



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 • Web Site: www.idwr.idaho.gov

C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

April 26, 2013

BASIN AND RANGE RESOURCE COMPANY LLC
3480 GS RICHARDS BLVD STE 101
CARSON CITY NV 89703

RE: APPLICATION TO RENT /LEASE WATER RIGHT 63-7867 FROM AND TO THE
WATER SUPPLY BANK

Dear Applicant:

The Department of Water Resources ("Department") acknowledges receipt of your application to rent and lease water right 63-7867 from and to the Water Supply Bank ("Bank"). However, Application for Transfer #78260 was approved on April 25, 2013, which authorizes the same actions that are within your rental/lease package. Consequently, there is no need to process your Bank applications and will be returned to you at this time. In addition, a refund is due to you as follows:

- Receipt #C096736 for \$250 to lease 63-7867 will be refunded in full
- Receipt #C096744 for \$1,453.50 to rent 63-7867 will be refunded in full
- Receipt #C096745 for \$1,103.13 to rent 63-7011A will be retained since the transfer did not affect the rental. However, there was an overpayment of \$1.53 that will be refunded at this time.
 - refund \$1.38 from the owner's share of the rental
 - refund \$0.15 from the Department's share of the rental

Please allow for at least 30 days from today for a refund to be generated by the Department's fiscal staff.

If you have any questions, please contact me at (208) 287-4944.

Sincerely,

Cherie Palmer, Sr. Water Resource Agent
Water Allocation Bureau

Enclosure(s)

c: Fred Price-USDI BLM
Sascha Marston-IDWR Fiscal

RECEIVED**MAR 19 2013****DEPARTMENT OF
WATER RESOURCES****STATE OF IDAHO
WATER RESOURCE BOARD**WSB No. _____
Receipt No. CD96736
Date/by 3-18-13 HO
(For Department Use Only)**APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK**Name of Seller/Lessor Basin and Range Resource Company LLC Phone 775-885-5000 ext. 106
Mailing address 3480 GS Richards Blvd. Suite 101, Carson City, NV 89703 Email leann@vidlerwater.com**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>63-7867</u>	<u>85.5</u>	<u>Irrigation</u>	<u>4/01</u> to <u>10/31</u>
			to
			to

Total Amount: 85.52. Source of water Underground tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
6N	4W	S28		SW	SE	SW	Payette
6N	4W	S28		SW	SE		Payette

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	
6N	4W	S28			5.3	6.5				0.7							6.5		19.0

If the right is for irrigation, show total number of acres offered to the bank. **Total Acres** 19.0**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:

C. GENERAL INFORMATION

1. Please provide a description of the current diversion system.
Two wells, piping, hand lines and pivots for irrigation purposes.
2. Describe any other water rights used for the same purpose or at the same place of use as described above.
63-7867
3. Will the present place of use continue to receive water from any source? Yes ☒ No ☐
If yes, describe. wells, existing irrigation system.
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. Submitted application to change the permissible place of use, November 2012, transfer number 78260.

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.

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 4/1/2013 to 10/31/2013 (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

