



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 1, 2014

BLUE SAGE PROPERTIES LLC
C/O ANTOINETTE HAFLIGER
2175 E 3500 N
FILER ID 83355

Re: Application to lease water rights 47-7431A and 47-7519A into the Water Supply Bank

Mrs. Hafliger,

This letter is in regards to your applications to lease and rent water rights through the Water Supply Bank in 2014. This letter is to inform you that we are unable to accept water rights 47-7431A and 47-7519A for lease into the Water Supply Bank as proposed. We are unable to accept the lease proposals because we cannot confirm that use of water under these water rights has been suspended.

In order to accept a water right for lease into the Water Supply Bank, the use of water under a water right must be reduced or suspended and land previously irrigated must be idled. An analysis of the areas proposed to be idled through suspension of water rights 47-7431A and 47-7519A confirms that irrigation is occurring in much of the area proposed to be dried up. Because it is not possible to ascertain what use of water under water rights 47-7431A and 47-7519A has been suspended, your applications to lease these water rights into the Water Supply Bank are denied. Additionally, as proposed, the area to be idled under 47-7431A overlaps with water right 47-2225. Due to this overlap, it is not possible to ensure that an enlargement of the water right will not occur unless a lease for water right 47-2225 is also proposed.

In light of the above, your applications to lease these water rights into the Water Supply Bank are denied.

Regards,

Remington Buyer
Water Supply Bank Coordinator

CC: - Greg Sullivan, Brockway Engineering
- IDWR Southern Region, Allen Merritt

Buyer, Remington

From: Greg Sullivan [greg.sullivan@brockwayeng.com]
Sent: Wednesday, June 25, 2014 2:29 PM
To: Buyer, Remington
Cc: hankhafliger@hotmail.com
Subject: RE: Hafliger Lease+Rental
Attachments: Water Supply Bank Documents.pdf

Remington,

This email has one attachment that includes several documents that are in response to your email and letter dated June 16, 2014. Included in the attachment are signed W-9 forms for Henry Hafliger and Antoinette Hafliger, Salmon River Canal Company shares owned by Blue Sage Properties and Luis and Sharon Bettencourt and Hank Hafliger, aerial maps for 47-7431A and 47-7519A and annual pumping calculations.

Water right 47-7431A was partially decreed on 6/1/2010 and 47-7519A is a licensed water right. These two water rights are in need of a transfer to correctly define the irrigation place of use. It is expected that a transfer will be filed during the winter of 2014.

Correspondence with the farm and dairy manager indicated that the wells operate at 1200 gpm and 500 gpm. There are no flow meters installed on these wells and no historical records have been recorded.

Water rights 47-7519A and 47-7431A have an allowed combined annual volume limit of 836.4 acre feet. The well located in Township 11S Range 16E Section 5 NENW operates at 1200 gpm. This well does not pump continuously for entire irrigation season but does pump a majority of the season. It would take 157 days at 1200 gpm for the max volume to be reached for these water rights.

Water right 47-2306A has an annual volume limit of 358 acre feet. The well for this water right is located in Township 11S Range 16E Section 6 NWSE and operates at 500 gpm. This well does not pump continuously for entire irrigation season but does pump a majority of the season. It would take 162 days at 500 gpm for the max volume to be reached for these water rights.

Salmon River Canal Company delivers 1829.15 shares for Blue Sage Properties and 2251.71 shares for Luis and Sharon Bettencourt and Hank Hafliger for a total 4080.86 shares delivered to the farm. The current allotment per share as of June 4, 2014 is 0.31 acre feet. Therefore, the max volume of water to be delivered can be 1265.07 acre feet. The shares are delivered to head gates and are not assigned per quarter quarter. The shares are utilized in various locations on the farm through the irrigation season. Currently, Salmon Falls Reservoir is at less than 20% capacity and has been operating at below average conditions for several years. A full allotment and full delivery of the shares has not occurred on a regular bases for the Salmon River Canal Company.

Let me know if you have any further questions regarding the leases and rentals on this farm.

Thank you,

Greg Sullivan
Brockway Engineering
2016 N. Washington St. Suite 4
Twin Falls, Id 83301
208-736-8543

From: Buyer, Remington [<mailto:Remington.Buyer@idwr.idaho.gov>]
Sent: Monday, June 16, 2014 3:49 PM
To: 'Greg Sullivan'
Subject: Hafliger Lease+Rental

Greg,

The Bank is sending the attached letters to the Hafligers today, seeking information necessary to process the lease component of their companion applications. The rental applications will be reviewed once the lease applications are processed. Please feel free to scan and electronically submit the documents directly to me, or forward by mail.

