

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 2085

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

LESSOR: HIRSCHI FAMILY LIVING TRUST
1095 S ROUECHE LN
KAYSVILLE, UT 84037-9628

RECEIVED
DEC 16 2025
DEPARTMENT OF
WATER RESOURCES

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on August 14, 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)
11-7827	4/15/1877	BEAR RIVER, tributary to GREAT SALT LAKE	0.89	Not Stated	39.4
Lease Totals			0.89	Not Stated	39.4

Summary of Water Rights Elements Rentable From the Bank

Water Right	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (Limited) (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
11-7827	0.89	137.9	39.4	0.02	3.5
Combined Limit Totals	0.89	137.9	39.4	0.02	3.5

** The water right elements rentable include a defined volume limit that is based on the regional field headgate irrigation standard of 3.5 afa/acre.*

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 2085

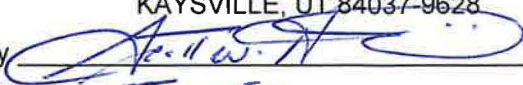
3. **TERM OF LEASE:** The term of this lease shall be January 1, 2025 to December 31, 2029. This Lease shall bind the parties and take effect when both parties have signed it.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.
5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.
6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.
7. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 2085

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

LESSOR: HIRSCHI FAMILY LIVING TRUST
1095 S ROUECHE LN
KAYSVILLE, UT 84037-9628

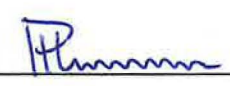
By 
Title TRUSTEE
Date 12/10/25

IDAHO WATER RESOURCE BOARD

322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By 
Brian Patton, Executive Manager
Idaho Water Resource Board

Date 12/17/25

Lease approved by IDWR 

Date 12/17/25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 2085

**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): 11-7827

BEAR RIVER SWSW Sec. 29 Twp 14S Rge 46E BEAR LAKE County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
11-7827	IRRIGATION	04/15	to	07/01	0.89 cfs	Not Stated
	IRRIGATION	07/01	to	09/30	0.78 cfs	Not Stated
Totals:					0.89 cfs	Not Stated

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	45E	36	27.5			6.7													34.2
14S	46E	31						5.2											5.2
								L1											

Total Acres: 39.4

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

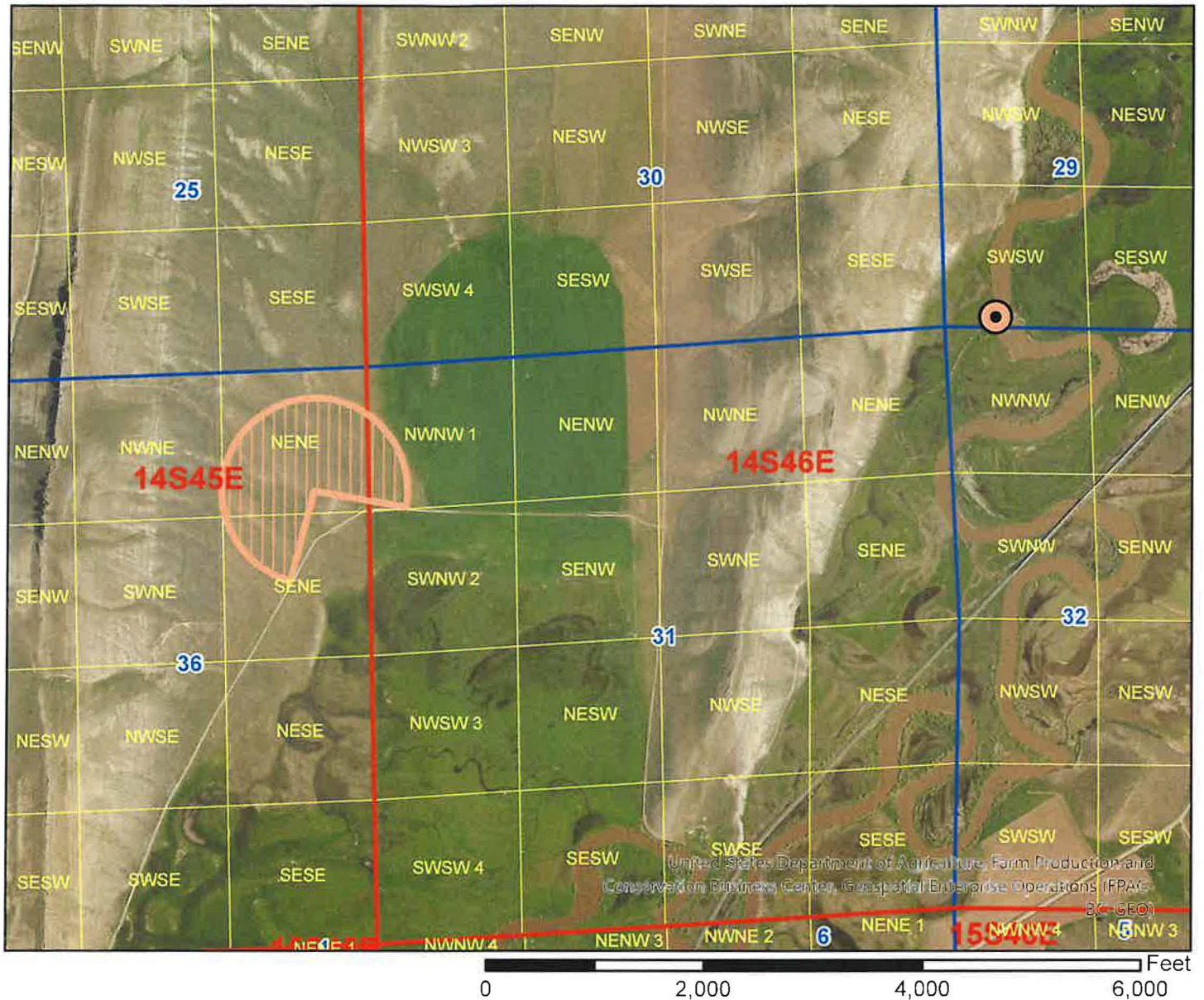
WATER SUPPLY BANK LEASE CONTRACT No. 2085

