease Contract Nos. 2037 & 2038, Sun Valley Community School

From Chris Bromley <cbromley@mchughbromley.com>

Date Tue 9/30/2025 2:13 PM

To Beck, Catalina <Catalina.Beck@idwr.idaho.gov>; Idaho Department of Water Resources Filing <file@idwr.idaho.gov>

 2 attachments (5 MB)

WSB 2037 Acceptance.pdf; WSB 2038 Acceptance.pdf;

CAUTION: This email originated outside the State of Idaho network. Verifv links and attachments BEFORE you click or open. even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Subject: RE: Proposed Water Supply Bank Lease Contracts 2037,2038 for Sun Valley Community School

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good Morning Catalina,

I now have clear direction on how to proceed. Would you please edit the lease agreement to run from 1/1/2025 to 12/31/2025? I will then have Community School execute the lease agreement and send it back to you for Brian's signature. I realize that when I originally filed the application I asked for a 5-year term. Community School is going to use a 1-year term with the Bank, then will enroll the acres for fallowing with Galena Ground Water District in accordance with the Extended Big Wood Ground Water Management Area Plan for the 2026 and 2027 irrigation seasons.

If you have any questions, please don't hesitate to contact me. Again, I appreciate your patience while I worked through some details.

Thanks,

Chris

Hello,

Please see attached for filing acceptances from the Sun Valley Community School for *Water Supply Bank Lease Contract No. 2037* and *Water Supply Bank Lease Contract No. 2038*. If you have any questions, please contact me.

Thank you,

Chris M. Bromley
McHugh Bromley, PLLC
PO Box 107
Boise, Idaho 83701
(208) 287-0991
www.mchughbromley.com

From: Beck, Catalina <Catalina.Beck@idwr.idaho.gov>
Sent: Tuesday, September 30, 2025 10:42 AM
To: Chris Bromley <cbromley@mchughbromley.com>
Subject: RE: Proposed Water Supply Bank Lease Contracts 2037,2038 for Sun Valley Community School

Good Morning Chris

Here is the updated lease contract for Sun Valley Community School with the lease end dates with 12/31/2025. I will mail out the contracts today If the contracts come in please send to IDWR Fil

Catalina Beck



Catalina Beck
Water Resource Agent
208-287-4920
Catalina.beck@idwr.idaho.gov

Idaho Department of Water Resources State Office
322 E Front Street Boise, ID 83702

From: Chris Bromley <cbromley@mchughbromley.com>
Sent: Tuesday, September 30, 2025 9:26 AM
To: Beck, Catalina <Catalina.Beck@idwr.idaho.gov>

Catalina Beck



Catalina Beck
Water Resource Agent
208-287-4920
Catalina.beck@idwr.idaho.gov

Idaho Department of Water Resources State Office
322 E Front Street Boise, ID 83702

From: Chris Bromley <cbromley@mchughbromley.com>
Sent: Monday, September 15, 2025 1:33 PM
To: Beck, Catalina <Catalina.Beck@idwr.idaho.gov>
Subject: RE: Proposed Water Supply Bank Lease Contracts 2037,2038 for Sun Valley Community School

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Catalina,

Wow, I wasn't expecting to see a draft approval so soon. I'm in the process of working on a fallowing agreement with Galena Ground Water District, pursuant to the Big Wood River Ground Water Management Plan. If the fallowing agreement comes together, then I would withdraw the water supply bank lease application. Would it be possible for the water supply bank to hold the approval for another 30 days while I work through the fallowing agreement with Galena GWD?

Thanks,

Chris

From: Beck, Catalina <Catalina.Beck@idwr.idaho.gov>
Sent: Monday, September 15, 2025 1:08 PM
To: Chris Bromley <cbromley@mchughbromley.com>
Subject: Proposed Water Supply Bank Lease Contracts 2037,2038 for Sun Valley Community School

Good Afternoon,

Here is a copy of the proposed Water Supply Bank Lease Contact 2037,2038 for Sun Valley Community School

Beck, Catalina

From: Chris Bromley <cbromley@mchughbromley.com>
Sent: Tuesday, September 30, 2025 9:26 AM
To: Beck, Catalina
Subject: RE: Proposed Water Supply Bank Lease Contracts 2037,2038 for Sun Valley Community School

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good Morning Catalina,

I now have clear direction on how to proceed. Would you please edit the lease agreement to run from 1/1/2025 to 12/31/2025? I will then have Community School execute the lease agreement and send it back to you for Brian's signature. I realize that when I originally filed the application I asked for a 5-year term. Community School is going to use a 1-year term with the Bank, then will enroll the acres for fallowing with Galena Ground Water District in accordance with the Extended Big Wood Ground Water Management Area Plan for the 2026 and 2027 irrigation seasons.