Remington Buyer
Water Supply Bank Coordinator
Idaho Department of Water Resources
322 East Front Street, Boise, ID, 83720
T: (208) 287-4918 | F: (208) 287-6700

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2247 / Virus Database: 3955/7184 - Release Date: 06/16/14



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 16, 2014

BLUE SAGE PROPERTIES LLC
3765 N 2300 E
FILER ID 83328

Re: Additional Information Required Regarding Your Application to Lease Water Rights into the Water Supply Bank

Mrs Hafliger,

The Department has received your application to lease water rights 47-7431A and 47-7519A into the Water Supply Bank. We require additional information to process your lease and rental applications.

To accept the above rights into the Bank, an equal number of irrigable acres need to be idled and dried up as the rights go into the Water Supply Bank. The location and number of acres to be idled under 47-7431A and 47-7519A is unclear. These water rights overlap each other as well as overlap water right 47-2225 (see attached map). Water right 47-7431A features 96.2 irrigable acres within a 284 acre potential place of use (PPU) while water right 47-7519A features 83.9 irrigable acres, also within a 284 acre PPU. Water right 47-2225 features 104 irrigable acres, 96 of which overlap with water rights 47-7431A and 47-7519A.

In order for the Department to approve your lease application, we require that you identify the 180.1 acres to be idled from within the larger 196 acre overlapping potential place of use. Please tabulate the acres to be idled on the provided spreadsheet and/or draw them on the map and return it to the Department.

Additionally, you did not sign the IRS W9 form submitted with your application. Without a signed W9, the Department is unable to remit to you payment for any rental of your water right that is being offered for lease into the Water Supply Bank.

Regards,

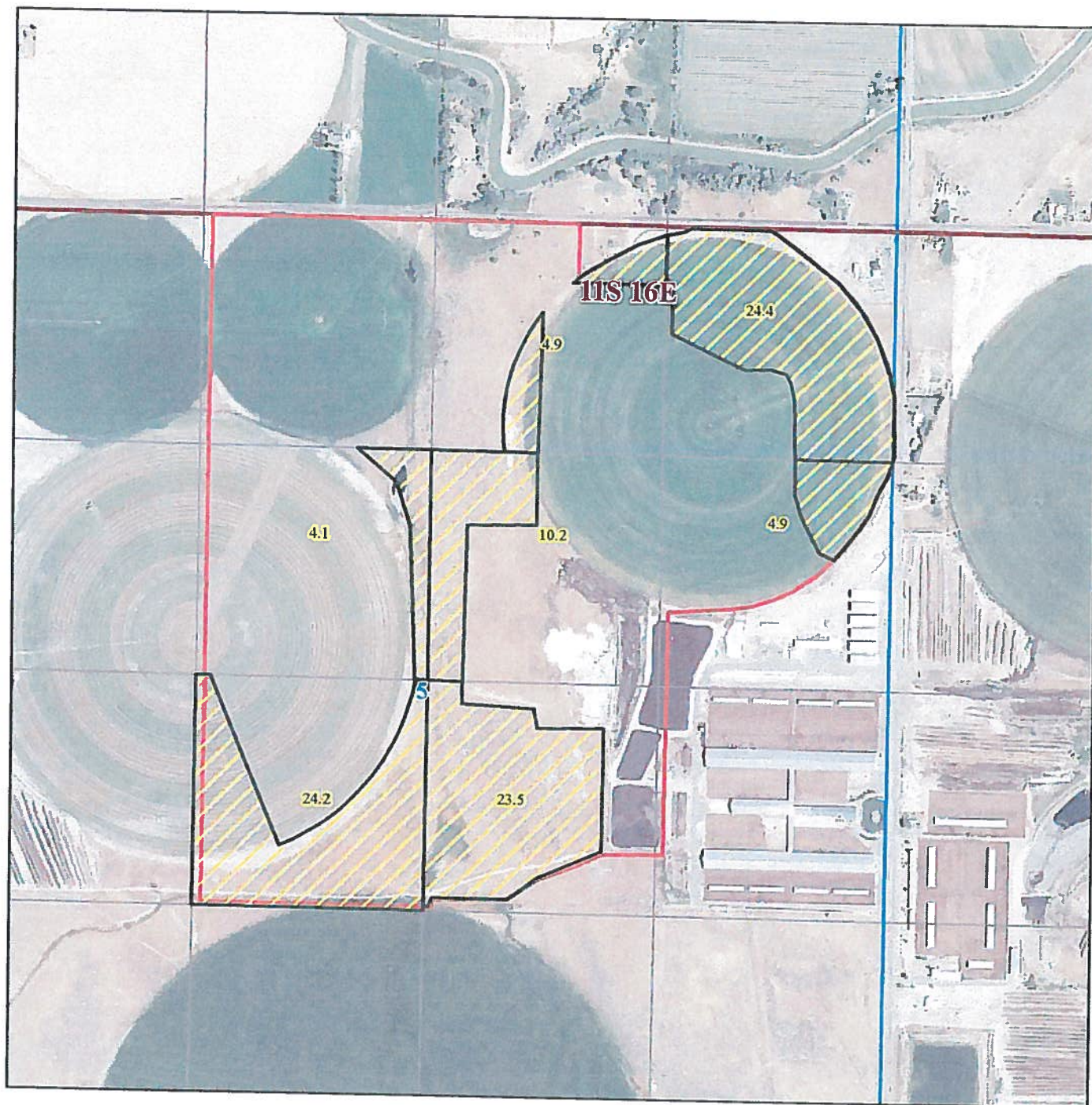
Remington Buyer
Water Supply Bank Coordinator

