

United States Department of the Interior
Bureau of Reclamation

COPY
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Water Rental and Forbearance Agreement

With **Little Valley Mutual Irrigation Company**
(Lessor's name)

JUN 25 2004

DEPARTMENT OF WATER RESOURCES

Reclamation agreement number **#1425-04-WL-10-00016**

This Agreement is entered into pursuant to the Reclamation Act of 1902, as amended and supplemented, for the purpose of meeting commitments of the Bureau of Reclamation (Reclamation) under the Biological Opinions on the Operation of the Federal Columbia River Power System and the operation and maintenance of Reclamation Projects in the Snake River Basin above Brownlee Dam. This Agreement is by and between the United States of America, acting by and through the Department of the Interior, Bureau of Reclamation, represented by the officer executing this instrument on its behalf and Little Valley Mutual Irrigation Company, hereafter known as the Lessor.

RECITALS

- A. WHEREAS, Reclamation has commitments under Biological Opinions on the operation of the Federal Columbia River Power System and the operation and maintenance of Reclamation Projects in the Snake River Basin above Brownlee Dam to provide flow augmentation for delivery at Lower Granite Dam.
- B. WHEREAS, The Idaho Legislature authorized Reclamation to annually rent up to 427,000 acre-feet of storage water per year during the years 2002-2004 under the provisions of Idaho Code § 42-1763B.
- C. WHEREAS, In 2003, there was insufficient storage water available for rental by Reclamation to meet the 427,000 acre-feet rental target. Therefore, Reclamation conducted a pilot leasing program under which water right holders submitted proposals to idle land and place their water rights in the State Water Supply Bank, thereby increasing water flow downstream to Lower Granite Dam. Rules governing the Idaho State Water Supply Bank, IDAPA 37.02.03, provide that rentals shall be approved only for use in Idaho unless there is compliance with the provisions of Idaho Code § 42-401(3). In order to avoid the complexities of Reclamation seeking approval for out-of-state use, the water was rented by the Idaho Power Company and used for hydropower generation in Idaho with the result that additional water flowed to Lower Granite Dam for flow augmentation.
- D. WHEREAS, Similar to 2003, it is expected that insufficient storage water will be available this year for rental by Reclamation. Therefore, Reclamation is conducting another similar pilot program (Program). Under this Program, water right holders will forego irrigation of land and place their water right into the Idaho State Water Supply Bank. As a practical way of ensuring that Reclamation receives additional water, over and above the water flows that would otherwise be available, a qualification was added requiring that the land to which the water right is appurtenant was either irrigated last year or was in Reclamation's 2003

program explained in Recital C above. Again, it is intended for Idaho Power to rent the water from the State Water Supply Bank.

- E. Reclamation advertised a request for proposals to the public. In response, the Lessor submitted a proposal for participation in the Program. The proposal shows that the Lessor has a right to use water for irrigation purposes and absent this Program was intending to irrigate with the water proposed for the Program. Therefore, placing the Lessor's water in the Water Bank during 2004 will result in additional water in the Snake River at Lower Granite Dam, Oregon. This additional water will be counted towards Reclamation's obligation to provide 427,000 acre-feet of water at Lower Granite Dam.

AGREEMENT

NOW THEREFORE, in consideration of the mutual and dependent covenants herein contained, the parties agree as follows:

I. Land Accepted into the Program

- A. The total number of acres accepted into the Program is 814.6 acres. The land, hereinafter referred to as the Land, accepted into the Program is identified as "LL" on the map(s) included in Attachment A. This is the maximum number of acres eligible for payment under this Agreement. Reclamation recognizes the following conditions may exist: 1) additional acres may have been proposed in the Lessor's application, 2) the Lessor may have a right to irrigate additional acres, 3) the Lessor may intend to irrigate additional acres in 2004 and is willing to idle those acres, and 4) the Lessor may submit an application to the State Water Supply Bank to lease water rights appurtenant to acres other than the acres identified in this Agreement. Notwithstanding any of the conditions stated above or any other conditions, under this "willing seller, willing buyer" Agreement, the number of acres covered by the Agreement is limited to the number and location stated in this section I.A. of the Agreement.
- B. If it is determined after the execution of this Agreement that certain acres are not eligible for the Program because of a mistake, error, or misrepresentation in the Lessor's application, the land covered under this Program will be reduced accordingly.
- C. The Land may not be irrigated from any source, regardless of whether there is another valid water right appurtenant to the Land. Water authorized to be diverted under water rights, or portions of water rights, leased to the Water Supply Bank may not be applied to lands that are not identified in this Agreement. The Lessor may not water the Land for any reason; for example, testing equipment, irrigating a cover crop, or dust abatement.
- D. IDWR intends to monitor the Lessor's idled lands. The monitoring will include field visits, and the collection and analysis of satellite data and related pump and flow measurements collected at IDWR's discretion. The Lessor agrees to allow the collection of data and access for field visits.

II. Water Rights Appurtenant to the Leased Land

- A. The Lessor agrees that this Agreement shall be submitted to the Idaho State Water Supply Bank as an application to lease water to the bank, and that the Lessor is offering the water rights described in Attachment A to the bank by signing this Agreement. The Lessor agrees that any additional information or requirement IDWR may require to process or accept the application shall be furnished promptly to IDWR, including but not limited to, the submission of a separate application form if required. Failure to comply with IDWR requests for information or other requirements is cause for termination of this agreement.
- B. All rentals of the Lessor's water rights out of the water bank shall be subject to Reclamation's approval.
- C. With respect to the water rights covered by this Agreement, the Lessor warrants that the Lessor has the right, title, and interest necessary to enter into this Agreement; and that there are no agreements, leases, licenses, liens or encumbrances which would prohibit the Lessor from placing the Lessor's water rights into the Idaho State Water Bank; and that to the extent necessary, the Lessor has obtained any consent or approval necessary to authorize the execution of this contract.
- D. The Lessor shall immediately notify Reclamation if there are any changes in ownership, or any encumbrances or liens placed upon, any of the real property or water rights covered by this contract during the term of the Agreement.

III. Payment

- A. By signing this Agreement the Lessor offers to the Idaho State Water Supply Bank the water rights described above for a total lease price of \$ 122,190⁰⁰. This amount is based on \$ 150⁰⁰ per acre of land idled. The Lessor understands that the amount the Lessor will receive from the Idaho State Water Supply Bank is 90% of the total lease price. Ten percent will be retained by IDWR for administrative costs of operating the Water Supply Bank, pursuant to the Water Supply Bank Rules.
- B. Payment as shown in section III.A above is based upon a dollar amount per acre of land idled, regardless of the diversion rate or maximum diversion volume allowed under the water right, the historical diversion rate or consumptive use under the water right, or the diversion rate or diversion volume approved for lease by IDWR.
- C. Pursuant to the Water Supply Bank Rules, IDAPA 37.02.03, after the water rights are leased, payment is to be made by the Water Supply Bank to the Lessor. Lessor agrees to accept the following intended plan for payment by IDWR: One half of the estimated payment will be made on or about July 30, 2004, and the remainder will be paid after the irrigation season ends and final verification of program compliance is complete. Reclamation will enter into a separate contract with IDWR to make payment to the Water Supply Bank for this purpose.

IV. **Term, Termination of Agreement and Remedies**

- A. The Agreement shall become effective on the date of the last signature hereto and shall extend through December 31, 2004.
- B. At Reclamation's discretion, this Agreement may be terminated upon:
- (1) Failure of the Lessor to abide by the terms and conditions of this Agreement;
 - (2) Refusal of the Lessor to allow Reclamation or IDWR access to the Land to monitor compliance with the Agreement;
 - (3) Application of water by the Lessor to the Land during the period of this Agreement, except in emergency situations where the application of water is required for public safety reasons;
 - (4) Discovery of fraudulent information submitted in the Lessor's Application.
- C. If this Agreement is terminated for any other reason prior to its ending date, the Lessor shall reimburse Reclamation for a prorated portion of the amount stated in Section III.A of this Agreement, as determined by Reclamation.

