

RECEIVED

MAY 16 2013

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
WATER RESOURCE BOARD
 Receipt No. 0097165
 Fee Amount \$ 500.00
 Date/by 5-16-13 HP
 (For Department Use Only)

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

 Name of Seller/Lessor Scott MacGuffie and Tyra MacGuffie Phone (208) 788-8640
 Mailing address P.O. Box 6034, Ketchum, ID 83340 Email _____

A. DESCRIPTION OF WATER RIGHT, OR PORTION THEREOF, OFFERED TO THE BANK

 If the entire right is for sale or lease, check here ☒, list the water right number, and skip to Part B.

1. <u>Water Right Number</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>37-22635</u>	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____

Total Amount: _____

2. Source of water _____ tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County

4. Lands irrigated or place of use: *See Part D for additional information regarding place of use.

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

If the right is for irrigation, show total number of acres offered to the bank. Total Acres _____

B. OWNERSHIP

- Are you currently listed in IDWR's records as the owner of the water right being offered to the bank? Yes ☒ No ☐
 If no, provide documentation of your authority to sign on behalf of the right holder OR attach a Notice of Change in Water Right Ownership form along with the required documentation and fee.
- 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 to the proposed sale or lease and list name of entity:
Hiawatha Canal Company

C. GENERAL INFORMATION

1. Please provide a description of the current diversion system.

Hiawatha Canal headgate and canal; High Ditch; private ditch to ponds;
pumps in ponds.

2. Describe any other water rights used for the same purpose or at the same place of use as described above.

37-22634, 37-22636

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

Yes ☐ No ☒

If yes, describe.

4. 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 right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code.

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

If yes, describe.

D. REQUIRED ITEMS

This form must be signed and submitted with the following REQUIRED items:

1. Plat map, survey map or aerial photograph clearly showing the specific acres proposed to be idled by this lease application.
2. Filing fee of \$250.00. If you are submitting more than one lease application and the rights have a common place of use or common diversion rate or common diversion volume, the combined maximum fee is \$500.00.
3. A completed Internal Revenue Service (IRS) Form W-9 (attached). If your water right is rented, we will be unable to issue payment to you without a current W-9 form.

E. SALE/LEASE AGREEMENT

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

If lease, for a period from 4/15/13 to 12/31/17 (not to exceed 5 years).
(Month / Day / Year) (Month / Day / Year)

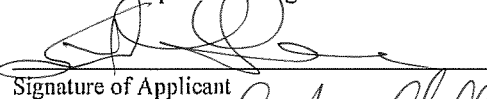
2. Show the minimum payment acceptable to the Seller/Lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

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 right for sale or lease to the Idaho Water Resource Board.

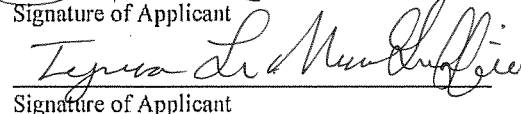
The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner/lessor of the right may not use the right even if the right is not rented from the bank.
3. A right accepted into the bank stays in the bank until the Board releases it or the lease term expires.
4. While a right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.


Signature of Applicant

Scott MacGuffie
Printed Name and Title*

5/13/2013
Date


Signature of Applicant

Tyra MacGuffie
Printed Name and Title*

5/13/2013
Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

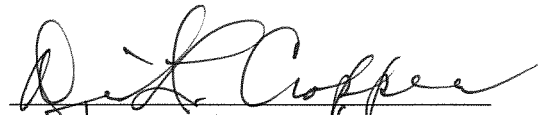
Mail to: Idaho Department of Water Resources, P.O. Box 83720, Boise, ID 83720-0098