Cc: Greg Sullivan, Brockway Engineering

[illegible]

BlueSage_2225
BlueSage_7431A
BlueSage_7519A
Township/Range
QQ





0 300 600 1,200 Feet

**CEDAR RIDGE DAIRY, LLC
WATER SUPPLY BANK LEASE 47-7431A
NAIP 2013 AERIAL**

Legend

- Lease 47-7431A=96.2 Ac.
- 47-7431A
- Sections
- townshp
- QQ Lines



Salmon River Canal Co., Ltd.

2700 Hwy 93
Twin Falls, Idaho 83301
Phone: (208) 655-4220
Fax: (208) 655-4288
Email: srccltd@filertel.com

Water Allocation Form
Salmon River Canal Company
2014

To Whom It May Concern:

Shareholders Name: Blue Sage Properties

Total Number of Water Shares Owned: 1829.15

Total Water Bought or Sold: 0

The Allotment as of June 12, 2014: .310 acre feet per share

April 21	.213	=	.213	af per share	First Allotment
May 6	.027	=	.240	af per share	Second Allotment
May 20	.05	=	.290	af per share	Third Allotment
June 4	.02	=	.310	af per share	Fourth Allotment

Allotment Prediction from NRCS: Given to Shareholders April 9, 2014

Percent chance of receiving the allotment

90%	=	.267	af per share
70%	=	.334	
50%	=	.390	
30%	=	.552	
10%	=	.475	

Precipitation Records: I can send them to your office upon request.

Louise Lanting,
Office Manager

Date

Directors: Everett Messner, Doug Jones, Greg Rambo, Karl Joslin, and Jon McGregor

No. W 124736	Due no later than Apr 30, 2014 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE			1. Mailing Address: Correct in this box if needed. BLUE SAGE PROPERTIES, LLC ANTOINETTE HELENE HAFLIGER 3765 N 2300 E FILER ID 83328-5521 USA		ANTOINETTE H 3765 N 2300 E FILER ID 83328-5521	
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MANAGER	ANTOINETTE HELENE HAFLIGER	3765 N. 2300 E.	FILER	ID	USA	83328-5521
5. Organized Under the Laws of: ID W 124736		6. Annual Report must be signed.* Signature: Antoinette H. Hafliger Name (type or print): Antoinette H. Hafliger Date: 05/09/2014 Title: Owner				
Processed 05/09/2014		* Electronically provided signatures are accepted as original signatures.				

MEMORANDUM

To: Water Right Nos. 47-7431A and 47-7519A
From: Remington Buyer
Date: May 29, 2014
Re: Review of Applications to Lease Water Rights to the State Water Supply Bank

PURPOSE/NARRATIVE: The department received applications to lease water rights 47-7431A and 47-7519A into the Water Supply Bank on February 26, 2014. 47-7431A is a decreed ground water right while 47-7519A is a licensed water right subject to Trust Water limitations.

AUTHORITY TO FILE: The lands to which these water rights are appurtenant are owned by Blue Sage Properties LLC. Antoinette Hafliger is the registered agent for Blue Sage Properties LLC and has submitted signed lease applications for both water rights. Ms. Hafliger has not signed her W9 form.

WATER RIGHT VALIDITY: Water right 47-7431A was partially decreed in 2010 and thus forfeiture is not an issue. 47-7519A permits the irrigation of 83.9 acres in a larger, 284 acre POU. Analysis of satellite imagery shows sufficient irrigation of land in the POU to conclude that this water right is valid.

INJURY TO OTHER WATER RIGHTS: These water rights are in Basin 47 and there is no water district in the area. Water right 47-7519A is a licensed right and subject to trust water limitations. Proper rental review will ensure no injury will occur due to a rental of these water rights.

ENLARGEMENT OF USE: Both water rights 47-7519A and 47-7431A have been used in 2014. Accepting them into the Bank and renting them would be an enlargement of use.

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: Comments will be sought from IDWR Southern Regional.

