

RECEIVED

SEP 01 2011

Form 42-1761-2
09/09DEPARTMENT OF
WATER RESOURCESWater Supply Bank No. _____
(For Department Use Only)STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANKName of Renter U.S.D.I., BLM, Idaho State OfficePhone (208) 373-3831Mailing address 1387 S. Vinnell Way, Boise, ID 83709Email fwprice@blm.gov

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. Maximum Flow Rate (cfs) Maximum Volume (ac-ft) Nature of Use Period of Use

0.769 173.025 Irrigation 03/15 to 11/15

0.769 173.025

Total: 0.769 173.025

2. Source of water Ground Water tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	1/4	1/4	1/4	County
6N	4W	24		NE	NW	SW	Payette

4. Lands to be irrigated or 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	
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*

Date

09-01-2011

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

A. 4. Place of Use

-Map showing acres within POU

T06N R04W

NENW

26.63 acres total

NWNW

11.82 acres total

18.03
BLM

8.60
BOR

0.70
BLM

11.12
BLM

25

SCANNED
MAR 20 2012

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

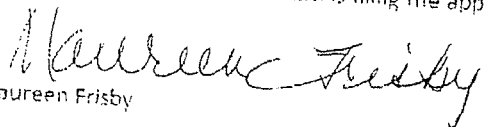
BLM water bank permit.docx

Page 1 of 1

File
Improve Your Experience With the Windows Live Sign-in Assistant, you do not need to sign-in when you open your documents in the Office applications. Install the Sign-in Assistant.

To whom it may concern:

We are well aware of BLM is listing our well as a point of diversion on their application 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

1193962
D/C

SO 04/15/1919
Wdl Boise
Recl Proj

ROB

025

1206349
D/C OG
Esmt

1151433
D/C

- 1206349
D/C OG
Esmt

1194609
D/C OG Esmt

IDI 3670702
75'

IDI 1432 C
BLM O CI
Non Suitab

TOWNSHIP 6 NORTH RANGE 4 WEST OF THE BOISE MERIDIAN, IDAHO

PAYETTE COUNTY 075
BOISE DISTRICT SEC. 1

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS
ORIGINAL SURVEY
SUBDIVISION

