

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## WATER SUPPLY BANK LEASE CONTRACT No. 1740

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

**LESSOR:** IDAHO POWER CO  
PO BOX 70  
BOISE, ID 83707-0070

RECEIVED  
NOV 13 2023  
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 May 19, 2023.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

#### Summary of Water Rights or Portions Leased to the Bank

| Water Right No.              | Priority Date | Source       | Diversion Rate (CFS) | Diversion Volume (AF) | Acres (AC) |
|------------------------------|---------------|--------------|----------------------|-----------------------|------------|
| 63-35380                     | 4/20/1959     | GROUND WATER | 0.02                 | 7.8                   | 3.1        |
| 63-35379                     | 5/16/1974     | GROUND WATER | 0.02                 | 6.6                   | 3.1        |
| <b>Combined Lease Totals</b> |               |              | <b>0.04</b>          | <b>14.4</b>           | <b>3.1</b> |

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, 2023 to December 31, 2027. 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.

**SUPPORT DATA**

**IN FILE #** 63-35379

## **WATER SUPPLY BANK LEASE CONTRACT No. 1740**

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. 1740**

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

**LESSOR:** IDAHO POWER CO  
PO BOX 70  
BOISE, ID 83707-0070

By Krista Davis  
Title Senior Manager  
Date 11/8/2023

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

By Brian Patton  
Brian Patton, Acting Administrator  
Idaho Water Resource Board

Date 11/14/23

Lease approved by IDWR AP

Date 11/14/23

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK LEASE CONTRACT No. 1740**

**ATTACHMENT A  
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE**

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

**Source and Location of Point(s) of Diversion for Water Right No(s): 63-35380, 63-35379**  
GROUND WATER                      SWSW                      Sec. 34                      Twp 02N                      Rge 01E                      ADA County

| Water Right    | Beneficial Use | Season of Use |    |       | Diversion Rate (CFS) | Volume (AF) |
|----------------|----------------|---------------|----|-------|----------------------|-------------|
|                |                | From          |    | To    |                      |             |
| 63-35380       | IRRIGATION     | 04/01         | to | 10/31 | 0.02 cfs             | 7.8 AF      |
| 63-35379       | IRRIGATION     | 04/01         | to | 10/31 | 0.02 cfs             | 6.6 AF      |
| <b>Totals:</b> |                |               |    |       | 0.04 cfs             | 14.4 AF     |

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

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |     |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|-----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW  | SE | NE | NW | SW | SE |        |
| 02N | 01E | 34  |    |    |    |    |    |    |    |    |    |    | 3.1 |    |    |    |    |    | 3.1    |

Total Acres: 3.1

**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.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK LEASE CONTRACT No. 1740**

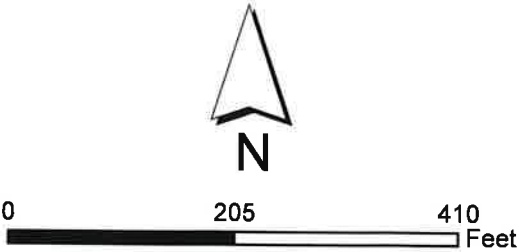
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into 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 partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
13. The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 21 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
14. Use of this right is combined with water from Boise-Kuna Irrigation District.

Idaho Water Resource Board  
Water Supply Bank Lease Contract No. 1740  
63-35379 and 63-34380  
Effective until December 31, 2027

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



-  Approved Lease Point of Diversion
-  Approved Lease Place of Use
-  Township/Range
-  Sections
-  QQ



STATE OF IDAHO  
WATER RESOURCE BOARD

RECEIVED

MAY 19 2023

DEPARTMENT OF  
WATER RESOURCESAPPLICATION TO SELL OR LEASE A WATER RIGHT  
TO THE WATER SUPPLY BANKDesignated Applicant Idaho Power Company

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

Water Right No. 63-35379

(One water right per application)

Is this application being submitted with a rental application as a lease/rental package?

Yes ☐ No ☒

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

All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

Yes

- ☒ Completed *Application to Sell or Lease a Water Right to 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.
- ☒ Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment N/A Yes

- 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 Designated Applicant.
- 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 Designated Applicant on this application. If the Designated 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.

## Department Use Only

Fee Amount \$ 250Received By: KuDate Received: 5.19.23Receipt # C116293W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)Name on W-9: Idaho Power Company

2671 2670

STATE OF IDAHO  
WATER RESOURCE BOARD

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

**1. CONTACT INFORMATION**

- A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant Idaho Power Company

Mailing Address PO Box 70 Boise, Idaho 83707

Street

City

State

Zip Code

Email Address KDavis2@idahopower.com

Phone Number (208) 388-2602

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

OR

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

- B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? 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 Designated Applicant? Yes ☒ No ☐  
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative Kresta Davis

Organization Idaho Power Company

Professional Title Senior Manager

Email Address KDavis@idahopower.com

Mailing Address PO Box 70 Boise ID 83707

Phone Number \_\_\_\_\_

- ☒ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

- ☐ Send original correspondence to the Designated 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.

OR

- ☐ A part of the water right is being offered to the Bank.

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

**3. MAP**

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. 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. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☒  
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

*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.*

- B. Please provide a description of the current water diversion and delivery system.

Water for the right is diverted from an existing well.