V. **Miscellaneous**

- A. The Landowner or Lessor is responsible for all taxes, assessments, soil conservation measures such as weed and erosion control and other obligations related to any of the Land covered by this Agreement.
- B. The Landowner will indemnify and hold harmless Reclamation from any loss or damage and from any liability on account of personal injury, property damage, or claims for personal injury or death, or property damage of any nature caused by the Landowner or any person, firm or corporation acting on the Landowner's behalf related to or arising out this Agreement.
- C. **Water Right Ownership**
- This Agreement shall not be used as evidence of ownership of water rights in the Snake River Basin Adjudication.
- D. **Officials Not to Benefit**
- No member of or delegate to Congress or the Resident Commissioner shall be admitted to any share or part of this Agreement or to any benefit to arise therefrom, but this restriction shall not be construed to extend to this Agreement if made with a corporation or company for its general benefit.
- E. **Covenant Against Contingent Fees**

The Lessor warrants that no person or agency has been employed or retained to solicit or secure this Agreement upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee except bona fide employees and bona fide commercial agencies maintained by the Lessor for the purpose of securing business. For breach or violation of this warranty, Reclamation shall have the right to revoke this Agreement without liability or in its discretion to require the Lessor to pay the full amount of such commission, percentage, brokerage, or contingency fee to the United States.

Signatures

Print name(s): Bart L. Fowers

Mailing address: P.O. Box 305 Grand View, ID 83624

Phone: 208-8452181

Signed Bart L Fowers

Signed _____

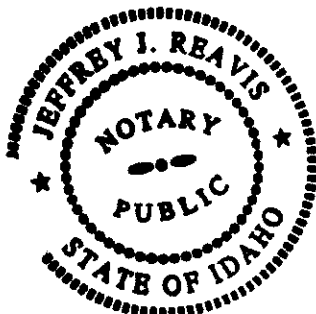
Title: President

Date: 3/31/04

On this 31st day of MARCH, 2004, before me the undersigned Notary Public in and for said county and state, personally appeared BART L. FOWERS, known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first written.

Jeffrey J. Reavis
Notary Public in and for Idaho
Residing at: Bowl ID
Commission Expires: 5/14/07



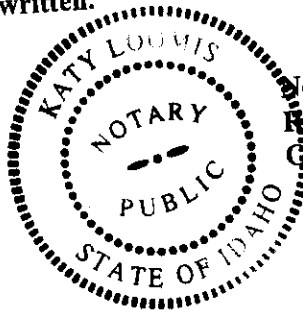
For the Bureau of Reclamation

Signature: Kenneth R. Pedde
Regional Director, Pacific Northwest Region

Date: 4/22/04

On this 22nd day of April 2004, before me the undersigned Notary Public in and for said county and state, personally appeared Kenneth R. Pedde, known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first written.



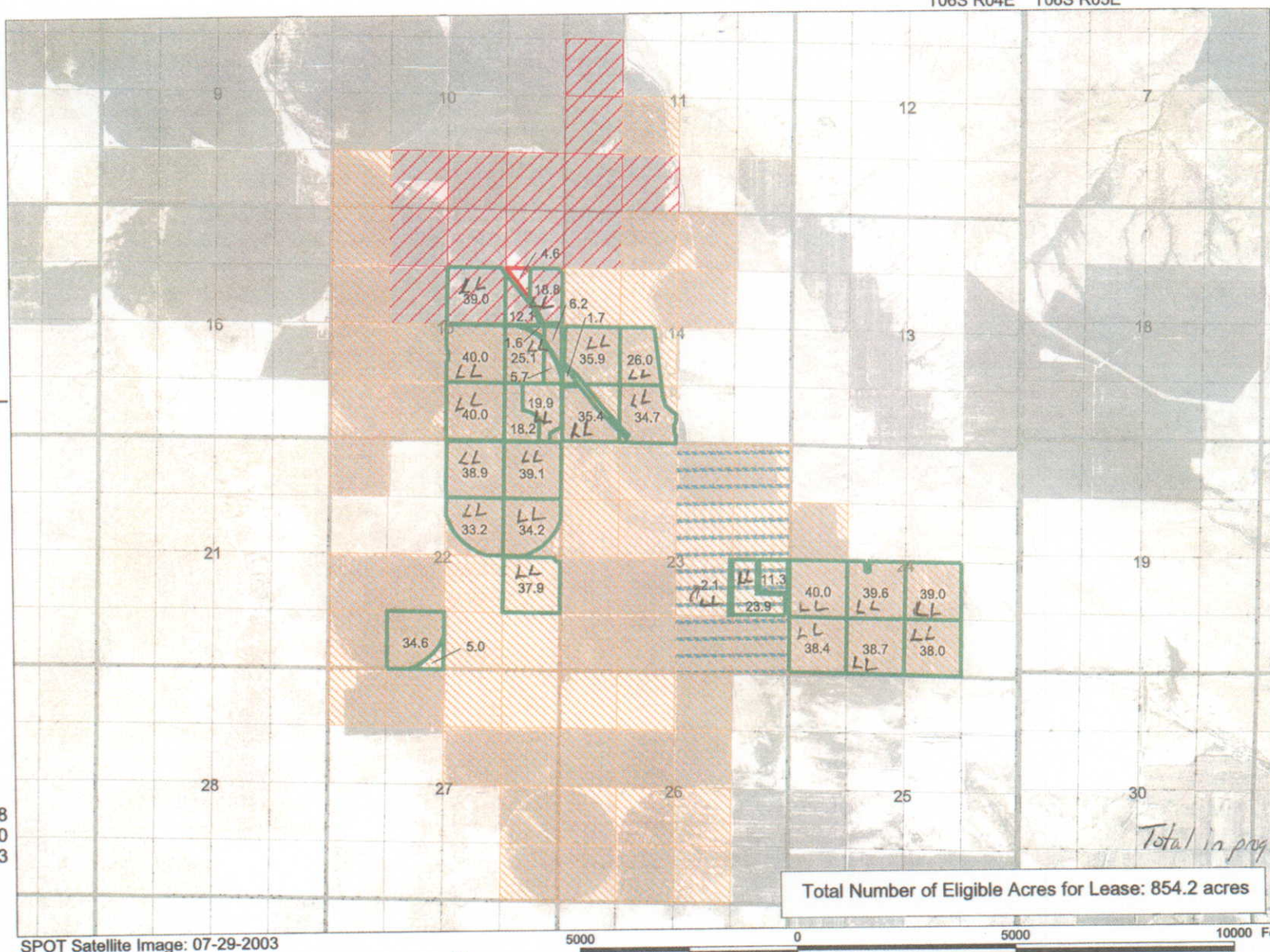
Katy Loomis
Notary Public in and for Idaho
Residing at: Ada County
Commission Expires: 10/17/2009



Prepared by: M. Wilkins
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83709
(208) 327-7900

Water right boundaries identify the quarter quarters within the licensed or permitted place of use, but do not represent the number of acres authorized.

- ELIGIBLE
- INELIGIBLE
- QUESTIONABLE
- Water Right 2-7068
- Water Right 2-7030
- Water Right 2-2443
- Township/Range
- Section Line
- Quarter/Quarter



SPOT Satellite Image: 07-29-2003

Little Valley Mutual Irr. Co. by Bart L. Town - President 3/31/04

Applicant Signature

Date

USBOR Signature

Date

3.31.04

Little Valley Mutual Irrigation Co.
2004 Snake River Pilot Leasing Program
Rental of Water from the Water Supply Bank

Prepared: March 15, 2004

Water Right Numbers for lands in 2004 Snake River Pilot Leasing Program.