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 does not grant any right-of-way or easement across the land of another.
13. This right is a Meadow Right subject to the administration provisions set forth on page 19 of the Decree in Preston Montpelier Irr. Co. v. Dingle Irr. Co, et. al., (Mar. 7, 1924, 5th Jud. Dist. Ct.) (AKA "Terrell Decree").
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. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
16. The unleased portions of right 11-7827 when combined shall not exceed a total diversion rate of 0.74 cfs, a total annual maximum diversion volume of 112.7 af at the field headgate, and the irrigation of 32.2 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. 11.

Idaho Water Resource Board
Water Supply Bank Lease Contract No. 2081

11-7827
Effective until December 31, 2029

This map depicts the **place of use** to be idled pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



Legend

- Active Water Supply Bank Lease Place of Use
- Active Water Supply Bank Lease POD
- Township/Range
- Sections
- QQ

09/2024

STATE OF IDAHO
WATER RESOURCE BOARD

Print Form

RECEIVED

AUG 13 2025

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKDEPARTMENT OF
WATER RESOURCESApplicant / Designated Lessor Hireschi Family Living Trust
(Select one owner - see item 1A on the application)Water Right No. 11-7827
(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 \$ 250.00Received By: BMDate Received: 8.13.25Receipt # C122538W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)Name on W-9: Scott W. Hirsch

3267

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 SCOTT HIRSCHI, HIRSCHI Family Living TRUST
Mailing Address 1095 So. Rueda Ln. Kaysville UT 84037
Street City State Zip Code
Email Address swhranch8@gmail.com Phone Number 801 309 8837

☒ 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 _____ Organization _____
Professional Title _____ Email Address _____
Mailing Address _____ Phone Number _____

☐ 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 Scott Hirschi / Miller Ditch
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.
this water can be accessed from the Bear River.
- 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. 11-8627, 11-8628, 11-8629
- 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. this water was purchased for additional acre development (new pivot) is not watered currently
- 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. this water has been in the water bank under the ownership of Private Capital Group Inc.
- 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
This right was just purchased by me all applications should be complete

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

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

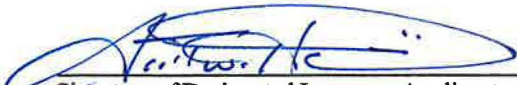
*Mark Desired Lease Duration (Calendar Years)					
☐ 1	☐ 2	☐ 3	☒ 4	☒ 5	Other Term Length (# of years): <i>*Prior IWRB approval required</i>

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).*

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

SCOTT W. HIRSCHI
Printed Name

8/11/25
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 1A if more than one water right owner