- C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. Water rights 63-35379 shares a POU with 63-35380. Both rights are being offered to the water supply bank. A condition on both rights state that each right is combined with water from the Boise-Kuna Irrigation District. To the best of our knowledge, irrigation district water is not delivered to this property (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. 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? 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. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. See Attached

- G. 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 (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

- 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 AGREEMENT**

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

If lease, specify the years when the use of water will be suspended: 2023 to 2027 (maximum lease period 5 calendar years).  
(Year) (Year)

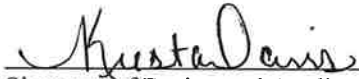
B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

Market 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 Applicant acknowledges the following:

1. Payment to the Designated 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 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 Applicant

Kresta Davis

Printed Name

5/15/23

Date

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

**Mail to:**  
Idaho Department of Water Resources  
P.O. Box 83720  
Boise, ID 83720-0098

Clear

## Water Right Report : 63-35379( Decreed/Active)

### Water Right Owners

| Owner Type     | Name              | Address               | City  | State | Postal Code |
|----------------|-------------------|-----------------------|-------|-------|-------------|
| Current Owner  | IDAHO POWER CO    | PO BOX 70             | BOISE | ID    | 83707-0070  |
| Original Owner | WOLSKE, FRED H    | 15000 S CLOVERDALE RD | KUNA  | ID    | 83634       |
| Original Owner | WOLSKE, PHYLLIS E | 15000 S CLOVERDALE RD | KUNA  | ID    | 83634       |
| Previous Owner | THORNTON, LAYNE   | 3224 SWAN FALLS RD    | KUNA  | ID    | 83634-1732  |
| Previous Owner | THORNTON, LORI    | 3224 SWAN FALLS RD    | KUNA  | ID    | 83634       |

### Water Right Status

Priority Date : 5/16/1974

Basis : Decreed

Status : Active

### Water Source

| Source       | Source Qualifier | Tributary | Tributary Qualifier |
|--------------|------------------|-----------|---------------------|
| GROUND WATER |                  |           |                     |

### Points Of Diversion (Location)

| Source       | Township | Range | Section | Govt. Lot | QQQ | QQ | Q | County    | Diversion Type |
|--------------|----------|-------|---------|-----------|-----|----|---|-----------|----------------|
| GROUND WATER | 02N      | 01E   | 34      | 0         |     |    |   | SW SW ADA |                |

### Water Uses

| Beneficial Use | From  | To    | Diversion Rate | Volume   |
|----------------|-------|-------|----------------|----------|
| IRRIGATION     | 04/01 | 10/31 | 0.02 CFS       | 6.60 AFA |
| <b>TOTAL</b>   |       |       | 0.02 CFS       | 6.60 CFS |

### Places of Use

[Printable View](#)
[Full View](#)

### Place of Use Legal Description : IRRIGATION (ADA county)

| Township | Range | Section | Lot | QQQ | QQ | Q  | Acres |
|----------|-------|---------|-----|-----|----|----|-------|
| 02N      | 01E   | 34      |     |     | SW | SW | 3.1   |

### Irrigation Totals

Total Acres Acre Limit

3.10

### Conditions

#### Code Conditions

SUBJECT TO THE CONDITION THAT THE MAXIMUM VOLUME PER YR. SHALL NOT EXCEED 4.5 ACRE FEET PER ACRE WHEN COMBINED WITH LICENSE NO. 27844/63-3150.

C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

001 A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

This right is a split former right 63-32112.

- S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 21 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
- W45 Use of this right is combined with water from Boise-Kuna Irrigation District.

#### Dates

Licensed Date :  
Decreed Date : 2/16/2007  
Permit Proof Due Date :  
Permit Proof Made Date :  
Permit Approved Date :  
Permit Moratorium Expiration Date :  
Enlargement Use Priority Date :  
Enlargement Statute Priority Date :  
Application Received Date:  
Protest Deadline Date:

#### Other Information

State or Federal : S  
Water District Number : TBD  
Generic Max Rate Per Acre : 0  
Generic Max Volume Per Acre : 0  
Civil Case Number :  
Decree Plaintiff :  
Decree Defendant :  
Swan Falls Trust or Nontrust :  
Swan Falls Dismissed :  
DLE Act Number :  
Cary Act Number :  
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

3/16/2023



## Legend

● Point of Diversion

□ Place of Use

SWSW T02NR01E34



**Idaho Power Water Right 63-35379**

0 220 440 880 1,320  
Feet



December 5, 2022

Idaho Department of Water Resources  
322 E Front Street, Ste 648  
Boise, Idaho 83720-0098

Subject: Idaho Power Company Representation

Kresta Davis, as representative of Idaho Power in matters associated with the company's water rights and water rentals and leases, has authorization to sign forms, applications and requests on behalf of the company. Please let me know if you have any questions or concerns

Sincerely,

Ryan Adelman

Vice President of Power Supply



An aerial photograph of the area taken in 1939 does show some irrigation occurring in the area that may have been delivered under the BKID or more likely from the North Fork of Indian Creek. The photo clearly shows the POU for 63-35379 and 63-35380 was not receiving water from BKID or other sources and was not irrigated until the development of ground water rights.