**CONSENT TO LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK**

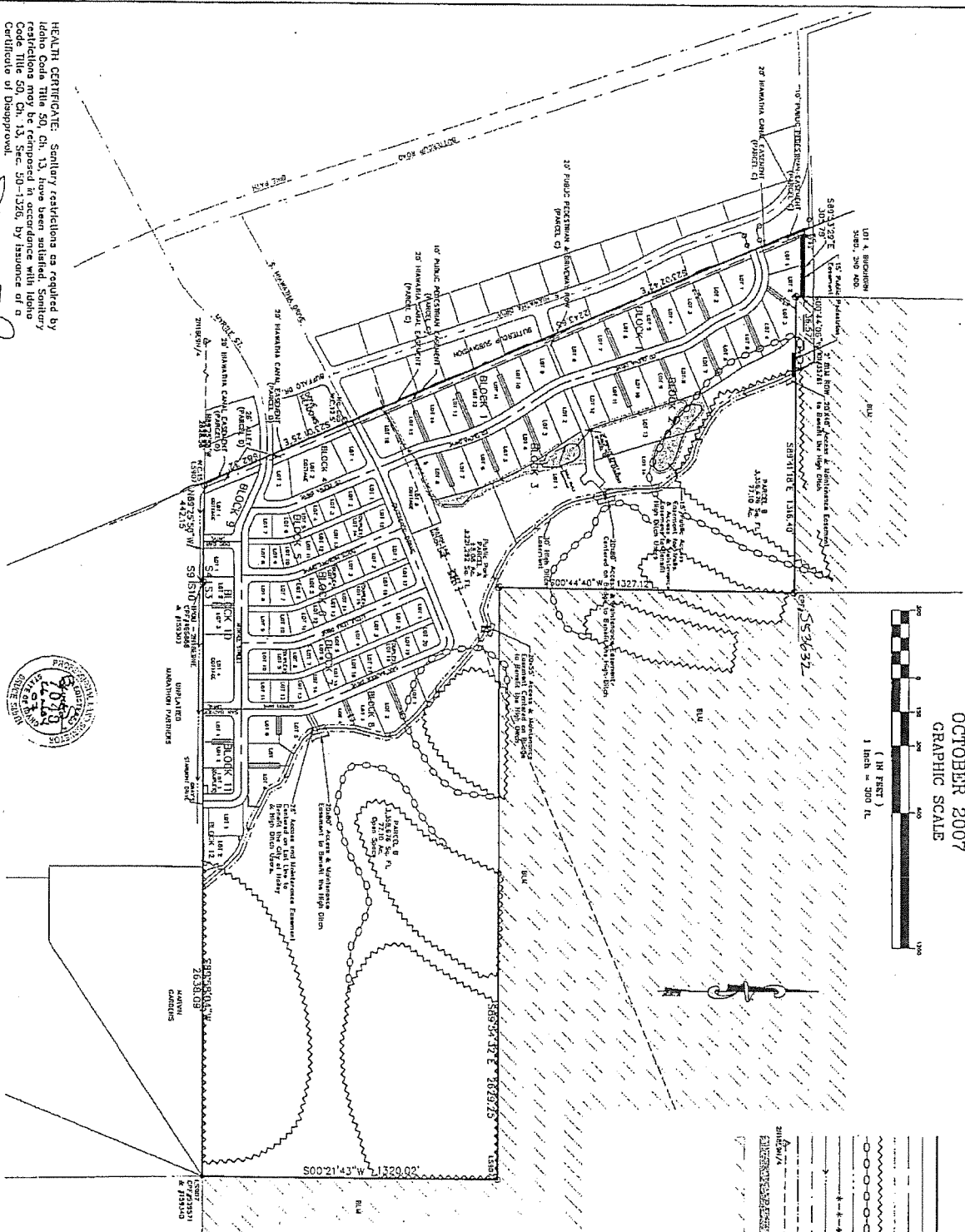
HIAWATHA CANAL COMPANY

The undersigned, as a representative of the Hiawatha Canal Company, hereby consents to the lease to the Water Supply Bank of Water Right No. 37-22635 by Scott MacGuffie and Tyra MacGuffie, the owners of that water right, from April 15, 2013 through December 31, 2017.

HIAWATHA CANAL COMPANY


By: David L. Cropper
Its: Chairman

A PLAT SHOWING OLD CUTTERS SUBDIVISION A REPLAT OF LOTS 1A, 2A, 3 & 4, A REPLAT OF DREXLER RANCH SUBDIVISION, AND A PORTION OF LOT 4, BUCKHORN SUBD. 2ND ADDITION LOCATED WITHIN SECTIONS 3 & 4, T.2 N., R.18 E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO OCTOBER 2007 GRAPHIC SCALE 1 inch = 300 ft.



HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be removed by the issuance of a Certificate of Disapproval.
 Date 11-27-2007
 South Central District Health Dept., EHS

LEGEND

- SUBDIVISION BOUNDARY
- LOT LINES
- INTERIOR ROAD CENTERLINES
- EXTERIOR ROAD CENTERLINES
- RED AVALANCHE ZONE BY ALPINE
- BLUE AVALANCHE ZONE BY ALPINE
- POND/CANALS
- SHARED ACCESS EASEMENT AS SHOWN
- CENTERLINE EXISTING CANALS
- 20' CANAL MAINTENANCE EASEMENT
- 30' HIGH DITCH MAINTENANCE EASEMENT
- BLAINE COUNTY CIS CONTROL AND TIES
- BLAINE COUNTY MAINTENANCE EASEMENT
- BLM LAND
- FOUND SURVEY MONUMENT
- SET 5/8" REBAR
- PROPOSED BRIDGE

PARCEL	DESCRIPTION	AREA
A	PUBLIC PARK	5.00 AC.
B	OPEN SPACE	77.10 AC.
C	10' PUBLIC PEDESTRIAN ESENT. 20' HAWAIIAN CANAL ESENT. & 20' FED. & STATE ROW.	1.54 AC.
D	20' PUBLIC ALLEY & 20' HAWAIIAN CANAL ESENT.	.65 AC.
E	35' PRIVATE STREET & PUBLIC ACCESS EASEMENT = COMMON AREA	.42 AC.

