

WA

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JAN 06 2010

DEPARTMENT OF
WATER RESOURCES

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* Also admitted in Oregon
^o Also admitted in South Dakota
≈ Also admitted in Utah
‡ Also admitted in Washington

December 23, 2009

Chairman Terry Uhling
Idaho Water Resources Board
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

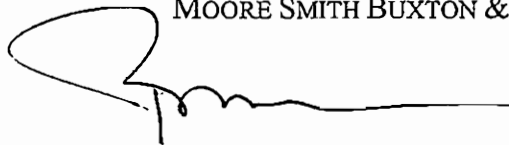
RE: Application to Lease Water from Water Supply Bank

Dear Chairman Uhling:

Enclosed in an Application to Lease Water from the Water Supply Bank on behalf of Boise Packaging and Newsprint LLC. The application is for a lease period of six years which brings the matter within the authority of the IWRB pursuant to IDAPA 37.02.03.030.06. The application is to lease sufficient water from the water supply bank for irrigation of five acres of land while a permanent water right is obtained. A list of available water rights to rent in basin 45 is attached. Any of these rights, which are already in the bank, would appear to suffice.

Sincerely,

MOORE SMITH BUXTON & TURCKE, CHARTERED



Bruce M. Smith

BMS/cam
Enclosure(s)
cc: Aaron Marshall
Hal Anderson

COPY

Water Supply Bank Lease Search

This search tool identifies water rights leased to the State Water Supply Bank ("bank"). Results provide general information about the lease. Additional information about a specific water right or documents related to a lease may be researched through the Water Right and Adjudication Search (link below).

☐ All Water Supply Bank

Search By:

Basin

Who

What

When

Where

Clear

Search

Help

☐ Active

☐ Application

☐ Closed

☐ Denied

Usage Instruction

Basin

45

 To (Example: 63)

Sequence To (Example: 7819)

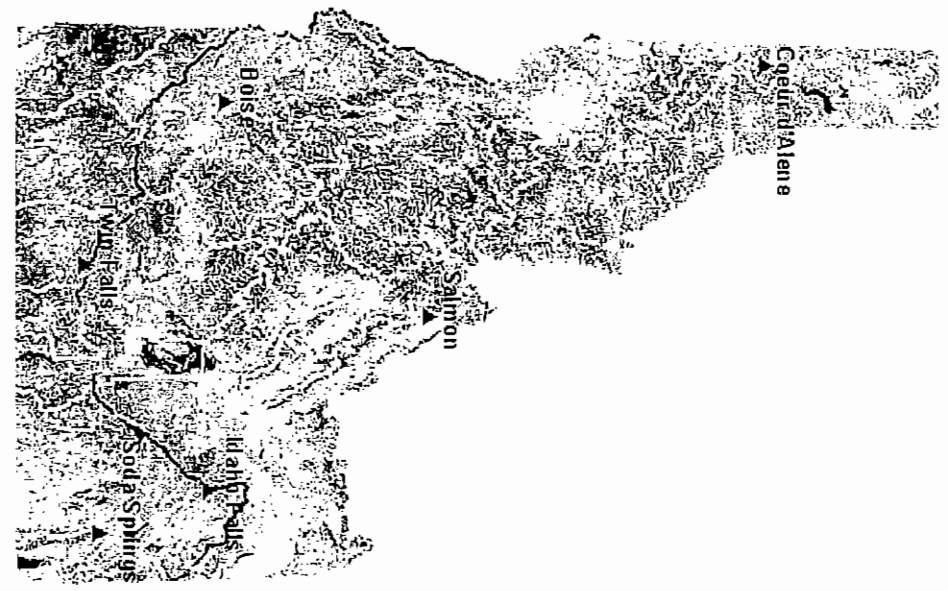
Split Suffix (Example: A)

(Hint: Water Right Numbers are comprised of three components: the Basin Number, the Sequence Number, and sometimes a Split Suffix. For water right 63-7819A, the Basin Number is 63, the Sequence Number is 7819, and the Split Suffix is A. Not all water right numbers have Split Suffixes.)

Search Criteria (See Results Below.)

Basin From: 45

Water Supply Bank Status: Active



For best results when printing search output, change printer settings to legal paper and landscape orientation.