Dorothy Timian - Palmer, President
Printed Name and Title*

3/15/2013
Date

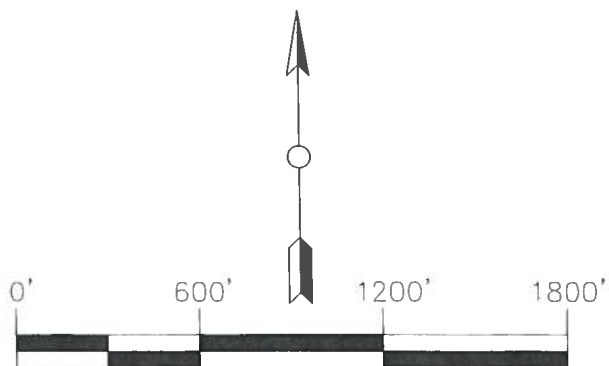
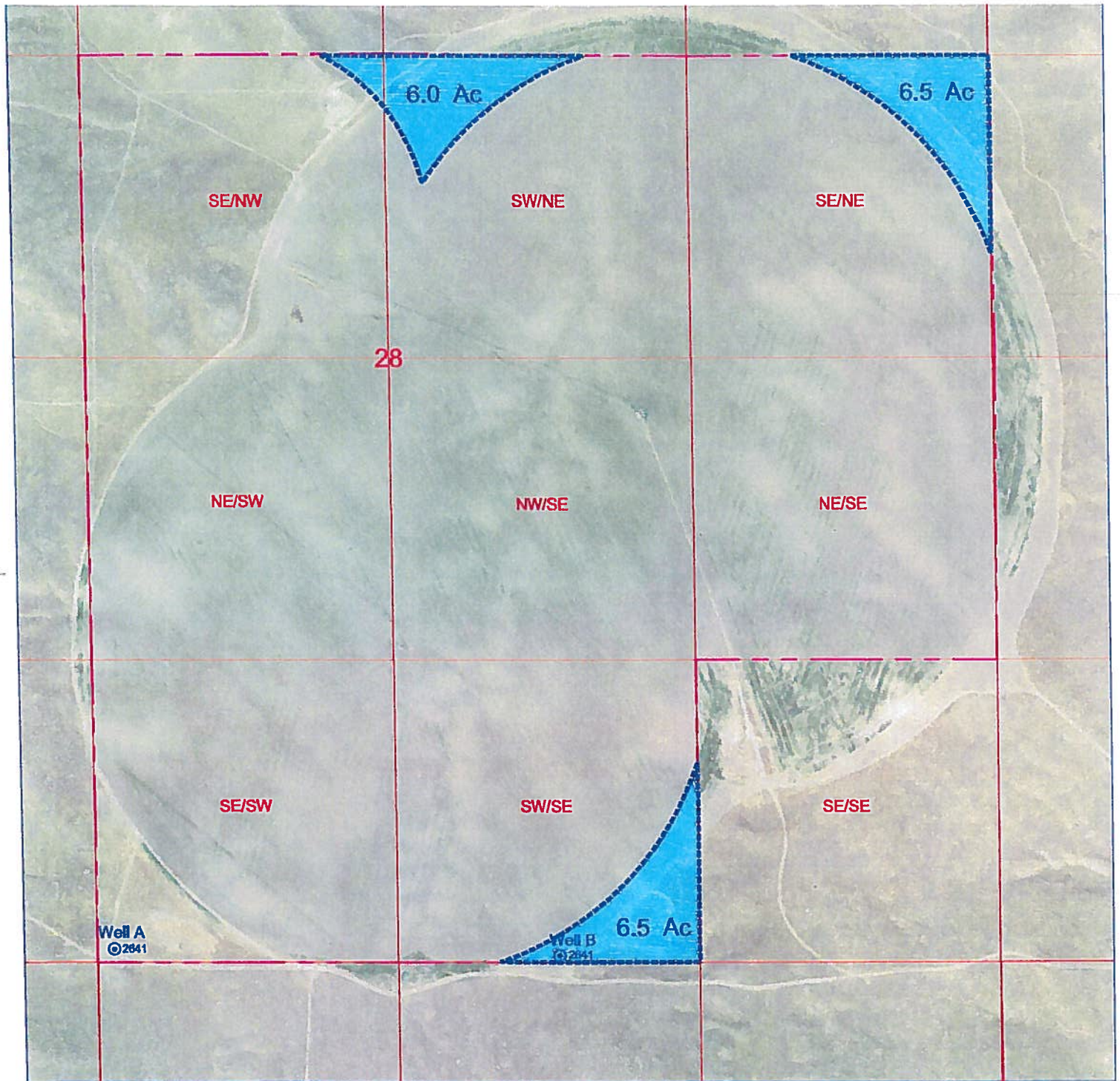
Signature of Applicant

