

RECEIVED

OCT 04 2011

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
WATER RESOURCE BOARD

WSB No. _____

Receipt No. _____

Date/by _____

(For Department Use Only)

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKName of Seller/Lessor Telford Lands LLCPhone 1-208-532-4555Mailing address 1850 N 1450 W, Paul, IdahoEmail telfordsunvalleyseed@gmail.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.

Water Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use
34-618 & 34-7179 portion	.44/63.38	Irrigation	5/1 to 10/15
See attached spreadsheet			to
			to
Total Amount:	.44/63.38		

2. Source of water Big Lost River tributary to Sinks

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
5N	26E	4		NW	SE	SE	BUTTE

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	
			See attached spreadsheet. This water right is part of a stacked place of use for many water rights. The total proposed for rental for all water rights is 276.7 acres.																

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.

Water is diverted into a canal system at the Moore diversion, and then distributed to the Applicant's place of use.

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

See attached spreadsheets.

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 Nov. 2, 2009 to Nov. 2, 2014 (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.

Robert L. Harris
Signature of Applicant

Robert L. Harris, Attorney for Telford Lands LLC
Printed Name and Title*

Sept. 29, 2011
Date

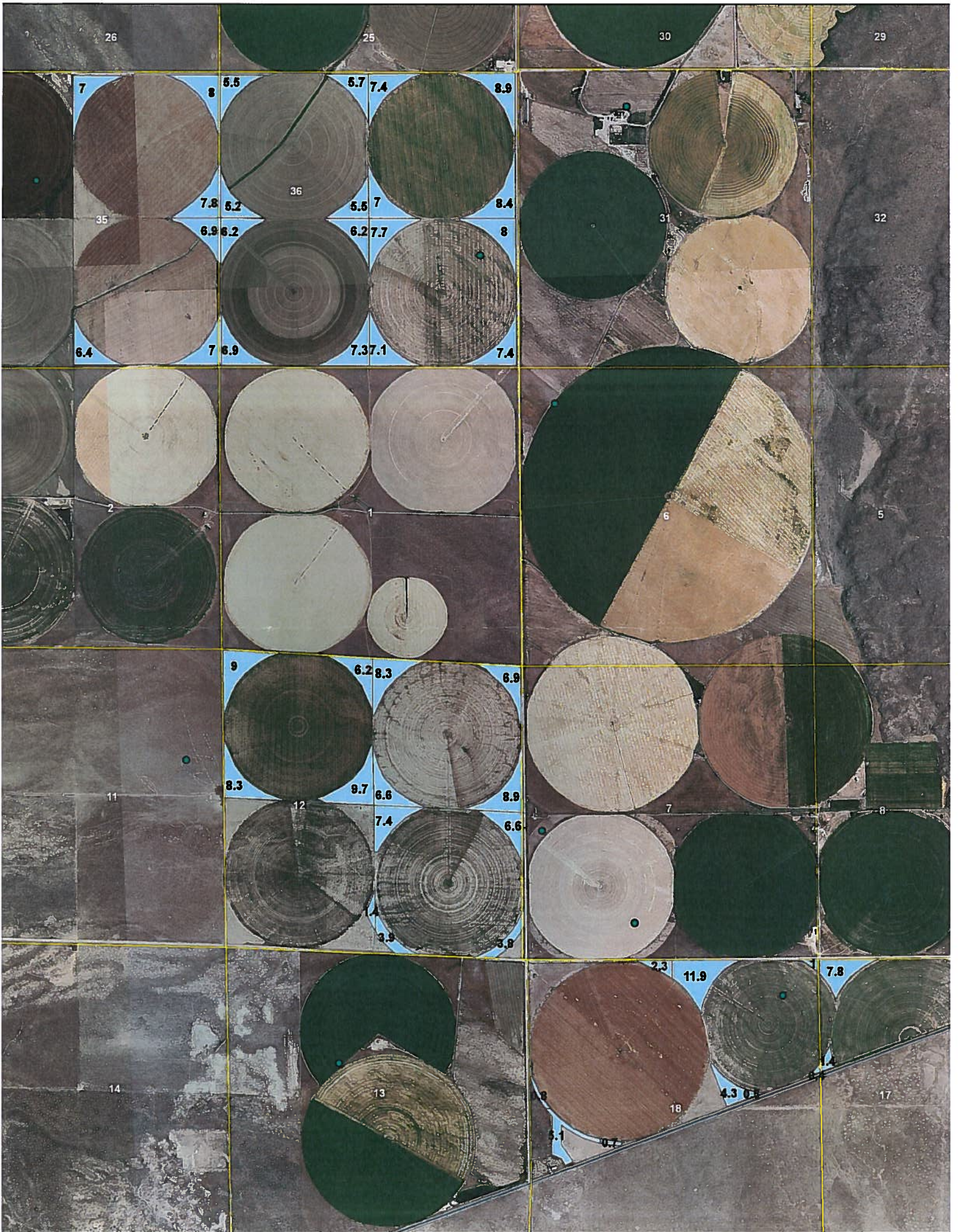
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Printed Name and Title*

