

Pedigree Search (History of Water Right Number Splits)

2-2209

|-----2-2209A

|-----2-2209D Application ID:66547 Status:Closed Date Approved:5/12/1998

|-----2-10186 Application ID:66081 Status:Closed Date Approved:4/6/2

|-----2-10188

|-----2-10190 Application ID:66124 Status:Closed Date

|-----2-10195 Application ID:68552 Status:Clo

|-----2-10208 Application ID:69980 Si

|-----2-10337 Application ID:

Approved:7/12/2007

|-----2-10338 Application ID:

Approved:7/12/2007

|-----2-10209 Application ID:69980 Si

|-----2-10196 Application ID:68552 Status:Clo

|-----2-10191 Application ID:66124 Status:Closed Date

|-----2-10189

|-----2-10187 Application ID:66081 Status:Closed Date Approved:4/6/2

|-----2-2209E Application ID:66547 Status:Closed Date Approved:5/12/1998

|-----2-2209B Application ID:70343 Status:Withdrawn

|-----2-2209C

RECEIVED

MAR 10 2004

Department of Water Resources

Robert L. or Connie J. Smith

94 Walkley Rd.
Burbank, WA 99323
(509)545-8364 or (509)727-3578

March 5, 2004

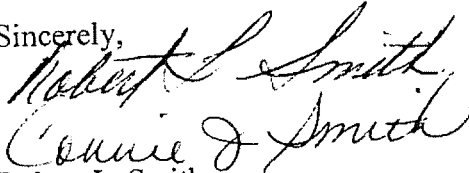
State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RE: Water Right NO(s) 2-7064, 2-10181, 2-10189 and 2-7237

Dear Ms. Clark,

Please accept this as our official written notice that we would like to have the above mentioned water rights remain in the water supply bank for an indefinite period of time.

Sincerely,

Handwritten signatures of Robert L. Smith and Connie J. Smith. The signature of Robert L. Smith is written above the signature of Connie J. Smith.

Robert L. Smith
Connie J. Smith

MEMORANDUM

To: Water Bank Application File 02-2209
From: L. Glen Saxton *LS*
RE: ANALYSIS OF APPLICATION 02-2209 TO LEASE A WATER RIGHT TO
THE WATER SUPPLY BANK - BUREAU OF LAND MANAGEMENT
Date: May 17, 1991

Water Supply Bank Rules 3.2, 3.3 and 3.5 require:

- The submittal of certain information to accompany an application to place water in the Board's Water Supply Bank.
- That the Director review the application and brief the Board on its merits, and
- The Board to consider certain matters before accepting an application into the bank.

RULE 3.2 REVIEW

- The right is represented by a license issued for the irrigation of several desert land entries. The entries also referred to as the Black Mesa farm project were cancelled in 1972 by the BLM for fraudulent entry.
- The license was issued for 79.7 cfs. Of this amount, 58.1 cfs of the right is owned by Cottonwood Canal Company and was accepted into the water supply bank on March 22, 1991. The BLM owns the 8.8 cfs offered to the bank and a private party (Wootan) owns the balance of 12.8 cfs.
- Water is generally available for a right of this priority (1963) in this reach of the Snake River.

RULE 3.5 REVIEW

- The applicant is the owner of the portion of the right offered.
- Information available to the Board does not indicate the right has been abandoned or forfeited. A question of the validity of a water right which has been established in a fraudulent entry, however, has not been determined.
- The offering price is the same as in the rental pool in Water District 01 (\$2.75/AF) and is reasonable.
- The application is not contrary to the state water plan.

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- The application is in the local public interest.
- The probability of renting the right from the bank is unknown.

RECOMMENDATION

- If the Board accepts the right into the bank, the acquisition probably should be a conditioned acceptance.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 17, 1991

Gary Carson
Jarbidge Area Manager
Bureau of Land Management
3942 Development Ave
Boise, ID 83705

RE: APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER
SUPPLY BANK - PART OF RIGHT 02-02209

Dear Mr. Carson:

The department has received the application to place 8.8 cfs of licensed water right 02-02209 into the Water Supply Bank which is managed by the Idaho Water Resource Board.

The application will be presented to the Board at their next regularly scheduled meeting on May 31, 1991 in Island Park. I doubt that it is necessary for you to send a representative to the Board meeting since your offering is similar in nature to the 51.8 cfs of the same water right which was recently offered by Cottonwood Canal Company and accepted into the bank by the Board.

