

RECEIVED

FEB 09 2009

DEPARTMENT OF
WATER RESOURCES

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

Name of Seller/Lessor Salmon Falls Land & Livestock CO INC

Phone 208-837-6053 Post office address 123 Bell Rapids Rd. Hagerman, ID 83332

1. DESCRIPTION OF RIGHT:

Right as evidenced by:

a. Decree No. _____ Decreed to _____
(Name)

in case of _____ vs _____

dated _____ in _____ county of _____
(Name of Court)

b. License No. 47-2386A 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

_____ acre-feet per annum

b. Point of diversion SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 23 Township 08S Range 12E

B.M. in TWIN FALLS County

Additional points SW 1/4 SW 1/4 SECTION 24 T.08S R.12E B.M. in TWIN FALLS County.

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	
08S	12E	23													38			38	76

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 76

NOTE: _____

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEROF, 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.

See Attached Warrenty Deed.

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.)

An adjudication recommendation has been filed on this water right by IDWR.

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.

N/A.

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.

No other water rights exist with the same purpose and place of use as the right described above, and therefore the present place of use will not continue to receive water for irrigation purposes.

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

N/A.

f. If the right to use 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.

4. Remarks: _____

5. SALE/LEASE AGREEMENT

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

_____ For Sale;

_____ XXXX For Lease for period from INDEFINITE to _____
(Month, Day, Year) (Month, Day, 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 the sale or lease of this right 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.

1/29/09
Date

Salmon Falls Land & Livestock Co.
by Mike Henslee V.P.
Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

39170fc
TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

TWIN FALLS COUNTY, IDAHO
CORDED FOR:

TITLEFACT, Inc.

1996 OCT -2 A 10: 56

19960170631

***** SPACE ABOVE FOR RECORDER ***** ROBERT S. FORT
EX-OFFICIO RECORDER

FEE: 6.00 DEPUTY: S/S

WARRANTY DEED

FOR VALUE RECEIVED ALICE I. LeMOYNE TESTAMENTARY TRUST, dated March 27, 1991 and KEITH L. SLIGAR, a married man dealing with his sole and separate property AND WILLIAM J. SLIGAR AND MARGARET SLIGAR, husband and wife, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto SALMON FALLS LAND & LIVESTOCK COMPANY, an Idaho corporation, hereinafter called grantee, whose address is: 123 BELL RAPIDS ROAD, HAGERMAN, IDAHO 83332, the following described premises, in Twin Falls County, Idaho, to-wit:

Township 8 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 23: SE ¼

SUBJECT TO: Twin Falls County Highway Right of Way

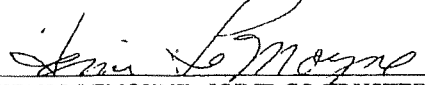
Section 24: SW ¼

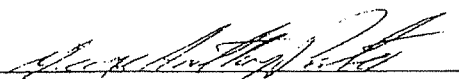
SUBJECT TO: Twin Falls County Highway Right of Way

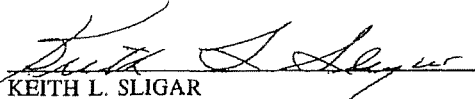
TOGETHER WITH: Water right No. 47-02386 and Claim No. A47-10045 for stock water TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

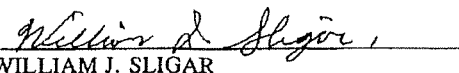
Dated: September 27, 1996

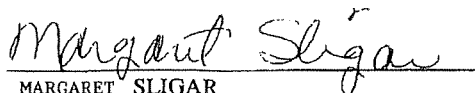
ALICE I. LeMOYNE TESTAMENTARY TRUST


HENRI LEMOYNE, JOINT CO-TRUSTEE


GEORGE ANTHONY PRATER, JOINT CO-TRUSTEE


KEITH L. SLIGAR


WILLIAM J. SLIGAR

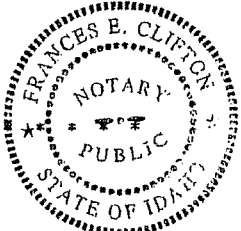

MARGARET SLIGAR

* * * * *

STATE OF IDAHO
County of Twin Falls

On the 1st day of October, 1996, before me, a Notary Public in and for said State, personally appeared **HENRI LEMOYNE AND GEORGE ANTHONY PRATER**, known or identified to me to be the Joint Co-Trustees of the **ALICE I. LEMOYNE TESTAMENTARY TRUST**, dated **March 27, 1991** that executed this instrument, or the persons who executed the instrument on behalf of said Trust, and acknowledged to me that they executed the same as such Trustees.

Frances E. Clifton
Notary Public for Idaho
Residing in Twin Falls
Commission Expires 1-20-98

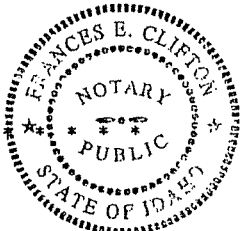


STATE OF IDAHO
County of Twin Falls

On this 1st day of October, 1996, before me, a Notary Public in and for said State, personally appeared **KEITH L. SLIGAR**, a married man dealing with his sole and separate property, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS HEREOF I have hereunto set my hand and official seal the day and year first above written.

Frances E. Clifton
Notary Public for Idaho
Residing in: Twin Falls
Commission Expires: 1-20-98

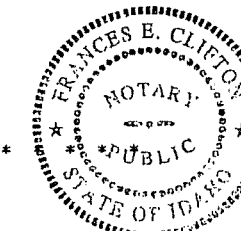


STATE OF IDAHO
County of Twin Falls

On this 1st day of October, 1996, before me, a Notary Public in and for said State, personally appeared **WILLIAM J. SLIGAR**, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS HEREOF I have hereunto set my hand and official seal the day and year first above written.

Frances E. Clifton
Notary Public for Idaho
Residing at: Twin Falls
Commission Expires: 1-20-98



STATE OF IDAHO
County of Twin Falls

On this 2nd day of October, 1996, before me, a Notary Public in and for said State, personally appeared **MARGARET SLIGAR**, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS HEREOF I have hereunto set my hand and official seal the day and year first above written.

Frances E. Clifton
Notary Public for Idaho
Residing at: Twin Falls
Commission Expires: 1-20-98

