STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# WATER SUPPLY BANK LEASE CONTRACT No. 2072

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

**LESSOR:** DRASHNER BENCH LLC
C/O KATHRYN GARDNER PO BOX 1200
HAILEY, ID 83333

**LESSOR:** GARDNER BENCH LLC
C/O KATHRYN GARDNER PO BOX 1200
HAILEY, ID 83333

## 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) |
|---|---|---|---|---|
| 37-22241 | 4/1/1912 | COLD SPRING GULCH, tributary to SINKS | Not Stated | 1.0 |
| **Lease Totals** | | | **Not Stated** | **1.0** |

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, 2026 to December 31, 2030. 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.

# WATER SUPPLY BANK LEASE CONTRACT No. 2072

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. 2072

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

**LESSOR:** DRASHNER BENCH LLC
C/O KATHRYN GARDNER PO BOX 1200
HAILEY, ID 83333

By M M Ruzicka
Title manager
Date 11-1-2025

**LESSOR:** GARDNER BENCH LLC
C/O KATHRYN GARDNER PO BOX 1200
HAILEY, ID 83333

By Kathryn Gardner
Title Manager
Date 10-29-2025

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

By _____ Date 11/4/25
Brian Patton, Executive Manager
Idaho Water Resource Board

Lease approved by IDWR _____ Date 11/4/25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# WATER SUPPLY BANK LEASE CONTRACT No. 2072

## 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): 37-22241**

| | | | | | |
|---|---|---|---|---|---|
| COLD SPRING GULCH | NWNESE | Sec. 30 | Twp 04N | Rge 18E | BLAINE County |

| Water Right | Beneficial Use | Season of Use | | | Diversion Rate (CFS) | Volume (AF) |
|---|---|---|---|---|---|---|
| | | From | | To | | |
| 37-22241 | AESTHETIC | 01/01 | to | 12/31 | Not Stated | 1.0 AF |
| | | | | Totals: | Not Stated | 1.0 AF |

**PLACES OF USE TO BE IDLED UNDER THIS LEASE: AESTHETIC**

| 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 | 30 | | | | | | | | | | | | | X | | | | X |

### 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.

# WATER SUPPLY BANK LEASE CONTRACT No. 2072

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. Aesthetic use for 12,000 square foot surface area by 3.6 ft average depth pond.

13. 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.

14. The source for this water right has been administered as a separate stream from the Big Wood River. This leased right will not be considered as a rental candidate for applications on the Big Wood River.

Form 42-1761-1
09/2024

STATE OF IDAHO
WATER RESOURCE BOARD

Print Form

RECEIVED
MAY 07 2025
DEPT. OF WATER RESOURCES

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

**Applicant / Designated Lessor** Gardner-Bench LLC
(Select one owner – see item 1A on the application)

**Water Right No.** 37-22241
(One water right per application)

**Is this application being submitted with a rental application as a lease/rental package?** Yes ☐ No ☒
*If yes, include renter and rental fee payment information as attachment 5B.*

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

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

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

| N/A | Yes | Attachments | |
|---|---|---|---|
| ☐ | ☒ | 1A | Signatures and contact information for ***all owners*** of the water right to be leased or sold on this application. |
| ☐ | ☒ | 1B | An Internal Revenue Service (IRS) Form W-9 for the Applicant / Designated Lessor. |
| ☒ | ☐ | 1C | *Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov). |
| ☐ | ☒ | 1D | Contact information for an authorized representative and documentary proof they are authorized to represent the Applicant on this application. If the Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity. |
| ☒ | ☐ | 2 | Description of a water right portion offered to the Water Supply Bank. |
| ☐ | ☒ | 3 | A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov. |
| ☒ | ☐ | 4A | Written consent from irrigation district or water delivery company. |
| ☒ | ☐ | 4G | Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code. |
| ☒ | ☐ | 5B | Rental rate and owner payment agreement between lessor and renter for lease/rental packages. |

**Department Use Only**

Fee Amount $ 250 -- Received By: KM Date Received: 5.2.25 Receipt # C121121

W-9 received? Yes ☑ No ☐ (Route W-9 to Fiscal) Name on W-9: Kathryn Allred Gardner

3225

**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 Gardner-Bench LLC

Mailing Address c/o Kathryn Gardner, PO Box 12002, Hailey, Idaho 83333
Street City State Zip Code

Email Address rkgardner@svskylan.net Phone Number 208-788-2568

☐ 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 Charlie S. Baser Organization Givens Pursley LLP

Professional Title Attorney Email Address charliebaser@givenspursley.com

Mailing Address 601 W. Bannock St., Boise, Idaho 83702 Phone Number 208-388-1271

☐ 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 N/A (no well or delivery system exists)

***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.
None exists

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. None

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

***Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands, 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. Partial decree issued in SRBA in 2010. Leased to the Water Supply Bank from 2011 through 2025.

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. Not used by water right owners - leased to Bank.

