

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 2093

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

LESSOR: GARY A DE MOSS
PO BOX 61
BLISS, ID 83314-0061

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 September 08, 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)
37-22168	9/20/1974	GROUND WATER	1.61	314.7	78.0
Lease Totals			1.61	314.7	78.0

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. 2093

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. 2093

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

LESSOR: GARY A DE MOSS

PO BOX 61

BLISS, ID 83314-0061

By Gary A De Moss

Title OWNER

Date 12-12-2025

IDAHO WATER RESOURCE BOARD

322 East Front Street

P.O. Box 83720

Boise, ID 83720-0098

By Brian Patton

Brian Patton, Executive Manager
Idaho Water Resource Board

Date 12/17/25

Lease approved by IDWR Plummer

Date 12/17/25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 2093

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): 37-22168

GROUND WATER NWSNW Sec. 16 Twp 05S Rge 13E GOODING County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
37-22168	IRRIGATION	04/01	to	11/01	1.56 cfs	312.0 AF
	STOCKWATER	01/01	to	12/31	0.05 cfs	2.70 AF
Totals:					1.61 cfs	314.70 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION & STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	13E	3						28.0	32.0			36.0							96.0
								L4											
05S	13E	4	25.0	1.0	11.0	40.0					27.0			40.0	38.0	34.0	39.0	21.0	276.0
			L1	L2															
05S	13E	9		32.0	38.0	19.0	34.0	18.0		40.0	40.0			40.0		25.0	18.0		304.0
05S	13E	16		13.0			40.0	33.0	30.0	10.0									126.0

Total Acres: 802.0

Acre Limit: 78.0

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. 2093

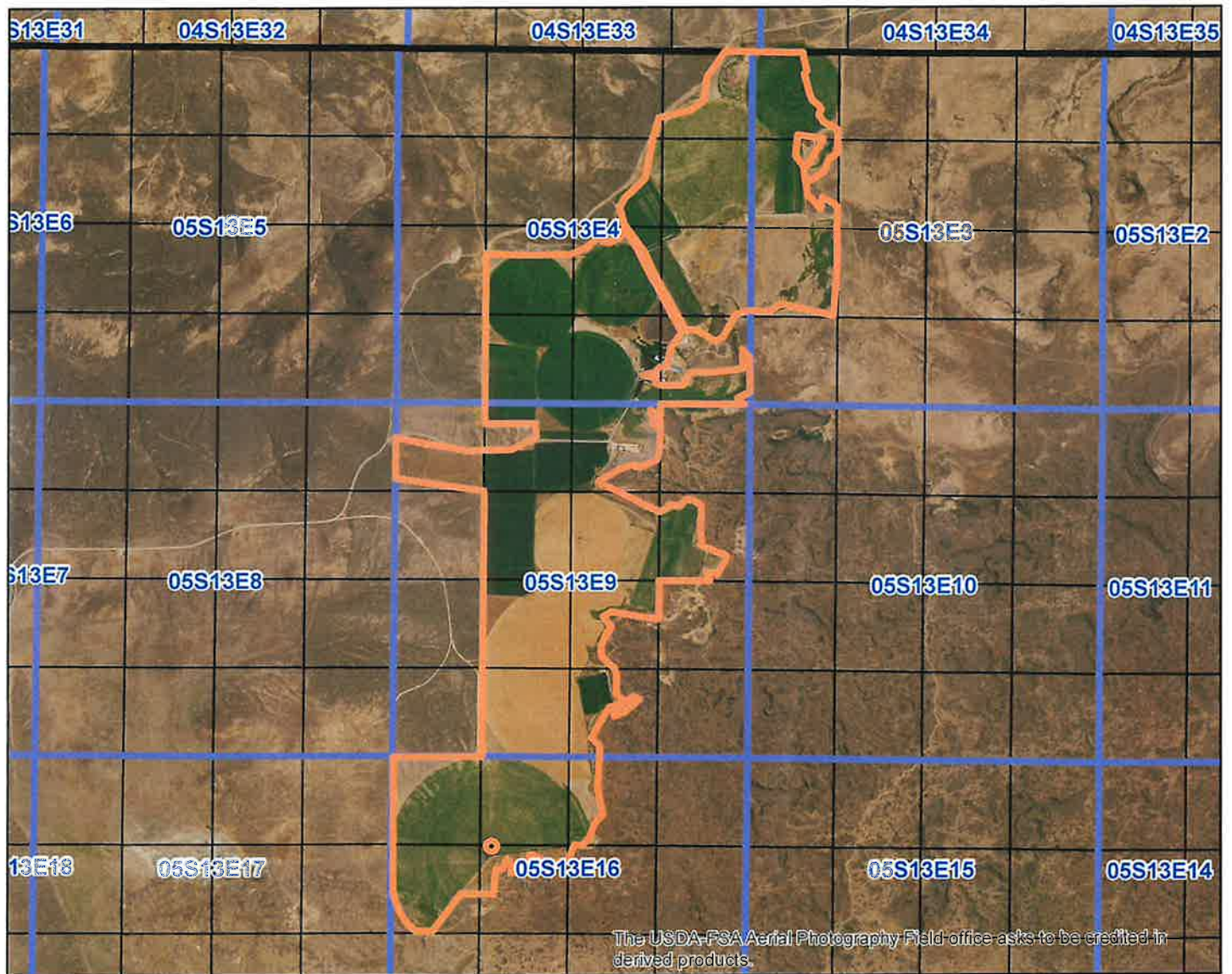
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right 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. This right is limited to the irrigation of 78.0 acres within the place of use described above in a single irrigation season.
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
14. The direct flow irrigation use described by rights 37-2778, 37-7754, 37-21961, 37-21962 and 37-22168 when combined shall not exceed a total of 555.0 acres in a single irrigation season.
15. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
16. The direct flow irrigation use described by rights 37-2778, 37-7754, and 37-22168 when combined shall not exceed a total annual maximum diversion volume of 1665.0 af at the field headgate, and the irrigation of 555.0 acres.
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. 130.
18. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than December 11, 2002.
19. Rights 37-856, 37-857, 37-2778, 37-2780, 37-7754, 37-21961, 37-21962, and 37-22168 when combined shall not exceed the irrigation of 808.0 acres.