If you have any questions, please don't hesitate to contact me. Again, I appreciate your patience while I worked through some details.

Thanks,

Chris

From: Chris Bromley
Sent: Monday, September 15, 2025 1:42 PM
To: 'Beck, Catalina' <Catalina.Beck@idwr.idaho.gov>
Subject: RE: Proposed Water Supply Bank Lease Contracts 2037,2038 for Sun Valley Community School

Catalina,

I appreciate the courtesy. I have a reminder on my calendar for 3 weeks from now to get back in touch with you.

Thanks,

Chris

From: Beck, Catalina <Catalina.Beck@idwr.idaho.gov>
Sent: Monday, September 15, 2025 1:39 PM
To: Chris Bromley <cbromley@mchughbromley.com>
Subject: RE: Proposed Water Supply Bank Lease Contracts 2037,2038 for Sun Valley Community School

Good Afternoon Chris Bromley

I can hold the proposed contracts for 30 days just please stay in contact and let me know the status.

Beck, Catalina

From: Beck, Catalina
Sent: Wednesday, July 23, 2025 10:23 AM
To: Skinner, Corey
Cc: watermanager
Subject: Water Supply Bank Lease Application 3234 for Sun Valley Community School Inc Water Right 37-8157,37-22681,37-20901 Seeking Comment
Attachments: WSB Lease Application #3234 Sun Valley Community School Inc. WR #37-20901 (2).pdf; WSB Lease Application #3234 Sun Valley Community School Inc. WR #37-22681 (2).pdf; WSB Lease Application #3234 Sun Valley Community School Inc. WR #37-8157 (1).pdf; L1.1.2 Lease Review Memo .docx; Lease 2025-2029.pdf

Good Morning Corey

We are seeking comments, regarding the Water Supply Bank (WSB) Lease Application 3234 for Sun Valley Community School Inc . I have attached a copy of the lease application, the lease review, a map for your reference.

Please submit your comments within 7 days, no later than July 30,2025 . 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 about the lease.

Comments are preferred to be received by e-mail to catalina.beck@idwr.idaho.gov. However, comments by regular mail is acceptable.

If you have any questions, don't hesitate to contact me at the State Office at (208) 287-4920.
Water rights 37-8157, 37-22681, and 37-20901



Catalina Beck
Water Resource Agent
208-287-4920
Catalina.beck@idwr.idaho.gov

Idaho Department of Water Resources State Office
322 E Front Street Boise, ID 83702

MEMORANDUM FOR APPLICATION # 3234

To: Water Right(s) 37-20901,37-22681

From: Catalina Beck Water Resource Agent

Date: June 24, 2025

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

PURPOSE/NARRATIVE: Renewal The lease application was received on March 29, 2025, along with the correct fees. At the representative's request, the lease contract will be updated to cover only one year. The applicant seeks to lease water rights 37-20901 and 37-22681 for irrigation purposes. Lease Application 3234 required administrative adjustments to accurately reflect the parties associated with Water Right 37-8157. During review, it was identified that the Sun Valley Community School was not included in the data entry under the contacts section for water right 37-8157. To correct this omission and ensure proper representation, the application was split into two applicants 3253 (water right 37-8157) and 3234 (water rights 37-20901, 37-22681). The lease covers a combined total of 30.4 acres, with a volume of 106.4 acre-feet (AF) and a diversion rate of 0.28 cubic feet per second (cfs), starting in 2025 for a duration of five years. Water rights 37-20901 and 37-22681 are in the Trust Water Area and the Big Wood River.

AUTHORITY TO FILE: The lease application for Sun Valley Community School is signed by Ben Pettit, who is identified as the director of the school according to the State of Idaho Business website. Chris M. Bromley from McHugh Bromley PLLC serves as the representative for Sun Valley Community School. There are no concerns regarding authority.

WATER RIGHT VALIDITY: Water rights 37-22681 and 37-20901 were decreed on September 24, 2010, and were in the bank from 2016 to 2020. Using sentinel imagery, I reviewed the application and found that the portion proposed for leasing into the bank was idle from 2021 to 2024. According to Multiple programs memo #3 given that the application for lease was submitted in the fifth year of non-use (2025), the portion proposed to the bank is protected from forfeiture concerns.

ENLARGEMENT OF USE: Water rights 37-22681, and 37-20901 are stacked with 37-8157. However, 37-8157 is proposed to be leased to the bank under application 3253. These rights are in the Sun Valley Water and Sewer District service boundaries. No concerns with enlargement.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The lease appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the leased POD is within Water District 37. Comments were requested on July 23, 2025, to the watermaster and southern region.