

RECEIVED

AUG 29 2012

STATE OF IDAHO
WATER RESOURCE BOARDWATER RESOURCES
WESTERN REGIONWSB No. _____
Receipt No. WP40530
Date/by 8/29/12 SL
(For Department Use Only)
\$500 e 3 AprAPPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKName of Seller/Lessor PIR, Inc. Phone 208-462-3626
Mailing address 33 Spring Gulch Rd. Garden Valley, Id. 83622 Email slkane@frontiernet.net

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>65-8290</u>	<u>.32 cfs</u>	<u>Irrigation</u>	<u>4/01</u> to <u>11/01</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____

Total Amount: .32 cfs

2. Source of water Scraper Creek tributary to Middlefork of Payette River

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	1/4	1/4	1/4	County
<u>10N</u>	<u>04E</u>	<u>22</u>		<u>NW</u>	<u>SW</u>		<u>Boise County</u>

4. Lands irrigated or place of use: *See Part D for additional information regarding place of use.

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>10N</u>	<u>04E</u>	<u>22</u>																<u>4.0</u>	<u>4.0</u>
<u>10N</u>	<u>04E</u>	<u>23</u>							<u>3.0</u>	<u>1.0</u>	<u>20.0</u>	<u>39.0</u>	<u>29.0</u>	<u>16.0</u>					<u>108.0</u>
<u>10N</u>	<u>04E</u>	<u>26</u>						<u>2.0</u>	<u>1.0</u>										<u>3.0</u>
<u>10N</u>	<u>04E</u>	<u>27</u>	<u>9.0</u>	<u>2.0</u>															<u>11.0</u>

If the right is for irrigation, show total number of acres offered to the bank. Total Acres 126

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.

Rock dam built in Creek housing a 12" pipe to feed system

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

65-3223, 30 acres used, 65-3222 - 126 acres all in irrigation

3. Will the present place of use continue to receive water from any source? Yes
- ☒
- No
- ☐

If yes, describe. Scriber Creek supplies all our water rights

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. see "Application for Extension of Time to avoid Forfeiture of Water right" copy attached.

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 10/15/2012 to 10/15/2017 (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.

John F. Ruse
Signature of ApplicantPresident PTR Inc
Printed Name and Title*8/29
DateGandra L. Kane
Signature of ApplicantSec/Treasurer, PTR Inc.
Printed Name and Title*8/20/2012
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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 29 2007

WATER RESOURCES
WESTERN REGION

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

1. Name of water right holder PTR, Inc
2. Mailing address 33 Spring Gulch Road, Garden Valley, ID 83622
3. The right was obtained or is evidenced by:
- a. Decree to PTR, Inc in Case of SRBA NO. 39576
- vs. _____, Dated 2/13/2003 in 5th Judicial District
(Name of Court)
- Court, County of Twin Falls. Fully describe decree _____
- b. License No. _____ c. Claim No. _____
- d. SRBA No. 39576
4. Source of water Scriber Creek tributary to Payette River, Middle Fork
(Name of stream or source)
5. Date of priority of right 02/04/1928
6. Description of Right:
amount 0.32 CFS for Irrigation purposes from 4/01 to 11/01
(cfs/ac-ft)
- amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion NW 1/4 SW 1/4 of Sec. 22 Twp. 10N Rge. 04E County Boise

8. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	04E	22																4.0	4.0
10N	04E	23							3.0	1.0	20.0	39.0	29.0	16.0					108.0
10N	04E	26							2.0	1.0									3.0
10N	04E	27	9.0	2.0															11.0

Total Acres 126

SCANNED

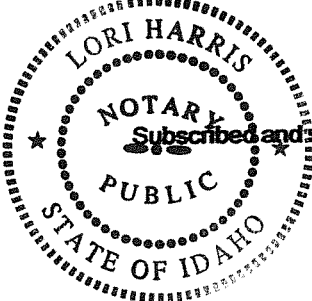
DEC 29 2007

9. Give the last date when water was put to beneficial use 10/10/07
Length of extension of time requested 5 years, or until N/A (Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use PTR, Inc, Committee No. 2 has struggled over the years to deliver water to its irrigators because of an antiquated delivery system which dates back to the late 1800's. At the close of the 2005 irrigation season, we hired a contractor to renovate the irrigation delivery system at a cost of \$26,000 dollars. The renovation entailed a new diversion; widening and deepening the existing open ditch to accommodate the flood irrigators above the Middle Fork Road; and a transition to a 12 inch pipe which provides pressure irrigation water to the 117 acres below the Middle Fork Road. Currently, we have extended the pressure system to the 13 acreages in the River Ranch Subdivision and will finish the build out of the entire system over the next five years. If the extension of time is granted, PTR, Inc, Committee No. 2 will show beneficial use of the entire water right by the end of the next five year period.

The information contained in this application is true to the best of my knowledge.

John F. Tule
(Signature of Applicant)



Subscribed and sworn to before me this 29 day of November, 20 07

Lori Harris
(Notary Public)

My commission expires 12-12-2012 Residing at Boise, Idaho

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby approve said application subject to the following conditions or reasons:

The right holder shall resume beneficial use of water on or before October 15, 2012.

Signed this 31st day of March, 20 09

[Signature]
Chief, Water Allocation Bureau

FOR DEPARTMENT USE ONLY

Date Received 11/29/07 FEE Received by SC Date 11/29/07 Receipt # \$100 W036008
Preliminary T by AD Publication prepared by DB Pub. approved by _____ Date _____
Published in IDAHO WORLD Dates Published FEBRUARY 18 & 25, 2009
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for - APPROVAL / DENIAL By _____

SCANNED

DEC 29 2008

