

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1786

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

LESSOR: LEON BAKER
8185 S LINDER RD
MERIDIAN, ID 83642

RECEIVED

MAR 27 2024

DEPT. 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 15, 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)
63-32273	3/1/1938	GROUND WATER	0.07	15.3	3.5
Lease Totals			0.07	15.3	3.5

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.

WATER SUPPLY BANK LEASE CONTRACT No. 1786

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. 1786

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

LESSOR: LEON BAKER
8185 S LINDER RD
MERIDIAN, ID 83642

By [Signature]
Title Homeowner
Date 03.24.2024

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

By [Signature] Date 3/29/24
Brian Patton, Acting Administrator
Idaho Water Resource Board

Lease approved by IDWR [Signature] Date 3/29/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1786

**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): 63-32273

GROUND WATER NENE Sec. 11 Twp 02N Rge 01W ADA County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
63-32273	IRRIGATION	03/01	to	11/15	0.07 cfs	15.3 AF
Totals:					0.07 cfs	15.3 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	01W	11	3.5																3.5

Total Acres: 3.5

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. 1786

9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
 - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. The unleased portion of right 63-32273 shall not exceed a total diversion rate of 0.01 cfs, a total annual maximum diversion volume of 2.2 af at the field headgate, and the irrigation of 0.5 acres.

Idaho Water Resource Board
Water Supply Bank Lease Contract No. 1786

63-32273

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



0 155 310 Feet

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

MAY 15 2023

DEPARTMENT OF
WATER RESOURCESAPPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Designated Applicant

LEON L. BAKER JENNIE M
(Select one owner – see item 1A on the application)

Water Right No.

32273
63-17754 UB
(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: KMDate Received: 5.15.23Receipt # C116249W-9 received? Yes ☒ No ☐

(Route W-9 to Fiscal)

Name on W-9: Leon L Baker

2669

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 LEON L. BAKER
Mailing Address 8185 S. LINDER RD MERIDIAN ID 83642
Street City State Zip Code
Email Address JENBAKER8@MSN.COM Phone Number 208-989-2174

☐ 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 _____ Organization _____
Professional Title _____ Email Address _____
Mailing Address _____ 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.

WE HAVE A WELL THAT SERVES OUR DOMESTIC USE
AND ANY IRRIGATING WE ELECT TO DO.

- 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. N/A

- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? N/A 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? N/A 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. WE USED A DRIP IRRIGATION SYSTEM TO WATER ARONIA BERRY PLANTS. HARD TO ESTIMATE FLOWS, BUT MINIMAL; GUESSING 1 ACRE FOOT PER YEAR WHILE WE DID.

- 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.

I HAVE 4 ACRES OF WATER RIGHT. WE USED
2 ACRES FOR SEVERAL YEARS GROWING ARONIA BERRIES.
BUT 2 ACRES WERE NOT USED DURING THAT SAME
PERIOD (THE BACK 2 ACRES OR "BACK FIELD"). WE WISH TO BANK
ALL 4 ACRES OF WATER RIGHT.

- 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.

CURRENT RENTAL RATE -

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated 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

LEON L. BAKER
Printed Name

05.11.2023
Date

Signature of Authorized Representative

Printed Name

Date

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

**STATE OF IDAHO
WATER RESOURCE BOARD**

ATTACHMENT 1A

Additional Water Right Holders Party to the Lease Application

For the water right on this application, 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 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 Applicant.** 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). 63-32273

	Designated Applicant	Applicant #2	Applicant #3
Name	LEON L. BAKER	JENNIE M. BAKER	
Mailing Address	8185 S. LINDER RD MERIDIAN, ID 83642	SAME	
Phone Number	208.989.2174	208.989.9657	
Email Address	JENBAKER8@MSN.COM	SAME	
Applicant Declaration	As Designated Applicant, I submit this lease application on behalf of all other water right holders.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.
Signature		Jennie M. Baker	

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

**STATE OF IDAHO
WATER RESOURCE BOARD**

Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

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

1. <u>Water Right Number</u>	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
<u>63-32273</u>	<u>AGRICULTURE</u>	_____	_____	<u>4</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Total Amounts:		_____	_____	_____

