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OCT 18 2010
Department of Water Resources

Water Supply Bank No. _____
(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 Darrell James Baker Phone 208-531-5562

Mailing address 655N 900E Rupert, ID 83350 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. Water Right Number 36-2453A Amount (cfs/ac-ft) 0.10/ Nature of Use Irrigation Period of Use 4/01 to 10/31

_____ to _____
_____ to _____

Total Amount: 0.10/

2. Source of water Ground Water tributary to N/A

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
07S	24E	3		NW	NW	SE	MINIDOKA

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	
07S	24E	2						13.5	35.5										49
07S	24E	3	7	14.5	35.5	31									33	33	33	33	220

If the right is for irrigation, show total number of acres offered to the bank. Total Acres 269*
*6.5 acres in 269 acre POU are to be offered to the WSB.

B. OWNERSHIP

1. 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.

2. 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 water diversion and delivery system is connected via buried mainlines.

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

Water rights 36-2453A 36-13065A share the same place of use.

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

Yes ☒ No ☐

If yes, describe. Irrigation will continue under portions of water rights which have not been offered to the Water Supply Bank.

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. N/A.

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. N/A.

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 ☒?

If Lease, for a period from 10/15/10 to 10/15/15 (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

Zach Latham- Power of Attorney

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

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

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Water Right Report

10/15/2010

WATER RIGHT NO. 36-2453A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DARRELL JAMES BAKER 655 N 900 E RUPERT, ID 83350 (208)531-5562
Original Owner	WILLIAM EUGENE BARNARD
Original Owner	ANNABELLE G BARNARD

Priority Date: 11/17/1960

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	3.09 CFS	
Total Diversion			3.09 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNWSE	Sec. 03	Township 07S	Range 24E	MINIDOKA County
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IRRIGATION Use:

Acre Limit: 209.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION MINIDOKA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07S	24E	2	4	NWNW	13.5		SWNW	35.5						
		3	1	NENE	7	2	NWNE	14.5		SWNE	35.5		SENE	31
				NESE	33		NWSE	33		SWSE	33		SESE	33

Total Acres: 269

Conditions of Approval:

1.	E55	USE OF THIS RIGHT WITH RIGHT NO. 36-13065A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 269 ACRES IN A SINGLE IRRIGATION SEASON.
2.	E60	USE OF THIS RIGHT WITH RIGHT NO. 36-13065A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.09 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1076 AF.
3.	K01	RIGHT NO. 36-13065A IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
4.	K06	THIS RIGHT IS LIMITED TO THE IRRIGATION OF 209.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
5.	C18	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.
6.	F05	RIGHT NO. 36-13065A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 12/13/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 130

Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 269
Combined Volume Limit: 1076
Combined Rate Limit: 3.09
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close