Printed Name and Title*

Date

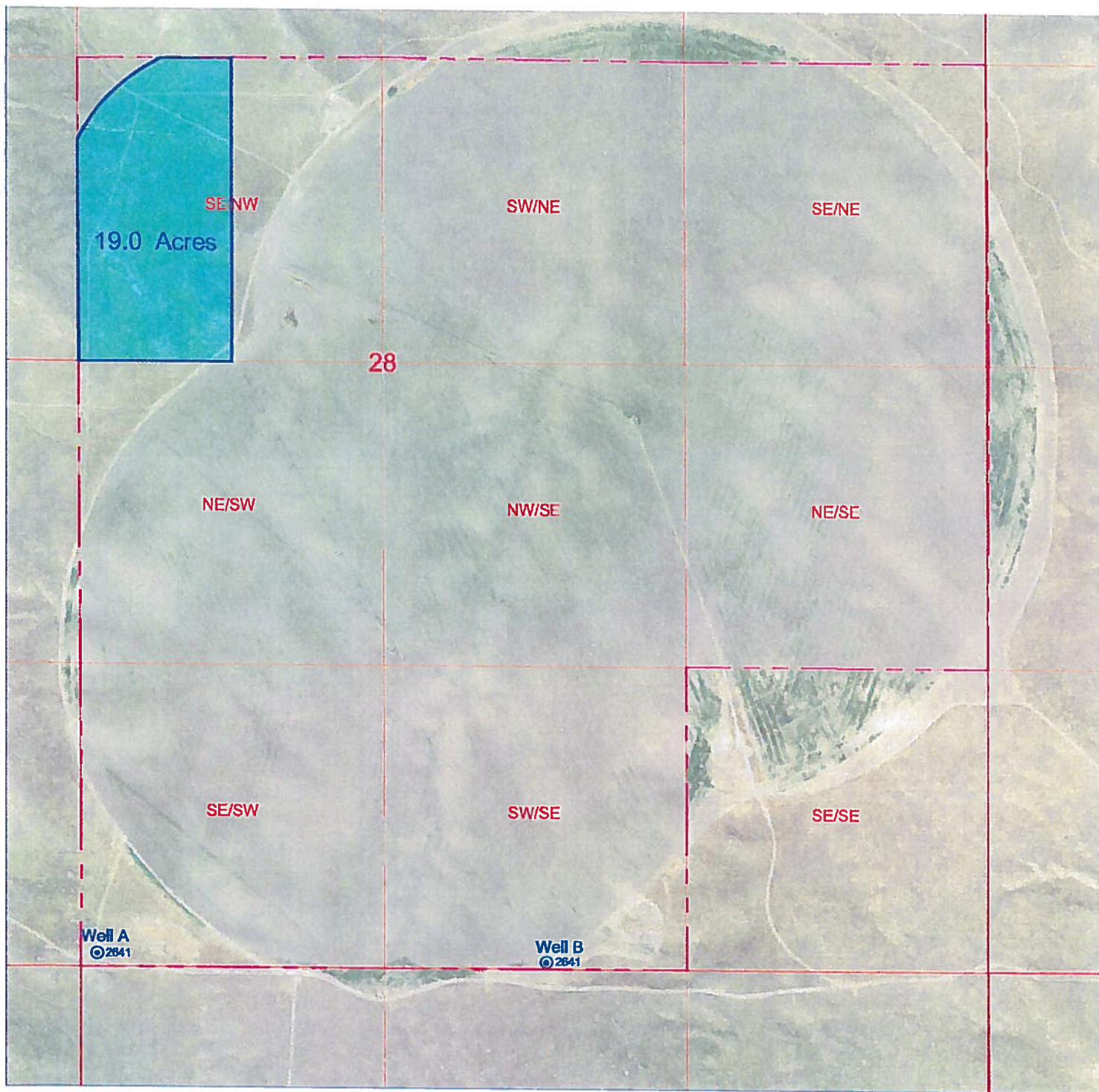
*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