Idaho Water Resource Board
Water Supply Bank Lease Contract No. 2093

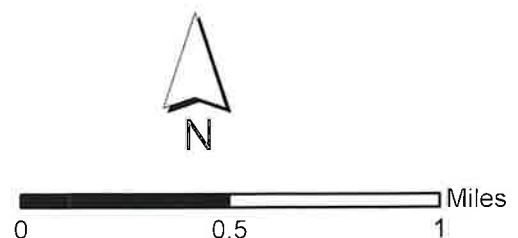
37-22168

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.



- Water Supply Bank Lease POU
- Water Supply Bank Lease POD
- Township/Range
- Sections
- QQ



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

SEP 8 2025

Print Form

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

Gary A. DeMoss and/or Helen DeMoss

37-22168

Applicant / Designated Lessor

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

Water Right No.

(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 <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.
N/A	Yes	Attachments	
☐	☒	1A	Signatures and contact information for <i>all owners</i> 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	<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 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: *KW*

Date Received: *9/8/2025*

Receipt # *C122951*

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

Name on W-9:

3288

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 Gary A. DeMoss and/or Helen DeMoss
Mailing Address P.O. Box 61 Bliss ID 83314
Street City State Zip Code
Email Address ghd2@protonmail.com Phone Number (208) 539-5853

☒ 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 Travis L. Thompson Organization Parsons Behle & Latimer
Professional Title Attorney Email Address tthompson@parsonsbehle.com
Mailing Address P.O. Box 63, Twin Falls, ID 83303 Phone Number (208) 733-0700

☐ 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 Gary A. DeMoss and/or Helen DeMoss
- 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.
Pump to pivots and sprinklers
- 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. See Attachment
- 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. See Attachment
- 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. Water right has been in the Water Supply Bank since 2006
- 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. Water right has been in the Water Supply Bank since 2006
- 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: 2030

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.

