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Form 240
10/07

JUN 13 2008

Exchange No. _____

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JUN 12 2008

APPLICATION FOR EXCHANGE OF WATER

Department of Water Resources

Under the provisions of Section 42-240, *Idaho Code*, any person holding a surface water right may apply to exchange such water for the use of water from the same source or a different surface water source. Surface water right holders may also apply to exchange for the use of water authorized for diversion under one or more other valid water rights from the same source or a different surface water source.

1. INFORMATION ABOUT THE APPLICANT

Applicant IDAHO WATER RESOURCE BOARD Telephone No: (208) 327-4800
(Name of Applicant)
322 E. FRONT STREET, BOISE, ID 83720 Email: brian.patterson@idwr.idaho.gov
(Mailing Address) (Zip Code)

Applicant's Water Right(s) to be exchanged BUREAU OF RECLAMATION STORAGE CONTRACT HELD BY THE
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.
BLACK CANYON IRRIGATION DISTRICT

2. INFORMATION ABOUT THE CO-APPLICANT

Complete this portion if the applicant proposes to exchange for water diverted under a water right held by another party. The co-applicant is the holder of the right to be exchanged for the applicant's right. If more space is needed, please attach another sheet containing information about each co-applicant.

Co-applicant _____ Telephone No: _____
(Name of Co-applicant)

(Mailing Address) (Zip Code) Email: _____

Co-applicant's Water Right(s) to be exchanged _____
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

3. EXCHANGE AGREEMENT -- Attach a copy of the written agreement between the applicant and the co-applicant(s).

4. EXCHANGE INFORMATION -- Complete Part A or Part B to explain how the proposed exchange will operate.

Part A -- For an exchange involving two or more water right holders.

The applicant proposes to divert _____ cfs and/or _____ acre feet per year of water authorized to be diverted under the co-applicant's water right(s) listed above at _____ 1/4 of _____ 1/4, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional points of diversion, if any: _____

In exchange for authorization to divert water as described above, _____ cfs and/or _____ acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (complete 1 or 2 below):

1. made available to the co-applicant for diversion at _____ 1/4 of _____ 1/4, Govt. Lot _____ Sec. _____
Township _____ Range _____ B.M., _____ County.
Additional points of diversion, if any: _____

OR

2. released from storage by the co-applicant into _____ at _____ 1/4 of _____ 1/4,
Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

ORIGINAL

— Superseded —

Part B-- For an exchange involving only the applicant's water right(s).

The applicant proposes to divert RELEASE cfs and/or 2800 acre feet per year of water at 65-2927A 1/4 of 1/4, Govt. Lot 6 Sec. 14N Township 3E Range 3E B.M., VALLEY County. Additional points of diversion, if any: _____

In exchange for authorization to divert water as described above, _____ cfs and/or 2800 acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (complete 1 or 2 below):

1. diverted from _____ at _____ 1/4 of _____ 1/4, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County and injected into _____ at _____ 1/4 of _____ 1/4, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

OR

2. released from storage by the applicant into SNAKE RIVER AT MILVER DAM FOR FLOW AUGMENTATION at _____ 1/4 of _____ 1/4, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional Explanation – Attach additional sheets if necessary.

THIS ACTION WOULD EXCHANGE 2,800 AF/YR OF BLACK CANYON IRRIGATION DISTRICT STORAGE SPACE IN CASCADE RESERVOIR WITH STORAGE WATER RELEASED FROM FEDERAL RESERVOIRS IN THE UPPER SNAKE BASIN FOR FLOW AUGMENTATION. THE BLACK CANYON SPACE WILL BE LEASED BY THE WATER RESOURCE BOARD AND WILL BE DELIVERED TO THE SNAKE RIVER FOR FLOW AUGMENTATION, ALLOWING THE WATER RESOURCE BOARD TO USE 2800 AF FROM UPPER SNAKE STORAGE FOR OTHER PURPOSES ON THE EASTERN SNAKE PLAIN.

If this exchange is not intended to be a permanent arrangement, please describe the circumstances under which the proposed exchange will terminate. THE AGREEMENT CONTEMPLATES A 2034 END DATE.

5. MAPS – Attach two maps, one showing the water right(s) as it is (they are) now used, and another showing how the water right(s) will be used under the proposed exchange. Each map should be on an 8 1/2"x11" sheet and should clearly identify the locations of the point(s) of diversion, injection, and re-diversion of water and the place(s) of use by 40-acre subdivisions, section, township and range of the public land survey. Photocopies of USGS 7 1/2-minute topographic quadrangles are preferred as base maps.

SIGNATURE

Applicant hereby asserts that no one will be injured by such exchange of water and acknowledges that the applicant and/or the co-applicant will be responsible for all actions taken pursuant to this exchange. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Brian Farkas FOR THE IDAHO WATER RESOURCE BOARD 9 JUN 08
Applicant's Signature (and title if application is for an organization) Date

FOR DEPARTMENT USE ONLY

This exchange application contains _____ pages, including attachments.
Received by CS Date 6-12-2008 Fee NONE - IWRB
Received by _____ Date _____ Receipt No. NONE
Preliminary review by _____
Published in _____
Publication dates _____
Protests filed by _____
Copies of protests forwarded by _____
Watermaster recommendation requested on _____
Watermaster recommendation received on _____
Hearing held by _____ Date _____
Recommended for Approval _____ Denial _____ By _____