

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

# WATER SUPPLY BANK LEASE CONTRACT No. 2167

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

**LESSOR:** LEE KENDALL  
12587 DEER RIDGE TRL  
NAMPA, ID 83686-7807

RECEIVED

MAY 12 2026

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 December 16, 2025.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

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

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

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

| Water Right No.              | Priority Date | Source                     | Diversion Rate (CFS) | Diversion Volume (AF) | Acres (AC) |
|------------------------------|---------------|----------------------------|----------------------|-----------------------|------------|
| 63-35279                     | 2/25/1963     | GROUND WATER, tributary to | 0.05                 | 19.8                  | 4.4        |
| 63-35280                     | 3/11/1968     | GROUND WATER, tributary to | 0.04                 | 15.0                  | 4.4        |
| <b>Combined Limit Totals</b> |               |                            | <b>0.09</b>          | <b>34.8</b>           | <b>4.4</b> |
| <b>Combined Lease Totals</b> |               |                            | <b>0.09</b>          | <b>34.8</b>           | <b>4.4</b> |

### Summary of Water Rights Elements Rentable From the Bank

| Water Right                  | Diversion Rate (CFS) | Diversion Volume (AF) | Acres (Limited) (AC) | Rate Per Acre (CFS/AC) | Volume Per Acre (AF/AC) |
|------------------------------|----------------------|-----------------------|----------------------|------------------------|-------------------------|
| 63-35279                     | 0.00                 | 0.00                  | 0.0                  | 0.00                   | 0.0                     |
| 63-35280                     | 0.00                 | 0.00                  | 0.0                  | 0.00                   | 0.0                     |
| <b>Combined Limit Totals</b> | <b>0.00</b>          | <b>0.00</b>           | <b>0.0</b>           | <b>0.00</b>            | <b>0.0</b>              |

*\* The water right elements rentable have been reduced from the water right elements leased to account for combined limits with rights not leased to the Bank.*

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.

SUPPORT DATA

IN FILE # 63-35279

## WATER SUPPLY BANK LEASE CONTRACT No. 2167

**Minimum Payment Acceptable:** Current Rental Rate

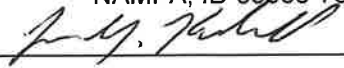
3. **TERM OF LEASE:** The term of this lease shall be January 1, 2026 to December 31, 2030. This Lease shall bind the parties and take effect when both parties have signed it.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.
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

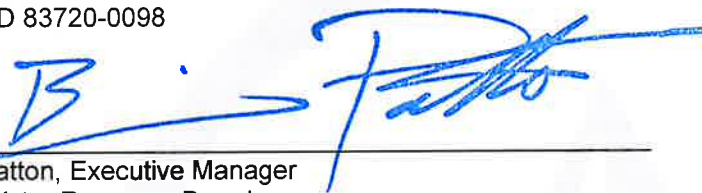
**WATER SUPPLY BANK LEASE CONTRACT No. 2167**

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

**LESSOR:** LEE KENDALL  
12587 DEER RIDGE TRL  
NAMPA, ID 83686-7807

By   
Title \_\_\_\_\_  
Date 5-5-26

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

By   
Brian Patton, Executive Manager  
Idaho Water Resource Board

Date 5/14/26

Lease approved by IDWR 

Date 5/14/26

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## WATER SUPPLY BANK LEASE CONTRACT No. 2167

**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): 63-35279, 63-35280**

|              |        |         |         |         |               |
|--------------|--------|---------|---------|---------|---------------|
| GROUND WATER | SENWNW | Sec. 24 | Twp 02N | Rge 03W | CANYON County |
| GROUND WATER | SWNESW | Sec. 24 | Twp 02N | Rge 03W | CANYON County |

| Water Right    | Beneficial Use | Season of Use |    |       | Diversion Rate (CFS) | Volume (AF) |
|----------------|----------------|---------------|----|-------|----------------------|-------------|
|                |                | From          |    | To    |                      |             |
| 63-35279       | IRRIGATION     | 03/01         | to | 11/15 | 0.000 cfs            | 0.00 AF     |
| 63-35280       | IRRIGATION     | 04/01         | to | 10/15 | 0.000 cfs            | 0.00 AF     |
| <b>Totals:</b> |                |               |    |       | 0.090 cfs            | 34.80 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 | 03W | 24  |    |    |    |    |    |    |    | 1.4 | 3.0 |    |    |    |    |    |    |    | 4.4    |

Total Acres: 4.4

**ADDITIONAL CONDITIONS OF ACCEPTANCE**

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK LEASE CONTRACT No. 2167**

8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
  - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
  - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. Rights 63-32967, 63-32968, 63-32969, 63-32970, 63-35279 & 63-35280 when combined shall not exceed a total diversion rate of 0.76 cfs, a total annual maximum diversion volume of 299.1 af at the field headgate, and the irrigation of 69.2 acres.
13. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 5/2/2008.
14. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
15. This right is not rentable unless rights 63-32967, 63-32968, 63-32969 & 63-32970 are also leased to the Bank.