2. Source of water Well tributary to _____

3. Point(s) of diversion:

TwP	Rge	Sec	Lot	¼	¼	¼	County
							<u>Ada</u>

Google Maps

8185 S. LINDER RD
MERIDIAN, ID 83642

ATTACHMENT 3



Imagery ©2023 Airbus, CNES / Airbus, Maxar Technologies, State of Oregon, U.S. Geological Survey, USDA/FPAC/GEO, Map data ©2023 100 ft

TOTAL 4.85 ACRES

WATER RIGHT 4 ACRES

PLAN TO CONTINUE USING
WATER FOR RESIDENTIAL
YARD AROUND HOME

LOCATION OF WELL CIRCLED AND HIGHLIGHTED IN MAP ABOVE.

VACATE USE BY LEASING W.R. TO BANK:

- "FRONT FIELD"
- "BACK FIELD"

- I BELIEVE THIS WOULD EQUAL 4 ACRES.



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

March 29, 2024

LEON BAKER
8185 S LINDER RD
MERIDIAN, ID 83642

**RE: WATER SUPPLY BANK LEASE CONTRACT 1786
FOR WATER RIGHT 63-32273**

Dear Lessor:

Water right 63-32273 is leased into the Water Supply Bank (Bank) as of January 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. **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,

catalina beck

Enclosure: Executed Lease Contract

c: IDWR- Western 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

March 15, 2024

RECEIVED

MAR 27 2024

LEON BAKER
8185 S LINDER RD
MERIDIAN, ID 83642

DEPT. OF WATER RESOURCES

**RE: APPLICATION TO LEASE WATER RIGHTS 63-32273 TO THE WATER SUPPLY BANK
CONTRACT 1786**

******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 or 208-287-4800.

Sincerely,

Shilynn Nevak

for
Water Supply Bank

Enclosures: Proposed Lease Contracts

MEMORANDUM

Date: March 14, 2024
To: WR No. 63-32273 - *Water Supply Bank Lease Contract 1786* *SK*
From: Shilynn Novak
Re: Amended Leased Acres

Mr. Baker hand-delivered his lease contract February 29, 2024 and asked if he could amend the irrigated acres so he can increase irrigation in his lawn. After Mr. Baker's request, the total number of leased acres went from 3.6 acres to 3.5 acres. An amended contract will be sent for Mr. Baker's signature.

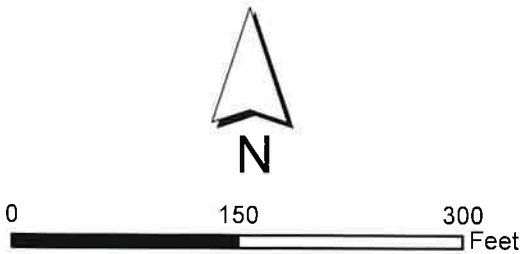
Idaho Water Resource Board
Water Supply Bank Lease Contract No. 1786

63-32273
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



Novak, Shilynn

From: Leon Baker <leon.baker@academymortgage.com>
Sent: Tuesday, February 27, 2024 2:17 PM
To: Novak, Shilynn
Subject: RE: Water Supply Bank Lease Contract - Mail out 2/26/2024

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

Shilynn –

Thank You So Much! That's great news.

Please note that our company has been acquired by Guild Mortgage. My new address will be leon.baker@guildmortgage.com

Thank You!

Leon



Leon Baker

Home Loan Officer
NMLS #103195
5680 E. Franklin Rd, Ste. 110
Nampa, ID 83687
(208) 989-2174 – Mobile
(208) 936-3500 – Branch
(208) 252-9429 – Fax

leon.baker@academymortgage.com

[Visit my webpage](#)



**PRE-QUALIFY
NOW!**

*Pre-qualification is not a commitment to lend
Corp NMLS #3113 | Equal Housing Lender

Leon Baker Team
ACADEMY
MORTGAGE CORPORATION®

From: Novak, Shilynn <Shilynn.Novak@idwr.idaho.gov>
Sent: Friday, February 23, 2024 4:47 PM

To: Leon Baker <leon.baker@acac...ymortgage.com>
Cc: Bank <Bank@idwr.idaho.gov>
Subject: Water Supply Bank Lease Contract - Mail out 2/26/2024

You don't often get email from shilynn.novak@idwr.idaho.gov. [Learn why this is important](#)

 **EXTERNAL EMAIL:** Open links/attachments cautiously.

Good afternoon,

I wanted to let you know that the lease contract for water right 63-32273 will be mailed out on February 26, 2024. I've attached a copy of the letter, a copy of the lease contract, my memo, and the lease map. I remembered that you wanted to protect the water right from forfeiture, so I am happy to inform you that through current irrigation usage and the lease, the water right is protected at this time.

