

RECEIVED

MAY 16 2013

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
WATER RESOURCE BOARDReceipt No. 0097165Fee Amount \$ 500.00Date/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) 788-8640Mailing 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>37-22634</u>	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____

Total Amount: _____

2. Source of water _____ tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	1/4	1/4	1/4	County

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

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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**

1. 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.
2. 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.

37-22635, 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*

Date

5/13/2013

Signature of Applicant

Tyra MacGuffie

Printed Name and Title*

Date

5/13/2013

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

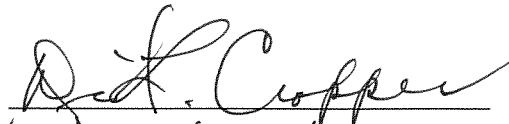
Mail to: Idaho Department of Water Resources, P.O. Box 83720, Boise, ID 83720-0098

**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. 37-22634 by Scott MacGuffie and Tyra MacGuffie, the owners of that water right, from April 15, 2013 through December 31, 2017.

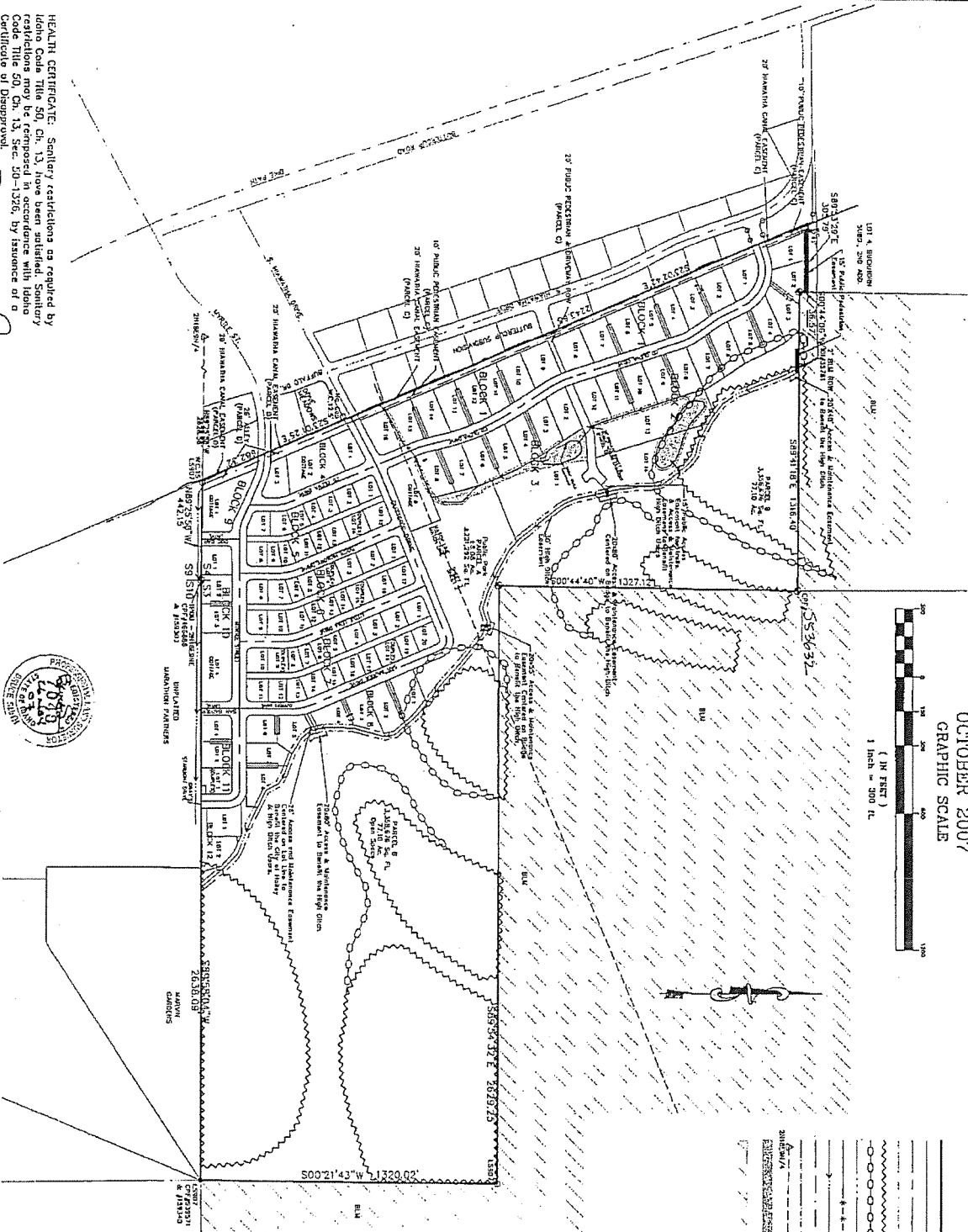
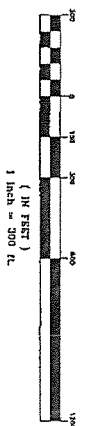
HIAWATHA CANAL COMPANY


