

STATE OF IDAHO
WATER RESOURCE BOARDWater Supply Bank No. _____
(For Department Use Only)

RECEIVED

MAR 12 2010

Department of Water Resources

APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANKName of Renter Cleft of the Rock Farms Phone 208-349-5542Mailing address 51N 3350 E American Falls Idaho 83211 Email ctrfarms@hotmail.com

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. <u>Maximum Flow Rate (cfs)</u>	<u>Maximum Volume (ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>1.72</u>	<u>415.79</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
Total: <u>1.72</u>	<u>415.79</u>		

2. Source of water groundwater tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
10S	28E	29		SW	SW		Cassia

4. Lands to be 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	
10S	28E	29															39	24	
10S	28E	32	24	39			6												

If the use is for irrigation, show total number of acres proposed through rental. Total Acres 132

B. OWNERSHIP

1. Do you own the land at the proposed point of diversion? Yes ☒ No ☐

If no, list owner, contact information, and provide documentation of the authority to use the proposed point of diversion. _____

2. Do you own the land at the proposed place of use? Yes ☒ No ☐

If no, list owner, contact information, and provide documentation of the authority to use the proposed place of use. _____

C. MAP

Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described by this application in section A. Include legal description labels.

D. GENERAL INFORMATION

1. Please provide a description of the proposed diversion system. see attached documents
2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.
43-13513 43-1515
3. Will the proposed place of use receive water from any other source? Yes ☐ No ☒
If yes, describe. _____
4. If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of water required. Attach additional sheets if needed. N/A
5. Are there any other applications pending before the Department, such as an application for permit or transfer, for the same use(s) proposed by this rental? Yes ☐ No ☒
If yes, describe. _____
6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation? Yes ☐ No ☒
If yes, describe. _____

E. RENTAL TERM

1. Do you wish to rent water from the Board's bank for more than one (1) year? Yes ☒ No ☐
If yes, please specify the number of years desired through proposed rental. 5 w/renewl

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

If this application is approved, the applicant agrees to the following:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Renter shall comply with all applicable state and federal laws while using water under this agreement.
3. Renter shall hold the Board, the Director, and the state of Idaho harmless from all liability on account of negligent acts of the renter.
4. The Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
5. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
6. Renter is not authorized to use water proposed by this application until the rental fees are paid in full and the renter receives an executed copy of the agreement signed by the Director.