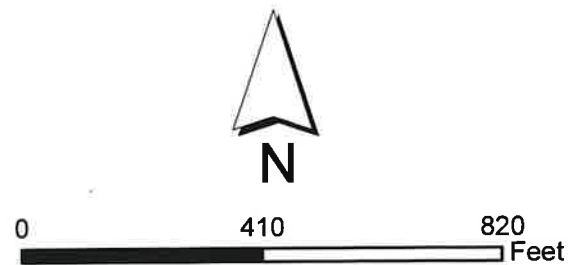
Idaho Water Resource Board  
**Water Supply Bank Contract No. 2167**

67-35279 & 63-35280  
Effective until December 31, 2030

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



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



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DEC 16 2025

STATE OF IDAHO  
WATER RESOURCE BOARD

Print Form

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

DEPT. OF WATER RESOURCES

Applicant / Designated Lessor Lee Kendall Water Right No. 63-35279  
 (Select one owner – see item 1A on the application) (One water right per application)

Is this application being submitted with a rental application as a lease/rental package? Yes ☐ No ☒

If yes, include renter and rental fee payment information as attachment 5B.

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

### MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Yes



Completed *Application to Sell or Lease a Water Right to the Water Supply Bank*, printed **single sided**, per requirement of the Water Supply Bank.



Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use, but which cover separate acres within the permissible place of use.

N/A

Yes

Attachments



1A

Signatures and contact information for **all owners** of the water right to be leased or sold on this application.



1B

(Reserved.)



1C

*Notice of Change in Water Right Ownership* form (accessible from [www.idwr.idaho.gov](http://www.idwr.idaho.gov)).



1D

Contact information for an authorized representative and documentary proof they are authorized to represent the Applicant on this application. *If the Applicant is a business, partnership, municipality, organization or association*, the application **must 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](http://www.idwr.idaho.gov).



4A

Written consent from irrigation district or water delivery company.



4G

Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.



5B

Rental rate and owner payment agreement between lessor and renter for lease/rental packages.

## Department Use Only

Fee Amount \$ 250.00Received By: KWDate Received: 12/16/2025Receipt # 0124413

3392

STATE OF IDAHO  
WATER RESOURCE BOARD

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

**1. CONTACT INFORMATION**

- A. The applicant or designated lessor must be listed as a current owner of the water right offered for sale or lease to the Water Supply Bank. If there are multiple current owners, choose one owner as the Designated Lessor. Complete and attach the Designated Lessor - Attachment 1A of this application package with the signatures of all current owners.

Applicant / Designated Lessor Lee Kendall

Mailing Address 12587 Deer Ridge Trl Nampa ID 83686  
Street City State Zip Code

Email Address thekendalls@gmail.com Phone Number 541-232-0828

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

OR

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

- B. Has the Applicant received payment from the Department for a rented right in the last 12 months? Yes ☐ No ☒  
If no, include a valid email address in item 1A - Contact Information.
- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☐ No ☒  
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).
- D. Is this application being completed by an authorized representative of the Water Right Holder? Yes ☐ No ☒  
If yes, representatives (includes employees of Water Right Holder companies) must complete this section and submit documentary proof of their authority to represent the Water Right Holder (Attachment 1D).

Name of Representative \_\_\_\_\_ Organization \_\_\_\_\_

Professional Title \_\_\_\_\_ Email Address \_\_\_\_\_

Mailing Address \_\_\_\_\_ Phone Number \_\_\_\_\_

☐ Send all correspondence for this application to the representative and not to the Designated Lessor / Applicant.

OR

☐ Send original correspondence to the Designated Lessor / Applicant and copies to the representative.

**2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK**

☒ The full water right is being offered to the Bank and none will still be used.

OR

☐ A portion of the water right is being offered to the Bank and a portion will still be used.

