

Water Supply Bank No. _____
(for Department use only)

Should questions arise during the processing of this application please contact:
David Shaw - ERO Resources Corp. (208) 373-7983

**STATE OF IDAHO
WATER RESOURCE BOARD**

RECEIVED

**APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK**

FEB 17 2011

Department of Water Resources

Name of Seller/Lessor Sienna Hills Development Corporation Phone 208 890-0850

Mailing address 4822 N Rosepoint Way, Ste C, Boise, ID 83713 Email _____

A. DESCRIPTION OF WATER RIGHT, OR PORTION THEREOF, OFFERED TO THE BANK

If entire right is for sale or lease, show "ALL" below and skip the remainder of part A. Attach a copy of the water right report.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	<u>63-2812</u>	<u>0.63 cfs</u>	<u>Irrigation</u>	<u>3/1</u> to <u>11/15</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

Total Amount: 0.63 cfs

2. Source of water Ground Water tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
3N	3W	23		SW	NW	NW	Canyon
				SW	SW	NW	Canyon

4. Lands 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	
3N	3W	14											10						10
		23						21	4										25

If the right is for irrigation, show total numbers of acres offered to the bank. **Total Acres** 35

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 water right appurtenant to land subject to any liens, deeds of trust, mortgages, or contracts? Yes ☐ No ☒
If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes and list name of entity: _____

C. GENERAL INFORMATION

1. Please provide a description of the current diversion system. Water right is currently diverted from 2 wells, one each in the SWNWNW and the SWSWNW Section 23 Twp 3N Rge 3W, B.M.
2. Describe any other water rights used for the same purpose or at the same place of use as described above. This right was developed as a stand alone primary water right. The agricultural land is being developed into a subdivision and irrigation district surface water and other ground water rights are being transferred to this POU.
3. Will the present place of use continue to receive water from any source? Yes ☒ No ☐
If yes, describe. This POU will receive water from Wilder Irrigation District and water rights 63-10438, 63-11714 and 26 acres of this right will remain on the present POU.
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. _____

- D. 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. A portion of this water right, 26 acres is part of a transfer application to create a PPU within the Sienna Hills Subdivision. The remaining 35 acres of this water right are extra and the subject of this application.

E. SALE/LEASE AGREEMENT

1. Is the water right, or portion thereof, described above offered to the Idaho Water Resource Board for sale ☐ or lease ☒? If Lease, for a period from _____ to _____ OR Indefinite ☒
(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 Idaho Water Resource Board. 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.

John A. Howell Kevin Howell Treasurer 2-9-11
Signature of Applicant Printed Name and Title* 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 or attorney