Gary A. DeMoss
Signature of Designated Lessor or Applicant

Gary A. DeMoss
Printed Name

9/2/2025
Date

Helen DeMoss
Signature of Co-Applicant

Helen DeMoss
Printed Name

9/2/2025
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 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) 37-22168

	Designated Lessor	Applicant #2	Applicant #3
Name	Gary A. DeMoss	Helen DeMoss	
Mailing Address	P.O. Box 61, Bliss ID 83314	P.O. Box 61, Bliss ID 83314	
Phone Number	208-539-5853	208-539-1938	
Email Address	ghd2@protonmail.com	ghd2@protonmail.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			

	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

Information in Response to 4.C and E:

The present permissible place of use (PPU) covered in part by water right 37-22168 will continue to receive surface water as authorized pursuant to water right nos. 37-856, 37-2778, 37-2780, and 37-7754 which describe the same place of use. Water rights 37-856 and 37-2780 are storage water rights that can be used on the total 808-acre PPU. Water rights 37-2778 and 37-7754 describe storage components without acreage limitations (except for the PPU boundary), and they also describe natural flow components which are limited to 242 and 313 acres respectively. The water rights will continue to be used under these authorized limits. These surface water rights provide a total of up to 4,365 acre-feet of irrigation storage which is not acreage limited but is restricted by the 808-acre PPU. The storage quantity is sufficient to irrigate the total 808 acres without the use of water right 37-22168 by providing 5.4 acre-feet per acre storage volume in addition to natural flow of 8.07 cfs for 555 acres provided by the natural flow components.

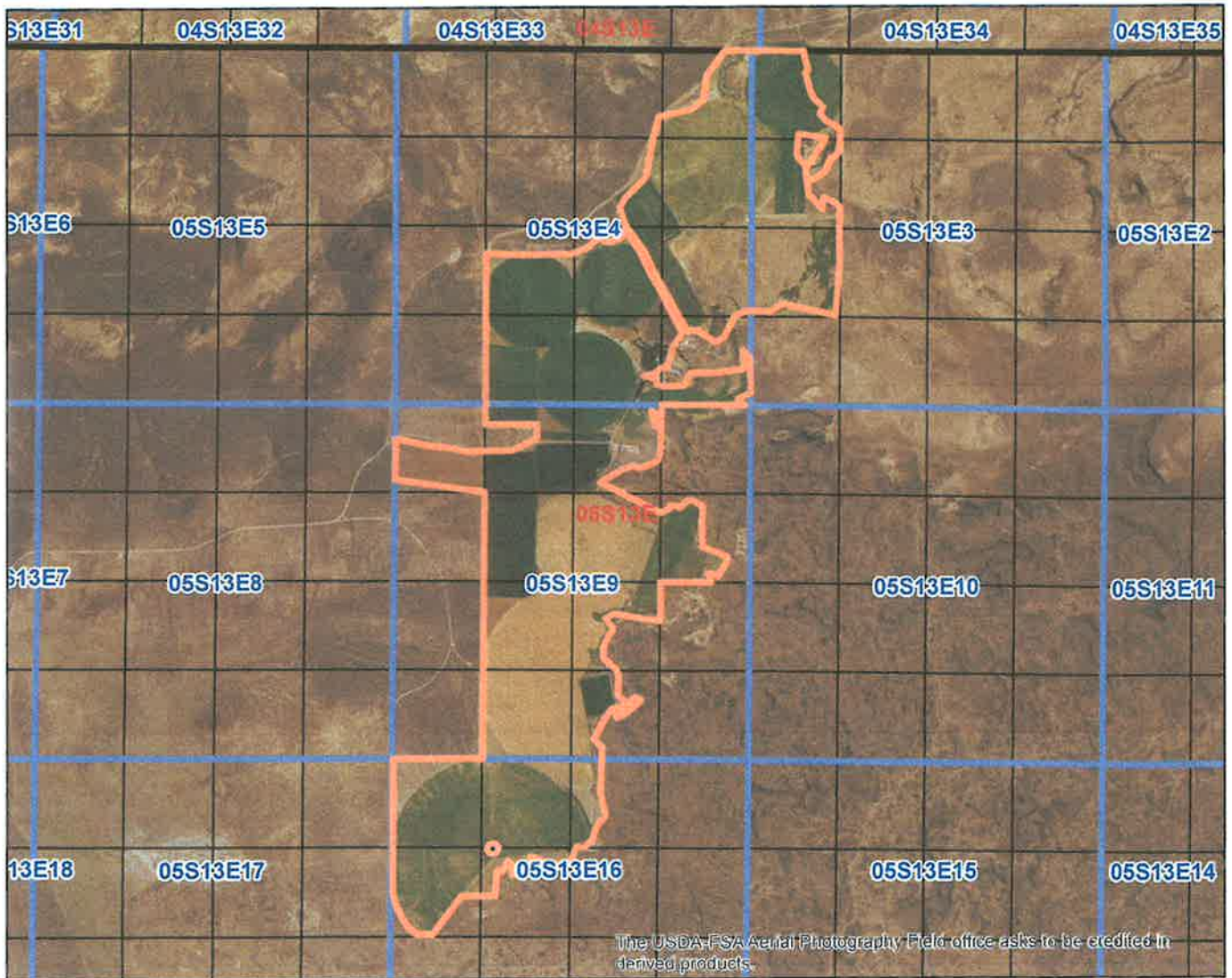
Water right 37-22168 is a primary ground water right and has been in the water bank since 2006.

