



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 15, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

CROY CREEK PROPERTIES LLC
PO BOX 1330
HAILEY ID 83333

**RE: WATER SUPPLY BANK LEASE APPLICATION(S)
WATER RIGHT NO(S). 37-7319, 37-20881, 37-22065, 37-22067 AND 37-22069**

Dear Applicant:

On April 12, 2010 the Idaho Department of Water Resources (Department) received your application to lease a portion of water right no(s). 37-7319, 37-20881, 37-22065, 37-22067 and 37-22069 to the Water Supply Bank (Bank) for a period ending October 31, 2010. The Department is returning your application(s) since it was not processed prior to the end of the proposed lease period.

If you would still like to offer this right(s) for lease to the Bank, please submit a new lease application. Application forms and information about the Water Supply Bank are available from the Department's web site at: www.idwr.idaho.gov. Please contact this office if you have any questions.

Sincerely,

Christine Field
Water Supply Bank Support

Enclosure(s): Lease Applications

C: Greg Sullivan – Brockway Engineering

RECEIVED

APR 12 2010

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
WATER RESOURCE BOARDWater Supply Bank No. _____
(for Department use only)APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKName of Seller/Lessor Croy Creek Properties LLC Phone 208-788-9300Mailing address PO Box 1330 Hailey, ID 83333 Email _____

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. Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-7319</u>	<u>0.83/</u>	<u>Irrigation</u>	<u>4/15</u> to <u>10/31</u>
			to _____
			to _____
Total:	<u>0.83/</u>		

2. Source of water Ground Water tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
02N	17E	35		NW	NE	NE	Blaine
02N	17E	35		SW	NE	NE	Blaine
02N	17E	35		SW	NE	NE	Blaine

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	
02N	17E	25											39	20		5	27	4	95
		26																39	39
		35	40			37													77
		36		27	39		40	40	39	38						40			263

If the right is for irrigation, show total number of acres offered to the bank. Total Acres 474*

* 169.4 acres will be dried up within 474 acre PPU

B. OWNERSHIP

1. Are you currently listed in IDWR's records as the owner of the water right being offered to the bank?

Yes X 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?

No _____ Yes X 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: First Bank of Idaho

C. GENERAL INFORMATION

1. Please provide a description of the current diversion system.

Existing wells, pumps and piping

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

37-22065, 37-22067, 37-22069, 37-7319 and 37-20881

3. Will the present place of use continue to receive water from any source?

No ☒ Yes ☐ If yes, describe.

4. Has any portion of this water right undergone a period of five or more consecutive years of non-use?

No ☒ Yes ☐ 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?

No ☒ Yes ☐ If yes, describe.**D. SALE/LEASE AGREEMENT**

1. Is the water right, or portion thereof, described above offered to the Idaho Water Resource Board for sale or lease:

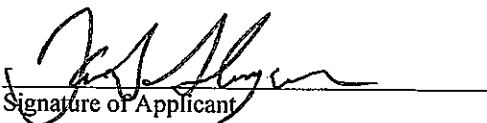
Sale ☐ Lease ☒If Lease, for a period from Immediate to 10/31/2010 OR ☐ Indefinite
(Month / Day / Year) (Month / Day / Year)

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.
- \$70/Acre-Foot

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*

4-6-10

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

RECEIVED

Form 42-1761-1
06/09

APR 12 2010

DEPARTMENT OF
WATER RESOURCES
STATE OF IDAHO
WATER RESOURCE BOARDWater Supply Bank No. _____
(for Department use only)APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKName of Seller/Lessor Croy Creek Properties LLC Phone 208-788-9300Mailing address PO Box 1330 Hailey, ID 83333 Email _____

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. Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-20881</u>	<u>0.02/</u>	<u>Stockwater</u>	<u>01/01</u> to <u>12/31</u>

Total: 0.02/2. Source of water Unnamed Creek tributary to Croy Creek

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
02 N	17 E	26		NE	SE	SE	Blaine
02 N	17 E	36		SE	NW	NW	Blaine

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	
02N	17E	25											s						S
		26																s	S
		36						s											S

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

B. OWNERSHIP

1. Are you currently listed in IDWR's records as the owner of the water right being offered to the bank?

Yes X 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?

No X Yes _____ 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.
Existing wells, pumps and piping
2. Describe any other water rights used for the same purpose or at the same place of use as described above.
37-22065, 37-22067, 37-22069, 37-7319 and 37-20881
3. Will the present place of use continue to receive water from any source?
No ☒ Yes ☐ If yes, describe. _____
4. Has any portion of this water right undergone a period of five or more consecutive years of non-use?
No ☒ Yes ☐ 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?
No ☒ Yes ☐ If yes, describe. _____

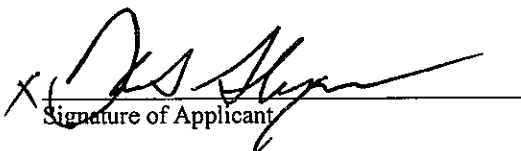
D. SALE/LEASE AGREEMENT

1. Is the water right, or portion thereof, described above offered to the Idaho Water Resource Board for sale or lease:
Sale ☐ Lease ☒
If Lease, for a period from Immediate to 10/31/2010 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. \$70/Acre-Foot

