



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

March 17, 2008

C. L. "BUICH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

LAVAR THORNTON
2800 S TEN MILE RD
KUNA ID 83634

RE: APPLICATION(S) TO LEASE WATER RIGHT NO(S) 63-2986, 63-3404, AND
63-7474 TO THE WATER SUPPLY BANK

Dear Mr. Thornton:

The Department of Water Resources (Department) is returning your Application(s) to Sell or Lease Water Right(s) to the Water Supply Bank (Bank) received on February 27, 2004, since the applications were not processed prior to the end of the lease term.

Please submit a new application if you would still like to lease a water right to the Bank. The Department regrets any inconvenience caused by the delay in processing the applications.

If forfeiture of the right is a concern, a right holder can apply to extend the period to avoid forfeiture of a water right. You can request a form be mailed to you, or visit our website at <http://www.idwr.idaho.gov> to obtain a copy of the form. Your right may also be protected from forfeiture based on exceptions or defenses to forfeiture described in Section 42-223, *Idaho Code*.

If you have any questions, please contact me at (208) 287-4943.

Sincerely,

Aaron Marshall
Water Allocation Bureau

c: John Westra – IDWR Western Regional Office
Scott King – SPF Water Engineering

Water Supply Bank No. _____

Water Right No. 63-7474

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

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

RECEIVED

FEB 27 2004

Department of Water Resources

Name of Seller/Lessor LaVar K. Thornton Phone (208) 922-5779

Post office address 2800 S. Ten Mile Road, Kuna, ID 83634

1 DESCRIPTION OF WATER RIGHT:

Right evidenced by:

a. Decree No. _____ Decreed to _____
(Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 63-7474 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: 0.78 cubic feet per second &/or
184.5 acre-feet per annum

b. Point of diversion: NE 1/4 of SE 1/4 of Section 3 Township 1N Range
1E, B.M. in Ada County.

Additional points NENE of section 3 Township 1N Range 1E

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	
1N	1E	3									16	20					2	3	41

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 41

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.

Lessor owns land

- 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).

Continuous use. SRBA claim pending.

- 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.

NA

- 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.

No overlapping rights. Place of use will not receive water from any source.

- e. If the water right is a permit, describe the work accomplished toward developing the right.

NA

- 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:

See companion leases of portions of water rights 63-3404 and 63-2986. Change of ownership submitted 12/8/03.

5. SALE/LEASE AGREEMENT

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

_____ For sale;

X For lease for a period from 4/1/04 to 10/31/04
(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.

Feb. 24 2004
Date

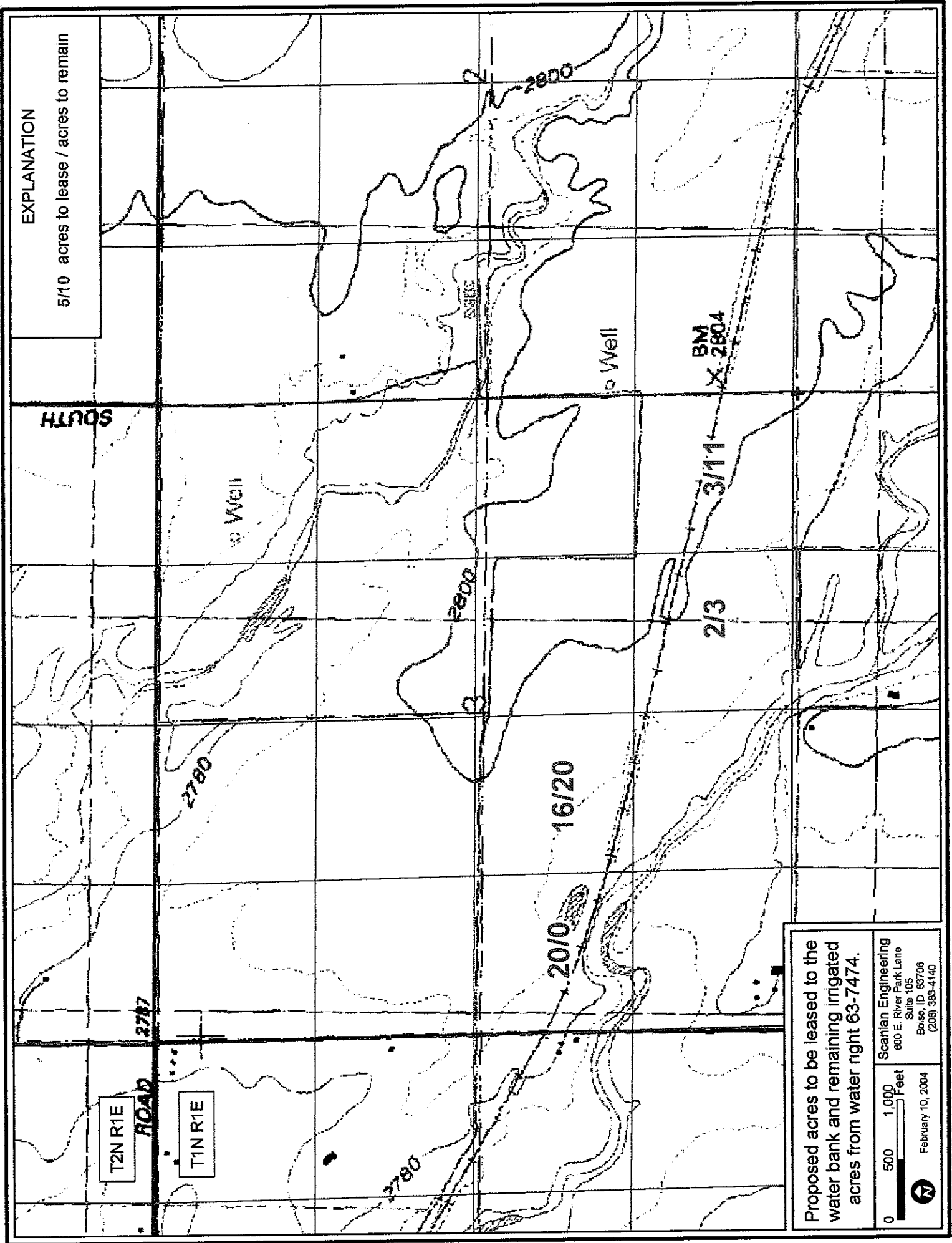
Laver H. Hunter
Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____