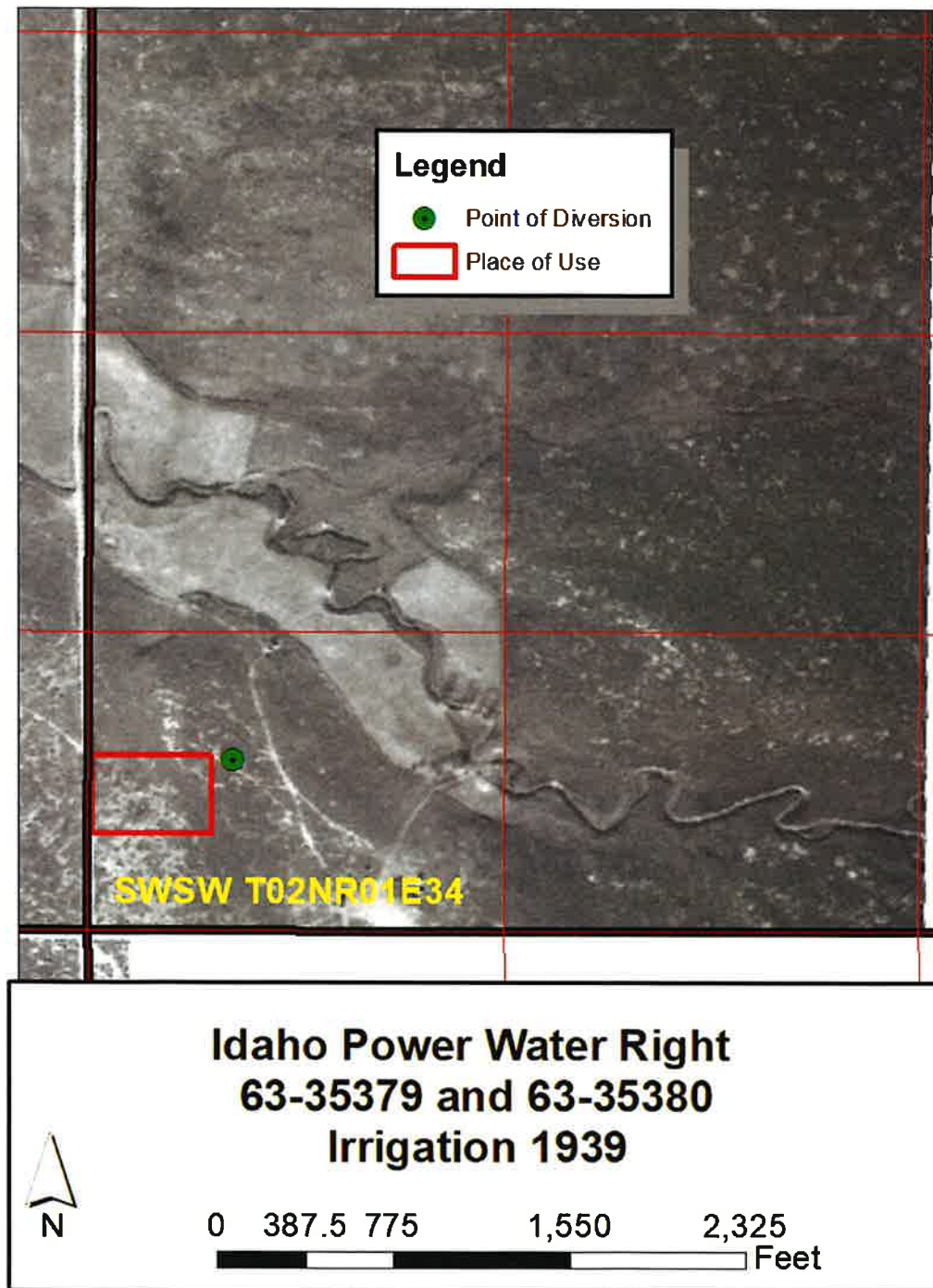


Figure 2: Aerial photography from 1939 showing irrigation along the North Fork Indian Creek and at current POU for 63-35379 and 63-35380.

In 2019 a proof of beneficial use for permit 63-33401 (referenced earlier) was filed with IDWR. The proof was found to be deficient however it did address the circumstances of the combined nature of the rights with regards to water delivered by the BKID (Figure 3). BKID indicated that water cannot be delivered to the property due to its location on high ground and that it is unlikely that BKID water has ever been delivered to the property. The examiner indicates that surface water from BKID is unavailable on the property. Figure 4 is an elevation map for the area. The POU for 63-35379 and 63-35380 lies at an elevation above the 2780 ft contour line. The BKID canal starts approximately 2.5 miles from the POU and a BM at the canal start is 2777 ft and the canal lies wholly below the 2780 ft contour.

Given the foregoing information, it appears that water from BKID has not been used on the property and should not be considered as a stacked right or in a combined limit with 63-35379 or 63-35380. -The stacked nature of the water rights appears to be at least partially in error as none of the original parent rights included it as part of a combined limit.

Form 219 07/11

**E. NARRATIVE/REMARKS/COMMENTS**

Four wells serve an interconnected system irrigating 530 acres.

Water rights 63-2986, 63-31951, 63-31953 combined authorize 5.62 cfs for the irrigation of 296 acres. Permit 63-33074 adds 126 acres, bringing the total to 422 acres. Permit 63-33074 also provides additional diversion rate and annual volume to the acres authorized by the decreed water rights.

The Section 34 SWSW point of diversion also serves water rights 63-32112, 63-33399. All four points of diversion serve permit 63-33401. Water rights 63-32112 and 63-33399 together authorize 1.28 cfs for irrigation of 106 acres. Permit 63-33401 provides additional diversion rate for the 106 acres.

Right 63-33397 authorizes the diversion of 0.3 cfs from North Indian Creek for irrigation of 25 acres within the 106-acre place of use. The authorized point of diversion from North Indian Creek is not owned by Thomson. North Indian Creek rarely flows now and this examiner suspects the primary supply to North Indian Creek during the irrigation season was wastewater from upstream gravity-flood irrigation practices. Conversions from flood to sprinkler irrigation have eliminated the supply during the irrigation season.

Boise-Kuna Irrigation District assesses the property for 12.4 acres. BKID stated to SPF in 2010 that the property is located on high ground and cannot receive surface water shares. The permit owner is unaware of BKID water being used on this property. The 1976 licensing exam for 63-7982 (parent right of 63-32112) does not indicate use of BKID water. Examiner recommends removing condition requiring use of surface water as it is unavailable.

Figure 3: Information on the nature of the BKID water and rights 63-35379 and 63-35380. Information retrieved from water right backfile 63-33401 (highlights added).

