

RECEIVED

MAR 15 2013

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
WATER RESOURCE BOARD

WSB No. _____

Receipt No. 0096719Date/by 3-15-13 HP

(For Department Use Only)

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKName of Seller/Lessor MVCP LLC Phone 208-678-1599Mailing address 474 East 550 South Burley, Idaho 83318 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. Water Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>45-13904</u>	<u>1.26/469.4</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____

Total Amount: 1.26/469.42. Source of water Ground Water tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
See	Exhibit	A					

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	
11S	24E	33		32.3	17.3		5.5			5.6	5.8					15.6			82.1
12S	24E	6											2.0	7.0	3.0		10	20	42.0

If the right is for irrigation, show total number of acres offered to the bank. Total Acres 124.1*

*The 124.1 acres is part of a 3498.0 acre POU within a 4384.0 acre PPU.

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 point of diversion for the water right owned or managed by an irrigation district? 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.

Wells, pumps and piping

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

45-13981, 45-13982, 45-2383, 45-7118, 45-7125, 45-7317, 45-690, 45-691, 45-7004, 45-7186A

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. A transfer to increase the PPU size from 4384.0 acres to 4389.0 acres.

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 3/15/2013 to 12/31/2015 (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

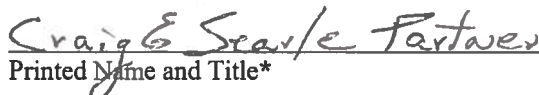
I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

