Form 42-1761-1
04/11

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DEPARTMENT OF
WATER RESOURCES

WSB No. _____
Receipt No. _____
(For Department Use Only)

STATE OF IDAHO
WATER RESOURCE BOARD

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

Name of Seller/Lessor Cuddy Meadows Ranch, LLP Phone 208-257-3790

Mailing address 2165 Seid Creek Road Email pugh@ctcweb.net

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

If the 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. Water Right Number | Amount (cfs/ac-ft) | Nature of Use | Period of Use

Water Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use
67-00199	.46 cfs	Irrigation	4/01 to 10/31
			to
			to

Total Amount: .46 cfs

2. Source of water Little Pine Creek tributary to Pine Creek

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
T16N	R04W	22		NE	SE		Washington

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	
T16N	R04	22									17	25							42

If the right is for irrigation, show total number of acres offered to the bank. **Total Acres** 42

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 _____

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C. GENERAL INFORMATION

1. Please provide a description of the current diversion system.
   The diversion system consists of a dam and bubbler leading into a pipe with the overflow returning to the creek.

2. Describe any other water rights used for the same purpose or at the same place of use as described above.
   67-00198

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 for sale ☐ or lease ☑?
   If Lease, for a period from 7/1/11 (Month / Day / Year) to 4/1/16 (Month / Day / Year) (not to exceed 5 years).

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.

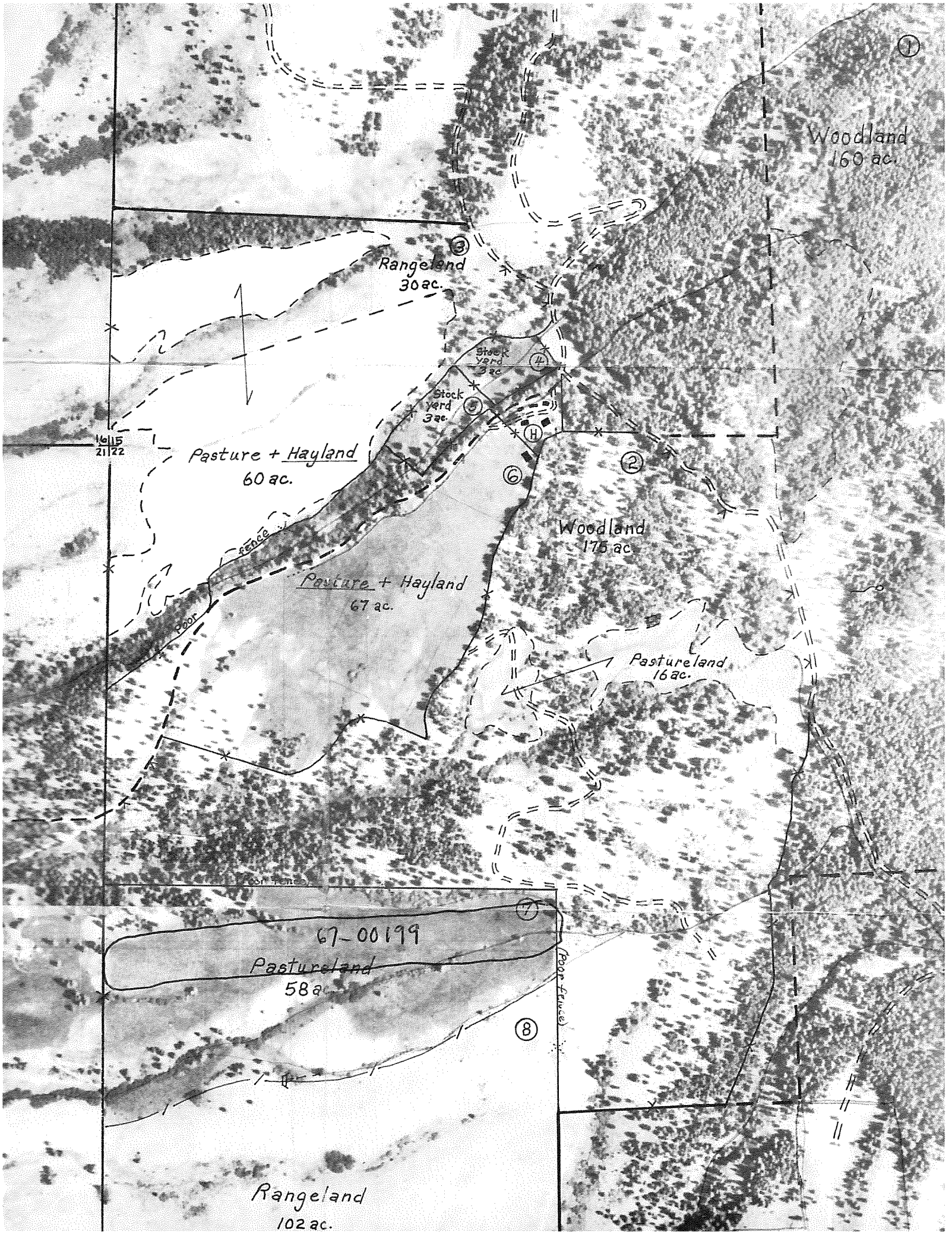
The owner/lessor acknowledges the following:

