



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 23, 2010

RODNEY JENTZSCH
20106 5TH ST
RUPERT ID 83350

RE: RETURNING APPLICATION TO LEASE WATER RIGHT 36-16554 THE WATER SUPPLY BANK

Dear Applicant:

We received an application to lease part of water right 36-16554 to the Water Supply Bank on August 23, 2010. Per correspondence from your consultant, Zach Latham of Brockway Engineering PLLC, we are returning the application to you. According to the correspondence from Mr. Latham, the acres under the application have been admitted to the CREP program and are no longer candidates for lease.

Please contact me at (208) 287-4907 if you have questions.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent

C: Allen Merritt – IDWR Southern Regional Office
Cindy Yenter – Watermaster, Water District 130
Zach Latham – Brockway Engineering PLLC

Water Supply Bank No. _____

Water Right No. _____

RECEIVED

AUG 23 2010

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Name of Seller/Lessor Rodney Jentzsch

Phone 208-532-1971 Post office address 20106 5th St. Rupoert, ID 83350

1. DESCRIPTION OF RIGHT:

Right as evidenced by:

a. Decree No. 36-16554 Decreed to Rodney Jentzsch
(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: 0.34 cubic feet per second

& / or

68 acre-feet per annum

b. Point of diversion NE ¼ of SE ¼ of Section 33 Township 06s Range 24E
B.M. in Minidoka County

Additional points SENENW Sec 01 T07SR24E, SESENE Sec 06 T07SR25E,

SWSWNW Sec 06 T07SR25E, NESWSE Sec 06 T07SR25E

c. Place of use: The complete PPU is listed below.

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	
06S	24E	33	40	40	40	40									40	40	40	40	320
07S	24E	1	17	17	40	40	17	17	40	40									228
07S	25E	5					18		40			38	39						135
		6	18	18	40	40	18	15	32	40	40	32	32	39	40	40	39	35	518

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 1201*

NOTE: *The total irrigated area within the PPU will be reduced 17 acres upon approval of this application.

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEROF, 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.

see attached partial decree

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.)

Water is used for irrigation purpose from 4/01 to 10/31 annually.

- 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.

NA

- 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.

Water rights 36-15167A, 36-15170A, 36-196, 36-15536, 36-16555, 36-16554

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

NA

- f. If the right to use 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 period from Indefinite to _____
(Month, Day, Year) (Month, Day, 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".

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 the sale or lease of this right 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.

8/19/10
Date

Mark Jordan P.O.A.
Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/16/2010

WATER RIGHT NO. 36-16554

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RODNEY A JENTZSCH
Current Owner	SHIRLEY S JENTZSCH
	20106 5TH ST
	RUPERT, ID 83350
	(208)532-4119
Original Owner	DARRELL JAMES BAKER
	655 N 900 E
	RUPERT, ID 83350
	(208)531-5562

Priority Date: 03/21/1989

Basis: License

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	04/01	10/31	0.34 CFS	68 AFA
Total Diversion			0.34 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNESE	Sec. 33	Township 06S	Range 24E	MINIDOKA County
GROUND WATER	SENENW Lt 3	Sec. 01	Township 07S	Range 24E	MINIDOKA County

GROUND WATER	SESENE	Sec. 06	Township 07S	Range 25E	MINIDOKA County
GROUND WATER	SWSNW	Sec. 06	Township 07S	Range 25E	MINIDOKA County
GROUND WATER	NESWSE	Sec. 06	Township 07S	Range 25E	MINIDOKA County

Licensed Diversion Capacity: 0.86

IRRIGATION Use:
Acre Limit: 17

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
06S	24E	33		NENE	40		NWNE	40		SWNE	40		SENE	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
07S		1	1	NENE	17	2	NWNE	17		SWNE	40		SENE	40
			3	NENW	17	4	NWNW	17		SWNW	40		SENE	40
	25E	5	4	NWNW	18		SWNW	40						
				NWSW	38		SWSW	39						
		6	1	NENE	18	2	NWNE	18		SWNE	40		SENE	40
			3	NENW	18	4	NWNW	15	5	SWNW	32		SENE	40
				NESW	40	6	NWSW	32	7	SWSW	32		SESE	39
				NESE	40		NWSE	40		SWSE	39		SESE	35

Total Acres: 1201

Conditions of Approval:

1. X27 This right is limited to the irrigation of 17 acres within the place of use described above in a single irrigation season.
2. X35 Rights 36-196, 36-15167A, 36-15170A, 36-15536, 36-16554, and 36-16555 when combined shall not exceed a total diversion rate of 16.53 cfs, a total annual maximum diversion volume of 4732.0 af at the field headgate, and the irrigation of 1183.0 acres.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be
4. X61 shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

- | | | |
|-----|-----|---|
| 5. | F06 | The following rights are diverted through point(s) of diversion described above: 36-196, 36-15167A, 36-15170A, 36-15536, 36-16554, and 36-16555. |
| 6. | R05 | Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130. |
| 7. | R02 | A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion. |
| 8. | 131 | Prior to the diversion and use of water under Transfer approval 73725, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device. |
| 9. | R55 | This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest. |
| 10. | R56 | Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee. |
| 11. | R57 | The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate. |
| 12. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 13. | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. |

Dates:

Licensed Date: 11/17/1993

Decreed Date:

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: And

Water District Number: 130

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust: T

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close