EXPLANATION

5/10 acres to lease / acres to remain

SOUTH

T2N R1E

ROAD

2787

T1N R1E

Well

Well

BM
X-2804

20/0
16/20

2/3

3/11

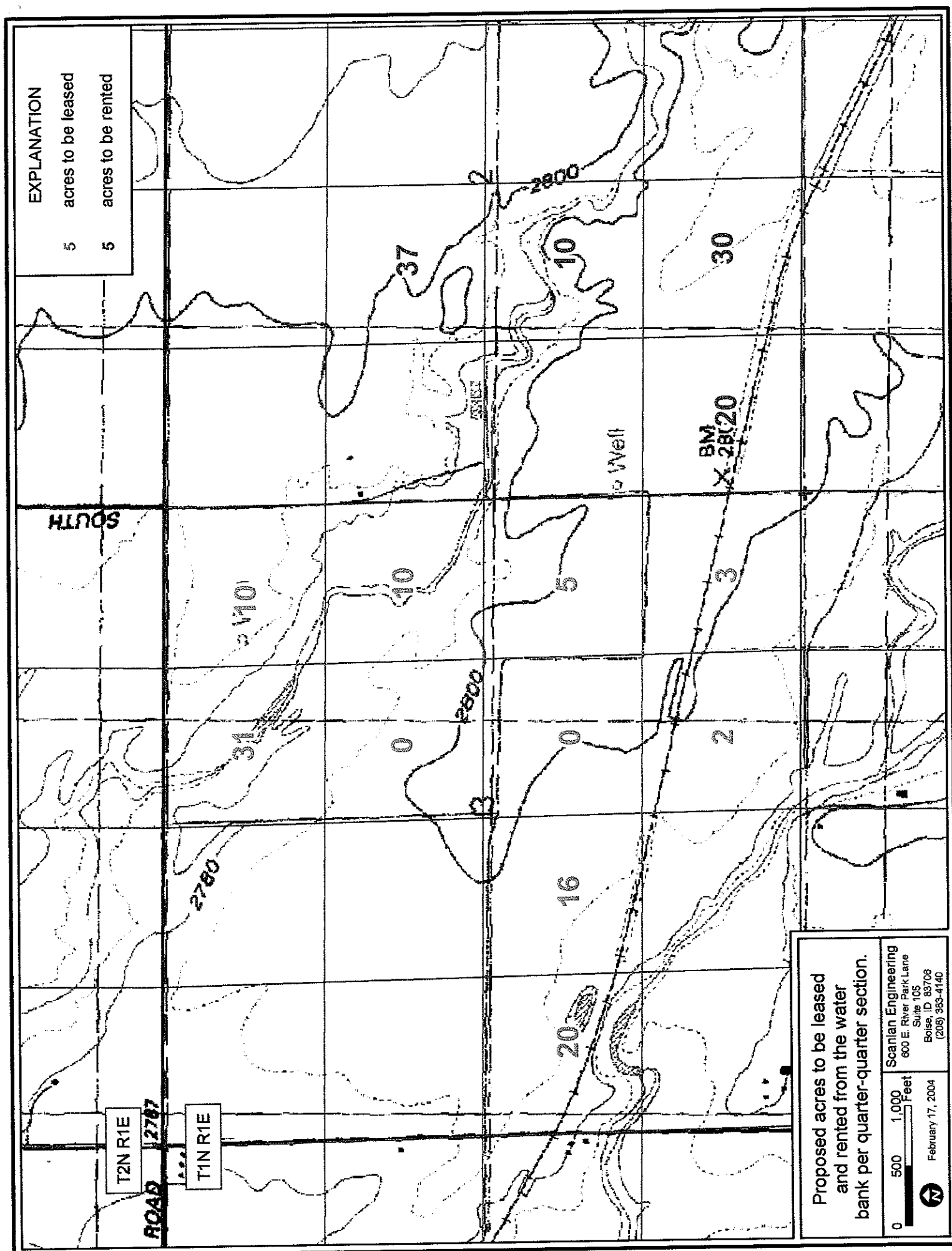
Proposed acres to be leased to the
water bank and remaining irrigated
acres from water right 63-7474.