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

**If yes**, describe.

STATE OF IDAHO
WATER RESOURCE BOARD

# APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

## 5. SALE/LEASE CONTRACT

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

**If lease**, specify the first calendar year when the use of water will be suspended: 2025 (year)

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

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

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

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.

| | | |
|---|---|---|
| Kathryn Gardner | Kathryn Gardner, Manager | 4-28-25 |
| Signature of Designated Lessor or Applicant | Printed Name | 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

Form 42-1761-1
07/2024

**STATE OF IDAHO**
**WATER RESOURCE BOARD**

Complete Attachment 1A if more than one water right owner

# ATTACHMENT 1A

## Multiple Water Right Holders Party to the Lease Application

For the water right offered for sale or lease, 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 Lessor or 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 Lessor**. If additional space is needed to list any other water right holders, attach a second copy of Attachment 1A.

If submitting multiple applications, it is only necessary to complete one Attachment 1A for the group of applications. List each water right below.

Water Right No(s). 37-4375 and 37-22241

| | **Designated Lessor** | Applicant #2 | Applicant #3 |
|---|---|---|---|
| Name | Gardner-Bench LLC | Drashner-Bench LLC | |
| Mailing Address | c/o Kathryn Gardner<br>PO Box 1200<br>Hailey, ID 83333 | c/o Michelle Ruzicka<br>8118 W. Elmbrook St.<br>Boise, ID 83714 | |
| Phone Number | 208-788-2568 | 208-340-0620 | |
| Email Address | rkgardner@svskylan.net | 41ruzicka@gmail.com | |
| Applicant Declaration | As Designated Lessor, I submit this lease application on behalf of all other water right holders. | I authorize the Designated Lessor to submit this application on my behalf. | I authorize the Designated Lessor to submit this application on my behalf. |
| **Signatures** | Kathryn Gardner | M M Ruzicka | |

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

**ATTACHMENT 3**

State of Idaho
Department of Water Resources

# Water Right
## 37-22241

AESTHETIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

18E

04N

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

0 0.045 0.09 0.18 Miles

N

Map produced on December 08, 2020

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**

November 5, 2025

DRASHNER BENCH LLC
GARDNER BENCH LLC
C/O KATHRYN GARDNER
PO BOX 1200
HAILEY, ID 83333

**RE: WATER SUPPLY BANK LEASE CONTRACTS 2072 FOR WATER RIGHT(S) 37-22241**

Dear Lessor:

Water right **37-4375 is** leased into the Water Supply Bank (Bank) as of January **2026** 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, 2030,** 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
Charlie S. Baser (via email)
Water District No. 37 (via email)

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 20, 2025

GARDNER-BENCH LLC
C/O KATHRYN GARDENER
PO POX 12002
HAILEY, ID 83333

**RE: APPLICATION TO LEASE WATER RIGHT 37-22241 TO THE WATER SUPPLY BANK CONTRACT 2072**

******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, 2030,** 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,

Skyler Cheever
Water Resource Agent, Sr – State Office
Idaho Dept. of Water Resources

Enclosures: Proposed Lease Contracts, Receipt No. C121121
CC: Representative (via email)

## Idaho Water Resource Board

# Water Supply Bank Lease Contract No. 2072

37-22241

Effective until December 31, 2030

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.

Feet

0 250 500 750

## Legend

- Water Supply Bank Lease Point of Diversion
- Water Supply Bank Lease Place of Use
- Township/Range
- Sections
- QQ

N

## Cheever, Skyler

**From:** Cheever, Skyler
**Sent:** Thursday, October 9, 2025 2:11 PM
**To:** Skinner, Corey; watermanager
**Subject:** Water Supply Bank Lease Applications 3225 and 3304 Gardner Bench LLC
**Attachments:** Lease Approval Map 2071.pdf; Lease Review Memo 3225.pdf; Lease Approval Map 2072.pdf; Lease Review Memo 3304.pdf

Hello Corey and Sunny,

I have completed my review of a Water Supply Bank Lease Applications 3225 and 3304 with the points of diversion within Administrative Basin 37 and Water District 37 . The applicant is . The applicant proposes to lease the entirety of water rights 37-4375 and 37-22241 into the water supply bank from 2026-2030 Attached is a copy of the review memos and maps of the place of use. In the past reweiws the watermaster indicated the proposed source is administered separatly from the Big Wood River and therefore would not be a good cantidate for a rental proposing to use Big Wood River water. A condition was added to the contract prevening Big Wood renters from using these two rights. If anything about this situation has changed please let me know. If you have any comments on the applicant's proposal or my review, please let me know within 7 days. If you have any questions or concerns, please let me know.

Best,

Skyler

**Skyler Cheever**
Water Resource Agent, Sr - State Office
(208)-287-4913
Skyler.cheever@idwr.idaho.gov

Idaho Dept. of Water Resources
322 E. Front St. PO Box 83720 Boise, ID 83720