

RECEIVED

JUL 26 2011

DEPARTMENT OF IDAHO
WATER RESOURCES

WSB No. _____

Receipt No. _____
(For Department Use Only)

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
<u>67-00197</u>	<u>.45 cfs</u>	<u>Irrigation</u>	<u>4/01</u> to <u>10/31</u>
			to
			to

Total Amount: .45 cfs

2. Source of water Seid Creek tributary to Pine Creek

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
T16N	R04W	15		SW	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						3											3
T16N	R04	15									3		25	19					47

If the right is for irrigation, show total number of acres offered to the bank. Total Acres 50

B. OWNERSHIP

- 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.
- 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.

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.

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 ☒.

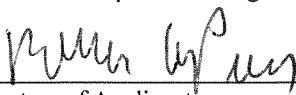
If Lease, for a period from 7/1/11 to 4/1/16 (not to exceed 5 years).
(Month / Day / Year) (Month / Day / Year)

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.


Signature of Applicant

Richard H. Pugh, Partner
Printed Name and Title*

7/15/11
Date

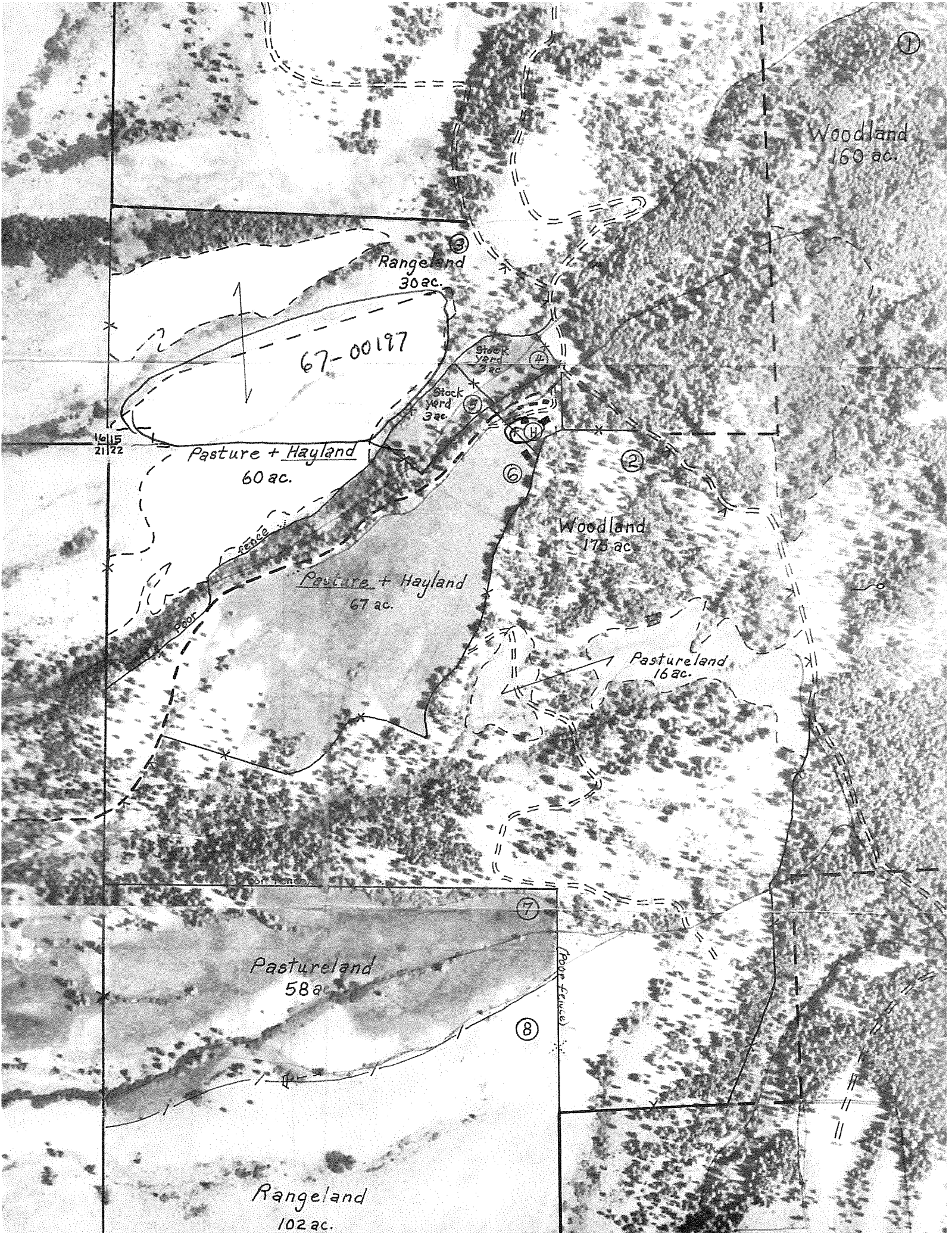
Signature of Applicant

Printed Name and Title*

Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

Mail to: Idaho Department of Water Resources, P.O. Box 83720, Boise, ID 83720-0098



①
Woodland
160 ac.

③
Rangeland
30 ac.

67-00197

16115
21122

Pasture + Hayland
60 ac.

④
Stock yard
3 ac.

⑤
Stock yard
3 ac.

②
Woodland
175 ac.

Pasture + Hayland
67 ac.

Pastureland
16 ac.

⑦
Pastureland
58 ac.

Rangeland
102 ac.

⑧

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-197

WATER RIGHT NUMBER: 67-197

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MOUNTAIN MEADOWS RANCH HC 69 BOX 3720 CAMBRIDGE, ID 83610 (208)257-3790
Original Owner	WILLIAM W ALLISON 1680 29TH ST OGDEN, UT 84403 (801)621-6570
Current Owner	CUDDY MEADOWS RANCH LLP 2165 SEID CREEK RD CAMBRIDGE, ID 83610 (208)257-3790
