

RECEIVED

MAR 12 2009

DEPARTMENT OF
WATER RESOURCES

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

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

JUL 01 2008

DEPARTMENT OF
WATER RESOURCES

Name of Seller/Lessor Patrick & Adele Savaria Phone (208) 788-2509

Post office address P.O.Box 551, Hailey, ID 83333

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. SRBA (37-21739) Decreed to Patrick & Adele Savaria
(Name)
in case of SRBA vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water
Resources.
- c. Permit No. _____ issued by the Idaho Department of Water
Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease,
show "all" on line a. below and skip the remainder of part 2.)

- a. Amount of water under right: all cubic feet per second &/or
all acre-feet per annum
- b. Point of diversion: _____ ¼ of _____ ¼ of Section _____ Township _____ Range
_____, B.M. in _____ County.
Additional points _____

c. Place of use:

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	4										1.1							1.1

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres 1.1

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

- a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

The water right is appurtenant to Lot 2, Savaria Subdivision,
which is owned by Patrick and Adele Savaria. A copy of the
deed is attached hereto as Exhibit A.

- b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

The water right has been recommended in the SRBA. A copy of the
recommendation is attached as Exhibit B. Otherwise, a copy of
delivery record from the Hiawatha Canal is attached as Exhibit C.

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

This right is generally available from May 1 through mid-August
or mid-September. — See Exhibit C.

- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

N/A

- e. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

N/A

4. REMARKS:



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

March 16, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

FRITZ X HAEMMERLE
HAEMMERLE & HAEMMERLE PLLC
PO BOX 1800
HAILEY ID 83333

**RE: CONFIRMATION LETTER FOR RESUBMITTAL OF LEASE APPLICATION
FOR WATER RIGHT NO. 37-21739**

Dear Mr. Haemmerle:

Per your request the Department of Water Resources (Department) is confirming the receipt of an Application to Lease Water to the Water Supply Bank (Bank) on behalf of your clients Patrick and Adele Savaria resubmitted and received by the Department on March 12, 2009.

If you have questions regarding this matter, please feel free to contact me at 287-4954.

Sincerely,

A handwritten signature in cursive script that reads "Diana Ball".

for Aaron Marshall
Water Allocation Bureau

Enc. (1)

5. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale;

X For lease for a period from indefinite to indefinite
(Day, month, year) (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the state of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as 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 of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water 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.

5/27/08
Date
2/12/09

Pat Savaria
Signature
Adelle Savaria

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____