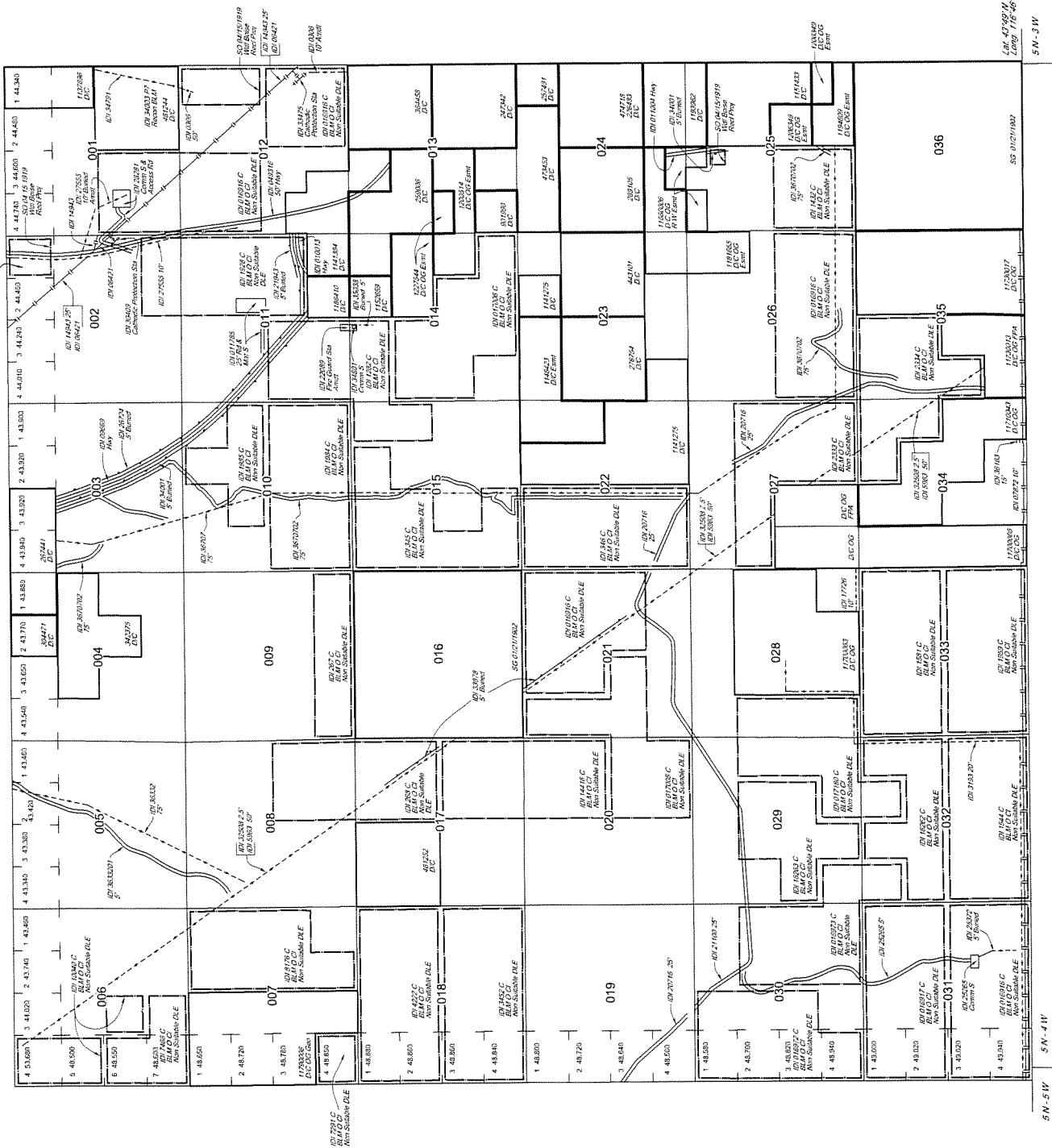
TRACT NO.	T	R	SEC.	SUBDIVISION
1	43	43	43	1
2	43	43	43	2
3	43	43	43	3
4	43	43	43	4
5	43	43	43	5
6	43	43	43	6
7	43	43	43	7
8	43	43	43	8
9	43	43	43	9
10	43	43	43	10
11	43	43	43	11
12	43	43	43	12
13	43	43	43	13
14	43	43	43	14
15	43	43	43	15
16	43	43	43	16
17	43	43	43	17
18	43	43	43	18
19	43	43	43	19
20	43	43	43	20
21	43	43	43	21
22	43	43	43	22
23	43	43	43	23
24	43	43	43	24
25	43	43	43	25
26	43	43	43	26
27	43	43	43	27
28	43	43	43	28
29	43	43	43	29
30	43	43	43	30
31	43	43	43	31
32	43	43	43	32
33	43	43	43	33
34	43	43	43	34
35	43	43	43	35
36	43	43	43	36
37	43	43	43	37
38	43	43	43	38
39	43	43	43	39
40	43	43	43	40
41	43	43	43	41
42	43	43	43	42
43	43	43	43	43
44	43	43	43	44
45	43	43	43	45
46	43	43	43	46
47	43	43	43	47
48	43	43	43	48
49	43	43	43	49
50	43	43	43	50
51	43	43	43	51
52	43	43	43	52
53	43	43	43	53
54	43	43	43	54
55	43	43	43	55
56	43	43	43	56
57	43	43	43	57
58	43	43	43	58
59	43	43	43	59
60	43	43	43	60
61	43	43	43	61
62	43	43	43	62
63	43	43	43	63
64	43	43	43	64
65	43	43	43	65
66	43	43	43	66
67	43	43	43	67
68	43	43	43	68
69	43	43	43	69
70	43	43	43	70
71	43	43	43	71
72	43	43	43	72
73	43	43	43	73
74	43	43	43	74
75	43	43	43	75
76	43	43	43	76
77	43	43	43	77
78	43	43	43	78
79	43	43	43	79
80	43	43	43	80
81	43	43	43	81
82	43	43	43	82
83	43	43	43	83
84	43	43	43	84
85	43	43	43	85
86	43	43	43	86
87	43	43	43	87
88	43	43	43	88
89	43	43	43	89
90	43	43	43	90
91	43	43	43	91
92	43	43	43	92
93	43	43	43	93
94	43	43	43	94
95	43	43	43	95
96	43	43	43	96
97	43	43	43	97
98	43	43	43	98
99	43	43	43	99
100	43	43	43	100