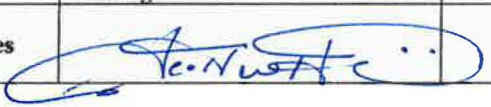
ATTACHMENT 1A

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). 11-7827

	Designated Lessor	Applicant #2	Applicant #3
Name	Hirschi Family Living Trust		
Mailing Address	1095 So. Ravenna Ln, Kaysville, UT 84037		
Phone Number	801-309-3837		
Email Address	swtranch8@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			

	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			

AUG 13 2025

STATE OF IDAHO
WATER RESOURCE BOARD

DEPT. OF WATER RESOURCES

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 11-7827 Nature of Use Pilot Leased Rate .79 Leased Volume (af) 39.4 Leased Acres (ac)

Total Amounts:

2. Source of water BEAR RIVER tributary to Miller Ditch

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 #
145	46E	29			SW	SW	Bear Lake	Bear River	Miller Ditch

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	
145	45E	36	1/4																27.5
145	45E	34				~~1/4~~									1/4				8.7
145	45E	34				~~1/4~~									~~1/4~~			1/4	3.2



Idaho Department of Water Resources

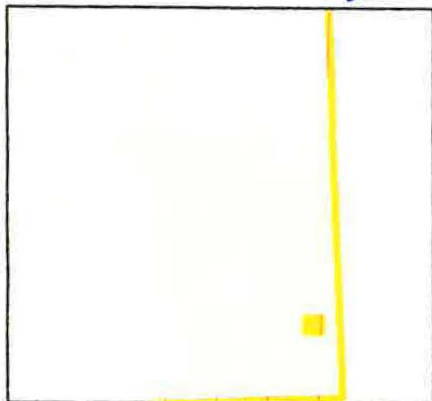
Adjudication Claim

11-7827

(IRRIGATION)

- Place of Use
- Point of Diversion
- State Outline
- Townships
- PLS Sections
- Quarter Quarters

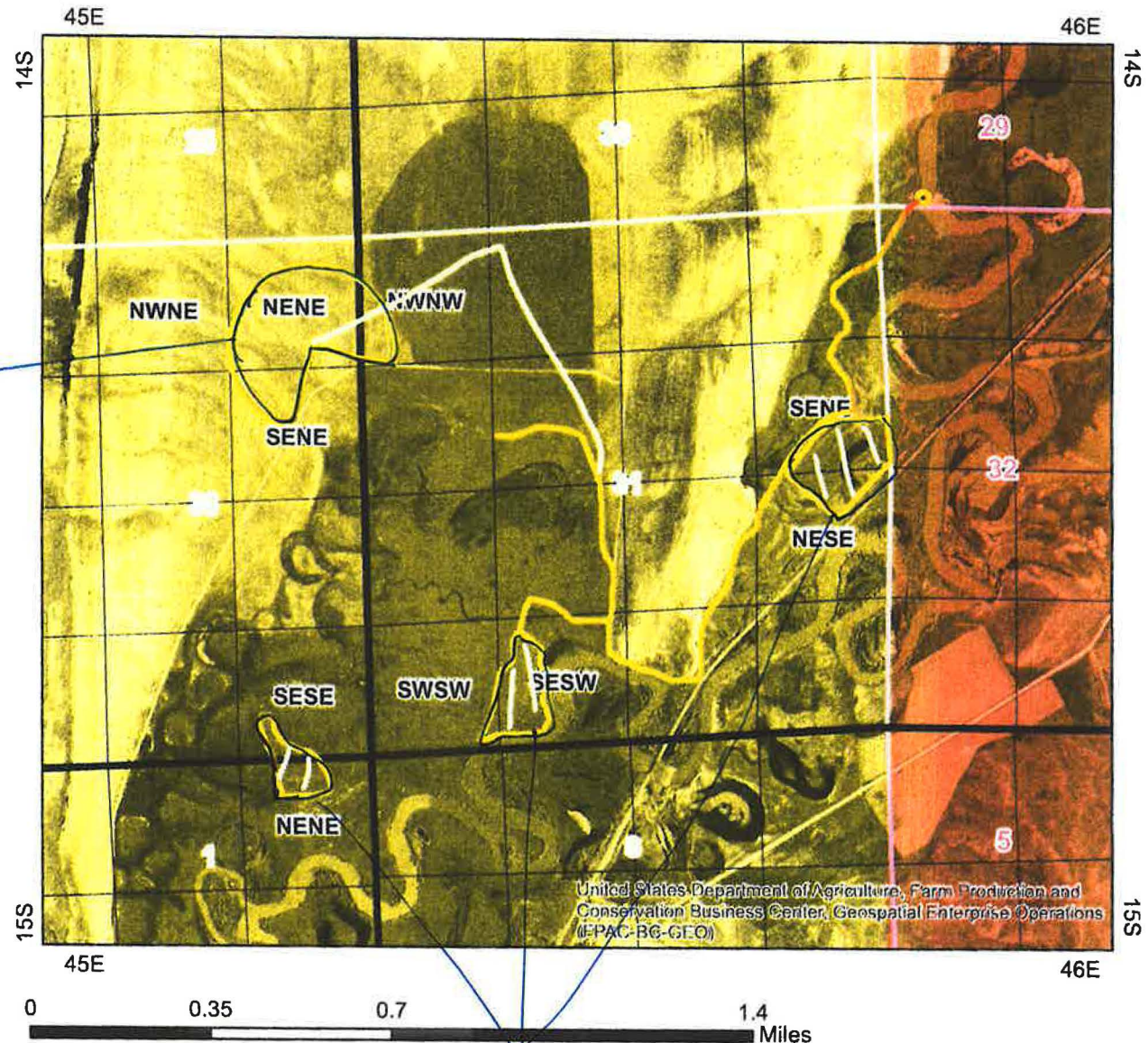
*This is the Area
of Future Use.
this is 39.4 Acres
For water Bank
STATUS*