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*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



TELFORD LANDS LLC WATER RIGHTS

ORIGINAL WATER RIGHT AMOUNTS

Water Right No.	Basis	Priority Date	Source	Beneficial Use	Point of Diversion	Individual Diversion Rate Limitation (cfs)	Combined Diversion Rate Limitation (cfs)	Individual Volume Limitation (AFA)	Combined Volume Limitation (AFA)	Individual Acre Limitation	Total Place of Use
34-618	Partial Decree	Sept. 1, 1864	Big Lost River	Irrigation	NWSESE 5N, 28E, Sec. 4	3.2	3.37	n/a	488.5	136	
34-7179 (portion)	Partial Decree	Apr. 6, 1862	Ground Water	Irrigation		0.17		n/a		none	
34-7179 (portion)	Partial Decree	Apr. 6, 1862	Ground Water	Irrigation		2.81		1185.5		122.5	
34-23308	Partial Decree	June 1, 1877	Ground Water	Irrigation	L2(NENWNE) 4N, 28E, Sec. 4 (Duff Price Well)	1.75		429		200	
34-7077	Partial Decree	Sept. 5, 1974	Ground Water	Irrigation	L3 (NENWNE) 4N, 28E, Sec. 5 (Nedmar well)	8		700		286	
34-70608	Partial Decree	Sept. 23, 1974	Ground Water	Irrigation	SNNWNNW 5N, 28E, Sec. 21 (Burnett Well)	5.33		1001		635	
34-7092	Partial Decree	Jan. 14, 1875	Ground Water	Irrigation	SENNWSE 5N, 28E, Sec. 28 (Babcock Well)	12	37.03	2222.5	6847.5	286	2124
34-7121A	Partial Decree	Jan. 9, 1876	Ground Water	Irrigation	SENNWSE 5N, 28E, Sec. 32 (N. McAffee Well)	0.48		189		316	
34-7121B	Partial Decree	Jan. 9, 1876	Ground Water	Irrigation	SENNWSE 5N, 28E, Sec. 32 (S. McAffee Well)	3.74		1106		87.5	
34-12376	Partial Decree	June 1, 1977	Ground Water	Irrigation	L3(NNNWNNW) 5N, 28E, Sec. 4 (River 2 Well)	1.25		306.3		71	
34-13840	Partial Decree	Apr. 6, 1862	Ground Water	Irrigation		1.26		248.5		140	
34-13842	Partial Decree	Dec. 17, 1975	Ground Water	Irrigation		0.46		199.2		43	
34-13659	Partial Decree	June 1, 1869	Big Lost River	Irrigation	NWSESE 5N, 28E, Sec. 4	0.87	None	None	180.5		
34-13661	Partial Decree	June 1, 1880	Big Lost River	Irrigation	NWSESE 5N, 28E, Sec. 4	1	None	None			
TOTALS						42.2	40.4	7564	7594.5	2326	2124

THE TOTAL ACRES LEASES IS 276.7 ACRES. AS A RATIO, 276.7/2124 = .1303% OF THE TOTAL ACRES LEASED. THIS IS THE RATIO USED TO CALCULATE THE WATER BANK DIVERSION VOLUME, AND ACREAGE AMOUNTS.

The diversion rate limitations for 34-618 and the portion of 34-7179 was calculated after review of the preliminary order approving the prior transfer.

