

Water Right No. 43-13597

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED
MAR 29 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

**APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT**

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

1. Name of water right holder WARD LAND & LIVESTOCK LLC
2. Mailing address 227 E. 400 S., BURLEY, IDAHO 83318
3. The right was obtained or is evidenced by:
 - a. Decree to _____ in Case of _____
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree

_____ b.
 - d. SRBA No. 43-13597
4. Source of water GROUNDWATER tributary to _____
(Name of stream or source)
5. Date of priority of right 5/23/1962
6. Description of Right:
amount 0.89 / 580.4 for IRR purposes from 3/15 to 11/15
(cfs/ac-ft)
amount 0.15 / 96 for MITIGATION purposes from 3/15 to 11/15
(cfs/ac-ft)
7. Point of Diversion NW 1/4 NW 1/4 of Sec. 02 Twp. 10S. Rge. 26E County GOODING
NW 1/4 SW 1/4 of Sec. 02 Twp. 10 S. Rge. 26E County GOODING
SW 1/4 SE 1/4 of Sec. 03 Twp. 10 S. Rge. 26E County GOODING
NE 1/4 NE 1/4 of Sec. 11 Twp 10 S. Rge. 26e County GOODING
8. Lands irrigated or Place(s) of use: IRRIGATION USE 145.1 Acre limit.

b. Lands Irrigated or Placed in Use.

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
		2				20	40	31	31	28	39	30	40	40	40		40	40	419

Total Acres 447.5

9. Give the last date when water was put to beneficial use _____

Length of extension of time requested Indefinite years, or until _____ (Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use. Water Right has been submitted to the state water bank for lease. This property was purchased from Sagewood Ranch LLC of Burley, Idaho. This water right was put in to the Water Bank in July 1995 for Indefinite. See letter for G.L. Saxton 12/06/2002. We do not wish to use the water at this time and would like to protect the right. Old water right # 43-7126, 43-4037.

The information contained in this application is true to the best of my knowledge.

Glenn A. Ward

(Signature of Applicant)

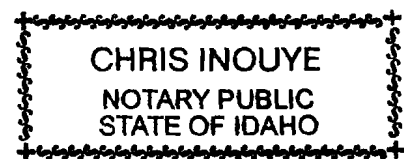
Subscribed and sworn to before me this 25th day of March, 20 10.

Chris Inouye

(Notary Public)

My commission expires 8/20/2015 Residing at

Burley, Idaho



ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and

I hereby _____ said application subject to the following conditions or reasons:

Signed this _____ day of _____, 20 _____.

FOR DEPARTMENT USE ONLY

Date Received 3/29/2010 FEE Receipted by S.O. Date 1/27/2010

Receipt # 2087937

Preliminary T by _____ Publication prepared by _____ Pub. approved by _____
Date _____

Published in _____ Dates Published _____

Protests filed by _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for - 9 APPROVAL / 9 DENIAL By _____

