

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 LARRY FLYNN Phone (208) 365-3737

Post office address PO BOX 21 LETHA, IDAHO 83636

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. _____ Decreed to _____
(Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. portion of license 63-7421 described by 63-32131 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: 0.06 cubic feet per second &/or
13.5 acre-feet per annum
- b. Point of diversion: SW 1/4 of SW 1/4 of Section 5 Township 5N Range
2W, B.M. in Canyon 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	
5N	2W	6																3	3

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 3

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.

RTX, LLC acquired water right 63-31909 and appurtenant land from David A Buich, Karen Buich, Frank Ficken, Chris B Doyle, and Tracy A Doyle as documented by Warranty Deed signed July 21, 2004. RTX, LLC then agreed to sell a 10-acre portion of this right to Larry Flynn. This purchase is further documented by Grant Deed dated December 21, 2005 whereby RTX, LLC granted 10-acres of the right to Larry Flynn. Larry Flynn transferred a 7-acre portion of his part of this right to his property as documented by approved transfer no. 72087. This 7-acre portion became water right number 63-32132, with the remaining portion number 63-32131. Therefore, Larry Flynn remains owner of a 3-acre portion of water right number 63-32131.

- 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).

Approval of transfer no. 72087 approved February 11, 2006 included a review of the validity of this right. Further, a map describing the three acre portion of 63-32131 offered for lease indicate the property was irrigated in 2004.

- 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 for the same purpose at the same place of use. The applicant understands that the place of use will be dried and will not receive water from any other source.

- 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.

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;

 X For lease for a period from indefinite to _____
(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.

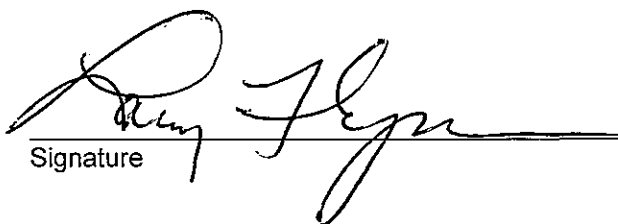
2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

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.

