

RECEIVED
JAN 25 2012
DEPARTMENT OF
WATER RESOURCES

Water Supply Bank No. _____
(For Department Use Only)

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK

Name of Renter Del Kohtz Phone 208-312-1135

Mailing address 1135 Valley Rd. So., Eden, Id. 83325 Email delkohtzidwc@mindspring.com

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. <u>Maximum Flow Rate (cfs)</u>	<u>Maximum Volume (ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>1.42cfs</u>	<u>449.4ac-ft</u>	<u>Irrigation</u>	<u>04/01</u> to <u>10/31</u>
<u>3.19cfs</u>	<u>1140ac-ft</u>	<u>Irrigation</u>	<u>04/1</u> to <u>10/31</u>
_____	_____	_____	_____ to _____

Total: _____

2. Source of water 61-12264, 61-12266, 61-10841 Groundwater tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
04S	05E	19		NW	NW	SW	Elmore
04S	05E	30		NW	NW	NE	Elmore

4. Lands to be irrigated or 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	
04S	05E	19									36.2	36.2	36.2	36.2	29.5	29.5	29.5	29.5	263
04S	05E	30	30	30	30	30													120

If the use is for irrigation, show total number of acres proposed through rental. Total Acres 383

B. OWNERSHIP

1. Do you own the land at the proposed point of diversion? Yes ☒ No ☐

If no, list owner, contact information, and provide documentation of the authority to use the proposed point of diversion. _____

2. Do you own the land at the proposed place of use? Yes ☒ No ☐

If no, list owner, contact information, and provide documentation of the authority to use the proposed place of use. _____

C. MAP

Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described by this application in section A. Include legal description labels.

D. GENERAL INFORMATION

1. Please provide a description of the proposed diversion system. Wells, Pumps, Mainlines and Pivots

2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.
none

3. Will the proposed place of use receive water from any other source? Yes ☐ No ☒
If yes, describe. _____

4. If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of water required. Attach additional sheets if needed. _____

5. Are there any other applications pending before the Department, such as an application for permit or transfer, for the same use(s) proposed by this rental? Yes ☐ No ☒
If yes, describe. _____

6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation? Yes ☐ No ☒
If yes, describe. _____

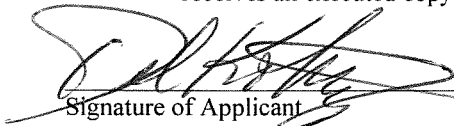
E. RENTAL TERM

1. Do you wish to rent water from the Board's bank for more than one (1) year? Yes ☒ No ☐
If yes, please specify the number of years desired through proposed rental. 5 years

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

If this application is approved, the applicant agrees to the following:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Renter shall comply with all applicable state and federal laws while using water under this agreement.
3. Renter shall hold the Board, the Director, and the state of Idaho harmless from all liability on account of negligent acts of the renter.
4. The Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
5. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
6. Renter is not authorized to use water proposed by this application until the rental fees are paid in full and the renter receives an executed copy of the agreement signed by the Director.