Ken Woodworth
Signature of Applicant

Ken Woodworth Ptr
Printed Name and Title*

3/11/2010
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

Description of the Proposed Diversion System

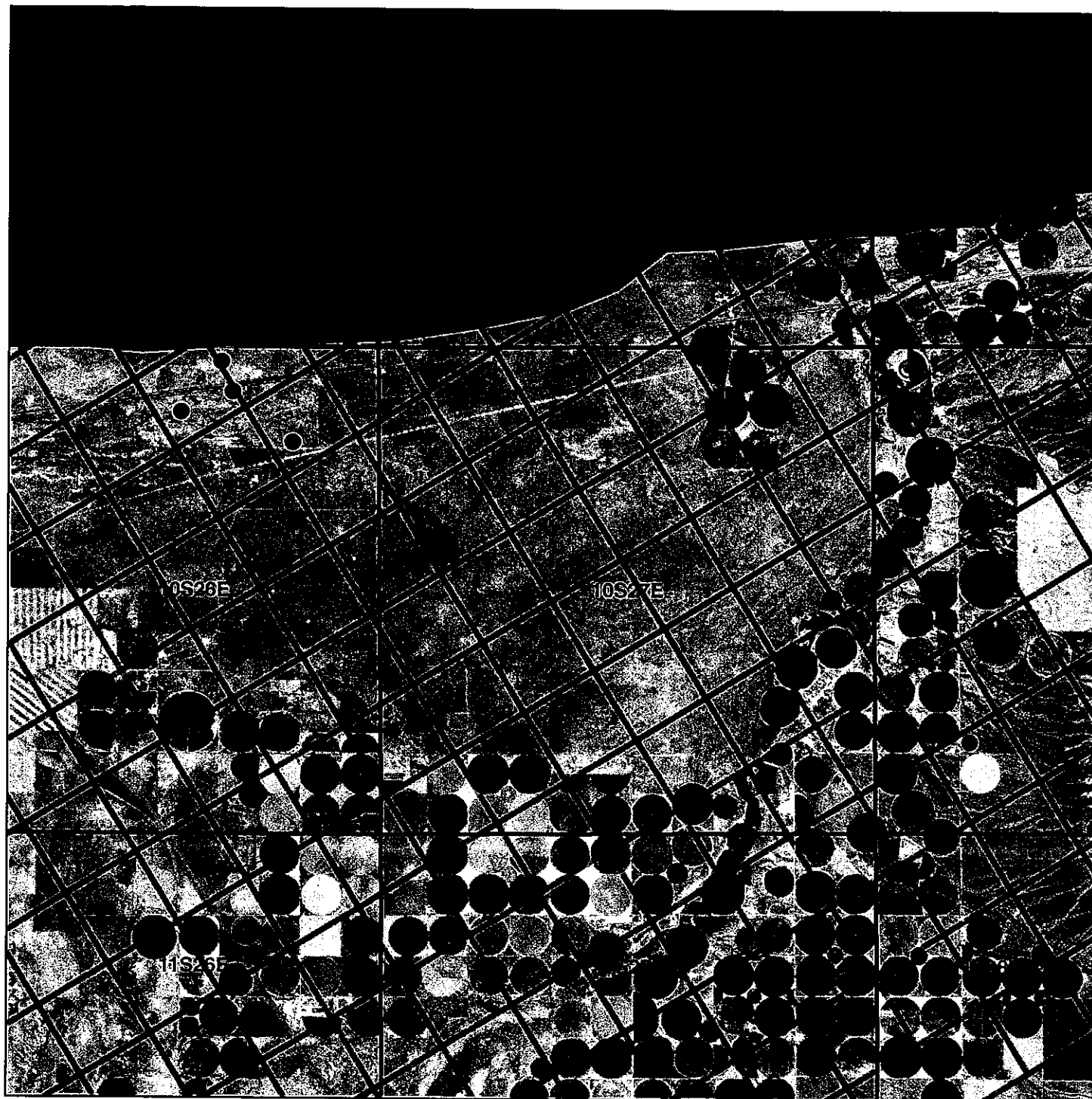
The system will consist of ground water pumped from an existing well located in the corner of the property diverted from mainline to circular pivots. The well is currently in place and supplies water to an adjacent pivot using water right numbers 43-13513 and 43-1515 that are currently owned by Delmar Woodworth and Kenneth Woodworth. The additional water rights that will be used for this proposed rental are owned by Glen Ward. The water right numbers are 43-13597 and 43-13595. They are currently leased to the water bank on a 5yr basis.

We propose to rent this water right on a 5 year renewal basis with an auto renewal until such time that Glen Ward would remove the water from the water bank.

Attached are copy's of water rights 43-13597 and 43-13595.

Cleft of the Rock Farms WSB Application

Map Attachment to Bank Application Sufficiency Memorandum



Legend

- to_well
- from_wells
- smoothedmodelbndry
- modelgrid
- Township/Range

0 1.5 3 6 Miles

2009 aerial imagery

Map created by:
Nick Van Dyke
November 11, 2010

105 28E 29

Proposed

Hall Ranch

Detail

Proposed

Existing Pivot

105 28E 32

Proposed

Proposed

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-13595

WATER RIGHT NUMBER: 43-13595

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	SAGEWOOD RANCH LLC 227 E 400 S BURLEY, ID 83318 (208)677-3935
Original Owner	BROCKWAY CORP 370 CONVENTION WAY PO BOX 5408 REDWOOD CITY, CA 94063 (415)364-1758
Directors Report Owner	BRUGGER CORP 370 CONVENTION WAY PO BOX 5408 REDWOOD CITY, CA 94063 (208)364-1008
Current Owner	WARD LAND & LIVESTOCK LLC 227 E 400 S BURLEY, ID 83318 (208)677-3935
Current Owner	GLEN WARD 227 E 400S BURLEY, ID 83318 (208)677-3935

Priority Date: 05/04/1978

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	5.000 CFS	1,209.60 AF
MITIGATION	03/15 to 11/15	0.840 CFS	200.00 AF
	<u>Total Diversion:</u>	5.840 CFS	1,409.60 AF

Location of Point(s) of Diversion

GROUND WATER CASSIA County	L4 (SW1/4NW1/4NW1/4)	Sec. 2,	Twp 10S,	Rge 26E, B.M.
GROUND WATER CASSIA County	NW1/4SW1/4SE1/4	Sec. 3,	Twp 10S,	Rge 26E, B.M.
GROUND WATER CASSIA County	SE1/4NE1/4NE1/4	Sec. 11,	Twp 10S,	Rge 26E, B.M.
GROUND WATER CASSIA County	NE1/4NW1/4SW1/4	Sec. 2,	Twp 10S,	Rge 26E, B.M.

