



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

February 19, 2008

JAMES E. RISCH
Governor

KARL J. DREHER
Director

FAULKNER LAND & LIVESTOCK CO INC
1989 S 1875 E
GOODING ID 83330

**RE: APPLICATIONS TO THE WATER SUPPLY BANK
WATER RIGHT NO. 37-7808**

Dear Applicant:

The Department of Water Resources (Department) is returning your application to lease water right no. 37-7808 to the Water Supply Bank (Bank) and your application to rent water from the Bank since the applications were not processed prior to the end of the lease and rental periods. Please submit new applications if you would like to lease a water right to the Bank or rent water from the Bank. The Department regrets any inconvenience caused by the delay in processing the applications. The original applications, received April 12, 2005, are enclosed.

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

Sincerely,

Aaron Marshall
Water Allocation Bureau

Enclosure(s)

c: Allen Merritt – IDWR Southern Regional Office

Water Supply Bank No. _____

Water Right No. 37-7808

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED

APR 12 2005

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

Name of Seller/Lessor Faulkner Land & Livestock Co., Inc. Phone 934-4956

Post office address 1989 S 1875 E, Gooding, ID 83330

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. 37-7808 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: 3.26 cubic feet per second &/or
570.5 acre-feet per annum
- b. Point of diversion: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36 Township 55 Range
21E, B.M. in Lincoln County
- Additional points _____

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	
55	21E	36	26	40	38	37									18	4			163

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 163

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

Purchased land & water from previous owner in 2002.

- 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).

Water right was leased to Water Supply Bank in 2002 & 2004, & was used to irrigate about 143 acres west of Gooding via 2 pivots.

- 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? If so, describe.

N/A

- e. If the water right 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.

4. REMARKS:

We have filed for a permanent transfer of this right to our land west of Gooding, but that will not be approved in time for this irrigation season. We will lease this right to from the Water Bank until the transfer is approved so that land can be properly irrigated this year.

5. SALE/LEASE AGREEMENT

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

_____ For sale;

✓ For lease for a period from 4-15-05 to 10-15-05
(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

29 March 05
Date

Faylken Lord & Livestock
John T. Faulkner
Signature

FOR DEPARTMENT USE ONLY

Received by J. S. Stanton Date 3-29-05 Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

Before the Idaho Water Resource Board

RECEIVED

APR 12 2005

DEPARTMENT OF WATER RESOURCES

APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK

Applicant Faulkner Land Livestock Co. Inc. Phone 934-4956
 Address 1989 S 1875 E, Gooding, ID 83320
 City _____ State _____ Zip Code _____

A. DESCRIPTION OF WATER SOUGHT TO RENT

1. Source of water Ground Water
tributary to _____
2. Maximum volume of water 570.5 AF.
3. Maximum rate of diversion 3.26 cfs.

B. DESCRIPTION OF USE PROPOSED

1. Nature of intended use Irrigation
2. Location of point of diversion NE 1/4 SW 1/4, Section 8,
Township 6S, Range 14E, B.M. Gooding County.
3. Season of use: From 4-15 to 10-15
4. Description of diverting works:
Pump HP 125 Lift 110' Pump type turbine
Canal name, if appropriate _____
5. Place of use:

- a. If water is for irrigation, describe the number of acres to be irrigated by
40-acre tract, section, township and range.

6S 14E Sec. 8 NW/NE 32 ac, NE/NW 33 ac, NW/NW 1 ac, SE/NW
1 ac, SW/NE 32 ac, NW/SE 38 ac, SE/NE 35 ac; Sec. 9 SW/NW
1 ac (163 ac total)

b. If water is not for irrigation, describe the nature of the intended use and the place of use.

6. Describe any other water rights used for the same purposes as rental water sought under this application.

None

7. Who owns the property at the point of diversion?

Applicant

8. Who owns the property at the place of use?

Applicant

9. Are you seeking a rental for more than one (1) year? No (yes or no)

If yes, for how many years? _____

10. Remarks: _____

29 March 05
Date

Faulkner Land & Livestock
by John P. Faulkner
Signature of Applicant

FOR DEPARTMENT USE ONLY

Received by JS Date 3-29-05 Time 10:40 am

Published in _____ Pub. dates _____

Protests filed by _____

Hearing held by _____

Action recommended _____

Lease fee (Walter Board Shane) pd 4-11-05 Receipt 5027515 by JF Stanton