Blue Sage Rental

Lease Areas Proposed for 47-7431A & 47-7519A



Legend

Landsat 20140610  POU_7519A

 Red: Band_1

 Green: Band_2

 Blue: Band_3

 POU_7431A

0 0.05 0.1 0.2 Miles


Landsat imagery from June 2014



STATE OF IDAHO
WATER RESOURCE BOARDWATER SUPPLY BANK LEASE OR SALE
APPLICATION CHECKLISTRECEIVED
FEB 26 2014
DEPARTMENT OF
WATER RESOURCES

An application to lease or sell a water right into the Water Supply Bank must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. 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. **Incomplete applications will be returned to applicants for completion.**

Designated Applicant Blue Sage Properties LLCWater Right No. 47-7431AAll items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

YES

- ☒ Completed *Water Supply Bank Lease or Sale Application Checklist* (this form).
- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank* (pages 2-3).
- ☐ Application filing fee of \$250.00. If you are submitting more than one lease application and the water rights have a common place of use, or common diversion rate, or common diversion volume, the combined maximum fee is \$500.00.

Attachment N/A YES

- 1A ☐ ☒ Contact information for *all owners* of the water right that is being 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 ☒ ☐ Written consent from irrigation district or water delivery company.
- 1E ☐ ☒ 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.
- 3D ☒ ☐ Evidence demonstrating that a water right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code.
- 4 ☒ 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. If you don't already have a detailed map, you can create one using IDWR's online General Mapping Tool (<http://maps.idwr.idaho.gov/mapall/>) to locate a water right place of use or point of diversion.

Department Use Only

Fee Amount \$ <u>750⁰⁰</u>	Received By: <u>CJ</u>	Date Received: <u>2/26/14</u>	Receipt # <u>C098387</u>
W-9 received? Yes ☒ No ☐	(Route W-9 to Fiscal)	Name on W-9: <u>Antoinette H. Hafliger</u>	

**STATE OF IDAHO
WATER RESOURCE BOARD**

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

1. CONTACT INFORMATION

- A. An application to sell or lease a water right to the Water Supply Bank must be completed by a Designated Applicant who is a recognized owner of the water right being sold or leased to the Water Supply Bank. If there are additional owners recorded for the property to which the water right is appurtenant, 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 Blue Sage Properties LLC Email Address _____
Mailing Address 3765 N 2300 E FILER, ID 83328 Phone Number _____

☐ 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 completed an IRS Form W-9 (Attachment 1B)? Yes ☐ No ☐

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 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 1D).

E. 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 1E).

Name of Representative Greg Sullivan Organization Brockway Engineering
Professional Title Engineer Email Address greg.sullivan@brockwayeng.com
Mailing Address 2016 North Washington St. Suite 4 Twin Falls, ID 83301 Phone Number 208-736-8506

☐ 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

Water Right Number 47-7431A ☒ 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 a water right is being offered, complete Attachment 2)

3. GENERAL INFORMATION

- A. Please provide a description of the current water diversion system.

Existing well, mainline and delivery system.

- B. 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

C. Will the present place of use continue to receive water from any other source? Yes ☒ No ☐

If yes, describe. Salmon Falls Irrigation District

D. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒

If yes, describe and attach Watermaster records or other evidence to demonstrate that the water right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code. _____

E. Is this water right involved in any other IDWR process such as an application for transfer or a mitigation plan? Yes ☐ No ☒

If yes, describe. _____

4. 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, for a period from 1/01/2014 to 12/31/2014 (maximum lease period 5 years).
(Month / Day / Year) (Month / Day / 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.
standard 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 provisions are stayed.
5. Acceptance of a water right into the bank does not, in itself, confirm the validity of the water right or any elements of the water right.

Antoinette Haflioglu
Signature of Designated Applicant

Blue Sage Properties Antoinette Haflioglu
Printed Name

2/13/14
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

List all individuals or business entities that are owners of the property to which the water right on this application is appurtenant. All water right holders must be signatories to 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.

Water Right No. 47-7431A

	Designated Applicant	Applicant #2	Applicant #3
Name	Blue Sage Properties LLC		
Mailing Address	3765 N 2300 E FILER, ID 83328		
Phone Number			
Email Address			
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			