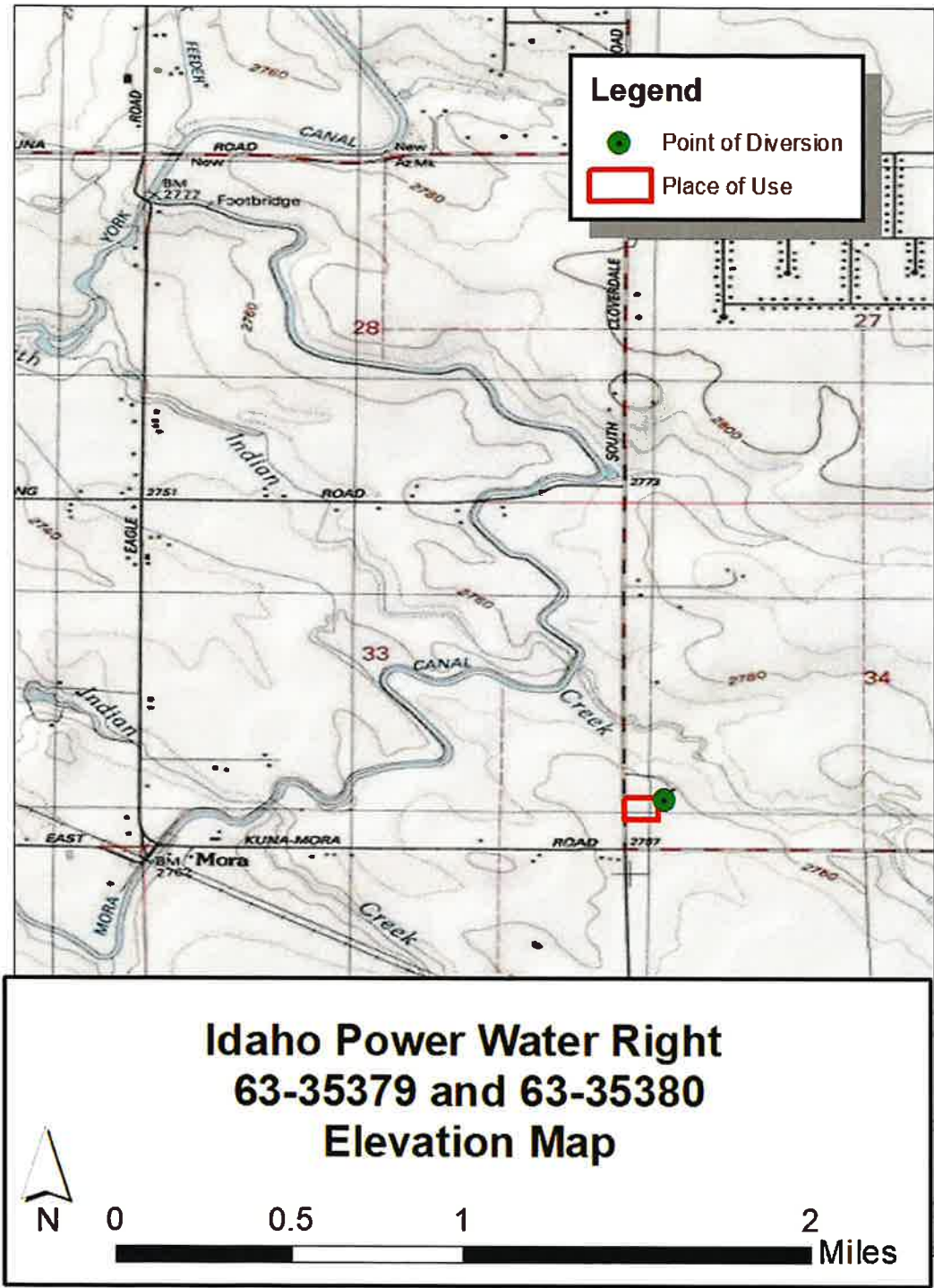


Figure 4: Elevation map showing the elevation of the BKID canal and the POU for 63-35379 and 63-35380.

## Volumes and Rates of Water Diverted

Idaho Power acquired these rights in 2022 and we have no records of past cropping history. A review of aerial photography from 2019 and 2022 shows the area being irrigated in both years (Figures 1 and 2). A proof of beneficial use submitted in 2019 for associated right 63-33401 indicates that the crop in 2019 was alfalfa seed<sup>1</sup>. The aerial photography for 2022 appears to show the field in alfalfa hay shortly after a cutting. Data for ET Idaho<sup>2</sup> was used to estimate the potential volume of water to support an alfalfa seed crop and alfalfa hay crop. Data from the Boise WSFO Airport were used, and the period of record was from 1990 to 2016 (latest data available). The average and maximum precipitation deficit was used to estimate the crop water demand and the net irrigation requirement<sup>3</sup>. Data for each crop can be found in Tables 1 and 2. The irrigation efficiency of the center pivot was assumed to be 80%<sup>4,5</sup>.

For alfalfa seed the average irrigation requirement for the 1990 to 2016 period was 2.5 ft (759mm) and the maximum was 2.9 ft (893mm). At an irrigation efficiency of 80% this would require the application of 3.1 ft on average and 3.6 ft in the maximum condition. For alfalfa hay, the average irrigation requirement was 3.0 ft (922mm) and the maximum was 3.5 ft (1075mm). The application rates would be 3.8 ft and 4.4 ft using an irrigation system efficiency of 80%. The calculations indicate that the rights have likely been exercised to their full extent within the last five years.

