

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RECEIVED

JUL 26 2007

DEPARTMENT OF
WATER RESOURCES

Name of Seller/Lessor PACKSADDLE PROPERTIES, LLC Phone 208-354-8330
Post office address P.O. Box 584, Driggs, ID 83221

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by: SRBA Recommendation (Partial Decree)

a. Decree No. 22-13729 Decreed to Packsaddle Properties, LLC
(Name)
in case of Snake River Basin Adjudication vs
dated _____ in _____ county of _____
(Name of court)

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: 0.32 cubic feet per second &/or
67.2 acre-feet per annum

b. Point of diversion: NE 1/4 of SE 1/4 of Section 6 Township 5N Range
4SE B.M. in Teton 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	
5N	45E	6									6.7	2.3	6.0	7.4					22.4
												4.6	4.7						

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 22.4

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.

Attached is a copy of SRBA recommendation 22-2212
which is the parent right in the name of Packsaddle
Properties, LLC. which is incorporated into Transfer application
73910.

- 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).

Partial decree has been issued within the last 5 years.

- 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.

- 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.

22-13731 is an enlargement of 22-13729 (22-2212).
Also surface right 22-13727 used on same P.O.U. but
1897 priority is now cut in the Teton Basin.

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

- 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.

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REMARKS:

This right will be leased back to Packsaddle Properties if approved. Be aware that all rights listed under 3d are part of a permanent transfer application # 73910 now pending with IDWR-Eastern. Limited power of attorney for Jorgensen Associates, PC is included with this application.

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 _____ indefinite to _____
(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.

7/23/07
Date

Margaret A. Killentine
Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____