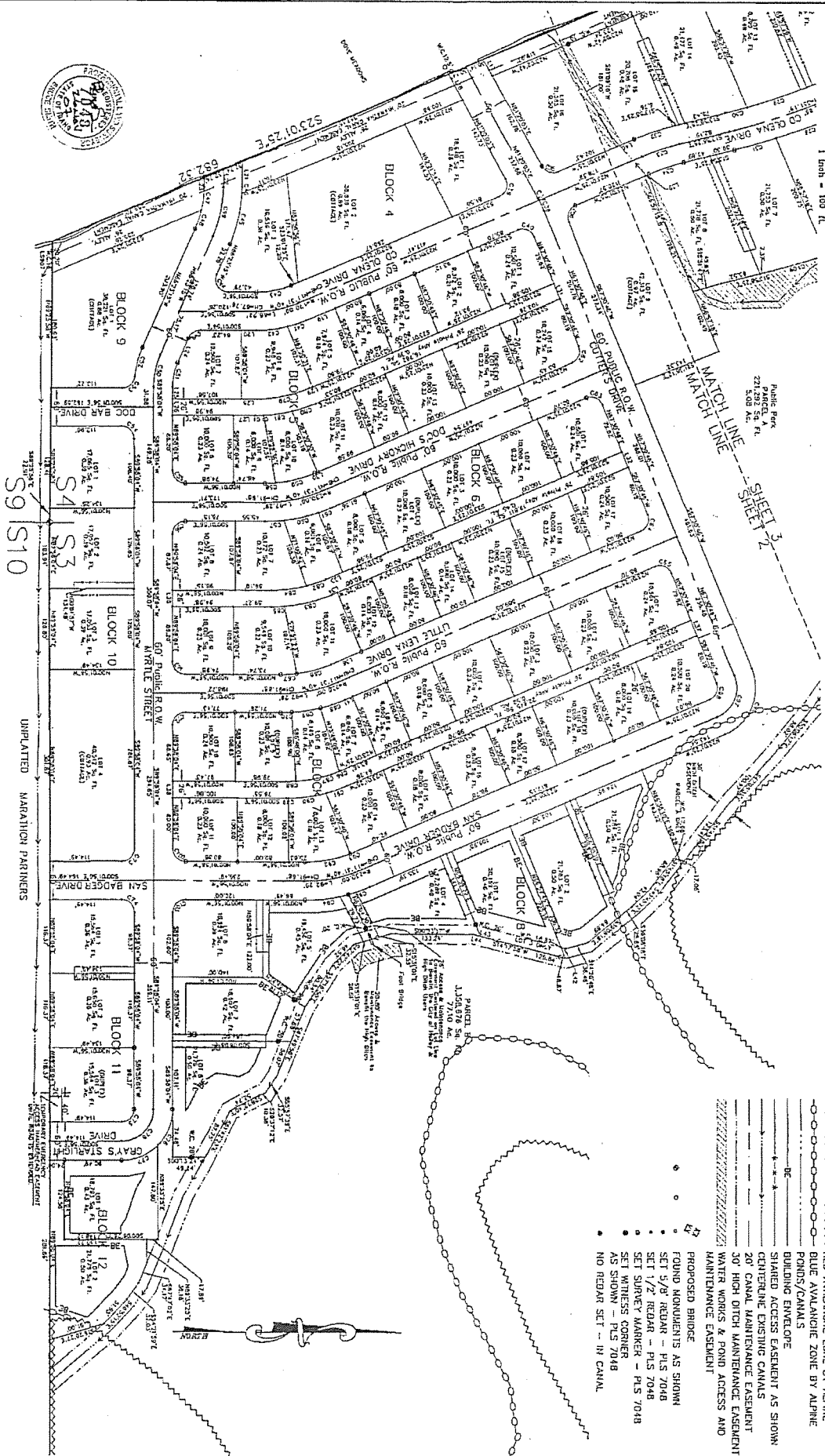
NOTES

- 1) BASIS OF BEARINGS IS IDAHO STATE PLANE COORDINATE SYSTEM, NAD83(1992) AT GRID IN US SURVEY FEET. COMBINED PROJECT SCALE FACTOR IS 0.999701. GROUND DISTANCES WILL BE SLIGHTLY LONGER.
- 2) SEE PAGE 4 FOR ADDITIONAL NOTES.

OLD CUTTERS SUBDIVISION
 ALPINE ENTERPRISES INC.
 KETCHUM, IDAHO
 SHEET 1 OF 5

GRAPHIC SCALE
A REPEAT OF LOTS 1A, 2A, 3 & 4, A REPEAT OF DREXLER RANCH SUBDIVISION, AND A PORTION OF LOT 4 BUCKHORN SUBD. 2ND ADDITION
LOCATED WITHIN SECTIONS 3 & 4, T.2 N., R.18 E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO
OCTOBER 2007
LEGEND
SUBDIVISION BOUNDARY