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

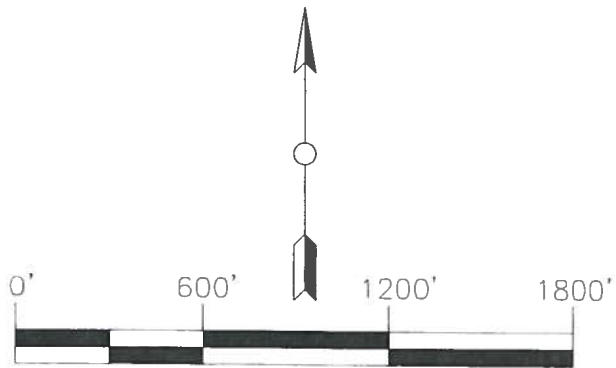


Water Supply Bank Lease Application
Township 6 North, Range 4 West
Section 28

Imagery Date: October 2012



Water Supply Bank Lease Application
Township 6 North, Range 4 West
Section 28



Imagery Date: October 2012

RECEIVED

MAR 19 2013

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
WATER RESOURCE BOARD

Water Supply Bank No. _____
(For Department Use Only)

APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK

Name of Renter Basin and Range Resource Company LLC Phone (775)885-5000 ext. 106

Mailing address 3480 G.S. Richards Blvd., Ste. 101 Carson City, NV 89703 Email leann@vidlerwater.com

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. Maximum Flow Rate (cfs) 0.38 Maximum Volume (ac-ft) 85.5 Nature of Use Irrigation Period of Use 4/1 to 10/31

Total: 0.38 85.5

2. Source of water Underground tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
6N	4W	S28		SW	SE	SW	Payette
6N	4W	S28		SW	SE		Payette

4. Lands to be irrigated or 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	
6N	4W	S28								19.0									19.0

If the use is for irrigation, show total number of acres proposed through rental. **Total Acres** 19.0

B. OWNERSHIP

1. Do you own the land at the proposed point of diversion? Yes ☒ No ☐
If no, list owner, contact information, and provide documentation of the authority to use the proposed point of diversion. _____
2. Do you own the land at the proposed place of use? Yes ☒ No ☐
If no, list owner, contact information, and provide documentation of the authority to use the proposed place of use. _____

C. MAP

Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described by this application in section A. Include legal description labels.

D. GENERAL INFORMATION

1. Please provide a description of the proposed diversion system. Two wells, piping, hand lines and pivots for irrigation purposes.
19.0 ac x 0.02 cfs/ac = 0.38 cfs; 19.0 ac x 4.5 afy/ac = 85.5 AFY
2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.
63-7867
3. Will the proposed place of use receive water from any other source? Yes ☐ No ☒
If yes, describe. _____
4. If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of water required. Attach additional sheets if needed. _____
5. Are there any other applications pending before the Department, such as an application for permit or transfer, for the same use(s) proposed by this rental? Yes ☒ No ☐
If yes, describe. Submitted application to change the permissible place of use, November 2012, transfer number 78260.
6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation? Yes ☐ No ☒
If yes, describe. _____

E. RENTAL TERM

1. Do you wish to rent water from the Board's bank for more than one (1) year? Yes ☐ No ☒
If yes, please specify the number of years desired through proposed rental. _____
- I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.**
- If this application is approved, the applicant agrees to the following:
1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
 2. Renter shall comply with all applicable state and federal laws while using water under this agreement.
 3. Renter shall hold the Board, the Director, and the state of Idaho harmless from all liability on account of negligent acts of the renter.
 4. The Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
 5. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
 6. Renter is not authorized to use water proposed by this application until the rental fees are paid in full and the renter receives an executed copy of the agreement signed by the Director.


Signature of Applicant

Dorothy Timian - Palmer, President
Printed Name and Title*

3/15/2013
Date

Signature of Applicant

Printed Name and Title*

Date

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

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