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

David Alexander Moway 4-6-10
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 of attorney

RECEIVED

APR 12 2010

DEPARTMENT OF Water Supply Bank No. _____
WATER RESOURCES (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 Croy Creek Properties LLC Phone 208-788-9300
Mailing address PO Box 1330 Hailey, ID 83333 Email _____

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. Right Number 37-22065 Amount (cfs/ac-ft) 5.19/ Nature of Use Irrigation Period of Use 4/15 to 10/31

Total: 5.19/
2. Source of water Croy Creek tributary to Big Wood River
3. Point(s) of Diversion: _____

Twp	Rge	Sec	Lot	¼	¼	¼	County
02N	17E	35		SW	NE	NE	Blaine

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	
02N	17E	25											39	20		5	27	4	95
		26																39	39
		35	40			37													77
		36		27	39		40	40	39	38						40			263

If the right is for irrigation, show total number of acres offered to the bank. Total Acres 474*

* 244.1 acres will be dried up within 474 acre PPU

B. OWNERSHIP

- Are you currently listed in IDWR's records as the owner of the water right being offered to the bank?
Yes X 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?
No X Yes _____ 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.
Existing wells, pumps and piping
2. Describe any other water rights used for the same purpose or at the same place of use as described above.
37-22065, 37-22067, 37-22069, 37-7319 and 37-20881
3. Will the present place of use continue to receive water from any source?
No ☒ Yes ☐ If yes, describe. _____
4. Has any portion of this water right undergone a period of five or more consecutive years of non-use?
No ☒ Yes ☐ 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?
No ☒ Yes ☐ If yes, describe. _____

D. SALE/LEASE AGREEMENT

1. Is the water right, or portion thereof, described above offered to the Idaho Water Resource Board for sale or lease:
Sale _____ Lease ☒
If Lease, for a period from Immediate to 10/31/2010 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. \$70/Acre-Foot

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[Signature]
Signature of Applicant

David Alexander, Manager
Printed Name and Title*

4-6-10
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

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TO THE WATER SUPPLY BANK**Name of Seller/Lessor Croy Creek Properties LLC Phone 208-788-9300Mailing address PO Box 1330 Hailey, ID 83333 Email _____**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. Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-22067</u>	<u>1.48/</u>	<u>Irrigation</u>	<u>4/15</u> to <u>10/31</u>
			to _____
			to _____
Total: <u>1.48/</u>			

2. Source of water Bullion Creek tributary to Croy Creek

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
02N	17E	25		NW	SE	SW	Blaine

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	
02N	17E	25											39	20		5	27	4	95
		26																39	39
		35	40			37													77
		36		27	39		40	40	39	38						40			263

If the right is for irrigation, show total number of acres offered to the bank. Total Acres 474*

* 244.1 acres will be dried up within 474 acre PPU

B. OWNERSHIP

1. Are you currently listed in IDWR's records as the owner of the water right being offered to the bank?

Yes X 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?

No X Yes _____ 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

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2. Describe any other water rights used for the same purpose or at the same place of use as described above.
37-22065, 37-22067, 37-22069, 37-7319 and 37-20881
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4. Has any portion of this water right undergone a period of five or more consecutive years of non-use?
No ☒ Yes ☐ 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?
No ☒ Yes ☐ If yes, describe. _____

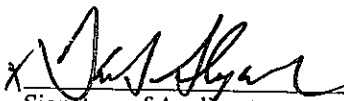
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If Lease, for a period from Immediate to 10/31/2010 OR ☐ Indefinite
(Month / Day / Year) (Month / Day / Year)
2. Show the minimum payment acceptable to the Seller/Lessor. The minimum payment may be shown as the "current rental rate" as established by the Idaho Water Resource Board. Include the method of determining the minimum payment if other than the current rental rate. \$70/Acre-Foot

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Signature of Applicant

David Alexander, Manager
Printed Name and Title*

4-6-10
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

RECEIVED

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DEPARTMENT OF
WATER RESOURCES
STATE OF IDAHO
WATER RESOURCE BOARD

Water Supply Bank No. _____
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1. Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-22069</u>	<u>0.22/</u>	<u>Irrigation</u>	<u>4/15</u> to <u>10/31</u>
	<u>0.02/</u>	<u>Stockwater</u>	<u>01/01</u> to <u>12/31</u>
			to _____
Total: <u>0.22/</u>			

2. Source of water Unnamed Creek tributary to Croy Creek

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
02N	17E	36		SE	SE	NW	Blaine

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	
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		26																39	39
		35	40			37													77
		36		27	39		40	40	39	38						40			263

If the right is for irrigation, show total number of acres offered to the bank. Total Acres 474*

* 244.1 acres will be dried up within 474 acre PPU and 0.02 will no longer be used for stockwater

B. OWNERSHIP

1. Are you currently listed in IDWR's records as the owner of the water right being offered to the bank?

Yes X No _____ If no, provide documentation of your authority to sign on behalf of the right holder OR
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If Lease, for a period from Immediate to 10/31/2010 OR Indefinite
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\$70/Acre-Foot

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Signature of Applicant


Printed Name and Title*

4-6-10
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