Please feel free to contact the department if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Glen Saxton'. The signature is fluid and cursive, with the first name 'L.' being small and the last name 'Saxton' being larger and more prominent.

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - W. Region

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BEFORE THE IDAHO WATER RESOURCE BOARD

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
02-2209 TO LEASE WATER TO THE)
WATER SUPPLY BANK)
_____)

RESOLUTION

WHEREAS, the USDI, Bureau of Land Management (applicant) has submitted an application to place 8.8 cfs of water represented by License No. 02-2209 into the Water Supply Bank (bank) which is administered by the Idaho Water Resource Board (Board); and

WHEREAS, the Director of the Department of Water Resources (Director) has investigated the water right and the application to lease the right to the bank as required by Water Supply Bank Rule 3.3 and there is a question as to the validity of this water right which will be determined at a later time by the Director; and

WHEREAS, the Director and the Board find that other requirements for leasing water to the bank have been met by the applicant,

NOW, THEREFORE, BE IT RESOLVED:

1. That rental of water from the bank under License No. 02-2209 be contingent upon the future review of the license and finding of the validity of the right and that this resolution shall not be considered an approval of any type or nature of the validity of the said water right.

2. That the Board accept 8.8 cfs of License No. 02-2209 into the bank on a contingency basis with payment to be made to the lessor only upon rental of the right or portion thereof from the bank; and

3. That the rental price of the water be consistent with the rental amount charged in Water District 1.

Adopted this 31st day of May, 1991.

F. Dove Gylford
Chairman

Attest: _____

Secretary

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MAY 8 1991

Department of Water Resources
Western Regional Office

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE
WATER SUPPLY BANK

Name of Seller/Lessor USDI, Bureau of Land Management Phone 384-3370

Post office address 3942 Development ave., Boise, ID 83705

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
(Name)

in case of _____ vs _____

dated _____ In _____ county of _____
(Name of court)

b. License No. 30990/02-02209 Issued by the Idaho Department of Water Resources.

c. Permit No. _____ Issued by the Idaho Department of Water Resources.

2. Source of water Snake River tributary to Columbia River

3. Date of priority February 25, 1963

4. Water is used for the following purposes:

amount 13,339.33 AFA for irrigation purposes from April 1 to October 31

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

5. Total amount of water under right: a. 79.70 cubic feet per second
&/or
b. 13,339.33 acre feet per annum

6. Location of point of diversion is _____ 1/4 of Lot 6 _____ 1/4 of Section 9

Township 6S Range 11E, B.M., in Elmore County

Additional points of diversion, if any _____

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7. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	10E	1									35		40	40		30	40	30	215
		2																40	40
		11	40	40	40	40	40			40	40	40	40	40	40	40	40	40	560
		12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		13	40	40	40	40	40	40	40	40	40	40			40	40	40	40	560
		24	40	40	40	40									40	40			240
6S	11E	6											10						10
		7	25	25	40	40	30	40	40	40	40	40	40	40	40	40	40	40	600
		17						40	40			40			40	40	40		120
		18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40		600
		19							40		40	40		40	40	40	40	40	320
		20										40	40						80

Total number of acres to be irrigated 1,720

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water: a. 8.80 cubic feet per second
&/or
b. 3,735.33 acre feet per annum
2. Point of diversion ¼ Lot 6 ¼, Section 9 Township 6S
Range 11E, B.M., Elmore County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	10E	11		40			40			40									120
6S	11E	19									40			40	40	40	40	40	240
		20										40	40						80

Total number of acres to be irrigated 440

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C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

1. Explain how the right, or portion thereof, was acquired and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

Water Right 02-02209 for irrigation on the Black Mesa farm project was appurtenant to land owned by the BLM as the land was never patented. Recently all but 440 acres were transferred to private ownership.

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

The water right has been protected by an Application for Extension which expires July 1, 1991.

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support this description:

Snake River - Availability in question until the Snake River Adjudication is complete.

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use no longer receive water from any source?

None

5. Describe the anticipated effect of this sale or lease upon other water users.

Water has been used in the past, however, the use has not been occurring for the past few years. Junior users may be affected by the continuation of the right.

6. List any assessments, charges or fees currently being paid for the use of the water.

None.