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<sup>1</sup> See backfile for water right 63-33401, Proof Deficiency Letter

<sup>2</sup> <http://data.kimberly.uidaho.edu/ETIdaho/stninfo.py?station=12>

<sup>3</sup> <http://data.kimberly.uidaho.edu/ETIdaho/stnstats.py?station=12&cover=3>

<sup>4</sup> <https://www.uidaho.edu/-/media/UIDaho-Responsive/Files/Extension/admin/Impacts/2015/29-15hneibling-LESA.pdf?la=en&hash=0303F9920F574EE63DC132774539A54D9D2430A2>

<sup>5</sup> <https://idwr.idaho.gov/wp-content/uploads/sites/2/groundwater-mgmt/Technical-Work-Group/Wood%20River%20Irrigation%20Application%20Efficiency%20letter%20Rumsey.pdf>



Figure 1: Irrigation of rights 63-35379 and 63-35380 in 2019.

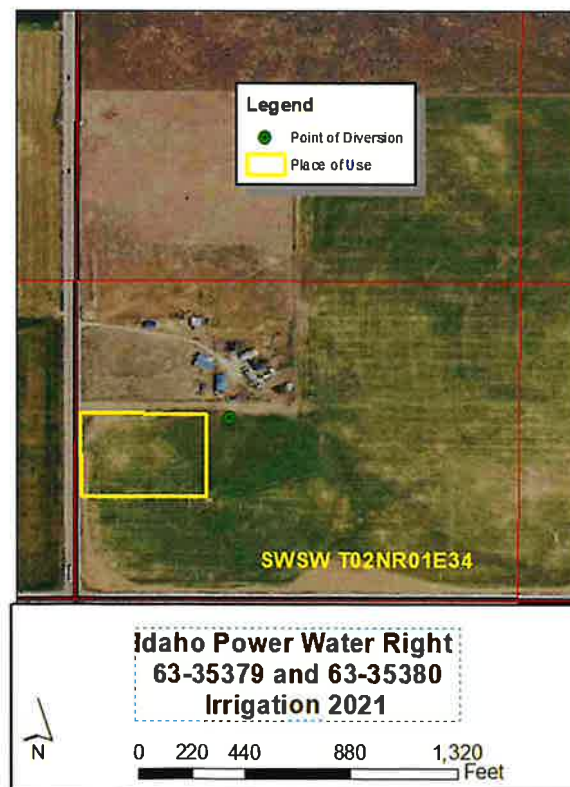


Figure 2: Irrigation of 63-35379 and 63-35380 in 2021



Table 2: Data from ET Idaho for Alfalfa Hay based on the Boise WSFO Airport.

## ETIdaho Annual Time Series

Name: Boise WSFO Airport  
Latitude: 43D 34M North

Type: NWS  
Longitude: 116D 13M West

Identifier: USCO0201022  
Elevation (ft): 2860

Managed land covers (crops) are assumed to be irrigated.

-NA- indicates that data was missing preventing computation of reference evapotranspiration. For monthly series, it indicates that air temperature data was missing for the entire month. For annual series it indicates that 15 (6) days or more were missing in the year (growing season). Surface runoff from precipitation was estimated for recorded precipitation events using the NRCS curve number method.

Effective precipitation for transpiration is the amount of  $P_{\text{Zrel}}$  for use in supplying transpiration by the crop or land use cover

Growing season flag indicates that the date is within (1) or outside (0) the estimated growing period. The growing period is defined as the time from first green-up (planting) until the time of harvest or killing frost for land cover. (See report page 202)

Precipitation residing in root zone is the amount of gross precipitation that infiltrates (less surface runoff) and remains in the root zone for evaporation and transpiration (less deep percolation). (Przel = P - Runoff - Dperc)

Alfalfa reference ET (ET<sub>r</sub>) computed by the ASCE standardized Penman-Monteith method using solar radiation and dewpoint estimated from air temperature and wind speed from long term regional stations.

Potential ET (ETP) represents the total estimated evaporation that would occur without soil moisture stress. It includes soil surface evaporation from recorded precipitation and simulated irrigation. (ETP = ETB + Ke\*ETr)

Precipitation deficit (Pdef) or irrigation water requirement is the difference between ET and the precipitation stored in the root zone and evaporation layer (Prez). During the growing season for irrigated landcovers Pot

Simulated irrigation represents the timing and amount of irrigation based on a daily soil water balance. Irrigations were scheduled when the root zone dries to a point where stress would occur. (See report page 202)

Basal ET (ET<sub>b</sub>) is the evapotranspiration that would occur under no water stress and with no soil evaporation (dry soil surface). It represents the amount of potential evaporation that is transpiration. (ET<sub>b</sub> = K<sub>c</sub> \* ET<sub>r</sub>)

Actual ET (ETa) includes soil surface evaporation (from precipitation and irrigation) as well as reductions in evapotranspiration caused by soil water shortage. It is often below Potential ET for rainfed crops. (ETa = Ks\*ETb + Ke\*ETr

Deep percolation represents water percolating below the maximum root zone depth. This water was considered to be unrecoverable for ET. Deep percolation during irrigation events may contain 10% of the irrigation depth. (See

30-day mean air temperature is the average mean daily air temperature for the 30-day period ending on the particular date. This value was used to estimate starts of growth periods for many land covers.

All units are in millimeters unless otherwise indicated

**Alfalfa - less frequent cuttings:**

[illegible]

<http://data.kimberly-uidaho.edu/ETIdaho/>



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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Mathew Weaver

November 14, 2023

IDAHO POWER CO  
PO BOX 70  
BOISE ID 83707-0070

**RE: WATER SUPPLY BANK LEASE CONTRACT 1740  
FOR WATER RIGHT(S) 63-35379 and 63-35380**

Dear Lessor:

Water right(s) 63-35379 and 63-35380 are leased into the Water Supply Bank (Bank) as of January 1, 2023, 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, 2027**, 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](http://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](mailto:bank@idwr.idaho.gov) or 208-287-4800.