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



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

PARCEL	DESCRIPTION	AREA
A	PUBLIC PARK	5.08 AC.
B	OPEN SPACE	77.10 AC.
C	20' PUBLIC PEDESTRIAN ESMT., 20' HAWAIIA CANAL ESMT. & 20' FED. CORRIDOR ALLEY	1.53 AC.
D	20' PRIVATE ALLEY & 20' HAWAIIA CANAL ESMT.	.66 AC.
E	36' 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.



HEALTH CERTIFICATE: Sanitary restrictions as required by
Idaho Code Title 24, Chapter 13, Section 13-1301, shall
regulations may be removed in accordance with Idaho
Code Title 50, Ch. 13, Sec. 20-1326, by issuance of a
Certificate of Disapproval.
11-27-2007
Robert W. C. Reid
South Central District Health Dept., CHS

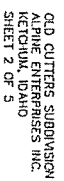
OLD CUTTERS SUBDIVISION
ALPINE ENTERPRISES INC.
SHEET 1 OF 5

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
OCTOBER 2007

GRAPHIC SCALE

LEGEND

SUBDIVISION BOUNDARY

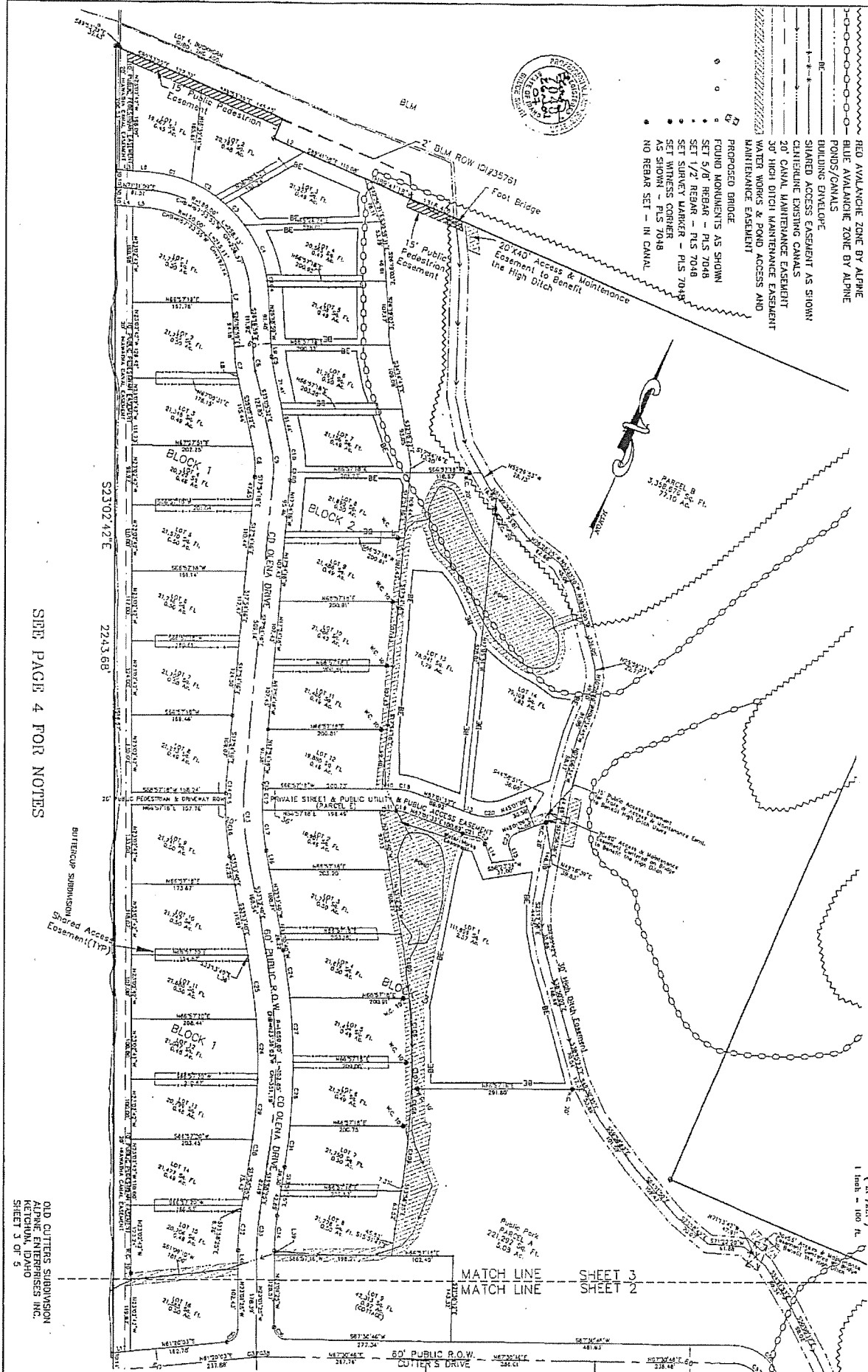


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OCTOBER 2007

LEGEND

- SUBDIVISION BOUNDARY
- LOT LINES
- INTERIOR ROAD CENTRELINES
- EXTERIOR ROAD CENTRELINES
- RED AVALANCHE ZONE BY ALPINE
- BLUE AVALANCHE ZONE BY ALPINE
- FONDS/CANALS
- BUILDING ENVELOPE
- SHARED ACCESS EASEMENT AS SHOWN
- CUTLINE EXISTING CANALS
- 20' CANAL MAINTENANCE EASEMENT
- 30' HIGH DITCH MAINTENANCE EASEMENT
- WATER WORKS & FOND 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
- AS SHOWN - PLS 7048
- NO REBAR SET - IN CANAL



SEE PAGE 4 FOR NOTES

OLD CUTTERS SUBDIVISION
ALPINE ENTERPRISES INC.
KETCHUM, IDAHO
SHEET 3 OF 3

OCTOBER 2007

CLIVE	LENDY	BRAD
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C63	31.60	20.00	89.737-19	19.81	28.42	567.45-20"W	C109	12.20	23.54	500.01-36"E	C13	58.04	210.00	15.50-11	29.11	57.06	108.23-34"W	C2	57.08	210.00	15.50-00	29.16	57.06	108.23-34"W	C1	57.08	210.00	15.50-00	29.11	57.06	108.23-34"W	CONE	57.14	210.00	18.01-03	33.06	57.80	580.40-41"W
C65	31.60	20.00	89.737-19	19.81	28.42	567.45-20"W	C108	61.00	128.00	4.91-36"E	C12	57.08	210.00	15.50-11	29.11	57.06	108.23-34"W	C17	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C16	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C15	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E
C64	31.60	20.00	89.737-19	19.81	28.42	567.45-20"W	C107	61.00	128.00	4.91-36"E	C11	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C18	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C19	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C20	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E
C63	31.60	20.00	89.737-19	19.81	28.42	567.45-20"W	C106	61.00	128.00	4.91-36"E	C10	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C9	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C8	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C7	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E