OCTOBER 2007



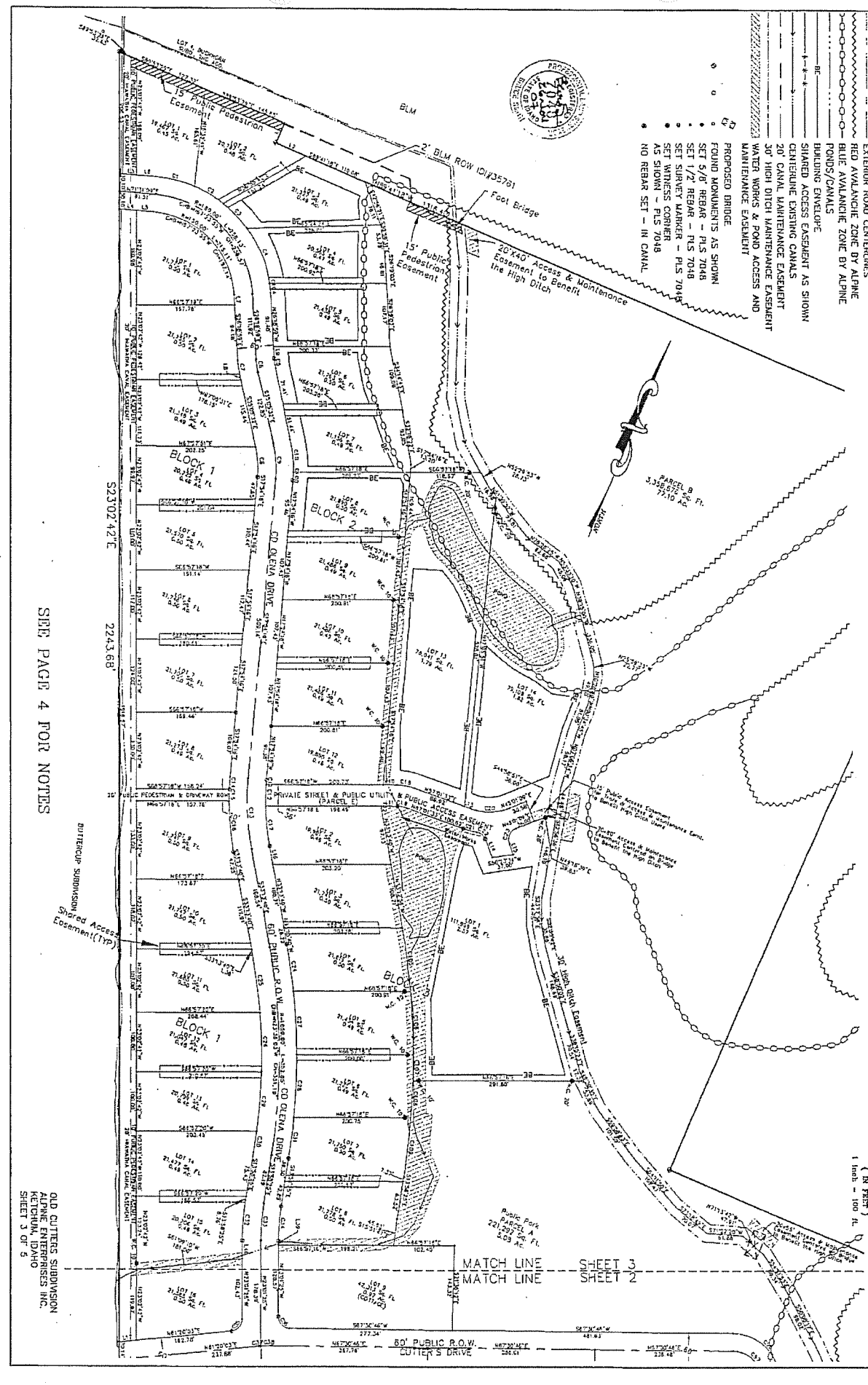
SEE PAGE 4 FOR NOTES

OLD CUTTERS SUBDIVISION
ALPINE ENTERPRISES INC.
KETCHUM, IDAHO
SHEET 2 OF 5

A PLAT SHOWING OLD CUTTERS SUBDIVISION

A REPLAT OF LOTS 1A, 2A, 3 & 4, A REPLAT OF DREXLER RANCH SUBDIVISION, AND A PORTION OF LOT 4, BUCKHORN SUBD. 2ND ADDITION
LOCATED WITHIN SECTIONS 3 & 4, T.2 N., R.10 E., B.M. CITY OF HALEY, BLAINE COUNTY, IDAHO
OCTOBER 2007

- LEGEND**
- SUBDIVISION BOUNDARY
 - LOT LINES
 - INTERIOR ROAD CENTERLINES
 - EXTERIOR ROAD CENTERLINES
 - RED AVALANCHE ZONE BY ALPINE
 - BLUE AVALANCHE ZONE BY ALPINE
 - POUNDS/CANALS
 - BUILDING ENVELOPE
 - SHARED ACCESS EASEMENT AS SHOWN
 - CENTERLINE EXISTING CANALS
 - 20' CANAL MAINTENANCE EASEMENT
 - 30' HIGH DITCH MAINTENANCE EASEMENT
 - WATER WORKS & ROAD ACCESS AND MAINTENANCE EASEMENT
 - PROPOSED BRIDGE
 - FOUND MONUMENTS AS SHOWN
 - SET 5/8" REBAR - PLS 7048
 - SET 1/2" REBAR - PLS 7048
 - SET SURVEY MARKER - PLS 7048
 - SET WITNESS CORNER AS SHOWN - PLS 7048
 - NO REBAR SET - IN CANAL



SPEC PAGE 4 FOR NOTES

OLD CUTTERS SUBDIVISION
ALPINE ENTERPRISES INC.
IDAHO
SHEET 3 OF 5

A REPLAT OF LOTS 1A, 2A, 3 & 4, A REPLAT OF DREXLER RANCH SUBDIVISION, AND A PORTION OF LOT 4, BUCKHORN SUBD. 2ND ADDITION LOCATED WITHIN SECTIONS 3 & 4, T.2 N., R.18 E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO

NOTES

[illegible]

0) THE 20' WIDE DRIVEWAY EASEMENTS SHOWN ARE SHARED BY THE LOTS THAT SPOUT THE EASEMENT AREA. LOTS WITH PLATTED DRIVEWAY EASEMENTS SHALL ACCESS ONLY THROUGH THESE SHARED DRIVEWAY EASEMENTS.