Scanlan Engineering
600 E. River Park Lane
Suite 105
Boise, ID 83706
(208) 383-4140

0 500 1,000 Feet

February 10, 2004





Water Supply Bank No. _____

Water Right No. 63-3404

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED

FEB 27 2004

Department of Water Resources

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

Name of Seller/Lessor LaVar K. Thornton Phone (208) 922-5779

Post office address 2800 S. Ten Mile Road, Kuna, ID 83634

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. _____ Decreed to _____
(Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. 63-3404 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: 0.90 cubic feet per second &/or
164.0 acre-feet per annum
- b. Point of diversion: NE 1/4 of SE 1/4 of Section 3 Township 1N Range
1E, B.M. in Ada County.
Additional points NENE of section 3 Township 1N Range 1E

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	
1N	1E	3	10	31		10									5				56

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 56

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.

Lessor owns land

- 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).

Continuous use. SRBA claim pending

- 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.

NA

- 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.

Overlapping water right 63-2986. Place of use will not receive water from any source.

- e. If the water right is a permit, describe the work accomplished toward developing the right.

NA

- 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:

See companion leases of portions of water rights 63-7474 and 63-2986. Change of
ownership submitted 12/8/03.

5. SALE/LEASE AGREEMENT

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

_____ For sale;

X For lease for a period from 4/1/04 to 10/31/04
(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".

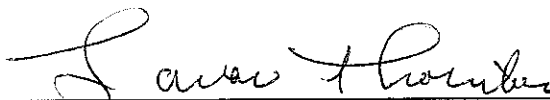
Current rental rate

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.