C62	31.60	20.00	89.737-19	19.81	28.42	567.45-20"W	C105	61.00	128.00	4.91-36"E	C9	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C6	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C5	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C4	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E
C61	31.60	20.00	89.737-19	19.81	28.42	567.45-20"W	C104	61.00	128.00	4.91-36"E	C8	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C3	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C2	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C1	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E
C60	31.60	20.00	89.737-19	19.81	28.42	567.45-20"W	C103	61.00	128.00	4.91-36"E	C7	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C6	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C5	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C4	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E
C59	31.60	20.00	89.737-19	19.81	28.42	567.45-20"W	C102	61.00	128.00	4.91-36"E	C6	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C5	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C4	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C3	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E
C58	31.60	20.00	89.737-19	19.81	28.42	567.45-20"W	C101	61.00	128.00	4.91-36"E	C5	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C4	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C3	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C2	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E
C57	31.60	20.00	89.737-19	19.81	28.42	567.45-20"W	C100	61.00	128.00	4.91-36"E	C4	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C3	60.28	420.00	91.83-07	34.22	58.41	528.31-33"E	C2	60.28												

LINE TABLE			LINE TABLE		
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	36.57	507.4400°W	L23	15.02	509.2551°W
L2	56.55	N070.1118°E	L24	42.46	S66.2713°E
L3	10.10	N071.3109°E	L25	18.68	N08.5102°E
L4	30.10	N71.3109°E	L26	26.00	N09.5102°E
L5	29.02	N71.3109°E	L27	34.26	N09.5102°E
L6	33.81	S71.3100°W	L28	21.68	S00.0158°E
L7	17.74	S23.5155°E	L29	5.74	S23.0123°E
L8	7.41	S23.5155°E	L30	4.05	N01.2023°W
L9	20.52	N28.1839°W	L31	26.00	N67.3046°E
L10	24.08	N62.5315°E	L32	26.00	N67.3046°E
L11	22.53	N66.5310°E	L33	26.00	N67.3046°E
L12	3.42	N17.5161°W	L34	9.45	S23.0123°E
L13	10.16	N67.0113°E	L35	36.05	N69.3904°E
L14	34.32	N67.0113°E	L36	53.48	N01.2023°W
L15	19.23	S4.5963°E	L37	20.00	N67.3046°E
L16	31.01	N33.3140°W	L38	20.00	N69.3904°E
L17	30.10	N61.2020°E	L39	7.45	N01.2023°W
L18	48.22	N61.2020°E	L40	30.63	N23.0123°W
L19	40.52	N61.2020°E	L41	12.68	S23.0123°E
L20	23.34	S00.0150°E	L42	7.61	S41.0136°W