WATER BANK AMOUNTS

Water Right No.	Individual Diversion Rate Limitation (cfs) .1303% of TOTAL	Combined Diversion Rate Limitation (cfs) .1303% of TOTAL	Individual Volume Limitation (AFA) .1303% of TOTAL	Combined Volume Limitation (AFA) .1303% of TOTAL	Individual Acre Limitation .1303% of TOTAL	Total Place of Use .1303% of TOTAL
34-618	0.42		n/a		18.11	
34-7179 (portion)	0.02	0.44	n/a	63.38		
34-7179 (portion)	0.34		154.44		none	
34-23308	0.23		55.89		15.96	
34-7077	1.04		91.19		26.05	
34-70608	0.69		130.40		37.26	
34-7092	1.58	4.82	289.53	806.07	82.72	276.70
34-7121A	0.06		22.02		37.26	
34-7121B	0.48		144.08		41.17	
34-12376	0.16		38.90		11.40	
34-13840	0.16		32.37		9.25	
34-13842	0.06		25.56		18.24	
34-13659	0.13	None	None	18.81	5.60	
34-13661	0.13	None	None			
TOTALS	5.50	5.26	985.39	888.06	303.02	276.70

TELFORD LANDS LLC WATER RIGHTS FOR WATER SUPPLY BANK LEASE

Twn	Rng	Sec	Water Rights				Acres	Q	QQ	QQQ	Sec	Rng	Twn		
			34-2330B	34-7077	34-7080B	34-7092									
4N	25E	36	NE	NE	NE	NE	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NW	NW	NW	NE	34-7121a	34-7121B	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SW	SW	SW	NE	7	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SE	SE	SE	NE	8.4	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NE	NE	NE	NW	5.7	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NW	NW	NW	NW	5.5	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SW	SW	SW	NW	5.2	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SE	SE	SE	NW	5.5	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NE	NE	NE	SW	6.2	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NW	NW	SW	SW	6.2	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SW	SW	SW	SW	6.9	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SE	SE	SE	SW	7.3	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NE	NE	SE	SE	8	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NW	NW	SE	SE	7.7	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	NW	NW	SE	SE	7.1	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	36	SE	SE	SE	SE	7.4	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	35	NE	NE	NE	NE	8	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	35	NW	NW	NW	NE	7	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	35	SE	SE	NE	NE	7.8	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	35	NE	NE	SE	SE	6.9	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	35	SW	SW	SW	SE	6.4	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
4N	25E	35	SE	SE	SE	SE	7	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	NE	NE	NE	NE	6.9	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	NW	NW	NW	NE	8.3	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	SW	SW	SW	NE	6.6	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	25E	12	SE	SE	SE	NE	8.9	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
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3N	25E	12	SE	SE	SE	SE	3.8	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	26E	17	NW	NW	NW	NW	7.8	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
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3N	26E	18	NW	NW	NW	SW	5.1	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
3N	26E	18	NE	NE	NW	SW	0.7	34-7121a	34-7179	34-12376	34-13840	34-13842	34-618	34-13659	34-13661
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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?

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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.

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Robert L. Harris
Signature of Applicant