Idaho Water Resource Board
Water Supply Bank Lease Contract No. 1327

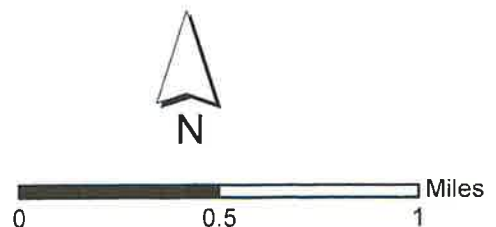
37-22168

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.



- Water Supply Bank Lease POU
- Water Supply Bank Lease POD
- Township/Range
- Sections
- QQ





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

December 18, 2025

GARY DE MOSS
PO BOX 61
BLISS ID 83314-0061

**RE: WATER SUPPLY BANK LEASE CONTRACT 2093
FOR WATER RIGHT 37-22168**

Dear Lessor:

Water rights **37-22168** are/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,

Jean Hersley
Technical Records Specialist II

Enclosure: Executed Lease Contract

c: IDWR- Southern Region Office
Parsons Behle & Latimer
Water District No. 130



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

December 5, 2025

GARY A DE MOSS
PO BOX 61
BLISS, ID 83314-0061

COPY

**RE: APPLICATION TO LEASE WATER RIGHTS 37-22168 TO THE WATER SUPPLY BANK
CONTRACT 2093**

******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,

for
Water Supply Bank

Enclosures: Proposed Lease Contracts
Receipt C122951

CC: Parsons Behle & Latimer

Hersley, Jean

From: Hersley, Jean
Sent: Friday, December 5, 2025 8:41 AM
To: 'tthompson@parsonsbehle.com'
Subject: WSB Lease Contract for Gary De Moss 37-22168
Attachments: De Moss WSB Contract 2093.pdf

This contract went out in today's mail for Gary De Moss. Let me know if you have any questions. Thank you.



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

Hersley, Jean

From: Hersley, Jean
Sent: Friday, December 5, 2025 8:32 AM
To: Skinner, Corey; King, Corey
Subject: WSB Lease for DE Moss 37-22168
Attachments: Lease Application Review.xls; Lease Contract.docx

Please let me know if you have any comments or concerns with the attached lease. This portion of water right 37-22168 has been in the Bank since 2006.

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

WATER SUPPLY BANK

Lease Review Checklist

Applicant(s) Name: De Moss

Memo Date: December 3, 2025

Water Right Number(s): 37-22168

Reviewers Name: Jean

Quick Tools

Decreed

Year

Forfeiture

Concerns

		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			
	All of right	x		
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)			2006
	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		2006
7	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)			
		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		
8	Local Public Interest			
	Does the processor know of any problems this action will cause for the local public?		x	
9	Have you contacted regional office and watermaster for comment/concerns?	x		
	Send the watermaster comment request form or e-mail request	x		
10	Area Headgate requirement (write in Comments)			4
11	Is water right involved in any other department action? Pull file and check database () Ownership Change () Transfer () Mitigation () Other - Explain in comments		x	

Narrative: The Department received this application on September 8, 2025. The applicant wishes to place the entire right in the Bank. The parent of this right, 37-7385B, was decreed in 2006. Water right 37-22168 is a primary ground water right and has been in the Bank since 2006. The PPU will continue to receive surface water as authorized pursuant to water rights 37-856, 37-2778, 37-2780, 37-7754, 37-21961 & 37-21962 which describe the same place of use. Water rights 37-856 & 37-2780 are storage water rights that can be used on the total 808-acre PPU. Water rights 37-2778 and 37-7754 describe storage components without acreage limitations & they describe natural flow components which are limited to 242 acres and 313 acres respectively. These surface water rights provide a total of up to 4,365 af of irrigation storage which is restricted by the 808 acre PPU. The storage quantity is sufficient to irrigate the total 808 acres without the use of right 37-22168. This right is currently within the ESPA GWMA, Snake River Moratorium and WD 130.