Sincerely,

*Shilynn Novak*

for  
Water Supply Bank

Enclosure: Executed Lease Contract

c: IDWR – Western Regional Office  
[KDavis@idahopower.com](mailto:KDavis@idahopower.com)



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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Mathew Weaver

November 6, 2023

IDAHO POWER CO  
PO BOX 70  
BOISE, ID 83707-0070

**COPY**

**RE: APPLICATION TO LEASE WATER RIGHTS 63-35379 & 63-35380 TO THE WATER SUPPLY BANK CONTRACT 1740**

**\*\*\*\*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, 2027**, 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](mailto:bank@idwr.idaho.gov) or 208-287-4800.

Sincerely,

*Shilynn Novak*

for  
Water Supply Bank

Enclosures: Proposed Lease Contracts

C: Kresta Davis; [KDavis@idahopower.com](mailto:KDavis@idahopower.com)

## MEMORANDUM FOR APPLICATION # 2670

**To:** Water Right(s) 63-35379 and 63-35380  
**From:** Shilynn Novak  
**Date:** October 12, 2023  
**Re:** Review & Analysis of Application to Lease Water to the State Water Supply Bank

---

**PURPOSE/NARRATIVE:** Idaho Power Company (Idaho Power) is proposing to place both 63-35379 and 63-35380 in their entirety into the Water Supply Bank (Bank) from 2023 through 2027.

The water rights were acquired in September 2022 by Idaho Power. Idaho Power submitted their lease application in May 2023. No transfers or other water rights actions appear to have been filed between September 2022 and May 2023 so the original POD was used for the lease proposal.

**AUTHORITY TO FILE:** The lease application was filed by Kresta Davis, Senior Manager at Idaho Power, on behalf of Idaho Power. A letter granting Ms. Davis authority to act on behalf of Idaho Power was signed by Ryan Adelman (listed as Vice President, Power Supply, Idaho Power on Idaho Power's website).

The property was recently purchased by Idaho Power in September 2022 and the Bank lease application was received by the Department in May 2023. No other applications to change the water right were received by the Department. The original well is still in place on the neighboring property and will be used for the lease POD.

The water right boundaries in ArcMap do not align with the parcel information also found in ArcMap. The lease boundary matches the parcel information as it better aligns with the 2021 aerial imagery.

**WATER RIGHT VALIDITY:** These two rights are active decreed rights. Using aerial and Landsat imagery, the acres appear to have been irrigated in the previous 5 years to offering to the WSB. No concerns about validity.

No concerns with validity of the water right and portion offered to the bank.

**INJURY TO OTHER WATER RIGHTS:** Injury is not anticipated through the lease of this water right.

**ENLARGEMENT OF USE:** 63-35379 has a condition stating "Use of this right is combined with water from Boise-Kuna Irrigation District." The POD and POU both fall within the Boise Kuna Irrigation District (BKID) delivery boundary in ArcMap. Information provided with the application indicates that water has not been delivered to the property. The information provided in the application included a portion of a field exam for an overlapping water right.

Although the lease POU falls within the boundary if an irrigation entity, provided evidence shows that water was not delivered to the POU. Completing a comparison of water rights within the same QQ indicates there are no other water rights that overlap or need to be taken into consideration for this lease. The recent ownership change process did not identify any additional private water rights that were appurtenant with the property.

**LOCAL PUBLIC INTEREST:** This lease falls within the South Ada County Ground Water Area of Concern. The area of concern does not include a moratorium and was established due to declining aquifer levels in the area. There appears to be no recorded concerns or injury from use of this water right.

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

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

**DEPARTMENT STAFF OR WATERMASTER COMMENTS:** The location for the rental PD is not subject to a Water District. A comment request will be sent to Western and any comments will be included and address during lease processing.

