



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

June 24, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

GISELA SCHAAL
BOX 29776
HWY 78
MURPHY ID 83650

RECEIVED

JUL 23 2008

DEPARTMENT OF
WATER RESOURCES

RE: Applications to Lease Water Right Nos. 57-46C and 57-46F to the Water Supply Bank

Dear Ms. Schaal:

The Department of Water Resources (Department) acknowledges receipt of your applications to lease water right nos. 57-46C and 57-46F to the Water Supply Bank (Bank). A preliminary review of your applications has been completed and determined that additional information is necessary to proceed with processing.

Please provide the following information: 1) intended lease term for water right 57-46F, and 2) proof that the water rights, or portion thereof, have been used within the last five (5) years. Proof may be submitted in the form of watermaster records, pumping power bills, or other evidence to demonstrate that the rights have not been lost through abandonment or forfeiture.

If forfeiture of the right is a concern, a right holder can apply to extend the period to avoid forfeiture of a water right. You can request a form be mailed to you, or visit our website at <http://www.idwr.idaho.gov> to obtain a copy of the form. Your rights may also be protected from forfeiture based on exceptions or defenses to forfeiture described in Section 42-223, *Idaho Code*.

The Department will continue processing your applications once you have resubmitted them with the requested information. If you have questions regarding this matter, please contact me at (208) 287-4943.

Sincerely,

Aaron Marshall
Water Allocation Bureau

I cant not believe that there
is any doubt! This is something
I paid for as a single parent!!

RECEIVED

Form 42-1761
01/03

JUN 19 2003

WATER RESOURCES
WESTERN REGION

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 Gisela Schaal Phone 839 3099
Post office address Hwy 78 Box 29776 Murphy ID 83650

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. 57-46C Decreed to Schaal Gisela
(Name)
in case of _____ 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
_____ acre-feet per annum
- b. Point of diversion: _____ 1/4 of _____ 1/4 of Section _____ Township _____ Range
_____, B.M. in Owyhee 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	
45	1W	22											452.3						6.8

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 6.8

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.

Water right in my name!

- 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).

2006 was used by Bohl Hipwell

- 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.

April till Aug

- 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.

57-46 F

pump only

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

- 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:

Warren Jantz has placed the
ditch that by the water is banked.
fish seal

5. SALE/LEASE AGREEMENT

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

_____ For sale;

✓ For lease for a period from June 19 2008 to Dec 2008
(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.

June 19-2008
Date

Seale Schaal
Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

Idaho Department of Water Resources Receipt

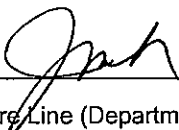
Receipt ID: W036091

Payment Amount \$175.00 Date Received 1/17/08 1:33 Region WESTERN
Payment Type Check Check Number 732
Payer SCHAAL, GISELA

Comments CHANGE OF OWNERSHIP 57-046C, 57-046F, 57-7206, 57-10543, 57-11669

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$175.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	62140	1155


Signature Line (Department Representative)

Refunded \$50.00

I hope that takes
care of it it has
taken a huge toll on
my health! Gisel Schaal
I had to quit farming because the new
and the neighbors