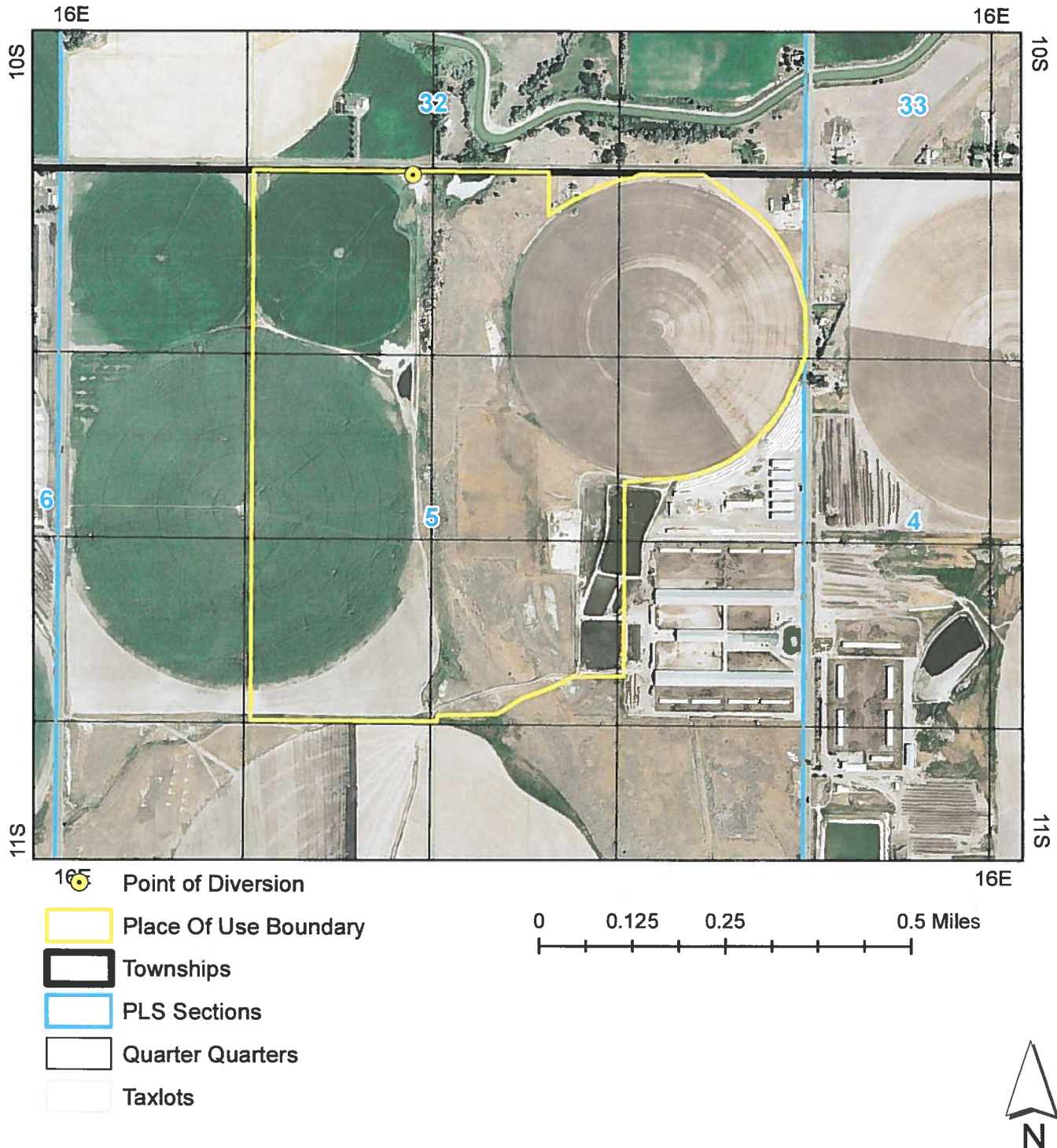
	Applicant #4	Applicant #5	Applicant #6
Name			
Mailing Address			
Phone Number			
Email Address			
Applicant Declaration	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated Applicant to submit this application on my behalf.	I authorize the Designated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

State of Idaho
Department of Water Resources

Water Right
47-7431A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/7/2014

WATER RIGHT NO. 47-7431A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BLUE SAGE PROPERTIES LLC 3765 N 2300 E FILER, ID 83328
Original Owner	JEAN M DE GROOT
Original Owner	PETE M DE GROOT JR 8800 SWAN FALLS RD KUNA, ID 83634 (208)922-9036
Original Owner	G & L FARMS 2418 E 3400 N TWIN FALLS, ID 83301 (208)734-9223
Security Interest	METROPOLITAN LIFE INSURANCE CO 10801 MASTIN BLVD STE 930 OVERLAND PARK, KS 66210

Priority Date: 08/25/1977

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.59 CFS	384.8 AFA

Total Diversion | 1.59 CFS

Location of Point(s) of Diversion:

GROUND WATER | NENW Lt 3 | Sec. 05 | Township 11S | Range 16E | TWIN FALLS County

IRRIGATION Use:

Acre Limit: 96.2

Place(s) of use:

Place of Use Legal Description: IRRIGATION TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11S	16E	5	1	NENE	32	2	NWNE	37		SWNE	40		SENE	21
			3	NENW	40		SENE	40						
				NESW	40									
				NWSE	34									

