



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

May 1, 2002

Michael E. Petersen  
11399 E. Barker Rd  
Kuna, ID 83643

**RE: APPLICATION TO LEASE WATER RIGHT NO. 63-11343 TO THE WATER  
SUPPLY BANK**

Dear Mr. Petersen:

The department has reviewed the Application to Sell or Lease a Water Right to the Water Supply Bank ("bank") that James Steelsmith submitted to this office on your behalf. Please consider that the offered water right is accepted into the bank.

Several items to keep in mind in connection with the lease of the right to the bank are as follows:

1. There is no rental payment to the owner of the water right if the right or a part thereof is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not confirm the validity of the right or any elements of the water right.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.  
Chief, Water Allocation Bureau

c: 63-11343  
James Steelsmith  
W. Region

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Form No. 42-1781  
3-92

Department of Water Resources

Water Supply Bank Department of Water Resources

Water Right No. \_\_\_\_\_

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WATER RESOURCES  
WESTERN REGION

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

Name of Seller/Lessor Michael E. &/or Ida Jean Petersen Phone (208)- 562-0293Post office address 11399 E. Barker Rd., Kuna, Id 83643**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. \_\_\_\_\_ Issued by the Idaho Department of Water Resources.

c. Permit No. 63-11343 Issued by the Idaho Department of Water Resources.2. Source of water Groundwater tributary to N/A3. Date of priority 06/21/1990

## 4. Water is used for the following purposes:

amount 0.36cfs for irrigation purposes from 3/15 to 11/15

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(month/day — both dates inclusive)5. Total amount of water under right: a. 0.36 cubic feet per second  
&/orb. 81.0 acre feet per annum6. Location of point of diversion is NW ¼ of NE ¼ of Section 10Township 1N Range 1E, B.M. in Ada CountyAdditional points of diversion, if any None

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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 |        |
| 1N   | 1E    | 10   |     | 18  |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 18     |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 18

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. \_\_\_\_\_ cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum

2. Point of diversion \_\_\_\_\_ ¼ \_\_\_\_\_ ¼, Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_, B.M., \_\_\_\_\_ 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 |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

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

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

Applicant purchased land and all appurtenant water rights.

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

2001 old owner reported ground was left fallow, pending sale of property.

1997-2000 18 acres of alfalfa were raised each year. Also reported by old owner.

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

More than adequate water has been available since completion of irrigation system.

See attached drillers report and Beneficial Use Report completed 8/16/1993.

If water is leased from water bank leasee will have to provide their water data.

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 continue to receive water from any source? If so, describe.

Yes. 10 acres in the NW NE Sec 10 R1E T1N will receive surface water from storage against Water Right # 63-9937. See copy of attached mitigation plan.

Source Indian Creek Sand Cr.

plus - 19ac in NWNE - Sec 10, T1N, R1E

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

N/A

6. 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 owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

N/A

7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.

N/A

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9. Remarks

*OKA*  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

\_\_\_\_\_ For sale

XX For lease for period from \_\_\_\_\_ to Dec 31, 2004  
 (year) (year)

\_\_\_\_\_ 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) \$11.00 - See Ltr dated 4-28-02 VLS

\$200.00 per acre ft per year. (could be negotiable) Primary water rights are

at a current market value of \$2,000.00 per acre. The payment value is 10% of the current market value per acre per year.

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

XX 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.

3/13/02  
 (Date)

Michael E. Petersen  
 (Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by SL Date 3/14/02 Preliminary check by \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Received \_\_\_\_\_

Recommended for \_\_\_\_\_ approval \_\_\_\_\_ denial by \_\_\_\_\_

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