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



Printed Name and Title*

March 5, 2013

Date

Signature of Applicant

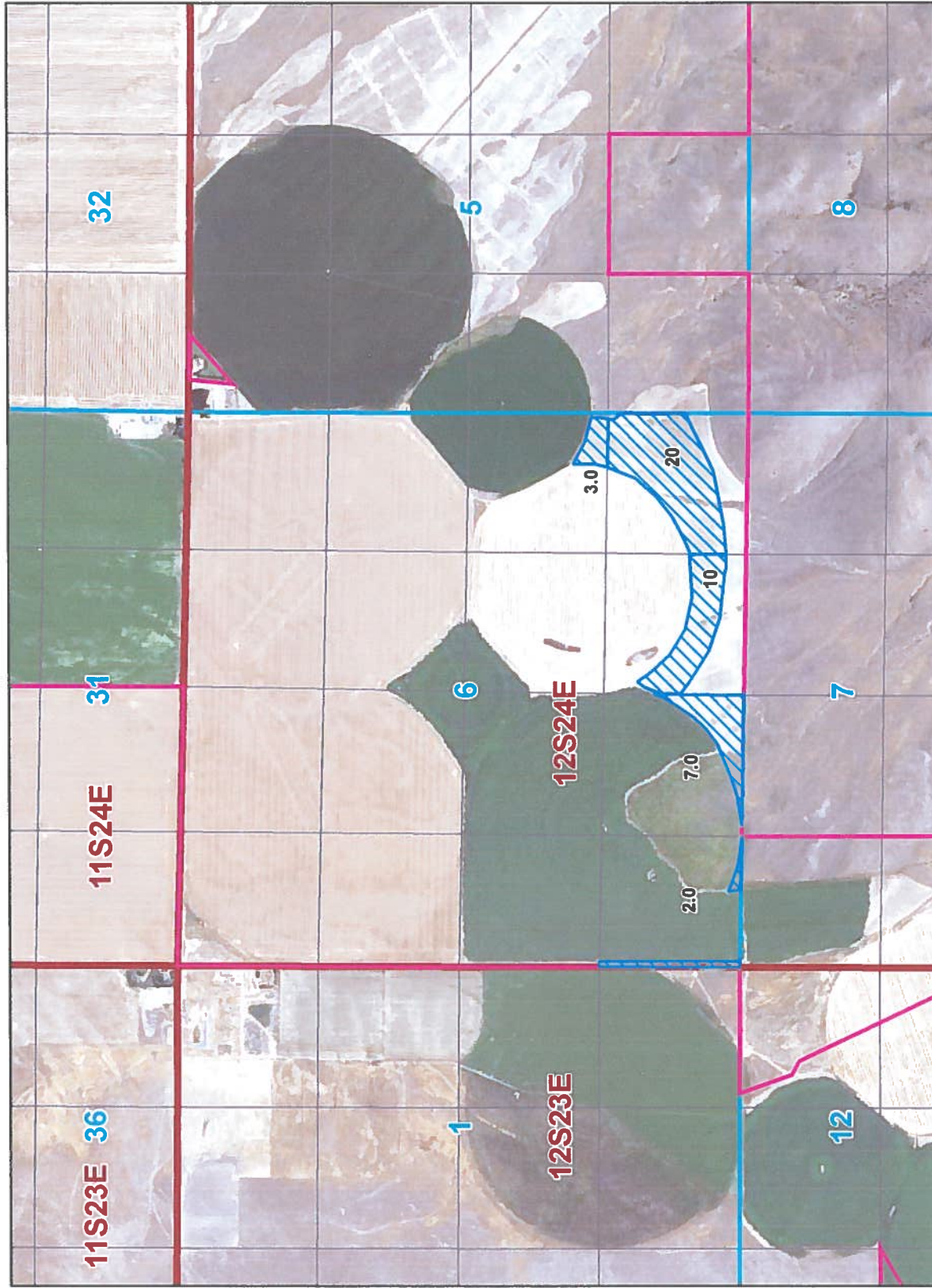
Printed Name and Title*

Date

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

Exhibit A
POD Descriptions

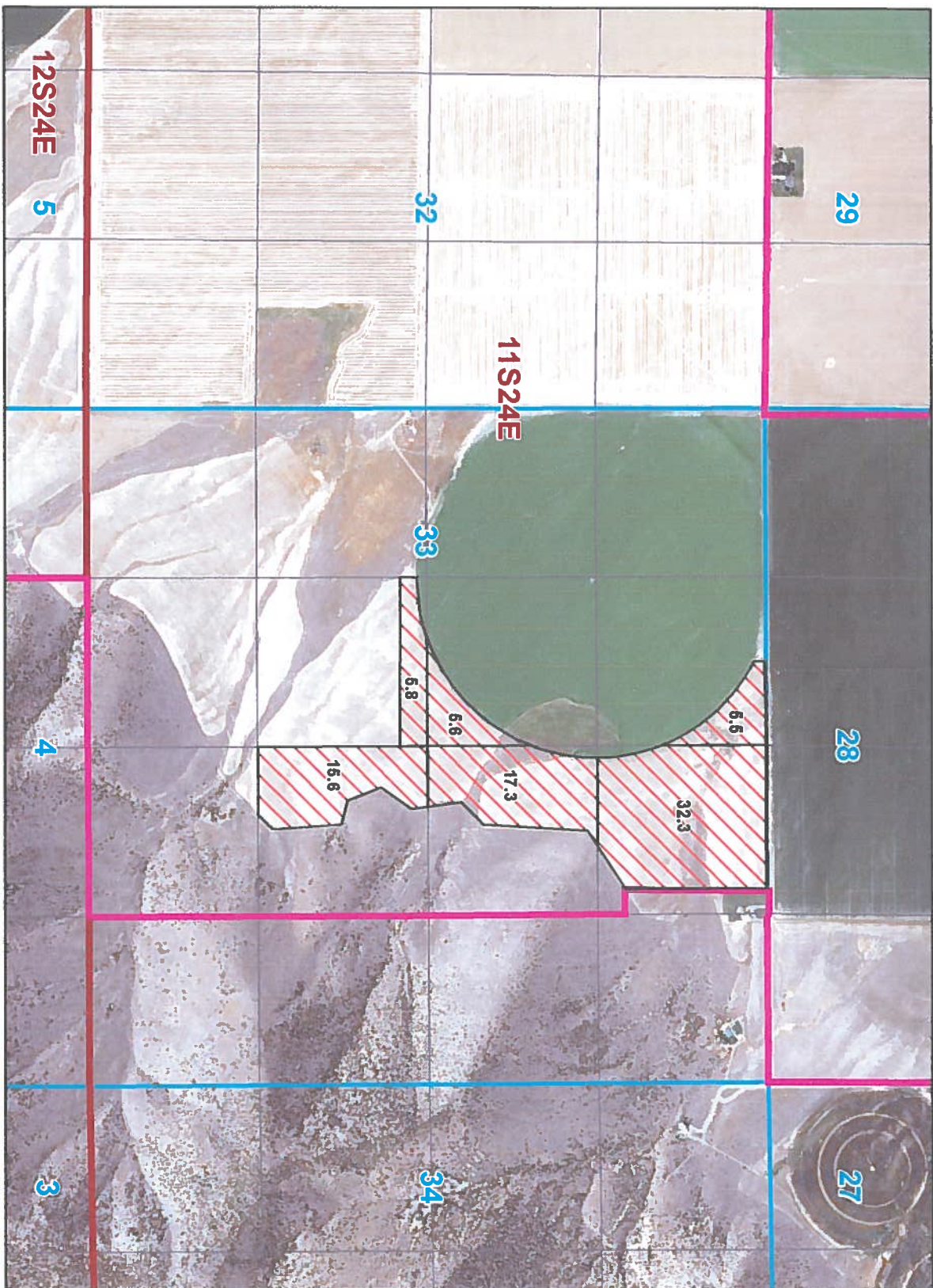
Lot	1/4	1/4	1/4	SEC.	Twp	Rge	County	Source	Local Name or Tag#
	SW	NW	NE	32	11S	23E	Cassia	Ground Water	
	NW	SW	NW	32	11S	23E	Cassia	Ground Water	
	SW	SW	NW	32	11S	23E	Cassia	Ground Water	
	NE	NE	SW	32	11S	23E	Cassia	Ground Water	
	SW	NW	SW	28	11S	24E	Cassia	Ground Water	
	NW	SW	SW	28	11S	24E	Cassia	Ground Water	
	SW	SW	SW	28	11S	24E	Cassia	Ground Water	
	NE	NE	SE	30	11S	24E	Cassia	Ground Water	
	SE	SE	SE	30	11S	24E	Cassia	Ground Water	
		NE	NE	31	11S	24E	Cassia	Ground Water	
	NW	NW	NW	32	11S	24E	Cassia	Ground Water	
		NW	NW	32	11S	24E	Cassia	Ground Water	
	SE	SE	SE	32	11S	24E	Cassia	Ground Water	
	NE	NE	NE	32	11S	24E	Cassia	Ground Water	
	SW	SW	SW	32	11S	24E	Cassia	Ground Water	
	SE	NE	NW	32	11S	24E	Cassia	Ground Water	
	SE	SE	SE	26	11S	23E	Cassia	Ground Water	