7) NO MORE THAN ONE-HALF ACRE OF ANY SINGLE FAMILY LOT IN THE SUBDIVISION MAY BE IRRIGATED BY MALEY CITY WATER.

b) PARCEL A IS A PUBLIC PARK AND IS UNBIDABLE, EXCEPT FOR RESTROOMS, PLAY STRUCTURES, PICKING SHELTERS, OR OTHER SUCH RECREATIONAL STRUCTURES, AND BRIDGES. PARCEL B WILL BE CONVERTED TO THE CITY OF HALLEY.

B) A 26' WIDE ACCESS AND MAINTENANCE EASEMENT EXISTS CENTERED ON THE PROPERTY LINE BETWEEN LOTS 4 & 5, BLOCK 8, AND A 15' WIDE ACCESS EASEMENT EXISTS ON LOT 14, BLOCK 2, FOR NON-MOTORIZED PUBLIC ACCESS TO PARCEL 8.

10) THE TRAIL ON THE EAST SIDE OF THE HIGH OUCH IS A 3 SEASON TRAIL AND WILL BE CLOSED IN THE WINTER FOR BIG GAME HAZTAT.

1) HAS PROPERTY IN PLACE, PROVIDING MATERIALS AND RESOURCES AND PARTICIPANTS SHOULD BE AWARE THAT MATERIALS, PRACTICES AND OPERATIONS OCCURRING DAY AND NIGHT ARE ALLOWED AND MAY RESULT IN DUST, OROUS, USE AND APPLICATION OF AGRICULTURAL CHEMICALS, SPRAYING, GROUND PREPARATION, HARVESTING, ETC. IN ADDITION, THE ROADS ACCESSING THIS PROPERTY ARE USED BY AGRICULTURAL

12) THERE SHALL BE NO FURTHER SUBDIVISION OF SINGLE FAMILY LOTS, COTTAGE AND DUPLEX LOTS SHALL BE FURTHER SUBDIVIDED PURSUANT TO THE ZONING ORDINANCE.

ORDINANCE 021.

AND THE AREAS SHOULD BE AVOIDED DURING WINTER MONTHS.

AVALLANCHE AREAS. ALL PERMANENT STRUCTURES SHALL BE WITHIN THE DESIGNATED BUILDING ENVELOPES AS SHOWN.

LINE OF THE FENCE SHALL BE NO GREATER THAN 38 INCHES AND THE LOWEST STRAND SHALL BE AT LEAST 18 INCHES ABOVE GROUND.

10) TWO ADDITIONAL PARKING SPACES ARE REQUIRED PER DWELLING UNIT FOR ALL DWELLINGS ON PRIVATE STREETS (LOT 1, BLOCK 3 & LOTS 13 & 14, BLOCK 2).

117) ACCESS TO GARAGES ON ALL LOTS ADJACENT TO AN ALLEY SHALL BE FROM THE ADJACENT ALLEY.

COUNTRY AS INSTRUMENT J546901.

19) CONDITIONS, COVENANTS, AND RESTRICTIONS FOR EDD COLLETS SUBMISSION ARE RECORDED IN DECATUR COUNTY AS INSTRUMENT 1536032

20) LOT OWNERS MAY NOT RESTRICT THE FLOW OF WATER WITHIN ANY OF THE CANALS, RITCHES OR POUNDS. THIS INCLUDES BUT IS NOT LIMITED TO:

AN INDEPENDENT ORGANIZATION OF THE UNITED STATES OF AMERICA, INC., 1000 N. 17TH ST., SUITE 100, ARLINGTON, VA 22209-4101, TEL: (703) 525-1000, FAX: (703) 525-1001, WWW: [WWW: http://www.usaia.org](http://www.usaia.org)

23) PARCEL C IS THE 20' DAKOTA CHINA EASEMENT, THE ADJACENT 10' PEDESTRIAN EASEMENT AND THE 20' PEDESTRIAN AND DRIVEWAY R.O.W.

24) PARCEL D IS THE 26' PRIVATE ALLEY AND THE ADJACENT 20' HAWAIIA CANAL EASEMENT EXCLUSIVE OF DEDICATED ROADS AND IS TO BE EXCLUSIVE OF DEDICATED ROADS AND IS TO BE OWNED BY THE HOMEOWNERS ASSOCIATION.