# Water Rights in the SWSW QQ that overlap the Lease POU (Lease POU in yellow)

| Irrigation Water Rights in 02N01E34 |                                                                                                                                   |                    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |             |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|--------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------------|
| Water Right                         | Owner                                                                                                                             | Source             | NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SENW | NESW | NWSW | SWSW | SESW | NESE | NWSE | SWSE | SESE | Total Acres |
| 63-10941                            | COMAFORD, DOROTHY J; HOOPER, SHIRLEY; VAUGHAN, DAVID A                                                                            | GROUND WATER       |      |      |      |      |      | 1.8  |      |      |      |      |      |      |      |      |      |      | 1.8         |
| 63-32111                            | MONTIERH JR, HERBERT R; TAYSOM, KATHLEEN; TAYSOM, VON T; WOLSKE, PHYLLIS E                                                        | GROUND WATER       |      |      |      |      |      |      |      |      |      |      | 5    |      |      |      |      |      | 5           |
| 63-32112                            | MONTIERH JR, HERBERT R; MONTIERTH, EDWARD RAY; MONTIERTH, ROD; THORNTON, LAYNE; THORNTON, LORI; WOLSKE, FRED H; WOLSKE, PHYLLIS E | GROUND WATER       |      |      |      |      |      |      |      |      | 26   | 12   | 23.9 | 39   |      |      |      |      | 100.9       |
| 63-32113                            | MONTIERH JR, HERBERT R; MONTIERTH, EDWARD RAY; MONTIERTH, ROD; TAYSOM, KATHLEEN; TAYSOM, VON T; WOLSKE, FRED H; WOLSKE, PHYLLIS E | GROUND WATER       |      |      |      |      |      |      |      |      |      |      | 5    |      |      |      |      |      | 5           |
| 63-33398                            | MONTIERH JR, HERBERT R; WOLSKE, PHYLLIS E                                                                                         | GROUND WATER       |      |      |      |      |      |      |      |      | 11   | 18   |      |      |      |      |      |      | 29          |
| 63-33399                            | MONTIERH JR, HERBERT R; THORNTON, LAYNE; THORNTON, LORI; WOLSKE, PHYLLIS E                                                        | GROUND WATER       |      |      |      |      |      |      |      |      | 24   | 12   | 26.9 | 40   |      |      |      |      | 102.9       |
| 63-35379                            | IDAHO POWER CO; THORNTON, LAYNE; THORNTON, LORI; WOLSKE, FRED H; WOLSKE, PHYLLIS E                                                | GROUND WATER       |      |      |      |      |      |      |      |      |      |      | 3.1  |      |      |      |      |      | 3.1         |
| 63-35380                            | IDAHO POWER CO; THORNTON, LAYNE; THORNTON, LORI; WOLSKE, PHYLLIS E                                                                | GROUND WATER       |      |      |      |      |      |      |      |      |      |      | 3.1  |      |      |      |      |      | 3.1         |
| 63-136                              | BOISE PROJECT BOARD OF CONTROL; GIVENS, RAYMOND D; H L RANDAL ET AL; MARTEN LAW; PIONEER DIXIE DITCH CO                           | BOISE RIVER        |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-137B                             | BOISE PROJECT BOARD OF CONTROL; GIVENS, RAYMOND D; MARTEN LAW; PIONEER DIXIE DITCH CO                                             | BOISE RIVER        |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-200A                             | BOISE PROJECT BOARD OF CONTROL; GIVENS, RAYMOND D; MARTEN LAW; NAMPA-MERIDIAN IRR DIST                                            | BOISE RIVER        |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-233K                             | AMERICAN DITCH CO; BOISE PROJECT BOARD OF CONTROL; GIVENS, RAYMOND D; MARTEN LAW; RANDALL ET AL                                   | BOISE RIVER        |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-2388A                            | UNITED STATES OF AMERICA ACTING THROUGH                                                                                           | BOISE RIVER        |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-251A                             | UNITED STATES OF AMERICA ACTING THROUGH                                                                                           | BOISE RIVER        |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-26671                            | BOISE KUNA IRRIGATION DISTRICT; FREDRICKS, RANDALL C; MARTEN LAW                                                                  | BOISE RIVER        |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-301A                             | UNITED STATES OF AMERICA ACTING THROUGH                                                                                           | BOISE RIVER        |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-302A                             | UNITED STATES OF AMERICA ACTING THROUGH                                                                                           | BOISE RIVER        |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-372                              | BOISE KUNA IRRIGATION DISTRICT; FREDRICKS, RANDALL C; GIVENS, RAYMOND D; MARTEN LAW; NEW YORK IRRIGATION DISTRICT                 | BOISE RIVER        |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-373A                             | UNITED STATES OF AMERICA ACTING THROUGH                                                                                           | BOISE RIVER        |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-2106                             | UNITED STATES OF AMERICA ACTING THROUGH                                                                                           | FIVEMILE CREEK     |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-33251                            | BOISE PROJECT BOARD OF CONTROL                                                                                                    | INDIAN CREEK       |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-3151A                            | WOLSKE, FRED H; WOLSKE, PHYLLIS E                                                                                                 | NORTH INDIAN CREEK |      |      |      |      |      |      |      |      |      | 4    |      |      |      |      |      |      | 4           |
| 63-33396                            | MONTIERH JR, HERBERT R; MONTIERTH, EDWARD RAY; WOLSKE, FRED H; WOLSKE, PHYLLIS E                                                  | NORTH INDIAN CREEK |      |      |      |      |      |      |      |      |      | 11   | 3    |      |      |      |      |      | 14          |
| 63-33397                            | MONTIERH JR, HERBERT R; MONTIERTH, EDWARD RAY; THORNTON, LAYNE; THORNTON, LORI; WOLSKE, FRED H; WOLSKE, PHYLLIS E                 | NORTH INDIAN CREEK |      |      |      |      |      |      |      |      |      | 11   | 14   |      |      |      |      |      | 25          |
| 63-33253                            | BOISE PROJECT BOARD OF CONTROL                                                                                                    | TENMILE CREEK      |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |
| 63-2392F                            | BOISE PROJECT BOARD OF CONTROL                                                                                                    | WASTE WATER        |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |             |