Total Acres: 284

Conditions of Approval:

- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- K06 Right No. 47-07431A is limited to the irrigation of 96.2 acres within the place of use described above in a single irrigation season.
- T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

- | | | |
|-----|-----|---|
| 7. | X35 | Right No. 47-07431A and 47-07519A when combined shall not exceed a total combined diversion rate of 1.59 cfs, a total combined annual diversion volume of 669.6 af for the irrigation of 180.1 acres in the place of use described. |
| 8. | WB4 | The total instantaneous diversion of water from all points of diversion under Transfer No. 5052 shall not exceed 1.98 cfs, nor a total combined annual volume of 836.4 af. |
| 9. | 028 | After specific notification by the department, the right holder shall annually report the amount of water diverted to the department. |
| 10. | 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. |

Dates:

Licensed Date:

Decreed Date: 06/01/2010

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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STATE OF IDAHO
WATER RESOURCE BOARDWATER SUPPLY BANK LEASE OR SALE
APPLICATION CHECKLISTRECEIVED
FEB 26 2014
DEPARTMENT OF
WATER RESOURCES

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Designated Applicant Blue Sage Properties LLCWater Right No. 47-7519AAll items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

YES

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Attachment N/A YES

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Department Use Only

Fee Amount \$ 750.00Received By: CSDate Received: 2/26/14Receipt # C090387W-9 received? Yes ☒ No ☐ (Route W-9 to Fiscal)Name on W-9: Antoinette Hafliker

**STATE OF IDAHO
WATER RESOURCE BOARD**

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

1. CONTACT INFORMATION

A. An application to sell or lease a water right to the Water Supply Bank must be completed by a Designated Applicant who is a recognized owner of the water right being sold or leased to the Water Supply Bank. If there are additional owners recorded for the property to which the water right is appurtenant, 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 Blue Sage Properties LLC Email Address _____
Mailing Address 3765 N 2300 E FILER, ID 83328 Phone Number _____

☐ 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 completed an IRS Form W-9 (Attachment 1B)? Yes ☐ No ☐

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 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 1D).

E. 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 1E).

Name of Representative Greg Sullivan Organization Brockway Engineering
Professional Title Engineer Email Address greg.sullivan@brockwayeng.com
Mailing Address 2016 North Washington St. Suite 4 Twin Falls, ID 83301 Phone Number 208-736-8506

☐ 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

Water Right Number 47-7519A ☒ 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 a water right is being offered, complete Attachment 2)

3. GENERAL INFORMATION

A. Please provide a description of the current water diversion system.
Existing well, mainline and delivery system.

B. 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

C. Will the present place of use continue to receive water from any other source?

Yes ☒ No ☐

If yes, describe. Salmon Falls Irrigation District

D. Has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes ☐ No ☒

If yes, describe and attach Watermaster records or other evidence to demonstrate that the water right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code. _____

E. Is this water right involved in any other IDWR process such as an application for transfer or a mitigation plan? Yes ☐ No ☒

If yes, describe. _____

4. 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, for a period from 1/01/2014 to 12/31/2014 (maximum lease period 5 years).
(Month / Day / Year) (Month / Day / 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.
standard 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 provisions are stayed.
5. Acceptance of a water right into the bank does not, in itself, confirm the validity of the water right or any elements of the water right.

Antoinette H. Regis for Blue Sage Properties Antoinette H. Regis 2/13/14
Signature of Designated 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

