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Form 42-1761-1 08/11

OCT 25 2012

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
WATER RESOURCE BOARD

WSB No. _____

Receipt No. 2096157Date/by 10-25-12 HO

(For Department Use Only)

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

Name of Seller/Lessor LTS Limited Liability Company Phone (307)275-6909
 Mailing address 19 Westview Drive, Afton, WY 83110 Email derekjohnson44@hotmail.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.

1. <u>Water Right Number</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>24-10782</u>	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____

Total Amount: _____

2. Source of water _____ tributary to _____

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

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.

Records indicate that the diversion is off of Jackknife Creek and is conveyed by ditch to the place of use.

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

No other water rights are used at the place of use described above.

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. Current owner purchased this property in 09 of 2009. It is unknown when water right was used before that. IDWR has indicated that owner has until Water Year 2013 to put in water bank or use.

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.

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 12/1/2012 to 12/1/2017 (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.

Derek Johnson
Signature of Applicant

DEREK JOHNSON President LTS LLC
Printed Name and Title*

10/22/2012
Date

Signature of Applicant

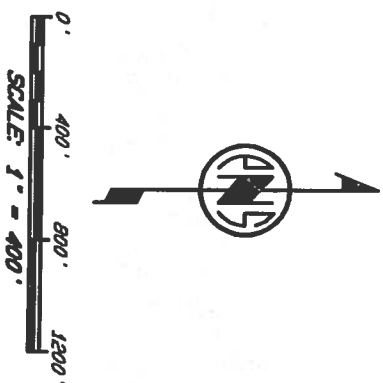
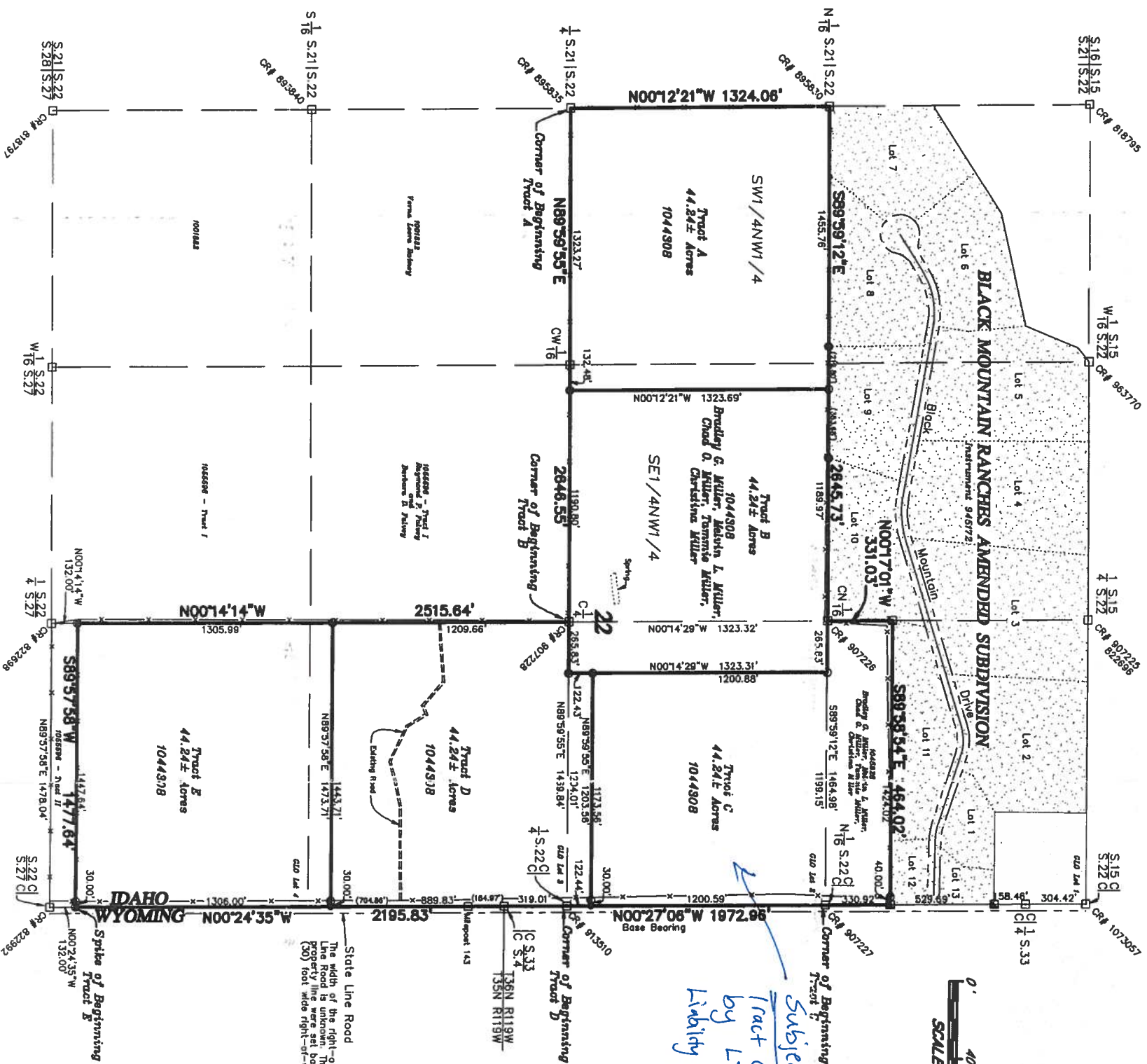
Printed Name and Title*

