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JUL 24 2009

DEPARTMENT OF
WATER RESOURCES

TSK ENTERPRISES LLC
255 BLUE LAKES BLVD NTH
PMB 617
TWIN FALLS, IDAHO 83301
PH & FAX 208-324-6411
CEL-208 320-0897
GARY L. FUNDERBURG

June 25, 2009

Idaho Dept. of Water Resources
322 East Front Street
P.O. BX 83720
Boise, Idaho 83720-0098

Att: Aaron Marshal
Diana Ball

Re: Application to Lease Water to Water Bank

Gentlemen:

Please find enclosed the following Items:

- 1) Applications to Lease Water from the Water Bank

This application should be part of the original application that were file in June 2009. We see that this water right is also part of the Taylor Dairy that needs to be lease for Dairy #2.

Mr. Jack Verbree Jr. would like to Lease the water from his existing Taylor Dairy, and then release the water back to his other Dairy #2 at a different location. The distance from the Taylor Dairy to Dairy #2 is approximately 1/2 mile to the south.

If you need further clarification of the applications in question, please fill free to contact Mr. Jack Verbree Jr. or Gary Funderburg.

Gary L. Funderburg

Form 42-1761
01/03

Water Supply Bank No. _____

Water Right No. _____

1

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	
7S	14E	26	S/C																

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. 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.

_____ Through purchase of the property _____

- 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).

_____ Partial Decree has been Issued.

- 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.

36-2498B , 36-0879

Present place will not be used as dairy.

- 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:

N/A

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".

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.

7-22-09
Date

Jack Volmer
Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

GROUND WATER	SENENE	Sec. 26	Township 07S	Range 14E	GOODING County
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Place(s) of use:

Place of Use Legal Description: STOCKWATER GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07S	14E	26		NENE										

Place of Use Legal Description: DOMESTIC GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07S	14E	26		NENE										

Conditions of Approval:

1.		USE OF THIS RIGHT WITH RIGHT NO. 36-08079 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 8.4 AF.
2.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4.		USE OF THIS RIGHT WITH RIGHT NO. 36-08079 IS LIMITED TO A COMBINED TOTAL DOMESTIC USE OF 2 HOUSES AND TO THE COMBINED TOTAL STOCKWATER USE OF 85 MILK COWS AND 120 DRY CATTLE.

Dates:

Licensed Date:

Decreed Date: 12/29/1997

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: S

Owner Name Connector: AND/OR

Water District Number:

Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit:
Combined Volume Limit: 30.7
Combined Rate Limit: 0.22
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