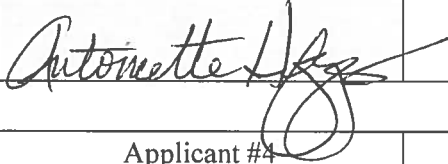
**STATE OF IDAHO
WATER RESOURCE BOARD**

ATTACHMENT 1A

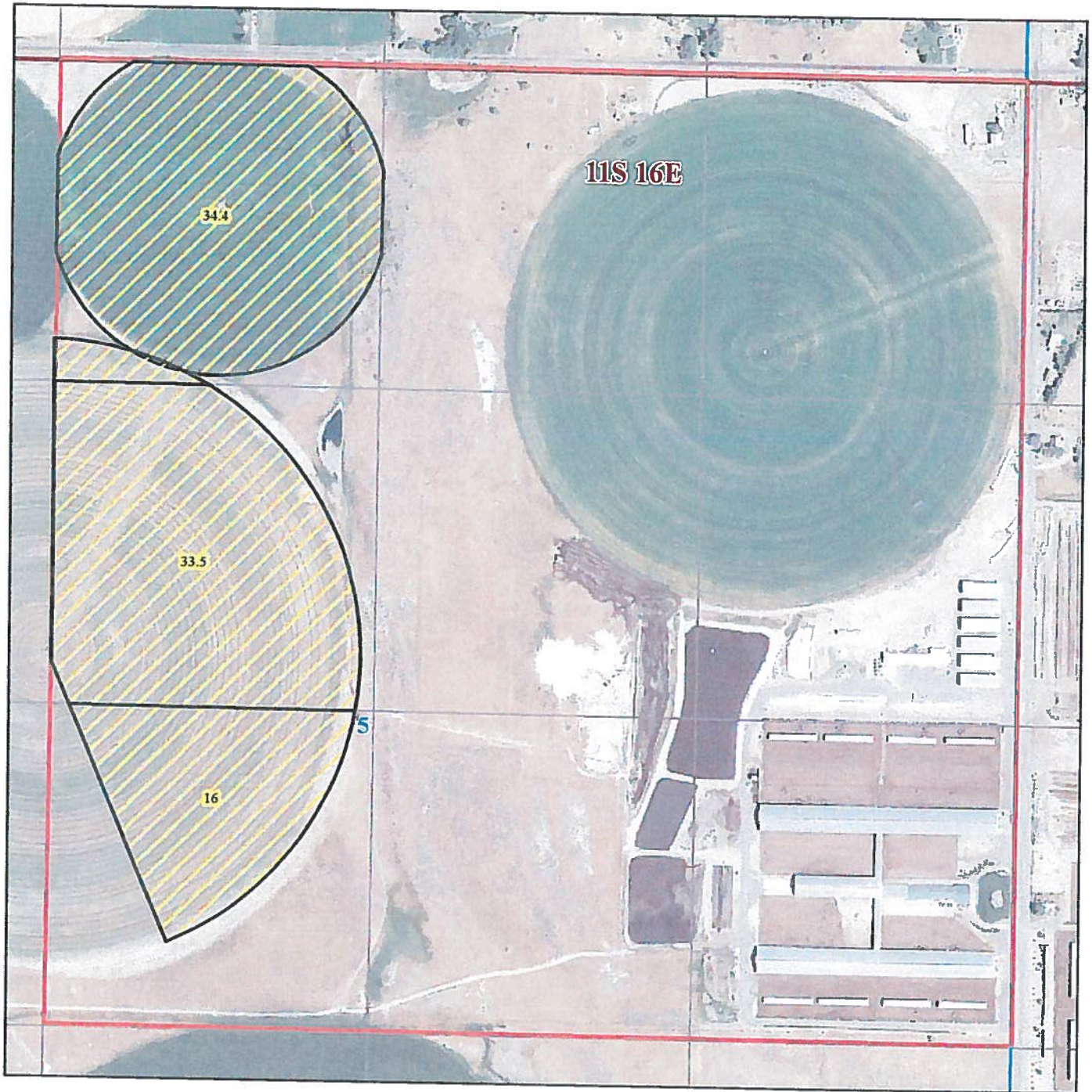
Additional Water Right Holders Party to the Lease Application

List all individuals or business entities that are owners of the property to which the water right on this application is appurtenant. All water right holders must be signatories to 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.

Water Right No. 47-7519A

	Designated Applicant	Applicant #2	Applicant #3
Name	Blue Sage Properties LLC		
Mailing Address	3765 N 2300 E FILER, ID 83328		
Phone Number			
Email Address			
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			

	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			



0 225 450 900 Feet

**CEDAR RIDGE DAIRY, LLC
WATER SUPPLY BANK LEASE 47-7519A
NAIP 2013 AERIAL**

Legend

- | | |
|--------------------|----------|
| WSB Lease Ac 7519a | Sections |
| 47-7519A | QQ Lines |
| twnshp | |