10

CERTIFICATE OF OWNERSHIP

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 Holley, Blaine County, Idaho; more particularly described as follows:

LOTS 1A, 2A, 3 & 4, A REPLAT OF DREXLER RANCH SUBDIVISION AND A PARCEL OF LAND WITHIN THE SW¼ OF THE NE¼, SECTION 4, T.2N., R.18E., B.M., AND ALSO WITHIN LOT 4, BUCKHORN SUBDIVISION SECOND ADDITION, BLAINE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A BLM BRASS CAP MARKING THE SOUTHEAST CORNER OF SAID SW¼ OF THE NE¼, WHICH CORNER IS ALSO THE CE ¼ CORNER OF SAID SECTION 4 AND WHICH POINT IS THE REAL POINT OF BEGINNING: THENCE NORTH 89°42'50" WEST 291.01 FEET TO THE NORTHWEST CORNER OF THE DREXLER RANCH; THENCE NORTH 23°17'51" WEST 37.31 FEET ALONG THE CENTERLINE OF THE HAWAIIA CANAL AND ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 4, BUCKHORN SUBDIVISION SECOND ADDITION; THENCE NORTH 89°50'20" EAST 306.07 FEET ALONG A FENCE TO THE EAST BOUNDARY OF SAID SW¼ OF THE NE¼, SAID SECTION 4; THENCE SOUTH 0°27'55" WEST 36.58 FEET ALONG SAID EAST BOUNDARY OF THE SW¼ OF THE NE¼, SECTION 4 TO THE POINT OF BEGINNING, CONTAINING 0.24 ACRES, MORE OR LESS, TO BE REPLATED AS OLD CUTTERS SUBDIVISION.

The Easements indicated herein are not dedicated to the Public unless specifically designated on the Plat, and the right to use said Easements is hereby reserved for the Public Utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said Easement. We do hereby certify that all Lots in this Plat will be eligible to receive water service from an existing water distribution system and that the existing water distribution system has agreed in writing to serve all of the lots shown within this plat, subject to Note 7 of this plat. Except as otherwise shown on this plat, the Roadways shown hereon as PUBLIC are Dedicated to the City of Holley.

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

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

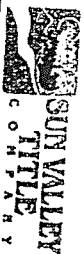
ACKNOWLEDGMENT

STATE OF Idaho }
COUNTY OF Blaine } ss
On this 26 day of November, 2007, before me, a Notary Public in and for said State, personally appeared John Campbell, President of Old Cutters Inc., known or identified to me, to be the President of the Corporation that executed the instrument, and acknowledged to me that such Corporation executed the same.

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. Packer
Notary Public
State of Idaho

Alice C. Packer
Notary Public in and for said State
Residing at Ketchikan
My Commission Expires August 24, 2011



THIS IS A LIMITED POWER OF ATTORNEY. IT IS THE POLICY OF SUN VALLEY TITLE COMPANY TO OBTAIN A LIMITED POWER OF ATTORNEY FROM EACH CLIENT. THE COMPANY ASSUMES NO LIABILITY FOR VIOLATION, IF ANY, WITH RESPECT TO THE POWER OF ATTORNEY.

SURVEYOR'S CERTIFICATE

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.



COUNTY SURVEYOR'S APPROVAL

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

Jim W. Koonce
Jim W. Koonce

APPROVAL OF CITY COUNCIL

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

Heather Davidson
City Clerk

CITY ENGINEER'S APPROVAL

The foregoing plat was approved by Heather Davidson City Engineer for the City of Holley on this 26 day of November, 2007.

Heather Davidson
City Engineer



COUNTY TREASURER'S APPROVAL

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.

Heather Davidson
Blaine County Treasurer

COUNTY RECORDER'S CERTIFICATE

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 26 day of November, 2007, at 11 M., and duly recorded in Plat Book 11 of page 11.

Instrument # 562614
MAY, BLAINE, IDAHO
Recorder: Heather Davidson
Blaine County Recorder

Ex-officio Recorder

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