Sept 29, 06
Date

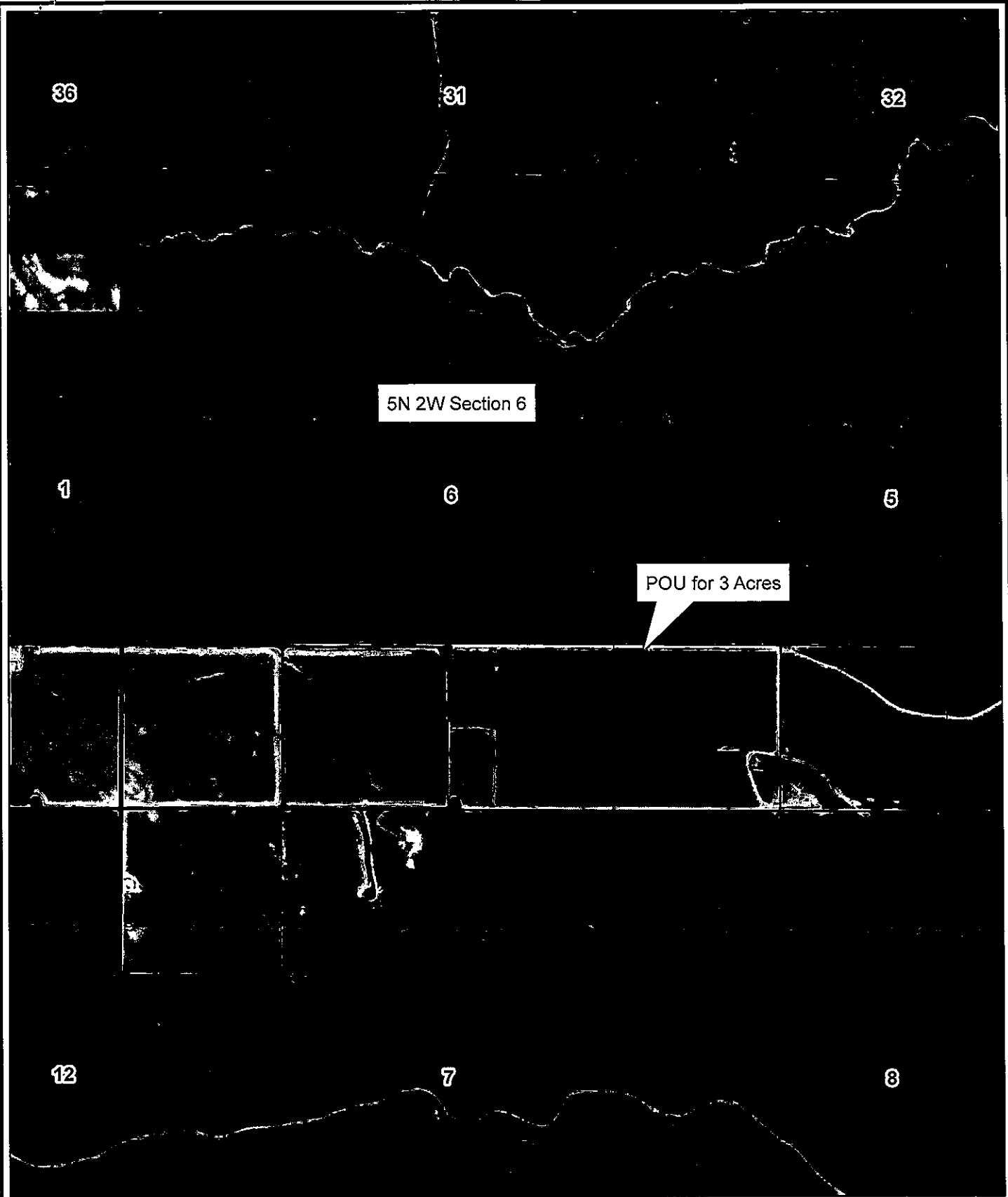

Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

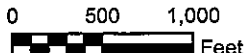
Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____



5N 2W Section 6

POU for 3 Acres

Flynn Application for Lease to Water Bank Leased Acres (3) in 5N 2W Sec 6 SESE 2004 NAIP Imagery		
 0 500 1,000 Feet	 Water Engineering, LLC water resource consultants 600 E. River Park Lane, Ste 105, Boise, Idaho 83706 Tel: 208 353 4142 Fax: 208 353 4158	
snk 4/11/06		

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	
<u>63-32131</u>	<u>63-32131</u>	<u>X</u>	COPY
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

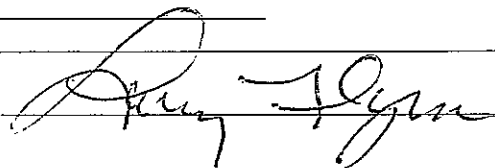
3. Name and Address of Former Owner/Claimant(s)	<u>RTX, LLC</u>
	<u>10421 WEST ROCKWOOD</u> <u>BOISE, ID 83704</u>
4. New Owner/Claimant(s)	<u>LARRY FLYNN</u>
	Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	<u>PO BOX 21</u>
City, State and ZIP Code	<u>LETHA, ID 83636</u>
New Telephone Number	(<u>208</u>) <u>365-3737</u>
5. Date you acquired the property	<u>JULY 24, 2004</u>

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>63-32131</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.06 cfs / 13.5 acre feet</u>	<u>3 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)



For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

GRANT DEED

THIS INDENTURE is made this 21 day of December, 2005, between RTX, LLC of 10421 West Rockwood, Idaho 83704 ("Grantor") and Larry Flynn of P.O. Box 21, Letha, Idaho 83636 ("Grantee").

WITNESSETH

COPY

The Grantor for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain and sell, convey and confirm unto the Grantee, and to the successors and assigns of Grantee forever, the right, title and interest in and to the following portion of water right No. 63-31909:

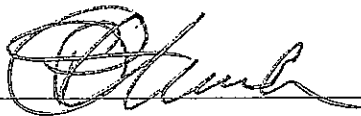
Quantity: 0.20 cubic feet per second / 45 acre feet per year

Acres: 10 acres (SESE Section 6, T5N, R2W, Canyon County, Idaho)

TO HAVE AND TO HOLD, all and singular the above-mentioned and described portion of water right 63-31909, unto the Grantee and to the successors and assigns of Grantee forever.

IN WITNESS WHEREOF, the Grantor has executed this Deed by the day and year first above written.

RTX, LLC

By:  _____

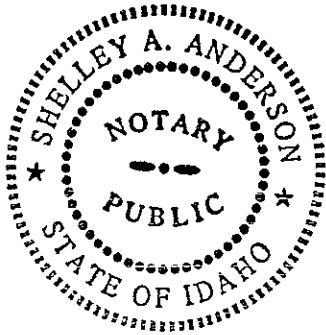
Its: _____

STATE OF IDAHO)
) ss.
County of Ada)

On this 21 day of December 2005, before me, a notary public for said state,
personally appeared Richard O. Thurston, known or identified to me as the
person whose name is subscribed to the within instrument and acknowledged to me that
he executed the same.

COPY

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year in this certificate first above written.



Shelley A. Anderson
Notary Public for Idaho
Residing at: Meridian, Idaho
My commission expires: 3/27/09