ORIGINAL SAGEWOOD RIGHTS									
43-7126	43-4037								
5/4/1978	5/23/1962								
18.77 cfs	3.30 cfs								
18.77 cfs									
1122.0 Ac.	538.3 Ac.								
1660.3 Ac.									
4488.0 afa	2153.0 afa								
6641.0 afa									
Error in original decree authorized volume 43-4037 could not produce during period from 3/15-11/15									
CORRECTED SAGEWOOD RIGHTS		Ward Ownership		Searle Ownership		Stoker Ownership			
43-7126	43-4037	43-13366	43-13369	43-13364	43-13367	43-13365	43-13368		
5/4/1978	5/23/1962	5/4/1978	5/23/1962	5/4/1978	5/23/1962	5/4/1978	5/23/1962		
18.77 cfs	3.30 cfs	6.20 cfs	1.10 cfs	6.26 cfs	1.10 cfs	6.26 cfs	1.10 cfs		
18.77 cfs		6.20 cfs		6.26 cfs		6.26 cfs			
1122.0 Ac.	538.3 Ac.	374.0 Ac.	179.4 Ac.	374.0 Ac.	179.4 Ac.	374.0 Ac.	179.4 Ac.		
1660.3 Ac.		553.4 Ac.		553.4 Ac.		553.4 Ac.			
4488.0 afa	1610.2 afa	1496.0 afa	536.7 afa	1496.0 afa	536.7 afa	1496.0 afa	536.7 afa		
6098.2 afa		2032.7 afa		2032.7 afa		2032.7 afa			
Appears bailey split of 7126 diversion (15ac/1660.3ac*18.77cfs=0.17cfs) was subtracted from original limits and deleted from Ward Ownership likely since it occurred prior to recognition of error in volume development potential									
Purchase by Idaho Water Co.		Retained by Ward							
43-13366	43-13369	43-13366	43-13369						
5/4/1978	5/23/1962	5/4/1978	5/23/1962						
1.20 cfs	0.21 cfs	5.00 cfs	0.89 cfs						
1.20 cfs		5.00 cfs							
71.6 Ac.	34.4 Ac.	302.4 Ac.	145.1 Ac.						
106.0 Ac.		447.4 Ac.							
286.5 afa	102.8 afa	1209.5 afa	433.9 afa						
389.3 afa		1643.4 afa							
Sold to Povey		Mitigation for Povey Permit							
43-13366	43-13369	36-16210	36-16211						
5/4/1978	5/23/1962	5/4/1978	5/23/1962						
0.84 cfs	0.15 cfs	0.84 cfs	0.15 cfs						
0.84 cfs		0.84 cfs							
50.0 Ac.	24.0 Ac.	50.0 Ac.	24.0 Ac.						
74.0 Ac.		74.0 Ac.							
200.0 afa	96.0 afa	200.0 afa	96.0 afa						
296.0 afa		296.0 afa							
Sold to Bailey		Transfer 70926 to Bailey							
43-13366	43-13369	36-16210	36-16211						
5/4/1978	5/23/1962	5/4/1978	5/23/1962						
0.17 cfs	0.03 cfs	0.11 cfs	0.03 cfs						
0.17 cfs		0.11 cfs							
10.1 Ac.	4.9 Ac.	10.1 Ac.	4.9 Ac.						
15.0 Ac.		15.0 Ac.							
40.5 afa	14.5 afa	15.8 afa	14.6 afa						
55.1 afa		30.4 afa							
Sold to KBC		Transfer 74093 to KBC							
43-13366	43-13369	35-13915	35-13916						
5/4/1978	5/23/1962	5/4/1978	5/23/1962						
0.19 cfs	0.03 cfs	0.25 cfs	0.03 cfs						
0.19 cfs		0.25 cfs							
11.5 Ac.	5.5 Ac.	11.5 Ac.	5.5 Ac.						
17.0 Ac.		17.0 Ac.							
46.0 afa	16.5 afa	46.0 afa	16.5 afa						
62.4 afa		62.4 afa							
Ward Current Active Listed									
43-13595		43-13597							
5/4/1978		5/23/1962							
Irrigation	Mitigation	Irrigation	Mitigation						
5.00 cfs	0.84 cfs	0.89 cfs	0.16 cfs						
5.84 cfs		1.04 cfs							
5.84 cfs									
302.4 Ac.		145.1 Ac.							
447.5 Ac.									
1209.6 afa	200.0 afa	580.4 afa	96.0 afa						
2086.0 afa									
Ward Remaining @ Sagewood		Povey Mitigation		Idaho Water Co. Remaining					
43-13595	43-13597	43-13595	43-13597	43-13366	43-13369				
5/4/1978	5/23/1962	5/4/1978	5/23/1962	5/4/1978	5/23/1962				
5.00 cfs	0.89 cfs	0.84 cfs	0.15 cfs	0.00 cfs	0.00 cfs				
5.00 cfs		0.84 cfs		0.00 cfs					
302.4 Ac.	145.1 Ac.	50.0 Ac.	24.0 Ac.	0.0 Ac.	0.0 Ac.				
447.5 Ac.		74.0 Ac.		0.0 Ac.					
1209.6 afa	580.4 afa	200.0 afa	96.0 afa	0.0 afa	0.0 afa				
1790.0 afa		296.0 afa		0.0 afa					



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

December 6, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Sagewood Ranch LLC
227 E 400 S
Burley, ID 83318

RE: WATER RIGHTS 43-4037 AND 43-7126

Basin 43 - 1/45

Gentlemen:

Department records show that you are the current owner of the above referenced water rights that have been leased to the Water Supply Bank ("bank") operated by the Idaho Water Resource Board. The rights were placed in the bank in July 1995 when the rights were owned by Brugger Corporation. The duration of the lease to the bank by the Brugger Corporation was indefinite. Hence Department records show that the water rights presently are in the bank and are eligible for rental to other water users. If your intent is to divert and use the rights, you need to request removal of the rights from the bank.

The purpose of this letter is to inquire whether you wish to leave the water rights in the bank or remove them from the bank. Several items to keep in mind in connection with water rights leased to the bank are as follows:

1. There is no rental payment to the owner of the water right if the right or a part thereof is not rented from the bank. *1000 AM ACRES*
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. *Double use.*
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires. *indefinite or until owner requires them out.*
4. While a water right is in the bank, forfeiture provisions are stayed. *past use.*
5. Acceptance of a right into the bank does not, in itself, confirm the validity of a right or any element of a right.

If you have questions about this letter or the water supply bank and its operation, feel free to contact me. I can be reached directly at (208) 327-7955.

Sincerely,


L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - Allen Merritt
IDWR - Doug Jones