3.6 acres lease to Bank
+ .4 acres currently irrigated
= 4 acres irrigation water right

If you have any questions, feel free to call my desk at 208-287-4800 or email me at shilynn.novak@idwr.idaho.gov.

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



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

February 26, 2024

COPY

LEON BAKER
8185 S LINDER RD
MERIDIAN, ID 83642

**RE: APPLICATION TO LEASE WATER RIGHTS 63-32273 TO THE WATER SUPPLY BANK
CONTRACT 1786**

******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 or 208-287-4800.

Sincerely,

Shilynn Novak
for
Water Supply Bank

Enclosures: Proposed Lease Contracts

MEMORANDUM FOR APPLICATION # 2669

To: Water Right 63-32273

From: Shilynn Novak

Date: December 18, 2023

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

PURPOSE/NARRATIVE: Lease application 2669 was received by the Department on May 15, 2023 to place 4 acres of irrigation from 63-32273 into the Water Supply Bank (Bank) to protect the right from forfeiture. The 4 acres of irrigation comes from a domestic well on the 4.8-acre property. The property is currently irrigating 0.4 acres around the home which leaves 3.6 acres of the water right available to lease to the Bank.

AUTHORITY TO FILE: The parcel data shows Leon and Jennie Baker as the property owners. The Bank application lists both Mr. and Ms. Baker as the applicants. An Attachment 1A was received with the application which indicates Mr. Baker as the Designated Applicant. No concerns about authority to file.

WATER RIGHT VALIDITY: This water right was decreed in 2009. Sentinel Imagery shows irrigation of the property in 2017. Correspondences with Mr. Baker shows that irrigation last occurred in 2017. The field to the east of the home provided irrigation for chokeberries. Irrigation for the field to the west of the home was for pasture grass for a horse. This lease is occurring in the 6th year to avoid forfeiture of the unused portion of the water right. There are no concerns about validity of this right.

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

INJURY TO OTHER WATER RIGHTS: Lease of this water right would not cause injury to other water rights. Proper review to prevent injury if rented.

ENLARGEMENT OF USE: The water right falls within the irrigation boundaries for the Boise Project Board of Control and within City of Kuna municipal water right boundary, but irrigation on the property is provided by the use of the well for the water right. No concerns about enlargement.

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

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

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental PD is not subject to a Water District. A request for comment will be sent to the Western Regional Office.

Novak, Shilynn

From: Leon Baker <leon.baker@academymortgage.com>
Sent: Wednesday, September 20, 2023 4:47 PM
To: Novak, Shilynn
Cc: Kienholz, Mackenzie; Jennie Baker
Subject: Water right to the Bank - 8185 S Linder Road, Meridian, Idaho 83642 Baker, Leon & Jennie

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Shilynn & MacKenzie –

Thank you so much for your help with my water right, and banking.

In summary, we had a partnership...more of a favor...with a friend of mind to let him grow Aronia berries in our 'front 2 acres' with hope of splitting profits. The aronia berry is similar to a blueberry, but multiples higher in antioxidants. Initially, my friend planned on watering with sprinklers, but settled on drip irrigation instead as watering the front field with sprinklers would have created more weeds that was helpful. The berries were grown in rows, and I would say we used about 85% of the front field...while the remaining 15% was used for tools, equipment, etc. I think we did this for about 5 years...and I would say that in talking with Jennie...we both felt like the last Summer we did it was inside of 5 years ago...but we will defer to your expertise.

The rear 5 acres we used for a horse for our daughter. We had a horse for her while she finished up school, and she did water the "back field" as pasture during that time. Our remembrance of the exact dates on that are a little more foggy, but your office did think it was in the last 5 years I believe.

Thank you for your help and kindness. I'm proud to be an Idahoan, and our experience with your office has certainly added to that. Thank You!