Bear Lake County
IDWR Basin 11

Prepared by Pacheco, Jose
On July 28, 2025

Background: 2023 Aerial Photography



*these areas will be used now
32.2 Acres*

Appendix A

SH BS

11/18/2024

Water Right Report : 11-7827(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	PRIVATE CAPITAL GROUP INC	160 W CANYON CREST RD	ALPINE	UT	84004
Original Owner	TRANSTRUM, OLA			ID	
Previous Owner	THE RETREAT AT BEAR LAKE LLC	346 E 3300 S	SALT LAKE CITY	UT	84115
Previous Owner	DESERET FIRST FEDERAL CREDIT UNION	PO BOX 45046	SALT LAKE CITY	UT	84145

Water Right Status

Priority Date : 4/15/1877
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
BEAR RIVER		GREAT SALT LAKE	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
BEAR RIVER	15S	45E	11	0				NE NE BEAR LAKE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/15	07/01	4.98 CFS	
IRRIGATION	07/01	09/30	3.31 CFS	
TOTAL			4.98 CFS	

Places of Use

Place of Use Legal Description : IRRIGATION (BEAR LAKE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
14S	45E	35		SW	NE	33	
14S	45E	35		NE	SE	4.6	
14S	45E	35		NW	SE	40	
14S	45E	35		SW	SE	40	
14S	45E	35		SE	SE	12	
15S	45E	1	4	NW	NW	18	
15S	45E	1		SW	NW	15	
15S	45E	1		NW	SW	5.3	
15S	45E	2	1	NE	NE	40	
15S	45E	2	2	NW	NE	40	
15S	45E	2		SW	NE	40	

Attachment 1 A
Ownership

Att. 1D

RECEIVED

OCT 15 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

HIRSCHI FAMILY LIVING TRUST

Name of Trust: HIRSCHI FAMILY LIVING TRUST

Date Established: February 11, 2008

Successor Trustees of SCOTT W. HIRSCHI:

DAWNA LOU HIRSCHI
(1) TRAVIS S. HIRSCHI
(2) MATTHEW H. HIRSCHI

Successor Trustees of DAWNA LOU HIRSCHI:

SCOTT W. HIRSCHI
(1) TRAVIS S. HIRSCHI
(2) MATTHEW H. HIRSCHI

Successor Trustees at Death of Both Trustors:

(1) TRAVIS S. HIRSCHI AND MATTHEW H. HIRSCHI
(2) JESSICA HOLT AND JORDAN F. HIRSCHI
(3) RYAN L. HIRSCHI AND KYLE W. HIRSCHI

Informal Trust Name: HIRSCHI FAMILY LIVING TRUST, dated February 11, 2008

Formal Trust Name (Title to all Assets in the Trust are Vested in this Name):

SCOTT W. HIRSCHI and DAWNA LOU HIRSCHI, Trustees, or their successors in trust,
under the HIRSCHI FAMILY LIVING TRUST, dated February 11, 2008, and any
amendments thereto

THIS SUMMARY IS NOT PART OF THE TRUST

8938 1

Crichton, Izzy

From: Holliday, Michael
Sent: Tuesday, August 19, 2025 8:52 AM
To: Crichton, Izzy
Subject: RE: Transfer 89381 update

Sounds good, Izzy. Thanks for the reply.

