

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 Calvin De Hoyt Phone 208 324-7340
Post office address 503 W 500 S Jerome, ID 87338

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. 36-10082-6
36-02474-11 issued by the Idaho Department of Water
Resources. 36-02474-6
- c. Permit No. 36-10082-6 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: .59 cubic feet per second &/or
135.9 acre-feet per annum
- b. Point of diversion: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5.3 Township 05S Range
16E, B.M. in Jerome 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	

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 _____

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.

We own the ground the water Right was developed on.

- 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).

This water has been used every year for irrigation. This right has recently been approved for Transfer. # 5597

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 1-1-04 to 1-1-05
(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.

1-1-04
Date

[Signature]
Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

- 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.

no

- 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.

None

- 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:

N/A



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 22, 2002

RECEIVED

OCT 23 2002

Department of Water Resources
Southern Region

Mark DeKruyf
c/o DeKruyfs Dairy's
303 W 300 S
Jerome, Idaho 83338

RE: WATER RIGHT NOS. 36-02474B and 36-10082B IN THE NAME OF CALVIN DEKRUYF AND MARK DEKRUYF

Dear Mr. DeKruyf:

I have reviewed your letter dated October 13, 2002 in which you request a change in the condition of transfer approval that required accomplishment of the transfer on or before November 30, 2003. I assume your request is for the purpose of countering future allegations of forfeiture by third parties that the rights have been forfeited through 5 consecutive years of non-use. If this is the case, I suggest you offer to place the water rights in the Water Supply Bank ("bank") operated by the Water Resource Board until such time as you are ready to use the water authorized under the transfer. One of the benefits of placing a water right in the bank is that while a water right is in the bank, forfeiture provisions are stayed. Enclosed is an application to place a water right into the bank.

If you do not choose to put the rights in the bank, the department is willing to issue an extension, but such an extension will not stay the accumulation of the 5-year period of non-use that could initiate allegations of forfeiture due to non-use.

If you have questions, please feel free to contact me or our Southern Regional Office in Twin Falls (phone no. 736-3033).

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

Encl: 1

cc: IDWR - S. Region