# Water rights in the SWSW QQ that overlap the Lease POD

Lease Water Rights in Yellow

Water Rights Overlapping POD in Orange

| 02N01E34    |            | GROUND WATER |            |              |                                                                                                                                 |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
|-------------|------------|--------------|------------|--------------|---------------------------------------------------------------------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| Water Right | Total Rate | Total Acres  | Acre Limit | Total Volume | Owner                                                                                                                           | NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SESW | NESW | NWSW | SWSW | SESW | NESE | NWSE | SWSE | SESE |
| 63-10819    |            |              |            |              | WILSON, E CLYDE                                                                                                                 |      |      |      |      |      | X    |      |      |      |      |      |      |      |      |      |      |
| 63-10941    |            |              |            |              | COMAFORD, DOROTHY J; HOOPER, SHIRLEY; VAUGHAN, DAVID A                                                                          |      |      |      |      |      | X    |      |      |      |      |      |      |      |      |      |      |
| 63-16641    |            |              |            |              | COMAFORD, DOROTHY J; HOOPER, SHIRLEY M; VAUGHAN, DAVID A                                                                        |      |      |      |      |      | X    |      |      |      |      |      |      |      |      |      |      |
| 63-16914    |            |              |            |              | WOODS, CARMEN L; WOODS, SAM D                                                                                                   |      |      |      |      |      |      | X    |      |      |      |      |      |      |      |      |      |
| 63-18237    |            |              |            |              | WOLSKE, FRED H; WOLSKE, PHYLLIS E                                                                                               |      |      |      |      |      |      |      |      |      | X    |      |      |      |      |      |      |
| 63-28889    |            |              |            |              | SHAUL JR, FRANK G; SHAUL, RUTH E                                                                                                |      |      |      |      |      | X    |      |      |      |      |      |      |      |      |      |      |
| 63-32111    |            |              |            |              | MONTIERH JR, HERBERT R; TAYSOM, KATHLEEN; TAYSOM, VON T; WOLSKE, PHYLLIS E                                                      |      |      |      |      |      |      |      |      |      |      | X    |      |      |      |      |      |
| 63-32113    |            |              |            |              | MONTIERH JR, HERBERT R; MONTIERH, EDWARD RAY; MONTIERH, ROD; TAYSOM, KATHLEEN; TAYSOM, VON T; WOLSKE, FRED H; WOLSKE, PHYLLIS E |      |      |      |      |      |      |      |      |      |      | X    |      |      |      |      |      |
| 63-33398    |            |              |            |              | MONTIERH JR, HERBERT R; WOLSKE, PHYLLIS E                                                                                       |      |      |      |      |      |      |      |      |      |      | X    |      |      |      |      |      |
| 63-2986     | 0.92       | 446          | 80         | 360          | THORNTON, LAVAR; THORNTON, WILMA M                                                                                              |      |      |      |      |      |      |      |      |      |      | X    |      |      |      |      |      |
| 63-31951    | 3.6        | 446          | 225        | 652.5        | THORNTON, LAVAR; THORNTON, LAYNE; THORNTON, LORI; THORNTON, WILMA M                                                             |      |      |      |      |      |      |      |      |      |      | X    |      |      |      |      |      |
| 63-31953    | 1.33       | 446          | 70         | 315          | THORNTON, LAVAR; THORNTON, LAYNE; THORNTON, LORI; THORNTON, WILMA M                                                             |      |      |      |      |      |      |      |      |      |      | X    |      |      |      |      |      |
| 63-32112    | 0.5        | 101          |            | 214.8        | THORNTON, LAYNE; THORNTON, LORI                                                                                                 |      |      |      |      |      |      |      |      |      |      | X    |      |      |      |      |      |
| 63-33074    | 2.75       | 422          |            | 544          | THORNTON, LAVAR; THORNTON, LAYNE                                                                                                |      |      |      |      |      |      |      |      |      |      | X    |      |      |      |      |      |
| 63-33399    | 0.74       | 103          |            | 260.3        | THORNTON, LAYNE; THORNTON, LORI                                                                                                 |      |      |      |      |      |      |      |      |      |      | X    |      |      |      |      |      |
| 63-34286    | 0.07       | 3.8          |            | 17.1         | THORNTON, LAVAR; THORNTON, WILMA M                                                                                              |      |      |      |      |      |      |      |      |      |      | X    |      |      |      |      |      |
| 63-35379    | 0.02       | 3.1          |            | 6.6          | IDAHO POWER CO                                                                                                                  |      |      |      |      |      |      |      |      |      |      | X    |      |      |      |      |      |
| 63-35380    | 0.02       | 3.1          |            | 7.8          | IDAHO POWER CO                                                                                                                  |      |      |      |      |      |      |      |      |      |      | X    |      |      |      |      |      |

## Novak, Shilynn

---

**From:** Novak, Shilynn  
**Sent:** Monday, November 6, 2023 9:07 AM  
**To:** KDavis@idahopower.com; KDavis2@idahopower.com  
**Cc:** Bank  
**Subject:** Water Supply Bank Lease #1740 - Mailed Out  
**Attachments:** WSB Lease Application #2670 WR 63-35379.pdf; WSB Lease Application #2670 WR 63-35380.pdf; Lease Contract #1740 Map.pdf; Lease Contract #1740.pdf; Lease Proposed Contract Letter.pdf

Good morning,

Review of your application to lease 63-35379 & 63-35380 to the Water Supply Bank has been completed. I have attached a scanned copy of the lease contract, lease map, and copies of the applications for your reference. The contract information will be physically mailed out today. Please review the contract then sign and return both signed copies to the Department for further processing.

If you have any questions, you may contact me at this email or you may contact the Water Supply Bank at [bank@idwr.idaho.gov](mailto:bank@idwr.idaho.gov) or 208-287-4800.

Sincerely,  
Shilynn



**Shilynn Novak**

Water Resource Agent, Sr. | Water Rights Section  
322 E Front St Ste 648 | Boise ID 83702-7371  
Direct: 208.287.4915 | Front Desk: 208.287.4800

## Novak, Shilynn

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**From:** Novak, Shilynn  
**Sent:** Thursday, October 12, 2023 12:32 PM  
**To:** Western Info  
**Subject:** WSB Lease #2670 - Request for Comment  
**Attachments:** 63-35379 all scanned docs.pdf; WSB Lease 2670 - 63-35379 Application.pdf; 63-35380 all scanned docs.pdf; WSB Lease 2670 - 63-35380 Application.pdf; Lease Map - App 2670.pdf; Lease Review Memo 2670.pdf

Hi Western Region,

I have a Water Supply Bank (WSB) lease application for Idaho Power ready for your review and comments. Idaho Power requests to lease all of water rights 63-35379 and 63-35380 to the WSB. I've included the lease map, my review memo, and a copy of the lease documents for your review. I have also attached any documents that were in the files that were not available through PCDocs. Please let me know in 7 days if you have any concerns or comments about this lease.

Thank you!

Shilynn



### Shilynn Novak

Water Resource Agent, Sr. | Water Rights Section  
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