From: Crichton, Izzy <izzy.crichton@idwr.idaho.gov>
Sent: Tuesday, August 19, 2025 8:48 AM
To: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Subject: RE: Transfer 89381 update

Hi Michael,

I let Scott Hirschi know that he doesn't need to submit an ownership change and that the adjudication claim is enough to verify ownership of the WR. Thank you for checking in.

-Izzy

From: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Sent: Friday, August 15, 2025 4:15 PM
To: Crichton, Izzy <izzy.crichton@idwr.idaho.gov>
Subject: RE: Transfer 89381 update

Izzy,

It occurred to me that there's no need for Scott to file an ownership change, because Hirschi Family Living Trust filed adjudication claim 11-7827 in the BRBA. I'm assuming that one can place a claim in the WSB. Feel free to call if you want to discuss.

michael

From: Crichton, Izzy <izzy.crichton@idwr.idaho.gov>
Sent: Friday, August 15, 2025 3:00 PM
To: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Subject: Transfer 89381 update

Hi Michael,

I called Scott Hirschi, and it sounded like he did not submit an ownership change application (though, I couldn't locate the original Transfer Application in Laserfiche, so I'll have to take his word for it). I let him know that he should send the ownership change to the State office for quicker processing.

Thank you for your help!
Izzy Crichton

RECEIVED

AUG 13 2025

DEPT. OF WATER RESOURCES

Dear IDWR.

I sure hope I filled this form out correctly. Please call if I really messed it up 😊

Thanks

Scott

801 309 3837

3267



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

HIRSCHI FAMILY LIVING TRUST
1095 S ROUECHE LN
KAYSVILLE, UT 84037-9628

**RE: WATER SUPPLY BANK LEASE CONTRACT 2085
FOR WATER RIGHT(S) 11-7827**

Dear Lessor:

Water right **63-34099** is leased into the Water Supply Bank (Bank) as of January **2025** in accordance with the enclosed executed lease contract. **Your water rights, as described on the lease contract, are considered leased into the Bank and should remain unused until they are formally released from the Bank.** More information and further restrictions placed on your water rights while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The right(s) will automatically be released from the Bank on **December 31, 2029**, unless the rights are released earlier by the Water Resource Board (Board). To release the water rights from the Bank prior to the release date, submit a written request on the *Request to Release a Water Right from the Bank* form. This form is available on our public website at bank@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- Eastern Region Office



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 2, 2025

HIRSCHI FAMILY LIVING TRUST
1095 S ROUECHE LN
KAYSVILLE, UT 84037-9628

**RE: APPLICATION TO LEASE WATER RIGHTS (11-7827) TO THE WATER SUPPLY BANK
CONTRACT (2085)**

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

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please sign and return ALL Lease Contracts within 14 days.** Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The right will automatically be released from the Bank on **December 31, (2029)** unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the [Request to Release a Water Right from the Bank](#) form. To propose a new lease period, submit a new [Application to Sell or Lease a Water Right to the Water Supply Bank](#) form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your right may not be available for immediate release if it has been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