Attorney	MOFFATT THOMAS BARRETT ROCK & FIELD CHTD C/O SCOTT L CAMPBELL PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000

Priority Date: 05/06/1899

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SEID CREEK	PINE CREEK

<u>Beneficial Use</u>	<u>From</u> _____ <u>To</u> _____	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.450 CFS	
	<u>Total Diversion:</u>	0.450 CFS	

Location of Point(s) of Diversion

SEID CREEK	SW1/4SE1/4	Sec. 15, Twp 16N, Rge 04W, B.M.
WASHINGTON County		

Place of Use

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	
16N	04W	15									3.0		25.0	19.0					47.0
16N	04W	22						3.0											3.0

Total Acres: 50

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 67-197

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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.

Remarks:

Comments:

1. awarntje 5/13/2004 POU
Comment: Claimed NESW, Sec 15 and not shown in decree
2. awarntje 5/13/2004 Water Use
Comment: No water use was mentioned in decree
3. awarntje 5/13/2004 Period of Use
Comment: No mention of period of use in decree
4. Vmusic 11/13/2006 DECREE
Comment: 62.5 INCHES DECREED / .625 = 100 MAXIMUM ACRES IRRIGATED AT 5/8 INCH PER ACRE.
5. Vmusic 11/13/2006 POU
Comment: ONLY CLAIMED 50 ACRES OF POSSIBLE 100 DECREED. CLAIM MAP INSUFFICIENT TO DETERMINE WERE CLAIMED ACRES ARE. USED TOPO MAP AND WASHINGTON CO CLU MAP OF FIELDS TO DETERMINE 50 RECOMMENDED ACRES. NOT ALL QQ CLAIMED WERE DECREED. ASSUMED ACC TRANSFER IN POU DUE TO CLAIM BEING FILED IN 1989. ACC TRANSFER MOST LIKELY TAKEN PLACE AT LEAST 2 YEARS PRIOR TO CLAIM BEING FILED.
6. kfranklin 7/29/2008 2:21:46 PM POD
Comment: Updated Shape
7. kfranklin 7/29/2008 2:36:41 PM POD
Comment: Updated Shape
8. cfield 7/28/2011 Water Supply Bank
Comment: Lse App Fee Pd C093644

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-197

SubCase:

SubCase Number: 67-197
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:

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