B. 027560 Black Canyon Irrigation Dist (Act of Cong
02/11/1916) affects land in
SECS 1 to 4 1st 1st
SECS 10 to 12 1st 1st
SECS 27 to 28 1st 1st
B. 06965 Sales Act 09/24/2009
SEC. 1 SE

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNDERTAKING LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF.	BOISE DISTRICT 075 075 075 075	BY	ST
CONVERTED TYP.	01/27/2005	BY	LTM
LAST UPDATED:	01/27/2005	BY	LTM
DATE OF:	01/27/2005	BY	LTM
POSTED TO PUBLIC RECORDS:	April 19, 2011	BY	LTM
PUBLIC LAND SURVEY SYSTEM (PLSS):	BLM GDS ACQUIRED:	DATE ACQUIRED:	04/19/2011
OTHER:	N/A	DATE ACQUIRED:	04/19/2011
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, NAD 1983	DATE ACQUIRED:	04/19/2011
NOTES:		DATE ACQUIRED:	04/19/2011
USE PLATS:		DATE ACQUIRED:	04/19/2011

From the
R. 4 W



DISCLAIMER:
This plat is only a graphic display of the Bureau of Land Management's BLM Record of Title and Township survey data. Records herein
do not reflect the changes which may have been affected by lateral encroachments of land or other bodies of water. Refer to cadastral surveys
for official information.
The location shown on this plat represents the best available data, but may not be the effective date. See the historical index for the date
of original withdrawal order.
No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or
aggregates use with other data is not guaranteed.

SCALE in feet
0 100 200 300 400 500 600 700 800 900 1000 1100 1200 1300 1400 1500 1600 1700 1800 1900 2000

SCALE in meters
0 30 60 90 120 150 180 210 240 270 300 330 360 390 420 450 480 510 540 570 600

5 N - 4 W
5 N - 3 W
5 N - 2 W
5 N - 1 W
5 N - 0 W
5 N - 1 E
5 N - 2 E
5 N - 3 E
5 N - 4 E
5 N - 5 E
5 N - 6 E
5 N - 7 E
5 N - 8 E
5 N - 9 E
5 N - 10 E
5 N - 11 E
5 N - 12 E
5 N - 13 E
5 N - 14 E
5 N - 15 E
5 N - 16 E
5 N - 17 E
5 N - 18 E
5 N - 19 E
5 N - 20 E
5 N - 21 E
5 N - 22 E
5 N - 23 E
5 N - 24 E
5 N - 25 E
5 N - 26 E
5 N - 27 E
5 N - 28 E
5 N - 29 E
5 N - 30 E
5 N - 31 E
5 N - 32 E
5 N - 33 E
5 N - 34 E
5 N - 35 E
5 N - 36 E
5 N - 37 E
5 N - 38 E
5 N - 39 E
5 N - 40 E
5 N - 41 E
5 N - 42 E
5 N - 43 E
5 N - 44 E
5 N - 45 E
5 N - 46 E
5 N - 47 E
5 N - 48 E
5 N - 49 E
5 N - 50 E
5 N - 51 E
5 N - 52 E
5 N - 53 E
5 N - 54 E
5 N - 55 E
5 N - 56 E
5 N - 57 E
5 N - 58 E
5 N - 59 E
5 N - 60 E
5 N - 61 E
5 N - 62 E
5 N - 63 E
5 N - 64 E
5 N - 65 E
5 N - 66 E
5 N - 67 E
5 N - 68 E
5 N - 69 E
5 N - 70 E
5 N - 71 E
5 N - 72 E
5 N - 73 E
5 N - 74 E
5 N - 75 E
5 N - 76 E
5 N - 77 E
5 N - 78 E
5 N - 79 E
5 N - 80 E
5 N - 81 E
5 N - 82 E
5 N - 83 E
5 N - 84 E
5 N - 85 E
5 N - 86 E
5 N - 87 E
5 N - 88 E
5 N - 89 E
5 N - 90 E
5 N - 91 E
5 N - 92 E
5 N - 93 E
5 N - 94 E
5 N - 95 E
5 N - 96 E
5 N - 97 E
5 N - 98 E
5 N - 99 E
5 N - 100 E



U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinland Way, Boise, Idaho 83709
(208) 373-4000





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