Place of Use

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-13595

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	26E	1								1.9			26.6						28.5
10S	26E	2				20.0	40.0	31.0	31.0	28.0	39.0	30.0	40.0	40.0	40.0		40.0	40.0	419.0
						L 3		L 4											

Total Acres: 447.5

MITIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	26E	2	X	X	X														
			L 1	L 2															

Conditions of Approval:

1. E11 Use of this right with right no. 43-13597 is limited to the irrigation of a combined total of 447.5 acres in a single irrigation season.
2. E01 Use of this right with right no. 43-13597 is limited to a total combined diversion rate of 5.84 cfs.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. X27 This right is limited to the irrigation of 302.4 acres within the place of use described above in a single irrigation season.
5. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-13595

Comments:

1. dcarlson 3/12/2009 10:08:20 AM POU
Comment: Updated Shape
2. dcarlson 3/12/2009 10:13:11 AM POU
Comment: Updated Shape
3. dcarlson 3/12/2009 11:02:35 AM POU
Comment: Updated Shape
4. dcarlson 3/12/2009 11:08:06 AM POU
Comment: Updated Shape
5. dcarlson 3/12/2009 11:11:51 AM POU
Comment: Updated Shape
6. dcarlson 3/12/2009 11:40:23 AM POU
Comment: Updated Shape
7. dcarlson 3/12/2009 1:55:58 PM POD
Comment: Updated Shape
8. dcarlson 3/12/2009 1:57:15 PM POD
Comment: Updated Shape
9. dcarlson 3/12/2009 1:58:58 PM POD
Comment: Updated Shape
10. dcarlson 3/12/2009 2:04:28 PM POD
Comment: PODID 718937 correlated from SpatialDataID 303421 to SpatialDataID 211970
11. dcarlson 3/12/2009 2:04:29 PM POD
Comment: PODID 718937 correlated from SpatialDataID 303421 to SpatialDataID 211970
12. dcarlson 3/12/2009 2:04:30 PM POD
Comment: PODID 718937 correlated from SpatialDataID 303421 to SpatialDataID 211970
13. dcarlson 3/12/2009 2:04:31 PM POD
Comment: PODID 718937 correlated from SpatialDataID 303421 to SpatialDataID 211970
14. dcarlson 3/12/2009 2:06:42 PM POD
Comment: Updated Shape
15. dcarlson 5/11/2009 10:13:29 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 74093

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-13595

Dates and Other Information:

Licensed Date:
Decreed Date: 7/26/2002
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: And
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre: 4
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.84		447.5
Combined Water Rights: 43-13595 , 43-13597		

Water Supply Bank:

Lessor Name: GLEN WARD
Lease Status: Application
Lease Amount: Part
Rental Availability: All
Date Received: 11/2/2009
Lease Begin Date: 3/15/2010
Expiration Date: 11/15/2015

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-13597

WATER RIGHT NUMBER: 43-13597

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	BRUGGER CORP 370 CONVENTION WAY PO BOX 5408 REDWOOD CITY, CA 94063 (208)364-1008
Original Owner	BROCKWAY CORP 370 CONVENTION WAY PO BOX 5408 REDWOOD CITY, CA 94063 (415)364-1758
Previous Owner	SAGEWOOD RANCH LLC 227 E 400 S BURLEY, ID 83318 (208)677-3935
Current Owner	WARD LAND & LIVESTOCK LLC 227 E 400 S BURLEY, ID 83318 (208)677-3935
Current Owner	GLEN WARD 227 E 400S BURLEY, ID 83318 (208)677-3935

312 → Don
-2836

312 3028 Glen

Priority Date: 05/23/1962

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.890 CFS	580.40 AF
MITIGATION	03/15 to 11/15	0.150 CFS	96.00 AF
	<u>Total Diversion:</u>	1.040 CFS	676.40 AF

Location of Point(s) of Diversion

GROUND WATER CASSIA County	NW1/4SW1/4SE1/4	Sec. 3, Twp 10S, Rge 26E, B.M.
GROUND WATER CASSIA County	L4 (SW1/4NW1/4NW1/4)	Sec. 2, Twp 10s, Rge 26e, B.M.
GROUND WATER CASSIA County	NE1/4NW1/4SW1/4	Sec. 2, Twp 10s, Rge 26e, B.M.
GROUND WATER CASSIA County	SE1/4NE1/4NE1/4	Sec. 11, Twp 10s, Rge 26e, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
10S	26E	1							1.9			26.6							28.5
10S	26E	2				20.0	40.0 L3	31.0 L4	31.0	28.0	39.0	30.0	40.0	40.0	40.0		40.0	40.0	419.0

