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MAR 03 2004

Form No. 42-1761
3-92

DEPARTMENT OF WATER RESOURCES

Water Supply Bank No. _____

Water Right No. 2-2173

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE
WATER SUPPLY BANK

Name of Seller/Lessor HFM CASTLEVIEW, LLC Phone 208-867-5736
208-377-1449
Post office address 10 MIKE IHLI 11854 W. FLINTLOCK DR. BOISE ID.
83713

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

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

b. License No. 02-2173 Issued by the Idaho Department of Water Resources.

c. Permit No. _____ Issued by the Idaho Department of Water Resources.

2. Source of water SNAKE RIVER tributary to COLUMBIA RIVER

3. Date of priority MARCH 1, 1962

4. Water is used for the following purposes:

amount 6 CFS for irrigation purposes from 3/15 to 11/15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day -- both dates inclusive)

5. Total amount of water under right: a. 6.0 cubic feet per second
&/or
b. 1524 acre feet per annum

6. Location of point of diversion is SW ^{LOT 7} 1/4 of SW 1/4 of Section 26

Township 03 S Range 01 E, B.M. in OWYHEE County

Additional points of diversion, if any _____

7. Lands irrigated or place of use: * SEE ATTACHED ~~C~~ ~~LAND~~ CLAIM

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated 279

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County

Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

1. 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.

By contribution of previous owner to newly formed entity. Previous owner acquired by purchase. NOTE *
Complete chain of Title on file with IDWR

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

Portion of property under CRP contract through 1999 * See Contract
Balance farmed in 1999 - * See Idaho Power account statement
Portion of property farmed since 1999 - * See Idaho Power billing

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

RIGHTS WITH THESE PRIORITY DATES HAVE NEVER GONE
UNFILLED IN SWAKE RIVER ABOVE SWAN FALLS. STREAM
FLOWS ON RECORD WITH DEPARTMENT.

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

S7-7034 B and S7-0235 - BOTH TO BE ENTERED INTO
WATER BANK PROGRAM UNDER SEPARATE APPLICATION

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

NA

6. 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. NA

7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.

SEE ATTACHED

- 8 Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range. * SEE ATTACHED MASTER

A blank sheet of graph paper featuring a uniform grid of squares. The grid consists of 20 columns and 15 rows, creating a total of 300 small square units. The lines are thin and black, set against a white background. There are no margins, text, or other markings on the page.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

9. Remarks _____
SEE COVER LETTER

D. 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 period from Indefinite to _____
(year) (year)
- _____ As a gift to the State of Idaho.
2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)
- Current rental rate
3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:
- ☒ Acceptable _____ Not Acceptable

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 the sale or lease of this right to the Idaho Water Resource Board.

03-02-04 M. J. W. registered agent
(Date) (Signature of applicant)
Castle View, LLC

FOR DEPARTMENT USE ONLY

Received by NY Date 2-01-05 Preliminary check by NY

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 2-2173
Date Received: 6/6/1989
Receipt No: W003130
Received By:

COPY FOR YOUR FILE

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

HFM CASTLEVIEW LLC Phone: (208)867-5736

C/O MIKE IHLE
11854 W FLINTLOCK DR
BOISE ID USA 83713

2. Date of Priority: 03/01/1962

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03S	01E	26	SW SW 7	OWYHEE	

5. Description of diverting works:

DAM, DITCH & PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	6	1524

7. Total Quantity Appropriated is:

6 C.F.S. and/or 1524 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04S	01E	2	NE NW 3	IRRIGATION	21
			SW NW	IRRIGATION	30

			SE	NW	IRRIGATION	38
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	31
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
					Section Acres	240
04S	01E	11	NE	NW	IRRIGATION	39
					Section Acres	39
					Total Acres	279

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

PLACE OF USE ACRES TRANSFERED PRIOR TO 11/19/1987 AS FOLLOWS::: TRANSFERED FROM-- T04S R01E SEC 2 GOVT. LOT 3 NENW 2 ACRES TRANSFERED TO-- T04S R01E SEC 2 NESW 1 ACRE SEC 2 SESW 1 ACRE OWNERSHIP CHANGED BY LH 11/18/97.

15. Basis of Claim: License