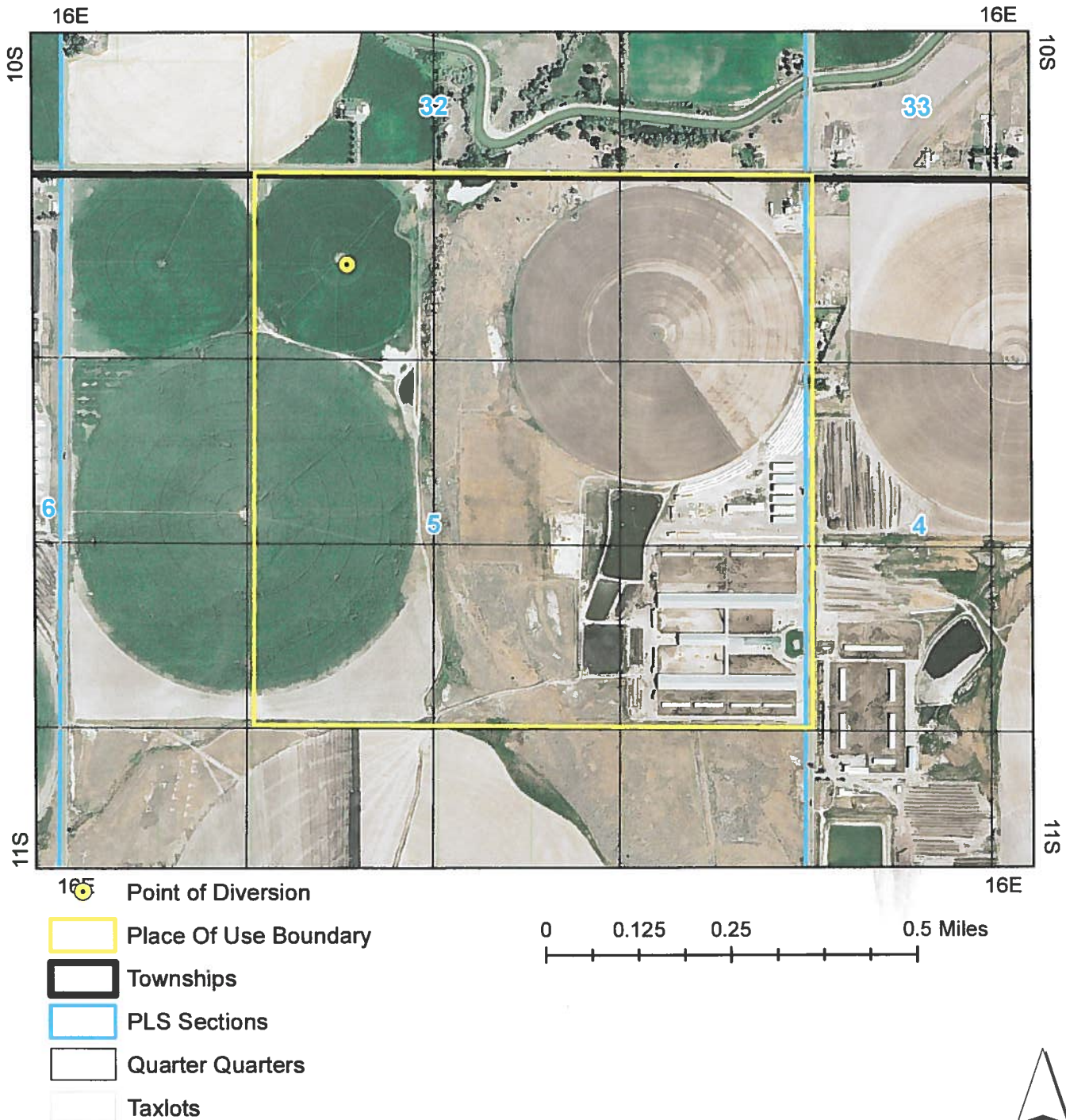


State of Idaho
Department of Water Resources

Water Right 47-7519A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/7/2014

WATER RIGHT NO. 47-7519A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BLUE SAGE PROPERTIES LLC 3765 N 2300 E FILER, ID 83328
Original Owner	M J DANOS
Security Interest	METROPOLITAN LIFE INSURANCE CO 10801 MASTIN BLVD STE 930 OVERLAND PARK, KS 66210

Priority Date: 04/16/1979
Basis: License
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	1.46 CFS	335.6 AFA
Total Diversion			1.46 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NENW Lt 3|Sec. 05|Township 11S|Range 16E|TWIN FALLS County

Licensed Diversion Capacity: 1.98

IRRIGATION Use:

Acre Limit: 83.9

Place(s) of use:

Place of Use Legal Description: IRRIGATION TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11S	16E	5	1	NENE	30	2	NWNE	35		SWNE	40		SENE	17
			3	NENW	40		SENE	40						
				NESW	40									
				NESE	8		NWSE	34						

Total Acres: 284

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. 028 After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
4. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
Right No. 47-07519A is limited to the irrigation of 83.9 acres in the place of use described above in a single irrigation season. Right Nos. 47-07431A and 47-07519A when combined shall not exceed a total combined diversion rate of 1.59 cfs, a total combined annual diversion volume of 669.6 af for the irrigation of 180.1 acres in the place of use described above. The total instantaneous diversion of water from all points of diversion under Transfer No. 5052 shall not exceed 1.98 cfs, nor total combined annual volume of 836.4 af. Diversion and use of water under Right Nos. 47-07519A and 47-07519B is subject to an annual fee if rules are subsequently promulgated which provide for the submittal of the fee. The Director retains jurisdiction of Right Nos. 47-07519A and 47-07519B to change, add or remove any requirement as determined to be appropriate.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T08
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

8. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. R55 Right Nos. 47-07519A and 47-07519B for the use of trust water are subject to a term review of 20 years after the date of issuance to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

Dates:

Licensed Date: 05/20/1991

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False