7. If the water right is a permit, describe the work accomplished toward developing the right.

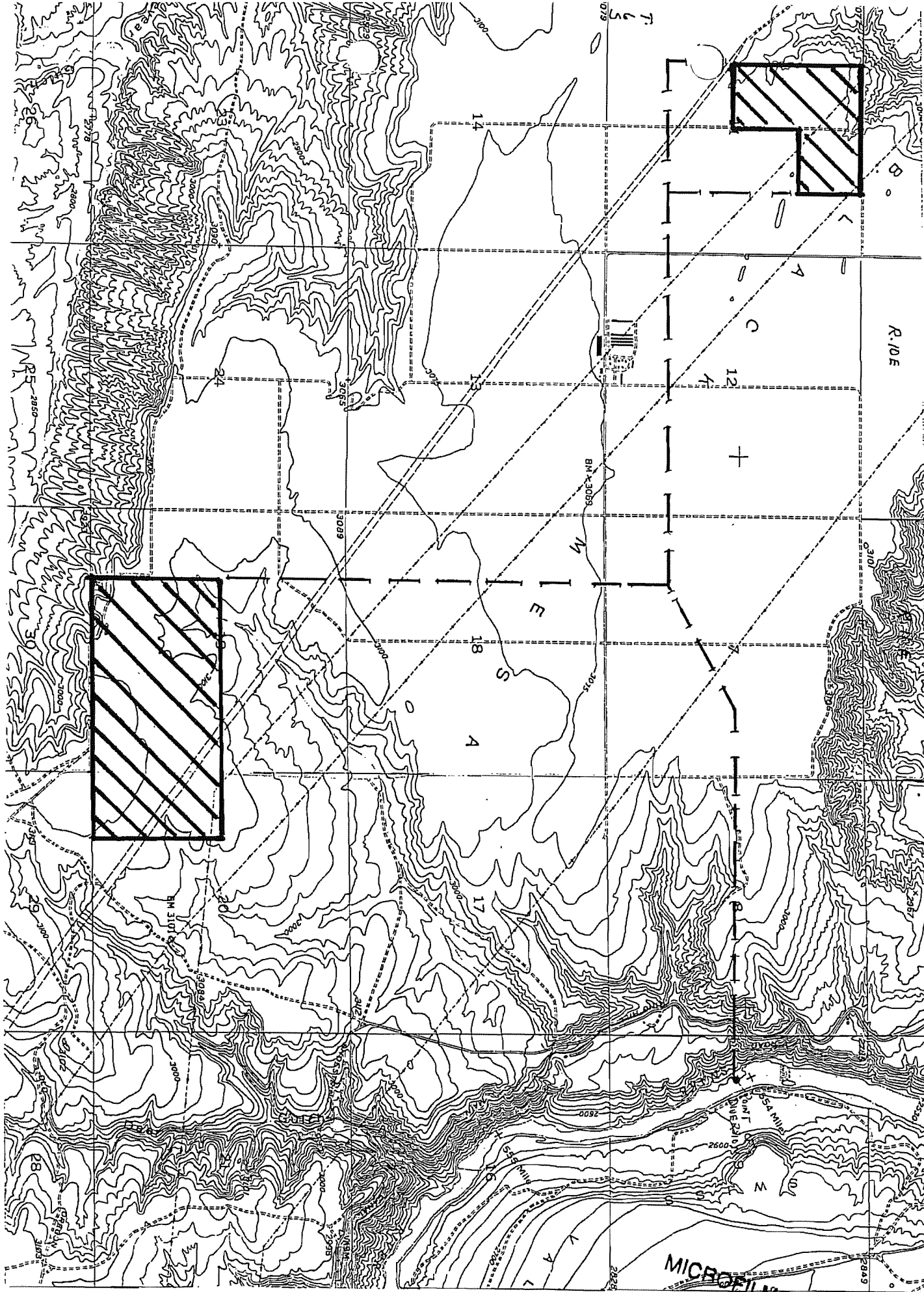
8. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is managed by an irrigation district, a written consent of the sale or lease must be attached.

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9. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

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10. Remarks _____

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:
_____ For sale
_____ For lease for the period from _____ to _____
_____ As a gift to the State of Idaho.
2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)
\$10,272 per year based upon a rate of \$2.75/ac-ft.

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:
_____ Acceptable _____ Not Acceptable

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 the sale or lease of this right to the Idaho Water Resource Board.

5-7-91

(Date)

Earl Gary Carson

(Signature of applicant)

Earl Gary Carson
Jarbidge Area Manager

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Prelim. check by _____

Watermaster recommendation requested on _____ rec'd. _____

Recommended for _____ approval _____ denial by _____

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