Catalina Beck

for
Water Supply Bank

Enclosures: Proposed Lease Contracts
Receipt C122538

WATER SUPPLY BANK				Quick Tools													
Lease Review Checklist				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">Decreed Year</th> <th style="width: 85%;">No Forfeiture Concerns Thru:</th> </tr> <tr> <td style="text-align: center;">2011</td> <td style="text-align: center;">2017</td> </tr> <tr> <td style="text-align: center;">2012</td> <td style="text-align: center;">2018</td> </tr> <tr> <td style="text-align: center;">2013</td> <td style="text-align: center;">2019</td> </tr> <tr> <td style="text-align: center;">2014</td> <td style="text-align: center;">2020</td> </tr> <tr> <td style="text-align: center;">2015</td> <td style="text-align: center;">2021</td> </tr> </table>		Decreed Year	No Forfeiture Concerns Thru:	2011	2017	2012	2018	2013	2019	2014	2020	2015	2021
Decreed Year	No Forfeiture Concerns Thru:																
2011	2017																
2012	2018																
2013	2019																
2014	2020																
2015	2021																
Applicant(s) Name: Hirschi Family Trust																	
Memo Date: 10/03/2025																	
Water Right Number(s): 11-7827																	
Reviewers Name: Catalina Beck																	
		Check box		COMMENTS/CONCERNS:													
1	Fill out WSB Data Entry Checklist for Leases (Front of File)	X															
2	Reason for lease of water rights (Brief description of lease proposal in narrative)																
	Portion of right	X															
	All of right																
3	Check GWMA/CGWA/ADC and basin 63 areas of concern (note area in comments)	X															
		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		X														
	Other (explain in comments)	X															
6	Water Right validity																
	Decreed/Licensed/Statutory claim date (write in comments section)			3/7/1924													
	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		The whole water right was in the bank previously now portion and different location due to transfer in June 30 2025													
8	Enlargement concerns	Check box															
	Complete a POU comparison overlap analysis	X		11-7482 -claim stockwater,													
	Complete a combined limits review	X															
	Complete POD overlap analysis (if there is an overlap add condition to lease)	X		there are 19 water rights that share the same point of diversion; however, Water Right 11-7827 does not have any combined diversion rate or volume limits with these rights.													
		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														
9	Local Public Interest																
	Does the processor know of any problems this action will cause for the local public?	X															
10	Have you contacted regional office and watermaster for comment/concerns?	X		Date 11/04/2025													
	Send the watermaster comment request form or e-mail request																
11	Area Headgate requirement (write in Comments)			3.5 AFA													
12	Is water right involved in any other department action? Pull file and check database () Ownership Change () Transfer () Mitigation (X) Other - Explain in comments																
13	Narrative: Water Right 11-7827 was previously leased in the Water Supply Bank from 2019 through 2023 under Contract No. 1003 by the prior owner, Private Capital Group, Inc. The right has since changed ownership, and the current owner, Scott Hirschi, who is also the trustee for the Hirschi Family Living Trust, signed the lease application(3267). On June 30, 2025, a transfer was approved to change the place of use and point of diversion for Water Right 11-7827.The water right authorizes irrigation use with a split season of use, providing a different diversion rate during the latter portion of the irrigation season. The current application proposes to lease a portion of the right into the Water Supply Bank for 39.4 acres of irrigation with a diversion rate of 0.79 cfs.The water right owner proposed to lease only the smaller portion of the diversion rate associated with the Season of Use (SOU) split. However, because the lease applies proportionally to a defined portion of the total authorized acreage, the leased diversion rate was calculated based on the total authorized rate and acreage of the water right.Water Right No. 11-7827 is authorized for a total diversion rate of 1.63 cfs over 71.6 acres. The proposed lease applies to 39.4 acres of the total place of use. To ensure the leased rate is proportional to the total authorized right and prevent enlargement, the diverted rate was calculated as follows: $1.63 \text{ cfs} \div 71.6 \text{ acres} \times 49.4 \text{ acres} = 0.89 \text{ cfs}$ Therefore, the appropriate leased diversion rate for the proposed 39.4 acres is 0.89 cfs. This method ensures the leased portion reflects the same duty of water as the original water right and does not authorize an excessive rate beyond what is proportionally allowed. The overlap occurs within the same place of use (POU) but involves different beneficial uses—irrigation under Water Right 11-7827 and stockwatering under Statutory Claim 11-7482. The overlapping area does not result in both rights being used for the same purpose or in excess of the total authorized limits. The irrigation use remains confined to the authorized irrigated acreage and diversion rate, while the stockwater represents a minimal, non-consumptive use associated with livestock watering. Because the two rights serve different beneficial uses, operate independently, and do not expand the irrigated acreage, diversion rate, or annual volume beyond what is authorized, there are no enlargement concerns. The location of the water right POD is with IDWR's Eastern Region and within Water District # 11 A request for comment regarding the proposed lease was sent on November 04,2025. No concerns were received.																

Beck, Catalina

From: Beck, Catalina
Sent: Tuesday, November 4, 2025 2:31 PM
To: Cefalo, James
Cc: watermasterdist11@gmail.com
Subject: Water Supply Bank (WSB) Lease Application 3267 For Hirschi Family Living Trust seeking comment
Attachments: Water Right Cover Letter #3267 - Hirschi Family Living Trust.pdf; Water Right Lease Application #3267 - Hirschi Family Living Trust.pdf; Lease Application 3267 Review.xls; Water Supply Bank Lease Application 3267 POD and POU.pdf

Good afternoon James

We are seeking comments, regarding the Water Supply Bank (WSB) Lease Application 3267 For Hirschi Family Living Trust(2025-2029). 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 November 12, 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.