Robert L. Harris, Attorney for Telford Lands LLC
Printed Name and Title*

SEPT. 28, 2011
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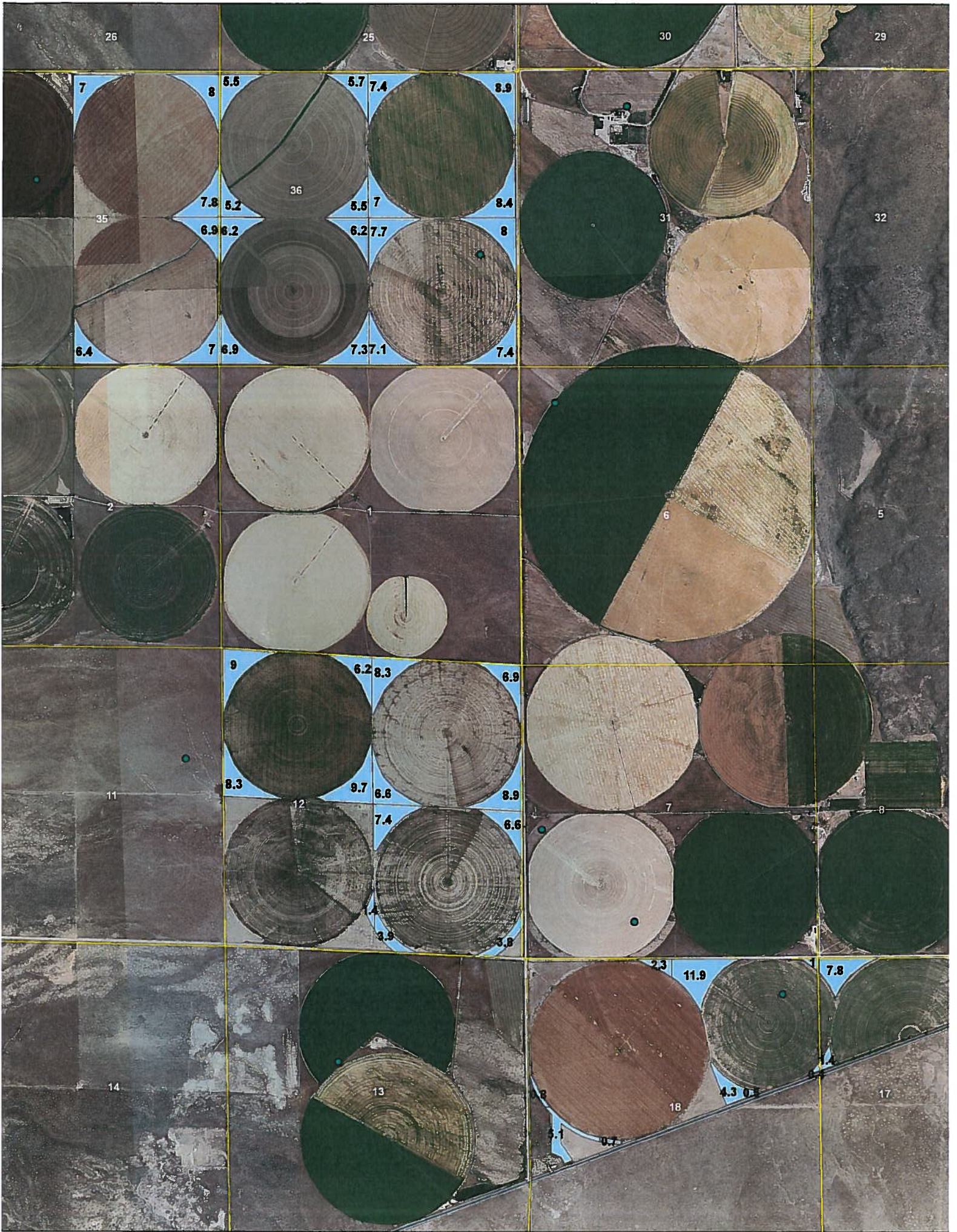
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Printed Name and Title*

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*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



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34-13861	Partial Decree	June 1, 1880	Big Lost River	Irrigation	NWSESE 5N, 28E, Sec. 4	1	None	None	180.5		
TOTALS						42.2	40.4	7564	7884.5	2326	2134

Water Right No.	Individual Diversion Rate Limitation (cfs) .1303% of TOTAL	Combined Diversion Rate Limitation (cfs) .1303% of TOTAL	Individual Volume Limitation (AFU) .1303% of TOTAL	Combined Volume Limitation (AFU) .1303% of TOTAL	Individual Acre Limitation .1303% of TOTAL	Total Places of Use .1303% of TOTAL
34-618	0.42	0.44	n/a	63.38	18.11	
34-7179 (portion)	0.02		n/a		none	
34-7179 (portion)	0.34		154.44		15.86	
34-23308	0.23		55.89		20.05	
34-7077	1.04		130.40		37.26	
34-70608	0.69		289.53		82.72	
34-7092	1.56	4.82	22.02	888.07	37.26	278.70
34-7121A	0.06		144.08		41.17	
34-7121B	0.49		39.90		11.40	
34-12376	0.16		32.37		9.25	
34-13840	0.16		25.56		18.24	
34-13842	0.08	None	None	18.81	5.80	
34-13859	0.13	None	None		None	
34-13861	0.13	None	None		None	
TOTALS	5.50	5.28	985.39	988.08	303.02	278.70

THE TOTAL ACRES LEASES IS 278.7 ACRES. AS A RATIO, 278.7/2134 = 13.03% OF THE TOTAL ACRES LEASED. THIS IS THE RATIO USED TO CALCULATE THE WATER BANK DIVERSION, VOLUME, AND ACREAGE AMOUNTS.

0.13027

The diversion rate limitations for 34-618 and the portion of 34-7179 was calculated after review of the preliminary order approving the prior transfer

TELFORD LANDS LLC WATER RIGHTS FOR WATER SUPPLY BANK LEASE

[illegible]