

Water Supply Band No. _____

Water Right No. 31-2380

Form 42-1761
01/03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 07 2008
DEPARTMENT OF
WATER RESOURCES

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

Name of Seller/Lessor Paul or Elma Walker Phone (208) 522-5858

Post Office Address 1638 Mountain Rose Drive, Idaho Falls, ID 83402

c/o Keith C. Wilson Rocky Mountain Environmental Associates, Inc.
482 Constitution, Ste 303 (208) 524-2353
Idaho Falls, ID 83402 Fax 208) 524-1795

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

a. Decree No. 31-2380 Decreed to Paul / Elma Walker

in case of ____ vs.

dated ____ in ____ county of

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: 0.46 cubic feet per second &/or 133.0 acre-feet per annum

b. Point of Diversion: NE ¼ NE ¼ of Section 10 Township 8N Range 33E B.M., in
JEFFERSON County.

Additional points: _____

c. Place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	33E	10	9.5	9.5	9.5	9.5													38

If right is for irrigation, show the number of acres for the part of the right to be put in the bank

Total number of Acres 38.

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 Sec 42-248 or 42-1409(6), Idaho Code, together with required documentation.

Current Owner on Decreed Water Right. See Schedule "A" for ownership of NE1/4 Sec 10, T08N, R33E

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 bill, 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).

Water right has been used annually since decree date of 02/22/2002. See attached power bill for September 2007.

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?

N/A

e. If the water 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.

Acres leased are corners not irrigated from the center pivot located in the NE¼ Sec 10,
T8N, R33E

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

✓ For lease for a period from Indefinite to _____

(Day, Month Year)

_____ As a gift to the state of Idaho

Current Rental Rate

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.

3/13/08

Paul D Wolff

Signature

Received by _____ Date _____ Prelim check by _____ Fee _____
Watermaster recommendation requested on _____ Received _____
Recommended for _____ approval _____ denial _____ By _____

WATER RIGHT NO. 31-2380**Owner Type Name and Address**

Current Owner PAUL / ELMA WALKER

3658 E 800 N

MENAN, ID 83434

(208)754-8615

Lienholder IDAHO AGCREDIT FLCA

PO BOX 386

REXBURG, ID 83440

Priority Date: 11/18/1960

Basis: Decreed

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Volume

IRRIGATION 4/01 10/31 1.92 CFS 560 AFA

Total Diversion 1.92 CFS

Location of Point(s) of Diversion:

GROUND WATER SENENE Sec. 10 Township 08N Range 33E JEFFERSON County

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08N	33E	10		NENE 40			NWNE 40			SWNE 40			SENE 40	

Total Acres: 160

Conditions of Approval:

- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE
1. C18 WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
 2. RIGHT NO. 31-02465 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Decreed Date: 02/22/2002

Point of Diversion

(31-2380 & 31-2465)

