

Field, Christine

From: Van Bussum, Monica
Sent: Wednesday, January 30, 2013 10:37 AM
To: Field, Christine
Subject: FW: submission of 2 water rights to the water supply bank 13-962, 13-963
Attachments: 13-962, 963 water bank applications 1-30-2013 (signed).pdf

FYI – can you gather the files and put them on a 14-day call-up? We have to get these processed by March 1. Can I count on you to keep an eye on the time?

Monica

From: Conder, Claudia [<mailto:Claudia.Conder@PacifiCorp.com>]
Sent: Wednesday, January 30, 2013 10:35 AM
To: Van Bussum, Monica
Cc: Stenberg, Mark
Subject: RE: submission of 2 water rights to the water supply bank 13-962, 13-963

Thanks Monica.
Here's the cover letter and applications electronically. They're going in the mail today.

*Claudia Conder
Property Agent/Water Rights Administrator
1407 W. North Temple #110
Salt Lake City, UT 84116
801-220-2252 (office)
801-541-3594 (cell)*

From: Van Bussum, Monica [<mailto:Monica.VanBussum@idwr.idaho.gov>]
Sent: Wednesday, January 30, 2013 10:18 AM
To: Conder, Claudia
Subject: RE: submission of 2 water rights to the water supply bank 13-962, 13-963

Hi Claudia,

The IWRB meets in March but we can review those leases without going before the IWRB as long as the lease period is 5 years or less. We should be able to get those done by March 1. Yes, we will need the W9 submitted at the same time. Thanks! Good to hear from you again.

Monica

MONICA VAN BUSSUM

Sr. Water Resource Agent
Coordinator, State Water Supply Bank
Idaho Department of Water Resources
322 East Front Street
PO Box 83720
Boise, ID 83720-0098
(208) 287-4907
Fax: (208) 287-6700

From: Conder, Claudia [<mailto:Claudia.Conder@PacifiCorp.com>]
Sent: Wednesday, January 30, 2013 8:56 AM
To: Van Bussum, Monica
Cc: Stenberg, Mark
Subject: submission of 2 water rights to the water supply bank 13-962, 13-963

Hi Monica. I am getting ready to submit two applications to you for the above referenced water rights. When does the water supply board meet next? How long would you anticipate it would take to process these? Both rights have been protected from forfeiture by approval of an application for extension of time to avoid forfeiture which was approved on June 8, 2007. The extension expires on March 1, 2013. Because of this expiration date, we are in need of getting these processed and approved by that date (March 1, 2013). Also, do you need us to submit a W-9 form with these?

Thanks in advance for your help. I will send you an electronic copy of the applications later today.

*Claudia Conder
Property Agent/Water Rights Administrator
1107 W. North Temple #110
Salt Lake City, UT 84116
801-220-2252 (office)
801-511-3591 (cell)*

WSB No. _____
 Receipt No. _____
 Date/by _____
 (For Department Use Only)

STATE OF IDAHO
 WATER RESOURCE BOARD

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

Name of Seller/Lessor PacifiCorp, (formerly Utah Power & Light Co) Phone 801-220-2252
 Mailing address attn: Claudia Conder 1407 W. North Temple #110 SLC, UT 84116 Email claudia.conder@pacificcorp.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.

<u>Water Right Number</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>13-962</u>	<u>1500 cfs</u>	<u>hydro power non-consumptiv</u>	<u>01/01</u> to <u>12/31</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
Total Amount: <u>1500 cfs</u>			

2. Source of water Bear River tributary to Great Salt Lake

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County

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	

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

B. OWNERSHIP

- 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.
- 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.

~~The diversion system consisting of a dam and flume was removed in 2006.~~

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

~~13-962 is the non-consumptive flow right for use of 1500 cfs at the Cove hydroelectric development.~~

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. Non-use extension was granted by IDWR for five years that expires on March 1, 2013.

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 03/01/2013 to 02/28/2018 (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.

~~PacifiCorp is interested in leasing the water to the water supply bank for up to five (5) years while it determines the best possible alternative for use of the water.~~

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*

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