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

Beck, Catalina

From: Henman, Christina
Sent: Friday, October 17, 2025 2:38 PM
To: Beck, Catalina
Subject: FW: Transfer (89381) water right 11-7827 Review Memo

Catalina,

See below.

Thank You,

Christina Henman
Administrative Assistant

From: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Sent: Friday, October 17, 2025 12:55 PM
To: Henman, Christina <Christina.Henman@idwr.idaho.gov>
Cc: Baily, Jonie <Jonie.Baily@idwr.idaho.gov>
Subject: Re: Transfer (89381) water right 11-7827 Review Memo

The conveyance of the water right from Private Capital to the Hirschi Family Living Trust was contingent on the approval of Transfer 89831. According to the purchase and sale agreement, Private Capital would sign a warranty deed conveying water right 11-7827 to the Hirschi Trust at closing. Closing occurred sometime after the transfer approval. I have not seen an ownership change for water right 11-7827. Catalina should ask Hirschi to provide a copy of the deed (if one was executed) and to file an ownership change notice.

From: Eastern Info <easterninfo@idwr.idaho.gov>
Sent: Friday, October 17, 2025 12:00 PM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Cc: Baily, Jonie <Jonie.Baily@idwr.idaho.gov>
Subject: FW: Transfer (89381) water right 11-7827 Review Memo

James,

Please see below.

There is an email in the transfer application through legal notice from you asking for a transfer and sale agreement, but I don't see any documentation of having received it in Laserfiche. Do you know if they filed a separate ownership change that just hasn't been scanned in yet? (cc'd Jonie in case she knows/has it.)

Thank You,

Christina Henman
Administrative Assistant

From: Beck, Catalina <Catalina.Beck@idwr.idaho.gov>
Sent: Friday, October 17, 2025 6:48 AM
To: Eastern Info <easterninfo@idwr.idaho.gov>
Subject: Transfer (89381) water right 11-7827 Review Memo

Good Morning,

I am currently working on a Water Supply Bank lease application for water right 11-7827. I am attempting to validate authority to file; however, I am having difficulty confirming authority since the current owner of record is listed as Private Capital Group Inc., rather than the Hirschi Family Living Trust.

Would it be possible to review the memo for Transfer 89381 so I can verify whether the Hirschi Family Living Trust has authority to lease the water right into the Water Supply Bank?

Thank you for your time and assistance.



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

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).

13. Basis of Claim: Decreed

14. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the BEAR River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

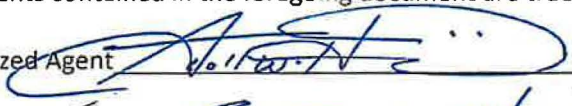
Number of attachments: _____

For Organizations:

I do solemnly swear or affirm under penalty of perjury that I am, and I have signed the foregoing document in the space below as the

_____ Trustee _____ of _____ HIRSCHI FAMILY LIVING TRUST _____,
Agents Title (please print) Name of Organization (please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent  Date 7/28/25

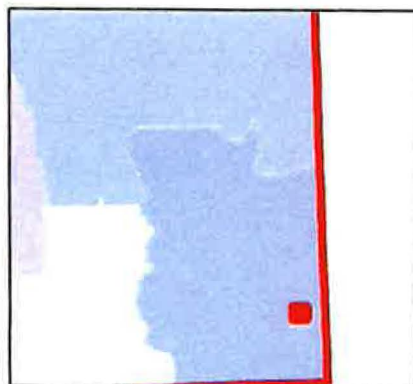
Printed Name of Authorized Agent SCOTT W. HIRSCHI