0 750 1,500 3,000 Feet

SEARLE MOO VIEW COW PALACE
WATER BANK LEASE 42 AC., 45-13904
NAIP 2011 AERIAL

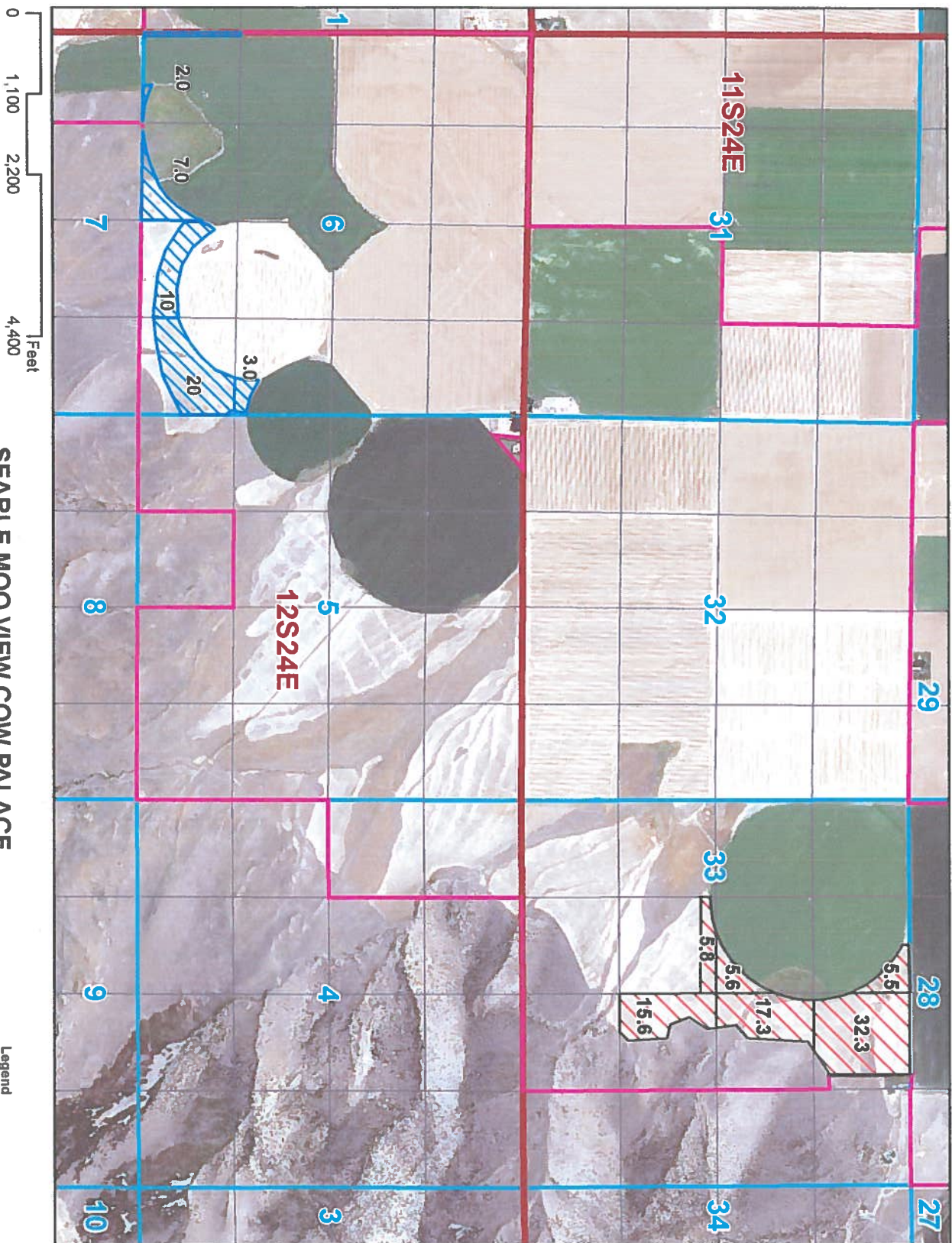




SEARLE MOO VIEW COW PALACE
WATER BANK LEASE, 82.1 AC., 2013
NAIP 2011 AERIAL

Legend

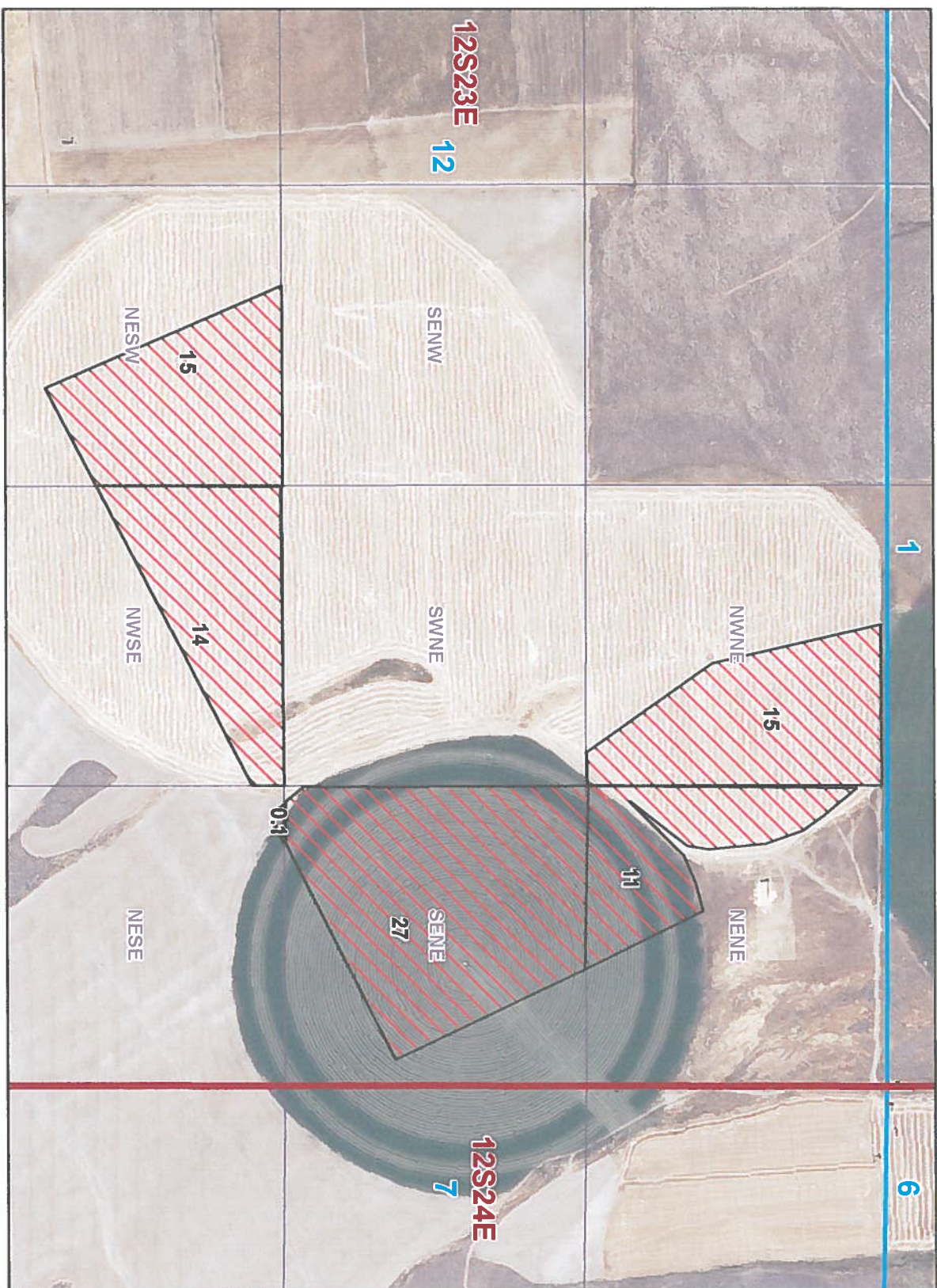
- WB Lease Ac 2013 82.1 Ac.
- CURRENT PPU
- Township_Range
- Section_Lines
- QQ_lines



