

RECEIVED

AUG 29 2012

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
WATER RESOURCE BOARDWSB No. _____
Receipt No. 12040536
Date/by 8/29/12 SL
(For Department Use Only)
#50003 APAPPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKName of Seller/Lessor RR, Inc. Phone 208-462-3626
Mailing address 33 Spring Gulch Rd., Garden Valley, Id. 83422 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>65-3223</u>	<u>5.40 cfs.</u>	<u>Irrigation</u>	<u>4/01</u> to <u>11/01</u>
			to
			to

Total Amount: 5.40 cfs.2. Source of water Scriber Creek tributary to Middlefork Payette River

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	1/4	1/4	1/4	County
<u>10 N</u>	<u>04 E</u>	<u>22</u>		<u>NW</u>	<u>SW</u>		<u>Baie 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>10 N</u>	<u>04 E</u>	<u>26</u>																	
<u>10 N</u>	<u>04 E</u>	<u>27</u>	<u>8</u>	<u>10</u>		<u>12</u>													<u>30</u>

If the right is for irrigation, show total number of acres offered to the bank. Total Acres 30

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 of 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.

65-3222 - 126 acres, 65-8290 - 126 acres all for irrigation

3. Will the present place of use continue to receive water from any source?

Yes ☒ No ☐If yes, describe. Source Creek supplies water for 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. Kane
Signature of ApplicantJohn F. Kane
Printed Name and Title*8/20/2012
DateSandra L. Kane
Signature of ApplicantSec/Treasurer R.R. 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

Water Right No. 65-3223

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 29 2007

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

WATER RESOURCES
WESTERN REGION

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 Email Kanej@frontier.net.
3. The right was obtained or is evidenced by:
 - a. Decree to PTR, Inc in Case of SRBA No. 39576
 - vs. TWIN Falls Dated 2/13/2003 in 5TH Judicial District
(Name of Court)
 - Court, County of Fully describe decree
- b. License No. 448111 c. Claim No. _____
- d. SRBA No. 39576
4. Source of water Scriver Creek tributary to Middle Fork, Payette River
(Name of stream or source)
5. Date of priority of right 09/26/1881
6. Description of Right:
amount 9.540 ~~1000~~ 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	26																	
10N	04E	27	8	10		12													30

Total Acres 30

SCANNED

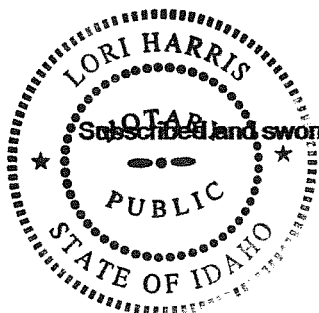
DEC 29 2007

9. Give the last date when water was put to beneficial use 10/01/07
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 focused almost entirely on developing Water Right 65-8290 and Water Right 65-3222. We are now focusing our attention to develop Water Right 65-3223 which lies between Scriver Creek and the bottom of the bluff to the north of Scriver Creek. One of the three irrigators using the water right has already made significant improvements to utilize the water in question and has been doing so for two years. The other two land owners have indicated they will begin making improvements in 2008. Because of its location, it requires each of the three land owners in question to develop separate diversions from the main lateral into gravity feed or pressurized systems to feed water to their portion of the 34 acres below the bluff. If the extension is granted, we are confident that we will have the necessary systems in place to show beneficial use of Water Right 65-3223 by the end of the next five year period.

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

(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

\$100

Date Received 11/29/07 FEE Received by SK Date 11/29/07 Receipt # W036008

Preliminary ☒ by SK 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