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

**3. MAP**

Attach a map. The map must locate the point of diversion from the source of water and the location of the lands to be idled or the place where the water will no longer be used. The map must also show townships, ranges, sections, and government lots. **For irrigation purposes**, mark the number of acres for lease **per** 40-acre tract (1/4-1/4). If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3.**

STATE OF IDAHO  
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT  
(Continued)

4. GENERAL INFORMATION

- A. Identify the owner of the water delivery system or well Lee Kendall  
*If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e. (Label Attachment 4A)*
- B. Please provide a description of the current water diversion and delivery system, including source, pump, pipeline or diversion.  
WellID 439751 - Domestic-Single residence
- C. Describe any other water sources, including municipal, irrigation company shares, or water rights with combined limits to the water right offered to the bank, which are used for the same purpose at the same place of use as the water right being offered to the Bank. None
- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☒  
*Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands, and usually have combined limits in the conditions of the water rights. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.*
- E. Will the present place of use continue to receive water from any other source, including those listed in 4C? Yes ☐ No ☒  
**If yes**, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.
- F. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☒ No ☐  
**If yes**, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Label Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture, including lease into the Bank. Your application may be denied if forfeiture concerns are not addressed. Lease to Bank Contract ID 1294
- G. Identify annual volumes and/or rates of water diverted (used) in the last 5 years to accomplish the beneficial use authorized by this water right.
- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan? ☐ ☒  
**If yes**, describe. Yes No

STATE OF IDAHO  
WATER RESOURCE BOARD

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

**5. SALE/LEASE CONTRACT**

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

**If lease**, specify the first year when the use of water will be suspended under (new) contract: 2030

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

| *Mark Desired Lease Duration (Calendar Years) |                               |                               |                               |                                          |                                                                                |
|-----------------------------------------------|-------------------------------|-------------------------------|-------------------------------|------------------------------------------|--------------------------------------------------------------------------------|
| <input type="checkbox"/><br>1                 | <input type="checkbox"/><br>2 | <input type="checkbox"/><br>3 | <input type="checkbox"/><br>4 | <input checked="" type="checkbox"/><br>5 | <u>Other Term Length (# of years):</u><br><i>*Prior IWRB approval required</i> |

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

Current rental rate

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

The Designated Lessor / Applicant acknowledges the following:

1. Payment to the Designated Lessor / Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Lessor / Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

  
Signature of Designated Lessor or Applicant

Lee G. Kendra II  
Printed Name

12-7-25  
Date

\_\_\_\_\_  
Signature of Co-Applicant

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

\_\_\_\_\_  
Date

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

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

\_\_\_\_\_  
Date

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

Print Form

**STATE OF IDAHO  
WATER RESOURCE BOARD**

**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). 63-35279 & 63-35280

|                       | <b>Designated Applicant</b>                                                                          | <b>Applicant #2</b>                                                                 | <b>Applicant #3</b>                                                           |
|-----------------------|------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Name                  | LEE KENDALL                                                                                          | GLORY KENDALL                                                                       |                                                                               |
| Mailing Address       | 12587 DEER RIDGE TRAIL<br>NAMPA ID 83686-0828                                                        | SAME                                                                                |                                                                               |
| Phone Number          | 541-232-0828                                                                                         | SAME                                                                                |                                                                               |
| Email Address         | thekendalls@gmail.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             |                   |  |                                                                               |

|                       | <b>Applicant #4</b>                                                           | <b>Applicant #5</b>                                                           | <b>Applicant #6</b>                                                           |
|-----------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| 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             |                                                                               |                                                                               |                                                                               |



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

May 18, 2026

LEE KENDALL  
12587 DEER RIDGE TRAIL  
NAMPA ID 83686-7807

**RE: WATER SUPPLY BANK LEASE CONTRACT 2167  
FOR WATER RIGHTS 63-35279 & 63-35280**

Dear Lessor:

Water rights **63-35279 & 63-35280** are/is leased into the Water Supply Bank (Bank) as of January **2026** in accordance with the enclosed executed lease contract. **Your water rights, as described on the lease contract, are considered leased into the Bank and should remain unused until they are formally released from the Bank.** More information and further restrictions placed on your water rights while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The right(s) will automatically be released from the Bank on **December 31, 2030**, unless the rights are released earlier by the Water Resource Board (Board). To release the water rights from the Bank prior to the release date, submit a written request on the *Request to Release a Water Right from the Bank* form. This form is available on our public website at [www.idwr.idaho.gov](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,

Jean Hersley  
Technical Records Specialist II

Enclosure: Executed Lease Contract

c: IDWR- Western Region Office



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

April 27, 2026

LEE KENDALL  
12587 DEER RIDGE TRAIL  
NAMPA ID 83686-7807

**RE: APPLICATION TO LEASE WATER RIGHTS 63-35279 & 63-35280 TO THE WATER SUPPLY BANK CONTRACT 2167**

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

Dear Applicant:

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

The right will automatically be released from the Bank on **December 31, 2030** unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your right may not be available for immediate release if it has been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:  
"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

I have also enclosed a lessor designation form. Water rights with multiple owners need to designate a lessor. Any correspondence or financial payment associated with the rental of these water rights will be directed to the Designated Lessor. Please sign and return with the contracts.