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

SECTION 22
T4S R46E



CERTIFICATE OF SURVEYOR
STATE OF IDAHO)
COUNTY OF BONNEVILLE) SS.
I, Scott A. Scherbel of Big Piney, Wyoming, hereby certify that this plat was made from notes taken during an actual survey made by persons under my supervision during May, June, and July 2003 and from records in the Office of the Recorder of Bonneville County and it correctly represents that survey and those notes.



The foregoing instrument was acknowledged before me by Scott A. Scherbel this _____ day of _____, 2003.
Witness my hand and official seal.

Notary Public

Subject Property
Tract C - Owned
by LTS Limited
Liability Company

- LEGEND
- Indicates a Corner Record filed in the Office of the Recorder of Bonneville County, Idaho or in the Office of the Clerk of Lincoln County, Wyoming.
 - Indicates a 2" iron pipe with a 3" brass cap inscribed, "PAUL N SCHERBEL PLS 3990 BIG PINEY WYOMING", with appropriate details, found.
 - Indicates a 5/8" x 24" steel reinforcing rod with a 2" aluminum cap inscribed: "SURVEYOR SCHERBEL LTD BIG PINEY WY PLS 3990", with appropriate details, found.
 - Indicates a 5/8" x 24" steel reinforcing rod with a 2" aluminum cap inscribed: "SURVEYOR SCHERBEL LTD BIG PINEY WY PLS 3990", with appropriate details, found.
 - Indicates a 5/8" steel reinforcing rod with aluminum cap inscribed, "PE/LS 2282", with appropriate details, found.
 - Indicates a 3/8" x 12" steel spike, set this survey.
 - x—x—x— Indicates an existing fence line.
 - x—x—x— Indicates right-of-way.

The Base Bearing for this survey is the east line of GLO Lot 1 and GLO Lot 2 of Section 22, T4S R46E, being N00°27'06"W.

ADVANCE PLAT
SUBJECT TO CORRECTION
AND APPROVAL

BRADLEY G. MILLER, MELVIN L. MILLER,
CHAD O. MILLER, TAMMIE MILLER,
CHRISTINA MILLER
PLAT OF TRACTS
WITHIN THE
S1/2NW1/4
GLO LOT 1
GLO LOT 2
GLO LOT 3
GLO LOT 4
SECTION 22
T4S R46E
BONNEVILLE COUNTY, IDAHO

DATE: 17 JULY 2003
BY: Bill Hore
PROF: 17 JULY 2003
MAP: 17 JULY 2003
FIELD BOOK: 17 JULY 2003
COMPUTER FILE: D:\Miller.DOC

SURVEYOR SCHERBEL LTD.
PROFESSIONAL LAND SURVEYORS
14396 BIG PINEY -- MARLBOROUGH, WYO -- TEL: 307-738-5897 FAX: 307-738-5897
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INSTRUMENT NO. _____
DATE: _____ TIME: _____
RECORDED BY: _____
RECORDED OR SURVEY BY: _____

RECORDED BY: _____
DATE: _____
TIME: _____
RECORDED BY: _____
RECORDED OR SURVEY BY: _____

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