

MEMORANDUM FOR APPLICATION # 3259 / CONTRACT # 2135

To: Water Right 29-14360
From: Emma Channpraseut – Water Resource Agent – State Office
Date: 9/3/2026
Re: Summary of 9/3 Phone Call With Wade Jarvis

Called Wade back on 9/3. I began leaving a voicemail, but he answered the phone.

I explained that I had sent an email addressing his two questions:

- (1) why the map mailed with the lease contracts shows so much green
- (2) whether he would get in trouble if the property owners irrigated the place of use under his water right.

I walked through the same points covered in the email. Wade had a follow-up question about what happens to the water right if he does not renew the lease since the right is not rentable. I explained that the water right is protected while it is in the Water Supply Bank because it is being put to beneficial use. If he wants to continue putting it to beneficial use through the WSB, he will need to submit it again. IDWR does not actively look to take water rights away; however, if he applies for another IDWR process (such as another WSB lease application or an application for transfer), we will check the water right's validity, including whether it has been put to beneficial use within the previous five years.

He mentioned he might try to find another person to purchase the water right. I recommend that he find assistance from a water right consultant, his attorney, or a water right appraiser helpful. If he sells the water right, the new owner will need to submit a Notice of Change in Water Right Ownership form and then file an Application for Transfer to update aspects of the water right.

Wade also expressed concerns regarding the Eastern Regional Office. I explained that parts of our processing procedures are set by the legislature and Idaho Code.

I told him I sent the email to two addresses: wadejarvis44@gmail.com (from communication with his lawyer) and wadeee57@gmail.com (from the WSB lease application). Wade stated that wadeee57@gmail.com is no longer a current email address.

Channpraseut, Emma

From: Channpraseut, Emma
Sent: Thursday, September 3, 2026 12:41 PM
To: wadejarvis44@gmail.com; wadeee57@gmail.com
Subject: Water Supply Bank Lease Contract No. 2135 for Water Right No. 29-14360
Attachments: WSB Lease Application to Contract 2135 WDJarvis 2025-2027 - 29-14360.pdf

Good afternoon, Wade,

I left a voicemail on Monday, apologies if it didn't come through clearly.

Regarding your concern about the Water Supply Bank (WSB) Lease Contract 2135 approval map and the greenery shown within the place of use for water right 29-14360 - the green area on the aerial imagery map likely reflects riparian vegetation likely caused by the proximity of Michaud Creek.

To answer your question of if you will get in trouble if the property owners irrigate the place of use? No, you will not get in trouble because you have not given them authorization to irrigate under your water right and any groundwater use by the property owners that is not under the authority of this water right would be an illegal use (assuming no other authorizations exist) and the fault would be on the property owner, not you as the water right owner.

To clarify your situation, based on the information you provided the Water Supply Bank team and I were able to accept the water right for lease into the Water Supply Bank. Because of the water right's history and the riparian growth present at the place of use, it is uncertain whether beneficial use of groundwater has occurred within the last five years. Due to this uncertainty, we sent the information request letter to obtain evidence of beneficial use. Based on what you provided, we were able to determine there was sufficient information to accept the water right for lease. You indicated that the previous property owners were allowed to use water right 29-14360, but that you are no longer allowing them to do so. **Any water use by the new property owners would be their own responsibility, including any violations or penalties associated with unauthorized use.**

However, the right cannot be rented because the water right holder cannot ensure the groundwater will remain idle during the lease term. Since you do not own or control the well or the place of use, there is no way to guarantee the groundwater won't be diverted, which raises enlargement concerns. For this reason, water right 29-14360 is not rentable.

I have attached the pertaining documents to this lease. Please see Memorandum for Application #3259 Contract #2135 - RE: Review & Analysis of Application to Lease Water to the State Water Supply Bank (on PDF page 16 & 17) to see the full review analysis and explanation. Additional documents can be found within the electronic water right backfile here: [Water Right No. 29-14360](#).

Have a good rest of your day,
Emma

