

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**

Name of Seller/Lessor IDAHO WATER RESOURCE BOARD Phone (208) 327-7900

Post office address STATEHOUSE MAIL, BOISE ID 83720

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. _____ issued by the Idaho Department of Water
Resources

c. Permit No. 37-7842 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: 400 cfs cubic feet per second &/or
_____ acre-feet per annum

b. Point of diversion: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24 Township 4S Range
19E, 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	17E	22																	

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 N/A

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.

WATER RIGHT PERMIT 37-7842 WAS CONVEYED TO THE IDAHO
WATER RESOURCE BOARD BY THE LOWER SNAKE RIVER
AQUIFER RECHARGE DISTRICT, THE PREVIOUS HOLDER OF
THE RIGHT. THE CONVEYANCE AGREEMENT BETWEEN
THE BOARD AND THE DISTRICT IS ATTACHED.

- 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).

ON APRIL 3, 2000, THE DEPARTMENT OF WATER RESOURCES
ISSUED AN ORDER EXTENDING THE PROOF DUE DATE OF
PERMIT 37-7842 UNTIL JUNE 1, 2004, SO THE PERMIT HAS
NOT BEEN LOST. THE IDAHO WATER RESOURCE BOARD PLANS TO
FILE FOR ANOTHER EXTENSION PRIOR TO JUNE 1, 2004, PURSUANT
TO IDAHO CODE 42-204(4) WHICH ALLOWS THE BOARD EXTENSIONS
AT THE DIRECTOR'S DISCRETION². WATER HAS BEEN DIVERTED UNDER
THIS RIGHT INTERMITTANTLY IN THE PAST AS HIGH WATER FLOWS
ALLOW.

- 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

WHEN WATER IS AVAILABLE UNDER THIS RIGHT IT IS
TYPICALLY DURING THE SPRING RUN-OFF PRIOR TO
THE IRRIGATION SEASON.

- 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

THIS WATER HAS BEEN DIVERGED AS HIGH FLOWS HAVE
ALLOWED USING THE EXISTING DIETRICH CANAL
WORKS. FROM THE DIETRICH CANAL FLOWS CAN BE CONVEYED
TO THE MILNER-LOOKING CANAL AND TO THE SHOSHOE
RECHARGE SITE.

- 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:

WATER RIGHT PERMIT IS FOR GROUND WATER
RECHARGE.

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 10 / 3 / 04 to 31 / 12 / 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".

\$ 1.00 PER ACRE-FOOT

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.

11-MAR-04
Date

B. Patton
Signature FOR THE IDAHO WATER RESOURCE BOARD

FOR DEPARTMENT USE ONLY

Received by 3/11/04 [initials] Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____