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,

for   
Water Supply Bank

Enclosures: Proposed Lease Contracts  
Attachment 1A

# WATER SUPPLY BANK

Quick Tools

## Lease Review Checklist

Applicant(s) Name: Lee Kendall

Memo Date: April 22, 2026

Water Right Number(s): 63-35279 & 63-35280

Reviewers Name: Jean

| Lease Start<br>(6th year) | Last Year of Use or Concluded<br>Contract |
|---------------------------|-------------------------------------------|
| 2026                      | 2020                                      |
| 2027                      | 2021                                      |
| 2028                      | 2022                                      |
| 2029                      | 2023                                      |
| 2030                      | 2024                                      |

|                                                                                                                                                                          | Check<br>box                        | COMMENTS/CONCERNS:                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|---------------------------------------|
| 1 Fill out WSB Data Entry Checklist for Leases (Front of File)                                                                                                           | <input checked="" type="checkbox"/> |                                       |
| 2 Reason for lease of water rights (Brief description of lease proposal in narrative)                                                                                    |                                     |                                       |
| Portion of right                                                                                                                                                         |                                     |                                       |
| All of right                                                                                                                                                             | <input checked="" type="checkbox"/> |                                       |
| 3 Complete Application (note amendments & issues in narrative)                                                                                                           | <input checked="" type="checkbox"/> |                                       |
| 4 Check GWMA/CGWA/ADC & B63 Areas of Concern in ArcPro (note in comment column)                                                                                          | <input checked="" type="checkbox"/> |                                       |
| 5 Authority to file (current owner, designated applicant, SOS business search)                                                                                           | <input checked="" type="checkbox"/> |                                       |
| 6 Water Right validity                                                                                                                                                   |                                     |                                       |
| Previous lease within 5 years or continual renewal (put prior contract & year in comments)                                                                               | <input checked="" type="checkbox"/> |                                       |
| Recent irrigation (consider POU if proposing only a portion)                                                                                                             |                                     | <input checked="" type="checkbox"/>   |
| Agreement not to divert or other defense per IC 42-223 (describe in detail in narrative)                                                                                 |                                     | <input checked="" type="checkbox"/>   |
| 7 Injury to other water rights                                                                                                                                           | Yes No                              |                                       |
| Delivery through canal by delivery entity and consent provided?                                                                                                          |                                     | <input checked="" type="checkbox"/>   |
| Conveyance holdback requested? (percentage in comments)                                                                                                                  |                                     | <input checked="" type="checkbox"/> % |
| 8 Enlargement concerns                                                                                                                                                   |                                     |                                       |
| Complete a POD/ POU comparison overlap analysis                                                                                                                          | <input checked="" type="checkbox"/> |                                       |
| Complete a combined limits review                                                                                                                                        |                                     |                                       |
| Full lease or correct portions                                                                                                                                           | <input checked="" type="checkbox"/> |                                       |
|                                                                                                                                                                          | Yes No                              |                                       |
| Are there overlapping rights that need to be placed in the bank also?                                                                                                    |                                     | <input checked="" type="checkbox"/>   |
| Will the place of use continue to receive water? (if yes explain in comments)                                                                                            |                                     | <input checked="" type="checkbox"/>   |
| 9 Local Public Interest                                                                                                                                                  |                                     |                                       |
| Does the processor know of any problems this action will cause for the local public?                                                                                     |                                     | <input checked="" type="checkbox"/>   |
| 10 Regional office & Watermaster request for comment sent                                                                                                                | <input checked="" type="checkbox"/> |                                       |
| Comments received?                                                                                                                                                       |                                     |                                       |
| 11 Water right involved in any other department action? Pull file and check database<br>( ) Ownership Change ( ) Transfer ( ) Mitigation ( ) Other - Explain in comments |                                     | <input checked="" type="checkbox"/>   |

**Narrative:** The Department received these applications on December 16, 2025. The applicant wishes to place the entirety of each right in the Bank. Water right 63-35279 is a child right of 63-32968 which was decreed in 2009. Water right 63-35280 is a child right of 63-32970 which was decreed in 2008. The non-irrigated portions of the parent rights were leased to the Bank in 2012 under contract 313, including those portions which became 63-35279 & 63-35280. 63-35279 & 63-35280 were split from the original rights in 2022 through an ownership change. The ownership changed again in 2025. There are no issues with forfeiture. there are no overlapping rights. These rights are currently within the South Canyon County Moratorium area and not within a WD being groundwater rights. These rights are not rentable unless 63-32967, 63-32968, 63-32969, 63-32970 are leased to the Bank also.