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SEP 01 2011

Form 42-1761-2  
09/09

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 U.S.D.I., BLM, Idaho State Office Phone (208) 373-3831

Mailing address 1387 S. Vinnell Way, Boise, ID 83709 Email fwprice@blm.gov

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>0.769</u>	<u>173.025</u>	<u>Irrigation</u>	<u>03/15</u>	to <u>11/15</u>
				to _____
				to _____
Total: <u>0.769</u>	<u>173.025</u>			

2. Source of water Ground Water tributary to \_\_\_\_\_

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
6N	4W	24		NE	NW	SW	Payette

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		
6N	4W	25					26.6	11.8												38.5

If the use is for irrigation, show total number of acres proposed through rental. Total Acres 38.45

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. Rod & Maureen Frisby (see attached explanation letter).

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. BLM owns W2NENW, S2NWNW, S25, T06N, R04W. BOR owns SENENW, S25, T06N, R04W (see BOR letter).

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. Existing well, pump, sprinklers and drip irrigation.  
38.45 ac x 0.02 cfs/ac = 0.769 cfs  
38.45 ac x 4.50 AFY/ac = 173.025 AFY
2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.  
63-31177, Frisby.
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. n/a
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. Application for water permit by BLM (copy attached).  
This leased water is to cover existing use by Frisby until water permit is approved.
6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation? Yes  No   
 If yes, describe. However, this water bank application seeks to bring existing water use into compliance with state law, so that BLM can consider a land use application by the Frisbys.

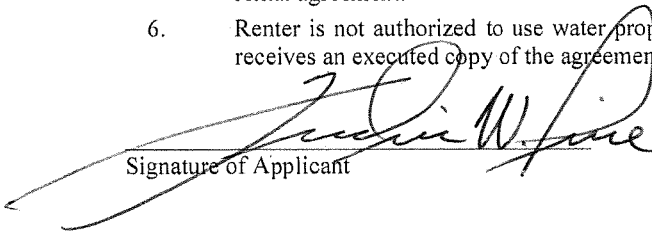
**E. RENTAL TERM**

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. \_\_\_\_\_

**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

Fredric W. Price, Water Rights Specialist  
Printed Name and Title\*

09-01-2011  
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

# A. 4. Place of Use

-Map showing acres within POUs

T06N R04W

NENW

26.63 acres total

NWNNW

11.82 acres total



## B. 1. POD Owner

-Frisby explanation letter.

Jul 21 11 10:36a  
Jul 21 11 10:33a

Mildred Graves  
Dr. Mike Cunningham

208 453 9695  
(208) 463-1400

p. 2

p. 1

BLM water bank permit.docx

Page 1 of 1

file

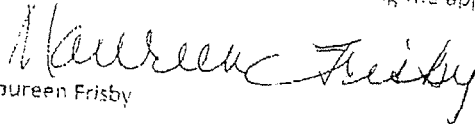
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To whom it may concern:

We are well aware of BLM is listing our well as a point of diversion on their applica  
from the water supply bank. BLM is filing the application on our behalf.