Feb. 24 2004
Date

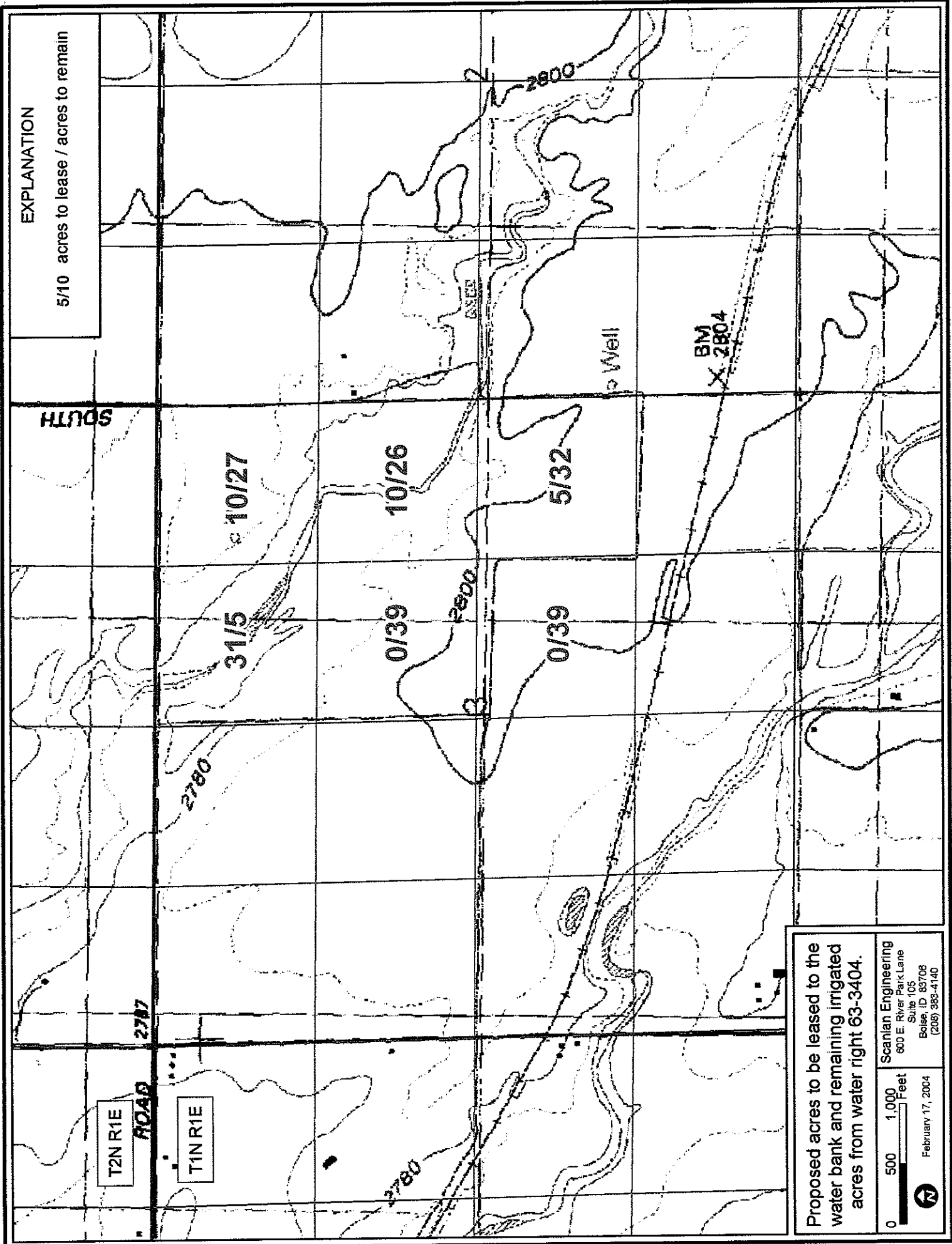

Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____



EXPLANATION

5/10 acres to lease / acres to remain

SOUTH

T2N R1E

ROAD

27N7

T1N R1E

10/27

31/5

2780

10/26

0/39

3

2800

5/32

0/39

Well

BM
X 2804

Proposed acres to be leased to the
water bank and remaining irrigated
acres from water right 63-3404.

Scanlan Engineering
600 E. River Park Lane
Suite 105
Boise, ID 83706
(208) 383-4140

0 500 1,000 Feet

February 17, 2004



Water Supply Bank No. _____

Water Right No. 63-2986

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED

FEB 27 2004

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

Department of Water Resources

Name of Seller/Lessor LaVar K. Thornton Phone (208) 922-5779

Post office address 2800 S. Ten Mile Road, Kuna, ID 83634

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. _____ Decreed to _____
(Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. 63-2986 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: 0.47 cubic feet per second &/or
184.5 acre-feet per annum
- b. Point of diversion: NE 1/4 of SE 1/4 of Section 3 Township 1N Range
1E, B.M. in Ada County.
Additional points NENE of section 3 Township 1N Range 1E

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	
1N	1E	3	10	31															41

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 41

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.

Lessor owns land

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Continuous use. SRBA claim pending

- 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.

NA

- 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.

Overlapping water right 63-3404. Place of use will not receive water from any source.

- e. If the water right is a permit, describe the work accomplished toward developing the right.

NA

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4. REMARKS:

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5. SALE/LEASE AGREEMENT

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

_____ For sale;

X For lease for a period from 3/1/04 to 11/15/04
(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

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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.

February 24 2004
Date

S. Avar Thon
Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

EXPLANATION

5/10 acres to lease / acres to remain

HLNDS

T2N R1E

FOIA

T1N R1E



10/27

100

2900

Index

2804
X

Proposed acres to be leased to the water bank and remaining irrigated acres from water right 63-2986.

Scanlan Engineering
600 E. River Park Lane
Suite 105
Boise, ID 83706
(208) 383-4140

February 10, 2004

