



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

September 13, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

ROSS YOUNG
KAREN YOUNG
BOX 241
CAREY ID 83320

RE: WATER SUPPLY BANK LEASE APPLICATION

Dear Applicants:

On September 19, 2007, the Idaho Department of Water Resources (Department) received your application to lease water right no. 37-7621E to the Water Supply Bank (Bank) for a period ending "some future date." In your application, you wrote, "This right was decreed to me Dec 11, 2002, I just sold the property to Pioneer View Estates but retained the water rights. They have quitclaimed this right back to me. There is another 14.4 acres belonging to FW Pyrah (Ted) that will be quitclaimed at a later date." A quitclaim for 37-7621E from Pioneer View Estates/Summit Creek Ranch LLC to yourselves was attached. The quitclaim does indicate water rights were conveyed to you. However, the Department needs the warranty deed from yourselves to Pioneer View Estates/Summit Creek Ranch LLC from when you sold the ground itself. This additional deed will confirm the amount of the conveyed water right and ensure the Department puts the correct portion of the water right in the Bank. Water right ownership must be confirmed to protect right owners from injury.

Additionally, your correspondence indicates there may be additional acres from FW Pyrah. You did not apply to put those in the Bank and the Department can not put those in the Bank without an application and the appropriate deeds.

The Department is returning the application to you so you can gather the additional required information. You may resubmit the application and, if you have acquired a second quitclaim and warranty deed from FW Pyrah, you can include those acres in the application.

If you would still like to offer this right for lease to the Bank, please submit a new lease application with the necessary ownership paperwork. Application forms and information about the Water Supply Bank are available from the Department's web site at: www.idwr.idaho.gov. Please contact me if you have any questions.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent

Enclosure(s): Lease Application

Water Supply Bank No. _____
Water Right No. 37-7621 E

RECEIVED

SEP 26 2007

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RECEIVED
SEP 19 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Name of Seller/Lessor ROSS & KAREN Young Phone 823-4410
Post office address Box 241, Carey ID 83320

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. 37-7621 E Decreed to ROSS & Karen Young
(Name)
in case of SRBA 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: 0.670 cubic feet per second &/or
_____ acre-feet per annum
- b. Point of diversion: NW 1/4 SW 1/4 of 1/4 of Section 22 Township 01S Range
21E, B.M. in Blaine 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	
16	21E	22												20					20

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 20

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.

~~depressed~~
 This right was ~~to~~ me DEC 11, 2002, I just sold the property to Pioneer View Estates but retained the water rights. They have quitclaimed this right back to me. There is another 14.4 acres belonging to FW Pyrah (Ted) that will be quitclaimed at a later date.

- 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).

This water right is supplement to other right, it has not been used in the last ten years.

- 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.

Right 37636 A (Surface water) & 110 Shares in Little Wood Reservoir are also on this property, which will become a subdivision. Outside irrigation in the subdivision will be done with canal shares, as required by the City of Corvallis.

- 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:

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 9-15-07 to some future date
(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.

9-19-07
Date

Ross M Young
Signature

FOR DEPARTMENT USE ONLY

Received by Jane Robertson Date 9-19-07 Preliminary check by JR

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

COPY

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Ross and Karen Young
Post office Box 241
Carey, ID 83320

Instrument # 551025

HAILEY, BLAINE, IDAHO

2007-08-28

03:16:53 No. of Pages: 1

Recorded for : LAWSON & LASKI PLLC

JOLYNN DRAGE

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

4B

(Space Above This Line For Recorder's Use)

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Pioneer View Estates hereby bargains, sells, remises, releases, conveys and forever quitclaims to Ross M. Young and Karen W. Young, whose address is Post Office Box 241, Carey, Idaho 83320 all of Pioneer View Estates's right, title and interest in the water rights in the State of Idaho, County of Blaine described as:

WATER RIGHT NO. 37-7621E, PRIORITY DATED: June 7, 1977

DATED this 21 day of August, 2007. SUMMIT CREEK RANCH LLC

By:

Name: John W. Mackey

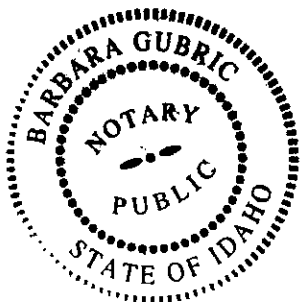
Title: Manager / Member

State of Idaho)

) ss.

County of Ada)

On this 21st day of August, in the year of 2007, before me, a Notary Public in and for said State, personally appeared John Mackey, known or identified to me to be a member of Pioneer View Estates, a limited liability company, the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that _____ executed the same in said limited liability company name.



Notary Public for Idaho

Residing at 1721 Columbus, Boise, ID 83705

My Commission expires May 31, 2013



15

14

16

22

23

21

Pyrah

Pioneer Estates

28