God Bless You,

Leon

Novak, Shilynn

From: Novak, Shilynn
Sent: Friday, September 15, 2023 8:41 AM
To: Jennie Baker
Subject: RE: Water Supply Bank Lease Application 63-32273

Hi Jennie,

Thank you for the email. I was asking for information starting in 2018. This is information discussing 2017. If you could please let me know how you were irrigating the front and back fields starting in 2018 to 2023 then I can continue processing your application.

Thank you,
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

From: Jennie Baker <jenbaker8@msn.com>
Sent: Friday, September 15, 2023 8:30 AM
To: Novak, Shilynn <Shilynn.Novak@idwr.idaho.gov>
Subject: Fw: Water Supply Bank Lease Application 63-32273

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Hi Shilynn -

I've attached the email conversation I had with Mackenzie earlier this spring regarding the application. I hope that helps. Thanks!

Jennie

From: Jennie Baker <jenbaker8@msn.com>
Sent: Wednesday, May 17, 2023 7:52 PM
To: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Subject: Re: Water Supply Bank Lease Application 63-32273

Hi Mackenzie -

Thank you so much for checking into that. I completely forgot that we had a horse on that back field for about a year, and we did water the pasture grass for her. Our daughter moved the hand lines and watered regularly starting sometime in May through the end of the summer of 2017. Let me know if you need any additional information. Thanks!

Leon

From: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>

Sent: Wednesday, May 17, 2023 1:59 PM

To: jenbaker8@msn.com <jenbaker8@msn.com>

Subject: Water Supply Bank Lease Application 63-32273

Good afternoon,

This email is a follow up of our conversation in person on Monday. I reviewed the imagery from 2017 for your property. Do you know if both fields were irrigated at some point in 2017, and if so, what might have been grown? I have attached an example of the imagery below (this image is from 5/24/2017). It appears that both fields may have been irrigated sometime between late April and early June.

Thank you,

Mackenzie Kienholz

Water Supply Bank Specialist



Planning & Projects

Mackenzie.kienholz@idwr.idaho.gov

Phone: (208) 287-4822

Novak, Shilynn

From: Novak, Shilynn
Sent: Thursday, September 14, 2023 8:13 AM
To: jenbaker8@msn.com
Subject: WSB Lease 2669 - Additional Info Request
Attachments: WSB Lease Application # 2669.pdf

Hello,

I am processing your Water Supply Bank Lease Application. As part of the review, I have to determine water right validity for the last 5 years. I was looking at aerial, LandSat, and Sentinel imagery as means to try to establish use starting in 2018. It is difficult to determine irrigation use because March to May show up as green growth, but I don't know if intentional irrigation from the well was occurring or if it was just a wet spring and the local native vegetation was thriving. The irrigation season is from March to November. During review as the irrigation season moves on after July, there appears to be very little green.

To determine water right validity, please describe the irrigation use from the well starting in 2018 through to 2022 for both the "front" and "back" fields. From aerial imagery, I see the chokeberry bushes that were in the Front Field in 2018, but it is difficult to determine irrigation use after that in the Front Field.

I have attached your Lease Application for you to reference. Please provide a written response in the next 30 so I can continue processing your application timely.

If you have any questions, please let me know. You can reply to this email (preferred) or you may contact me on my desk phone at 208-287-4915. Please leave a detailed message if you reach my voicemail. Thank you for your assistance!

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

Kienholz, Mackenzie

From: Jennie Baker <jenbaker8@msn.com>
Sent: Wednesday, May 17, 2023 7:53 PM
To: Kienholz, Mackenzie
Subject: Re: Water Supply Bank Lease Application 63-32273

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Leon

From: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Sent: Wednesday, May 17, 2023 1:59 PM
To: jenbaker8@msn.com <jenbaker8@msn.com>
Subject: Water Supply Bank Lease Application 63-32273

Good afternoon,

This email is a follow up of our conversation in person on Monday. I reviewed the imagery from 2017 for your property. Do you know if both fields were irrigated at some point in 2017, and if so, what might have been grown? I have attached an example of the imagery below (this image is from 5/24/2017). It appears that both fields may have been irrigated sometime between late April and early June.

Thank you,

Mackenzie Kienholz
Water Supply Bank Specialist



Planning & Projects
Mackenzie.kienholz@idwr.idaho.gov
Phone: (208) 287-4822