MITIGATION

[illegible]

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of 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.
2. E11 Use of this right with right no. 43-13595 is limited to the irrigation of a combined total of 447.5 acres in a single irrigation season.
3. C02 Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.
4. E01 Use of this right with right no. 43-13595 is limited to a total combined diversion rate of 5.84 cfs.
5. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. K06 This right is limited to the irrigation of 145.1 acres within the place of use described above in a single irrigation season.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 43-13597

Comments:

1. dcarlson 3/12/2009 11:03:58 AM POU
Comment: Updated Shape
2. dcarlson 3/12/2009 11:04:38 AM POU
Comment: Updated Shape
3. dcarlson 3/12/2009 11:40:55 AM POU
Comment: Updated Shape
4. dcarlson 3/12/2009 1:56:18 PM POD
Comment: Updated Shape
5. dcarlson 3/12/2009 1:56:52 PM POD
Comment: Updated Shape
6. dcarlson 3/12/2009 1:59:17 PM POD
Comment: Updated Shape
7. dcarlson 3/12/2009 2:04:24 PM POD
Comment: PODID 718948 correlated from SpatialDataID 303421 to SpatialDataID 211970
8. dcarlson 3/12/2009 2:04:25 PM POD
Comment: PODID 718948 correlated from SpatialDataID 303421 to SpatialDataID 211970
9. dcarlson 3/12/2009 2:04:26 PM POD
Comment: PODID 718948 correlated from SpatialDataID 303421 to SpatialDataID 211970
10. dcarlson 3/12/2009 2:04:26 PM POD
Comment: PODID 718948 correlated from SpatialDataID 303421 to SpatialDataID 211970
11. dcarlson 3/12/2009 2:05:53 PM POD
Comment: Deleted Shape
12. dcarlson 3/12/2009 2:06:13 PM POD
Comment: Updated Shape
13. dcarlson 5/11/2009 10:13:29 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 74093

Dates and Other Information:

Licensed Date:
Decreed Date: 7/26/2002
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: And
Water District Number: 120
Generic Max Rate Per Acre:
Generic Max Volume Per Acre: 4
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust: N
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-13597

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.84		447.5

Combined Water Rights: 43-13595 , 43-13597

Water Supply Bank:

Lessor Name: GLEN WARD
Lease Status: Application
Lease Amount: Part
Rental Availability: All
Date Received: 11/2/2009
Lease Begin Date: 3/15/2010
Expiration Date: 11/15/2015

FILED**CERTIFICATE OF ASSUMED BUSINESS NAME**

(Please type or print legibly. See instructions on other page.)

98 MAR -9 AM 11:21
SECRETARY OF STATE
STATE OF IDAHO

To the SECRETARY OF STATE, STATE OF IDAHO

Pursuant to Section 53-504, Idaho Code, the undersigned
gives notice of adoption of an Assumed Business Name.

1. The assumed business name which the undersigned uses(s) in the transaction of
-
- business is:

Cleft of the Rock Farms

2. The true name(s) and business address(es) of the entity or individual(s) doing
-
- business under the assumed business name is/are:

NameComplete AddressKenneth WoodworthHC 76 Box 1210 American Falls, ID 83211Delmar Woodworth735 Calder Avenue American Falls, ID 83211

3. The general type of business transacted under the assumed business name is:
-
- (mark only those that apply)

☐ Retail Trade☐ Manufacturing☐ Transportation and Public Utilities☐ Wholesale Trade☒ Agriculture☐ Finance, Insurance, and Real Estate☐ Services☐ Construction☐ Mining

4. The name and address to which future
-
- correspondence should be addressed:

Phone number (optional):

Cleft of the Rock Farms735 CALDER AVE.American Falls, ID 83211

5. Name and address for this acknowledgement
-
- copy is (if other than #4 above):

FIRST SECURITY BANK N.A.
COMMERCIAL LOAN DOCUMENTATION CENTER
P.O. BOX 8203
BOISE, IDAHO 83707

Submit Certificate of

Assumed Business

Name and \$20.00 fee to:

Secretary of State

700 West Jefferson

Basement West

PO Box 83720

Boise ID 83720-0080

208 334-2301

Signature:

Printed Name: Kenneth WoodworthCapacity: General Partner

(see instruction # 8 on other sheet)

Secretary of State use only

IDAHO SECRETARY OF STATE

03/09/1998 09:00

CR: 1551 CT: 1031 BH: 88881

1 @ 20.00 = 20.00 ASSUM NAME

012917