Signature of Applicant

Del Kohtz Owner

Printed Name and Title*

01/20/12

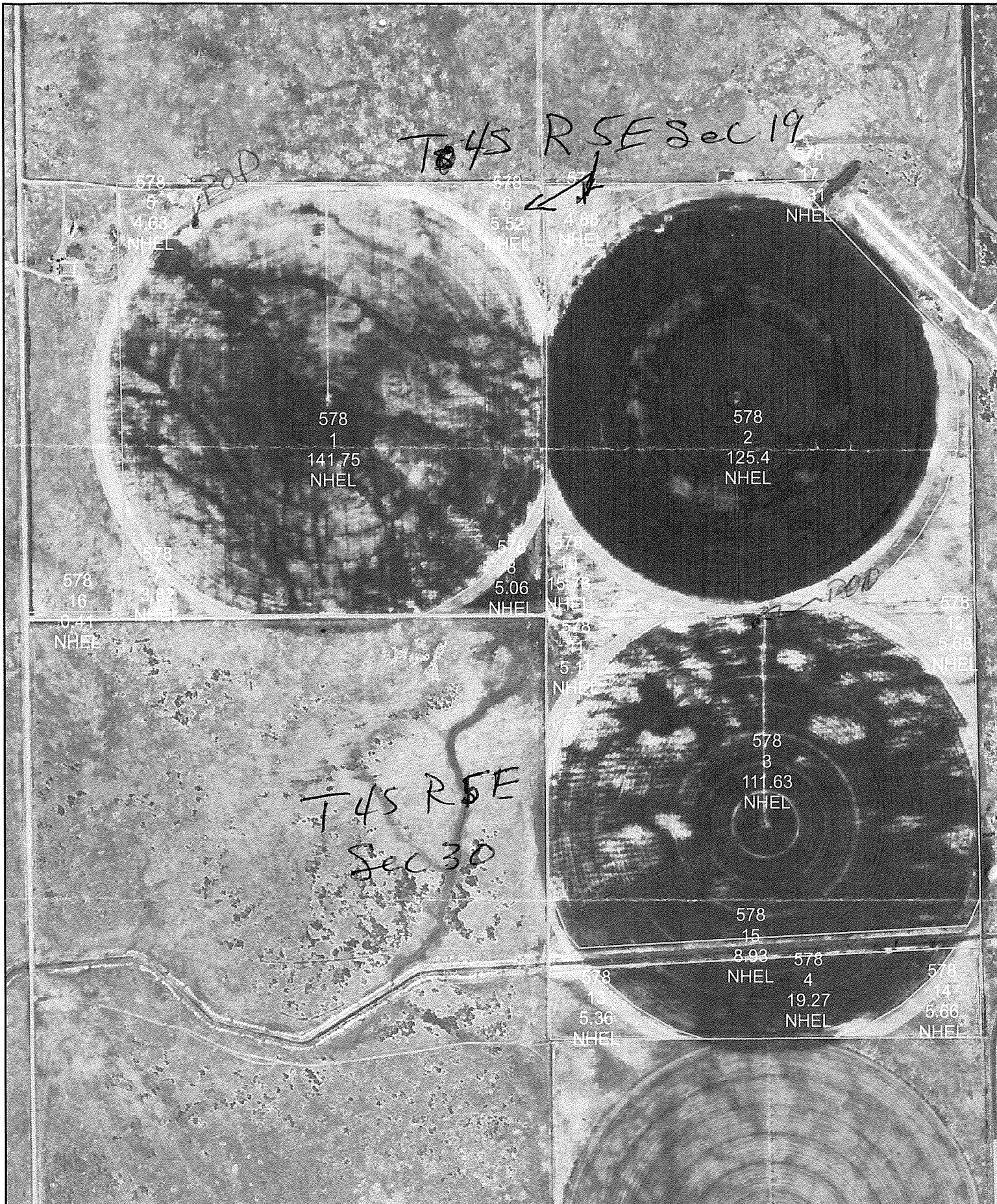
Date

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



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/23/2012

WATER RIGHT NO. 61-10841

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HELEN S PERCY
Current Owner	STEPHEN H PERCY
	PO BOX 248
	MOUNTAIN HOME, ID 83647-0248
	(208)587-4699
Original Owner	JOHN GOELET
	425 PARK AVE
	NEW YORK, NY 10016

Priority Date: 03/24/1970
Basis: Decreed
Status: Active
Water Supply Bank 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	4/01	10/31	4.6 CFS	1251 AFA
Total Diversion			4.6 CFS	

Location of Point(s) of Diversion:

GROUND WATER SESWSW Sec. 06 Township 03S Range 08E ELMORE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ELMORE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03S	07E	1	2	NWNE	4.5		SWNE	22.5		SENE	19			
			3	NENW	15	4	NWNW	5.2		SWNW	6.1		SENW	37
				NESW	6.4									
				NESE	33.2		NWSE	23		SWSE	9.2		SESE	19.6
		12		NENE	3									
	08E	6		SWNW	1.5									
				NESW	4.6	3	NWSW	13	4	SWSW	24	5	SESW	24
		7		NENW	0.8	1	NWNW	5.4						

Total Acres: 277

Conditions of Approval:

- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
1. C18 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.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.91 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1350 AF. COMBINED RIGHT NOS.:61-07069D, 61-07069E. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.54 CFS. COMBINED RIGHT NOS.: 61-00269, 61-00270.
 - 2.
 3. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER

- RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
4. IRRIGATION OF A COMBINED TOTAL OF 277 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:61-00269, 61-00275
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING
5. C15 WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
- THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
6. DESCRIBED ABOVE:61-07069D, 61-07069E. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS.61-07065 AND A PORTION OF 61-07069.

Dates:

Licensed Date:

Decreed Date: 10/26/2000

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: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 1350

Combined Rate Limit: 4.91

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Close

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

1/23/2012

WATER RIGHT NO. 61-12266

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	M PETER NIELSEN 4303 SW EASY ST MOUNTAIN HOME, ID 83647 (208)832-4382

Priority Date: 03/15/1977
Basis: Decreed
Status: Active
Water Supply Bank 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	0.31 CFS	
Total Diversion			0.31 CFS	

Location of Point(s) of Diversion:

GROUND WATER SENENW Sec. 19 Township 04S Range 05E ELMORE County

IRRIGATION Use:
Acre Limit: 28.9

Place(s) of use:

Place of Use Legal Description: IRRIGATION ELMORE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	05E	19		NENE	21.9		NWNE	11.4		SWNE	32.2			
				NENW	23.6		SWNW	7.4		SENE	33.2			

Total Acres: 129.7

Conditions of Approval:

1. T19

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. X27

This right is limited to the irrigation of 28.9 acres within the place of use described above in a single irrigation season.
3. X35

Rights 61-12264 and 61-12266 when combined shall not exceed a total diversion rate of 1.42 cfs, a total annual maximum diversion volume of 449.4 af at the field headgate, and the irrigation of 129.7 acres.
4. K01

Right 61-12266 is an enlargement of Right 61-12264 pursuant to Section 42-1426, Idaho Code.
5. F06

The following right is also diverted through point of diversion described above: 61-12264.

Dates:
Licensed Date:
Decreed Date: 10/26/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:

Close

DAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

1/23/2012

WATER RIGHT NO. 61-12264

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	M PETER NIELSEN 4303 SW EASY ST MOUNTAIN HOME, ID 83647 (208)832-4382

Priority Date: 04/23/1964
Basis: Decreed
Status: Active
Water Supply Bank 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	04/01	10/31	1.42 CFS	449.4 AFA
Total Diversion			1.42 CFS	

Location of Point(s) of Diversion:

GROUND WATER SENENW Sec. 19 Township 04S Range 05E ELMORE County

IRRIGATION Use:
Acre Limit: 100.8

Place(s) of use:

Place of Use Legal Description: IRRIGATION ELMORE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	05E	19		NENE	21.9		NWNE	11.4		SWNE	32.2			
				NENW	23.6		SWNW	7.4		SENE	33.2			

Total Acres: 129.7

Conditions of Approval:

1. T19

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. X27

This right is limited to the irrigation of 100.8 acres within the place of use described above in a single irrigation season.
3. X35

Rights 61-12264 and 61-12266 when combined shall not exceed a total diversion rate of 1.42 cfs, a total annual maximum diversion volume of 449.4 af at the field headgate, and the irrigation of 129.7 acres.
4. K01

Right 61-12266 is an enlargement of Right 61-12264 pursuant to Section 42-1426, Idaho Code. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown
5.

and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10-26-2000.
6. F06

The following right is also diverted through point of diversion described above: 61-12266.

Dates: