

Form 42-1761
01/03

Water Supply Bank No. _____

Water Right No. _____

RECEIVED

APR 12 2005

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKName of Seller/Lessor **Steve Young, Kenney Crk Ranch and Land LLC**

Phone (801-430-0154)

Post office address **PO Box 101 Tendoy, ID 83468-0101**

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No
- 74-666 and 74-2247 and 74-15234**
- . Decreed to
-
- Kenney Creek Ranch and Land LLC.**

in case of **General Adjudication of the Lemhi Drainage Basin**dated **12.30/1982** in Lemhi county of **7th** Judicial District

- 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 rights:
- 3.72**
- cubic feet per second &/or _____ acre-feet per
-
- annum

- b. Point of diversion
- T20N R24E S21NWSE**
- Additional points
- T20N R24E S21 NESE**

_____**T20N R24E S29NESW, T20N R24NE S29 SWSW**

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To	Bill Graham	From	Bob Jost		
Co./Dept		Co.			
Phone #		Phone #			
Fax #		Fax #			

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	
20n	24e	29	9.6		11.9	3.6			17.1	9.6	1.8	25.9	9.2						88.7
		30			4.0											34.6		27.5	66.1
		31	3.0																3.0

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 **157.8**

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.

A claim to these water rights was filed and recommended in the Snake River Basin Adjudication (SRBA) by Kenney Creek Ranch and Land LLC

- 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)

IDWR personnel have viewed the aerial photos and visited the site to confirm use. Landowner has stated he irrigates land yearly. The SRBA claim has been investigated by IDWR and a copy of the recommendation for the claim is attached to this application.

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. Unknown; the standard irrigation season for the right is **MARCH 15 through November 15**

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

_____ The present place of use will not continue to receive water from any source.

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

4 REMARKS:

This lease is under the Columbia River Basin Water Transaction Program. The intent of the program is to enhance tributary flows for fish. This includes leasing water from the landowner and use of the Idaho Water Bank.

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 **01, 07, 2005 to 15, 11, 2005**
(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.

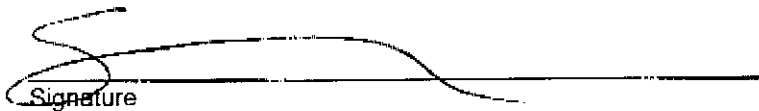
2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate"

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.

4-9-05
Date


Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____