Idaho Department of Water Resources

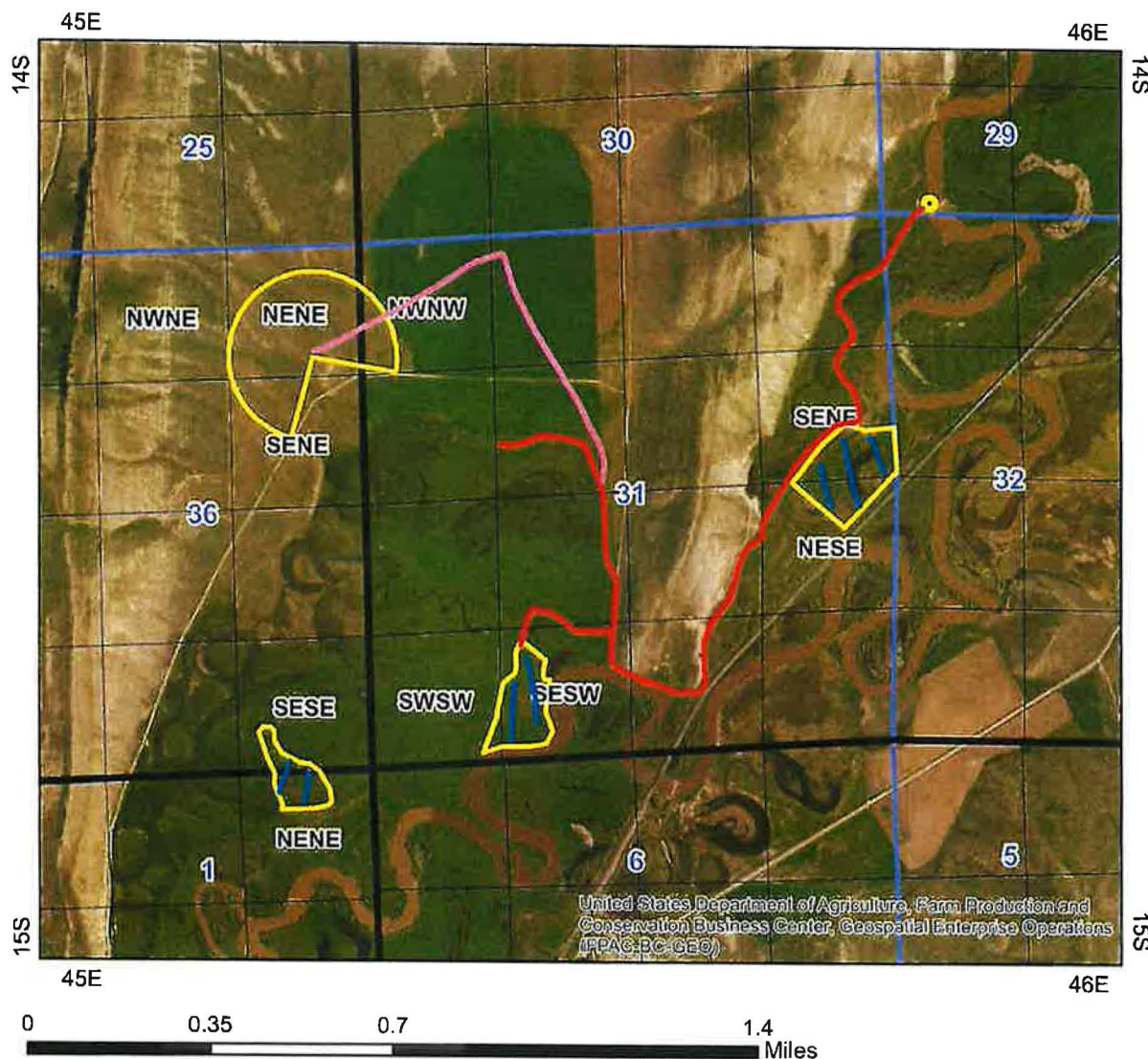
Adjudication Claim
11-7827
(IRRIGATION)

- Place of Use
- Point of Diversion
- State Outline
- Townships
- PLS Sections
- Quarter Quarters
- Miller Ditch
- Flood Irrigation
- Pipe



Bear Lake County
IDWR Basin 11

Prepared by Pacheco, Jose
On July 28, 2025
Background: 2023 Aerial Photography



Hirschi Family Living Trust

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

9. Place of use:

IRRIGATION within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
14S	45E	36	NE		NE		27.5
14S	45E	36	SE		NE		6.7
14S	45E	36	SE		SE		2.3
14S	46E	31	SE		NE		10
14S	46E	31	NW		NW	1	5.2
14S	46E	31	SW		SW	4	1
14S	46E	31	SE		SW		9
14S	46E	31	NE		SE		5.5
15S	45E	1	NE		NE	1	4.4

Total Acres = 71.6

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

11-8627, 11-8628, 11-8629

12. Remarks:

Priority Date Explanation:

This is the decreed priority date and use continues today.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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. 11.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Bear River Basin Adjudication.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

This right is a Meadow Right subject to the administration provisions set forth on page 19 of the Decree in Preston Montpelier Irr. Co. v. Dingle Irr. Co, et. al., (Mar. 7, 1924, 5th Jud. Dist. Ct.) (AKA "Terrell Decree").

This right does not grant any right-of-way or easement across the land of another.

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.