  
Maureen Frisby

7/21/11

## B. 2. POU Owner

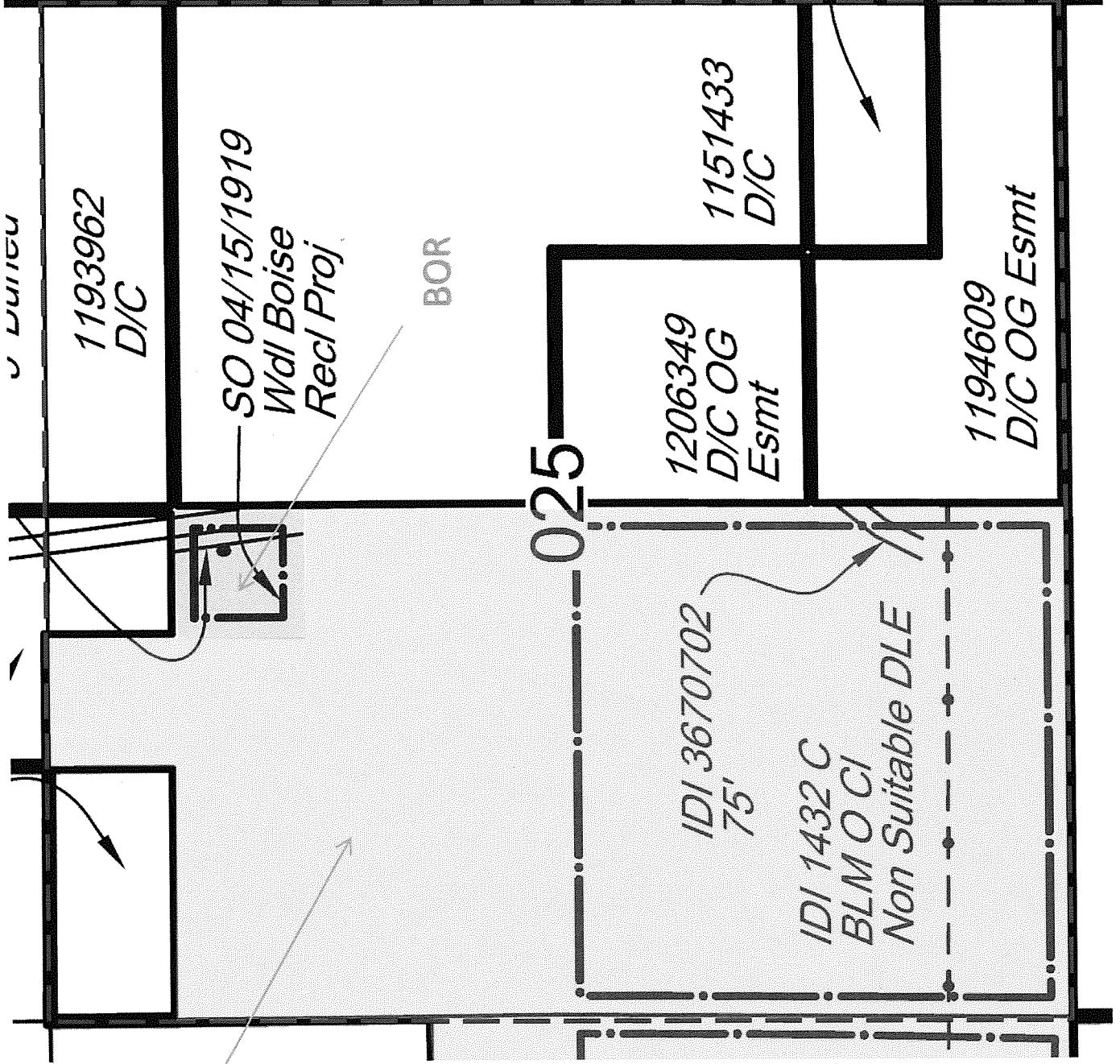
-MTP Blowup (T06N, R04W, S25)  
(federal ownership colored)

-MTP for T06N R04W  
(federal ownership entire township)

-BOR Letter (01-19-11) shifting  
administration to BLM so that BLM can  
permit land use activities on BOR land.

Master Title Plat - Blowup

T06N, R04W, S25



BLM

BOR

025

1193962  
D/C

SO 04/15/1919  
Wdl Boise  
Recl Proj

1206349  
D/C OG  
Esmt

1151433  
D/C

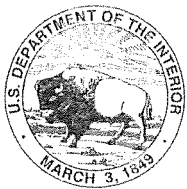
IDI 3670702  
75'

IDI 1432 C  
BLM O CI  
Non Suitable DLE

1194609  
D/C OG Esmt

1206349  
D/C OG  
Esmt





# United States Department of the Interior

## BUREAU OF RECLAMATION

Snake River Area Office  
230 Collins Road  
Boise, Idaho 83702-4520



**JAN 19 2011**

MSF-6114  
LND-5.00

Mr. Fred Price  
Water Rights Specialist  
BLM, Idaho State Office  
1387 Vinnell Way  
Boise, ID 83709

Subject: Partial Revocation of Secretarial Order April 15, 1919, and Surface Management of T6N, R4W, Sec. 25, SENENW, (Mr. Rod Frisby), Payette Division, Boise Project, Idaho

Dear Mr. Price:

As discussed with Mr. Will Geer, Realty Specialist, the land in question was withdrawn in 1919 as part of the Boise Reclamation Project and is located within the Black Canyon Irrigation District (BCID). The C-Line West Lateral was constructed across this tract and was in use until 2006 at which time the lateral was filled in and abandoned. BCID had identified this land as no longer needed for project purposes and the Bureau of Reclamation has initiated the process to revoke the withdrawal on this 10 acre tract.

At some point after abandonment of the lateral, Mr. Frisby began to farm these 10 acres and adjacent Bureau of Land Management (BLM) lands. The BLM is entertaining issuing Mr. Frisby a land use permit for the farming use on their lands.

After review of your e-mail dated January 4, 2011, and a reading of the Interagency Agreement (IA) dated December 1982 between Reclamation and the BLM, it is agreed that surface management of this tract by the BLM meets the intent of the IA and is most logical for the long term administration of this land.

If you have any questions or need further assistance, please contact Mr. Geer at 208-383-2220.

Sincerely,

  
Jeffrey J. Reavis  
Natural Resources Manager

cc: Mr. Roy Maxwell  
Manager  
Black Canyon Irrigation District  
P.O. Box 226  
Notus, ID 83656