Research a specific water right:

[Water Right and Adjudication Search](#)

12 Results Found

Lease Information					Water Right Information				
Water Right Number	Lessor	Lease Status	Lease Amount	Rental Availability	Lease Begin Date	Expiration Date	Source	Priority	Nature of Use
Basin Seq. Suffix									
					Lessor's POD				
					Twp Rge Sec Govt Lot QQQ Q Q				

45	4084	GEORGE M KELLEY	ACTIVE	ALL	ALL	4/24/2007	12/31/2009	GROUND WATER	4/1/1958	IRRIGATION	12S 24E 1 3	NW NE NW
45	4236	GEORGE M KELLEY	ACTIVE	ALL	ALL	4/24/2007	12/31/2009	GROUND WATER	6/15/1961	IRRIGATION	12S 24E 1 3	NW NE NW
45	7086 D	JOHN BEUKERS RUTH BEUKERS	ACTIVE	PART	ALL	10/27/2004	12/31/2008	GROUND WATER	12/29/1971	IRRIGATION	12S 21E 22 12S 21E 27	NE NE SE SW SW NW
45	7086 D	JOHN BEUKERS RUTH BEUKERS	ACTIVE	PART	PART	10/27/2004	12/31/2011	GROUND WATER	12/31/1971	IRRIGATION	12S 21E 22 12S 21E 27	NE NE SE SW SW NW
45	13948	V & R FARMS LLC	ACTIVE	PART	ALL	3/20/2006	INDEFINITE	GROUND WATER	7/11/1966	IRRIGATION	11S 24E 29	SE SW NW
45	13950	V & R FARMS LLC	ACTIVE	PART	ALL	3/20/2006	INDEFINITE	GROUND WATER	8/15/1975	IRRIGATION	11S 24E 29 11S 24E 29	SE SW NW SW SW NW
45	13962	V & R FARMS LLC	ACTIVE	PART	ALL	3/20/2006	INDEFINITE	GROUND WATER	8/29/1991	IRRIGATION	11S 24E 20	SE SE
45	13963	V & R FARMS PARTNERSHIP	ACTIVE	PART	ALL	3/20/2006	INDEFINITE	GROUND WATER	8/29/1991	IRRIGATION	11S 24E 29 11S 24E 29	SE SW NW SW SW NW
45	14184	PAUL CHRISTENSEN PERRY G CHRISTENSEN	ACTIVE	ALL	ALL	2/18/2009	12/31/2009	GROUND WATER	11/21/1955	IRRIGATION	10S 22E 33	SW SW
45	14185	MARIA CHRISTENSEN BROWN ROBERT BURTON BROWN II	ACTIVE	ALL	ALL	2/18/2009	12/31/2009	GROUND WATER	11/21/1955	IRRIGATION	10S 22E 33	SW SW
45	14186	PAUL CHRISTENSEN PERRY G CHRISTENSEN	ACTIVE	ALL	ALL	2/18/2009	12/31/2009	GROUND WATER	9/7/1967	IRRIGATION	10S 22E 33	SW SW
45	14187	MARIA CHRISTENSEN BROWN ROBERT BURTON BROWN II	ACTIVE	ALL	ALL	2/18/2009	12/31/2009	GROUND WATER	9/7/1967	IRRIGATION	10S 22E 33	SW SW

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Water Supply Bank No. _____
(For Department Use Only)

DEPARTMENT OF STATE OF IDAHO
WATER RESOURCES WATER RESOURCE BOARD

APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK

Name of Renter Boise Packaging & Newsprint, L.L.C. Phone 331-1800

Mailing address 1111 West Jefferson Suite 200 Boise ID 83702 Email bms@mbsbtlaw.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>0.1</u>	<u>18</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
Total: <u>0.1</u>	<u>18</u>		

2. Source of water Groundwater tributary to _____

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
10S	23E	30	4	NW	SW	SE	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	23E	30																	

If the use is for irrigation, show total number of acres proposed through rental. Total Acres 4.9

B. OWNERSHIP

- 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. _____
- 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. Existing Well 234 ft 5hp pump
2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.
45-2568
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. _____
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

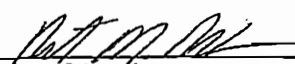
1. Do you wish to rent water from the Board's bank for more than one (1) year? Yes ☒ No ☐
If yes, please specify the number of years desired through proposed rental. 6

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.

Boise Packaging & Newsprint, L.L.C.

By 
Signature of Applicant

Robert McNutt, Sr. Vice President
Printed Name and Title*

11-19-2009
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

Mail to: Idaho Department of Water Resources, P.O. Box 83720, Boise, ID 83720-0098