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APR 18 2012

DEPARTMENT OF
WATER RESOURCES

Form 42-1761-1 08/11

WSB No. _____
Receipt No. _____
Date/by _____
(For Department Use Only)STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKName of Seller/Lessor David O. Hunkley Phone 801 558 4342
Mailing address 3585. 2700 E. Declo ID 83323 Email hunkley@hdmn.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. Water Right Number 43-10597A Amount (cfs/ac-ft) 2.96 Nature of Use Irrigation Period of Use 3/15 to 11/15

_____ to _____
_____ to _____

Total Amount: _____

2. Source of water Ground tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
11S	27E	11		NE			CASSIA
11S	27E	11		SE			CASSIA
11S	27E	23		NE			CASSIA
11S	27E	23		SE			CASSIA

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 158.28

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:

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

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 4/15/12 to 4/15/13 (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.

David O. Hirth
Signature of Applicant

David O. Hirth, owner
Printed Name and Title*

13 April 12
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

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/10/2012

WATER RIGHT NO. 43-10597A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID O HINCKLEY 3500 N 2200 W SALT LAKE CITY, UT 84116 801-595-6339
Representative	ERO RESOURCES CORP C/O STEVE HANNULA 3314 GRACE ST BOISE, ID 83703 (208)373-7983
Original Owner	RAFT RIVER RANCHES INC PO BOX 11503 SALT LAKE CITY, UT 84147 (208)595-6322
Security Interest	WESTERN AG CREDIT FLCA 10980 SOUTH JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850 (800) 824-9198

Priority Date: 06/30/1985

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.96 CFS	

		6072 AF. COMBINED RIGHT NOS.: 43-02574D, 43-02576D, & 43-10597A.
3.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412 (6), IDAHO CODE.
4.	K04	THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-02574D & 43-02576D PURSUANT TO SECTION 42-1416B, IDAHO CODE.
5.	K06	THIS RIGHT IS LIMITED TO THE IRRIGATION OF 188.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates:

Licensed Date:

Decreed Date: 06/28/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 6072

Combined Rate Limit: 26.82

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



USDA United States Department of Agriculture
Farm Service Agency

Oct. 19, 2010



990.01

Digital Orthophotography
Not to Scale

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.



USDA United States Department of Agriculture
Farm Service Agency

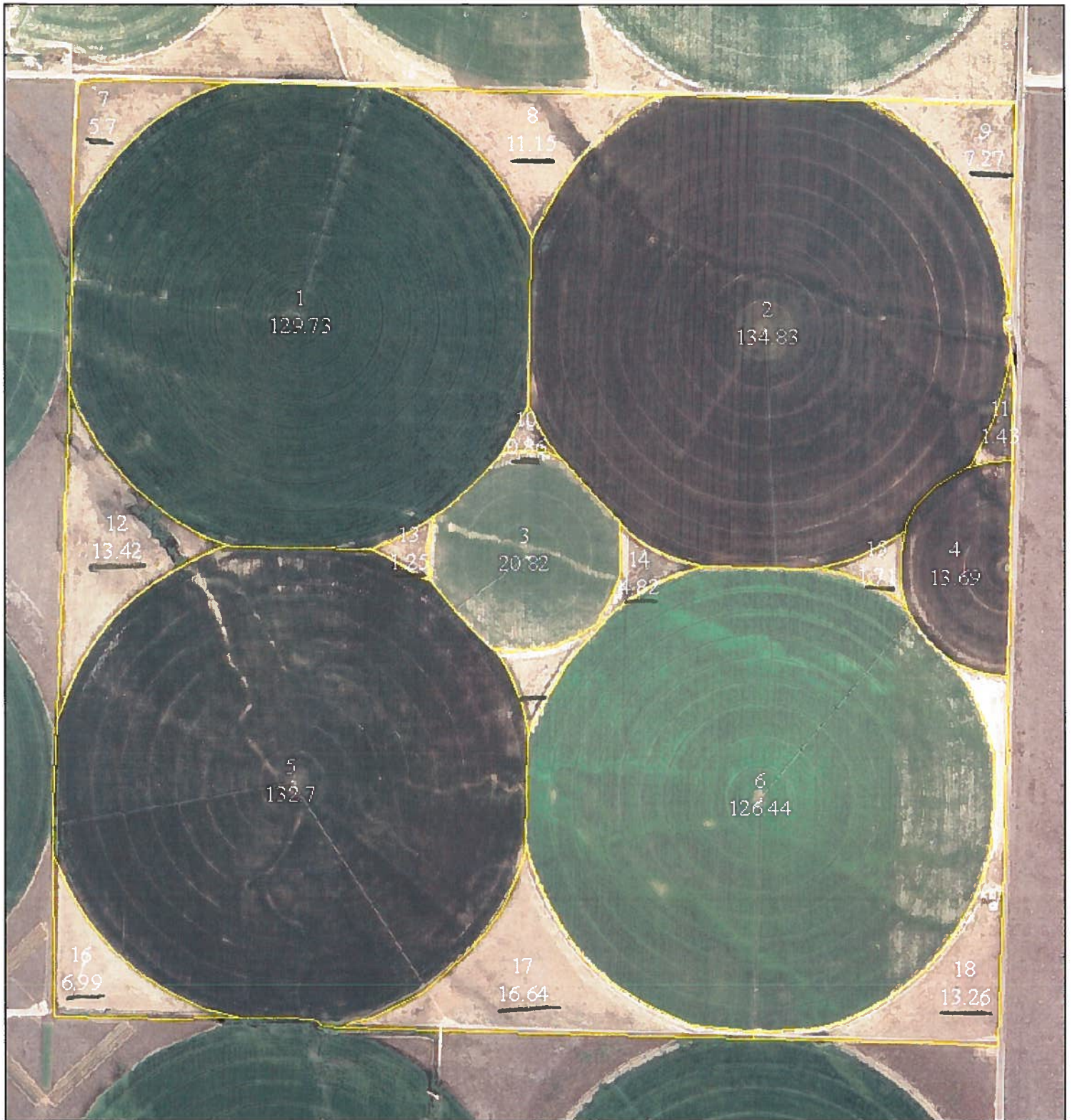
Oct. 19, 2010



498.87

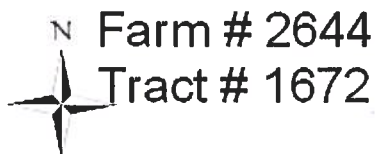
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Farm Service Agency

Oct. 19, 2010



1548.22

Digital Orthophotography
Not to Scale

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