OWNED BY THE HOMEOWNERS ASSOCIATION.

ASSOCIATION, INC. TO ACCESS AND MAINTAIN THE (NOTES, BONDS, PURPES, AND PREMIUMS WHICH BEYOND, CARRY AND STORE WATER FROM THE IRRIGATION THROUGH LOTS 13 AND 14, BLOCK 2, LOTS 1, 8 AND 9, BLOCK 3, AND LOTS 14 AND 15, BLOCK 1 TO THE HAWAIIAN CANAL FOR IRRIGATION AND CERTIFICATED SUBDIVERS

235) THE HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THE CULVERT UNDER THE PRIVATE STREET AND THE CULVERT AND NEIGHBORLY POLITICIAN.

UNDER CO OLINA DRIVE.

C66	56.57	260.00	15.4336	27.62	55.75	110.509,4247	1.43
C67	25.39	700.00	71.6733	12.70	24.31	110.330,5757	1.42
C68	41.39	260.00	9.5719	20.74	43.16	118.727,4638	1.41
C69	45.22	260.00	9.5733	22.07	45.16	110.553,0936	1.40
C70	17.72	260.00	3.15417	8.86	17.72	110.594,0141	1.39
C71	31.42	20.00	90.000,002	20.00	28.28	114.458,0141	1.38
C72	31.42	20.00	90.000,002	20.00	28.28	114.458,0141	1.37
C73	31.42	20.00	90.000,002	20.00	28.28	114.458,0141	1.36
C74	31.42	20.00	90.000,002	20.00	28.28	114.458,0141	1.35
C75	31.42	20.00	90.000,002	20.00	28.28	114.458,0141	1.34
C76	62.83	80.00	45.000,002	33.14	61.23	116.723,1565	1.33
C77	62.83	80.00	45.000,002	33.14	61.23	116.723,1565	1.32
C78	78.54	21.00	90.000,002	50.00	70.71	114.501,5656	1.31
C79	87.08	21.00	22.592,32	44.13	86.49	111.311,4047	1.30
C80	39.21	243.00	9.114,13	19.65	39.17	118.724,4047	1.29
C81	45.96	243.00	10.501,33	23.05	45.89	110.821,3636	1.28
C82	31.07	21.00	81.9172	15.56	31.05	118.853,1656	1.27
C83	76.27	243.00	17.591,01	36.45	75.66	114.401,3536	1.26
C84	56.00	21.00	1.647,172	26.16	55.05	110.755,3247	1.25
C85	21.24	243.00	5.000,382	10.63	21.23	110.231,3247	1.24
C86	2.38	21.00	6.373,387	1.19	2.38	112.424,3636	1.23
C87	69.65	21.00	18.233,287	35.13	69.36	111.312,0143	1.22
C88	15.05	21.00	3.582,31	7.53	15.04	110.201,0147	1.21
C89	3.45	243.00	6.046,491	1.73	3.45	110.026,2047	1.20
C90	58.51	243.00	13.472,72	29.40	58.37	110.744,3636	1.19
C91	35.55	243.00	8.222,48	17.81	35.52	118.849,5636	1.18
C92	72.95	200.00	20.513,99	36.89	72.55	110.810,5536	1.17
C93	7.30	200.00	2.205,407	3.65	7.30	112.586,4047	1.16
C94	68.37	260.00	1.511,313	34.69	68.76	110.737,3247	1.15
C95	35.37	260.00	7.473,353	17.71	35.34	111.932,3732	1.14
C96	12.91	60.00	89.274,49	74.25	112.61	116.745,2047	1.13
C97	78.07	50.00	89.274,49	74.25	70.38	116.745,2047	1.12
C98	31.23	20.00	89.274,49	18.81	28.15	117.754,3336	1.11
C99	60.44	200.00	23.022,46	40.77	79.80	116.745,3336	1.10
C100	13.95	243.00	3.282,332	6.97	13.94	119.509,3336	1.09
C101	12.34	243.00	3.284,332	6.17	12.34	110.997,3336	1.08
C102	31.42	20.00	90.000,004	20.00	28.28	114.458,0147	1.07
C103	31.42	20.00	90.000,004	20.00	28.28	114.458,0147	1.06
C104	15.82	218.00	4.110,202	7.92	15.82	112.848,28304	1.05
C105	107.94	1380.00	4.474,513	54.00	107.90	112.848,28304	1.04
C106	107.14	1380.00	4.474,513	51.00	107.11	112.848,28304	1.03
C107	43.11	1380.00	1.355,467	21.55	43.09	112.848,28304	1.02
C108	6.20	1260.00	2.249,132	31.51	62.99	119.544,3536	1.01
C109	101.26	1260.00	4.313,56	50.66	101.24	119.544,3536	1.00