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.

Signature of Applicant	Printed Name and Title*	Date
	Richard H. Pugh, Partner	7/15/11
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


Woodland
160 ac.
Rangeland
30 ac.
Stock yard
3 ac.
Stock yard
3 ac.
16 15
21 22
Pasture + Hayland
60 ac.
Woodland
175 ac
Pasture + Hayland
67 ac.
Poor fence
Pastureland
16 ac.
67-00199
Pastureland
58 ac.
Poor fence
Rangeland
102 ac.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-199

WATER RIGHT NUMBER: 67-199

Owner Type	Name and Address
Current Owner	CUDDY MEADOWS RANCH LLP 2165 SEID CREEK RD CAMBRIDGE, ID 83610 (208)257-3790
Original Owner	MOUNTAIN MEADOWS RANCH HC 69 BOX 3720 CAMBRIDGE, ID 83610 (208)257-3790
Original Owner	JOSEPH C ALLISON , ID
Attorney	MOFFATT THOMAS BARRETT ROCK & FIELD CHTD C/O SCOTT L CAMPBELL PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000

Priority Date: 05/01/1906

Basis: Decreed

Status: Active

Source	Tributary
LITTLE PINE CREEK	PINE CREEK

Beneficial Use	From	To	Diversion Rate	Annual Volume
STOCKWATER	04/01	10/31	0.020 CFS	
IRRIGATION	04/01	10/31	0.460 CFS	
		Total Diversion:	0.480 CFS	

Location of Point(s) of Diversion

LITTLE PINE CREEK NE1/4SE1/4 Sec. 22, Twp 16N, Rge 04W, B.M.

WASHINGTON County

Place of Use

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N 04W 22									X								

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-199

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16N 04W 22									17.0	25.0							42.0

Total Acres: 42

Conditions of Approval:

1. F05 Right Nos. 67-196, 67-198 and 67-2113A are also diverted through point of diversion described above.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of 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.
3. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
5. X02 Stockwater use is for 40 head range cattle.

Remarks:

Comments:

1. awarntje 5/13/2004 Water Use
Comment: Decree does not mention water use

2. awarntje 5/13/2004 Period of Use
Comment: Decree does not mention period of use

3. Vmusic 11/14/2006 POU
Comment: SAME ACRES AS CLAIMED IN 67-198. DID NOT USE A COMBINED ACRES LIMITATION BECAUSE TOGETHER THEY ARE LESS THAN NUMBER OF ACRES DECREED

4. cfield 7/28/2011 Water Supply Bank
Comment: Lse App Fee Pd C093644

SubCase:

SubCase Number: 67-199
Class: 1
SF5 Filed Date: 5/2/2008
Special Master Recom Signed Date: 5/12/2008
Attorney Assigned:
Adjudication Agent: Vmusic
Basis of Claim: Decreed
Date Filed: 4/16/2007 Objection Status: Active

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-199

Lessor Name:	CUDDY MEADOWS RANCH LLP
Lease Status:	Application
Lease Amount:	Part
Rental Availability:	All
Date Received:	7/26/2011
Lease Begin Date:	7/1/2011
Expiration Date:	4/1/2016