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Form 42-1761-1 12/12

DEPARTMENT OF  
WATER RESOURCES

STATE OF IDAHO  
WATER RESOURCE BOARD

WSB No. \_\_\_\_\_  
Receipt No. C0916862  
Date/by 4-3-13 HP  
(For Department Use Only)

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

Name of Seller/Lessor Brad Armstrong and Lorie Armstrong Phone (602) 625-3868  
Mailing address 3727 E. Dakota Dr., Phoenix, AZ 85044 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>37-21562</u>              | _____                     | _____                | _____ to _____       |
|                              | _____                     | _____                | _____ to _____       |
|                              | _____                     | _____                | _____ to _____       |
| Total Amount: _____          |                           |                      |                      |

2. Source of water \_\_\_\_\_ tributary to \_\_\_\_\_

3. Point(s) of Diversion:

| Twsp | Rge | Sec | Lot | ¼ | ¼ | ¼ | County |
|------|-----|-----|-----|---|---|---|--------|
|      |     |     |     |   |   |   |        |
|      |     |     |     |   |   |   |        |
|      |     |     |     |   |   |   |        |
|      |     |     |     |   |   |   |        |

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

| Twsp | 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

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.

None.

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

37-21506, 37-21518, 37-21529, 37-21540 and 37-21551

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 April 1, 2013 to March 31, 2018 (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.

Brad Armstrong  
Signature of ApplicantBrad Armstrong  
Printed Name and Title\*3-28-13  
DateLorie Armstrong  
Signature of ApplicantLorie Armstrong  
Printed Name and Title\*3-28-13  
Date

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

## ARMSTRONG WATER SUPPLY BANK LEASE APPLICATIONS

WATER RIGHTS NOS. 37-21506,  
37-21518, 37-21529, 37-21540,  
37-21551 & 37-21562

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.