LINE	LENGTH	BEARING
L1	36.57	500.944,0676

This is to certify that the undersigned is the owner in fee simple of the following described parcels of land:

Parcels of land located within Sections 3 & 4, Township 2 North, Range 18 East, Boise Meridian, City of Idaho, Blaine County, Idaho; more particularly described as follows:

I, Bruce Smith, a duly licensed Professional Land Surveyor in the State of Idaho, do hereby certify that this plat, is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to plats and surveys.

LOTS 1A, 2A, & 4 A REPLAT OF DREXLER RANCH SUBDIVISION AND A PARCEL OF LAND WITHIN THE SW¹/₄ OF THE NE¹/₄ SECTION 4, T.2N, R.18E, B.M., AND ALSO WITHIN OF A BUCHHEIM SUBDIVISION SECOND ADDITION, BLAINE COUNTY, IDAHO. MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTHEAST CORNER OF SAID SW¹/₄ OF CORNERING AT A BLM BRASS CAP MARKING THE NE¹/₄, WHICH CORNER IS ALSO THE CE¹/₄ CORNER OF SAID SECTION 4 AND WHICH POINT IS THE REAL POINT OF BEGINNING: THENCE NORTH 89°42'50" WEST 791.01 FEET TO THE NORTHWEST CORNER OF THE DREXLER RANCH;

1. Jim W. Koonce, County Surveyor for Blaine County, Idaho, have checked the foregoing plot and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.

THENCE NORTH 89.50° 30' EAST 306.07 FEET ALONG A FENCE TO THE EAST BOUNDARY OF
THE SW 1/4 OF THE NE 1/4, S4D, SECTION 4;
THENCE SOUTH 07° 27' 35" WEST 36.58 FEET ALONG SAID EAST BOUNDARY OF THE SW 1/4 OF
THE NE 1/4, SECTION 4 TO THE POINT OF BEGINNING, CONTAINING 0.24 ACRES, MORE OR LESS,
TO BE REPLATED AS OLD CUTTERS SUBDIVISION.

The foregoing plot was approved and the dedication of the Public Roadways accepted by the City Council and Mayor of Hailey on this 26th day of November, 2007.

It is the intent of the owner, OLD CUTTERS, INC., an Idaho Corporation, to hereby include said land in this plat.

The foregoing plot was approved by Technical Services Engineer for the City of Hialeah on this 26 day of November, 2007.

OLD CUTTERS, INC., an Idaho Corporation
By: J. Campbell
JOHN CAMPBELL, PRESIDENT

The taxes on the foregoing parcel of land have been paid to this date and this plat of Old CUTTERS SUBDIVISION, is hereby approved this 27 day of November, 2007.

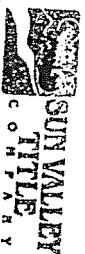
ACKNOWLEDGMENT

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Alice C. Parker
Notary Public
State of Illinois

STATE OF IDAHO }
COUNTY OF BLAINE } ss
This is to certify that the foregoing plat was filed in the office of the Recorder of Blaine County, Idaho, on this _____ day of _____, 2007, at _____ M., and duly recorded in Plat Book _____ of page _____ (Instrument # 563534
2017-1-28
Reviewed by: ALMCE CATERPILLAR INC
Reviewed by: ALMCE CATERPILLAR INC
Exhibits Received: Date: _____ Per: _____
ALMCE CATERPILLAR INC

OLD CUTTERS SUBDIVISION
ALPINE ENTERPRISES INC.
KETCHUM, IDAHO
SHEET 5 OF 5



THIS MAP IS A PHOTOGRAPHIC REPRODUCTION OF THAT ON FILE IN EITHER THE RECORDS OR SURVEYOR'S OFFICE. THE COMPANY ASSUMES NO LIABILITY FOR VARIATION, IF ANY, WITH ANOTHER OR THE SURVEY.