SEARLE MOO VIEW COW PALACE
WATER BANK LEASE UPDATE 2013, 45-13904
NAIP 2011 AERIAL

Legend
 Leased 42 Ac, 45-13904
 WB Lease Ac 2013 82.1 Ac
 CURRENT PPU
 Township_Range
 Section_Line
 CO_Line





SEARLE MOO VIEW COW PALACE
IRRIGATION 2009 82.1 ACRES
NAIP 2009 AERIAL



Legend

-  Irrigation 82.1Ac
-  Township_Range
-  Section_Lines
-  QQ_lines



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3. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 4 AFA PER ACRE. COMBINED RIGHT NOS. 45-7004, 45-7186A, 45-7186B, 45-690 and 45-691.

Documentation of Ownership of the Current Place of Use

IDWR RECORDS

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

PLACE OF USE WILL BE REDUCED AS 88 ACRES OF IRRIGATION WILL BE DRIED UP AND

CONVERTED TO A DAIRY.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 71925
 Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 45-13905

Priority Date: November 16, 1974

Origin:

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.22 CFS	155.7 AFA	
COMMERCIAL	01/01 12/31	0.09 CFS	63.1 AFA	
Total Diversion		0.30 CFS	218.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENENE Sec. 31 Twp 11S Rge 24E CASSIA County

GROUND WATER NWNWNW Sec. 32 Twp 11S Rge 24E CASSIA County

GROUND WATER NWNWNW Sec. 32 Twp 11S Rge 24E CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 3 interconnected wells to pivots and new dairy site

Point of Diversion # 2 3 interconnected wells to pivots and new dairy site

Point of Diversion # 3 3 interconnected wells to pivots and new dairy site

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	23E	12	X	X	X	X					X	X			X	X			

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	23E	12	X	X	X	X				X									

Transfer No. 71925

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3B**

PORTION OF RIGHT No. 45-7186B BEING TRANSFERRED

Priority Date: November 16, 1974

Origin:

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.30 CFS	218.8 AFA	
	Total Diversion	0.30 CFS	218.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NENE	Sec. 31 Twp 11S Rge 24E CASSIA County
GROUND WATER	NWNW	Sec. 32 Twp 11S Rge 24E CASSIA County
GROUND WATER	NWNW	Sec. 32 Twp 11S Rge 24E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	23E	12		20.0	34.0					34.0									88.0

Total Acres: 88

LAND
BEING
DRIED UP

(SECTION 12
T12S, R23E)

20 acres

34 acres

34 acres

12

Transfer 71925 Points of Diversion