02-7068, 02-7030, 02-2443

Legal Description of Lands Approved for 2004 Snake River Pilot Leasing Program.

TWN	RGE	SEC	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
10S	4E	14									26	37.6	35.4	34.7				
		15			39	30.9									38.6	40	40	38.1
		22	39.1	38.9	33.2	34.2									37.9			
		23													35.2	2.1		
		24	39.6	40	38.4	38.7										39	38	

Applicant initials BLE Applicant initials _____ Applicant initials _____ Applicant initials _____

APPLICATION FOR PROPOSAL FOR SNAKE RIVER PILOT LEASING PROGRAM 2004

BUREAU OF RECLAMATION

JAN 15 2004

GENERAL

Applicant name(s): Little Valley Mutual Irrigation Co.

Proposed price per acre: \$150⁰⁰ per acre. Note that you will only receive 90% of that rate.

Number of acres you propose to idle: 870 acres

INFORMATION ABOUT THE APPLICANT

Type of applicant:

☐ Single individual
☐ Joint owners

☐ Partnership
Corporation

☒ Limited liability co.
Irrigation district

☐ Other _____

Taxpayer identification number, if applicable: 82-0306276

Mailing Address: P.O. Box 160 Grand View, Idaho 83624

Daytime Phone Number: 8452825 Additional cell phone number: 5994602 Fax: 8452826

E-mail Address: bflowers@aol.com

Questions about the bid? call Bart at 5994602.

- Do you ☐ own the land that is to be idled?
☐ lease the land that is to be idled?
☒ neither, you only hold the water rights, e.g. irrigation district, canal company.

7. If you lease the land that is to be idled, complete the following:

- Provide a copy of your entire lease.
- Does your lease provide for authorization to put water into the water bank?
☐ Yes, on page ____ of my lease.
☐ No, but I have separate authorization, which is enclosed.
- Name and address of the lessor landowner: _____

8. INFORMATION ABOUT THE LAND THAT WILL BE IDLED

- Does each tract of land you are proposing meet the eligibility criteria? ☒ Yes ☐ No
- Were any of the proposed lands leased to the Idaho State Water Supply Bank under a 2003 contract with Reclamation? ☐ Yes ☒ No
- Is a cover crop planned for the idled land? ☒ No ☒ Yes, my cover crop will be: some is planted to wheat, some is tilled
- Have you completed and enclosed the attached grid? (See application instructions.) ☒ Yes
- Have you attached an acceptable map with the proposed acres identified? (See application instructions.) ☒ Yes
- Have you enclosed acceptable evidence of irrigation of the proposed lands during the 2003 irrigation season? (See instructions.) ☒ Yes

D. INFORMATION FOR EACH WATER RIGHT INCLUDED IN YOUR PROPOSAL

If you are proposing to lease more than one water right, copy this section and fill out a separate page for each water right.

- D1. Water Right Number: 2-7030
- D2. What is the basis of the water right? ☐ permit ☒ license ☐ decree
- D3. Have you attached a copy of the permit, license, or decree? ☒ Yes
- D4. Has a claim been made for the water right in the Snake River Basin Adjudication (SRBA)? ☒ Yes Attach a copy of this SRBA claim.
- D5. Priority date of the water right: 03/23/1969
- D6. (a) What is the total number of acres described in the place of use for irrigation under this water right? 540 acres
- (b) Does this right have a permissible place of use? ☒ Yes ☐ No
- D7. Is the number of acres authorized for irrigation under this right limited within the place of use in a single irrigation season?
- ☒ Yes, It is limited to 540 acres.
☐ No
- D8. Are any other water rights appurtenant to the proposed lands that are not included in this proposal?
- ☒ Yes, the other water rights are: # 57-2203, # 57-2202
☐ No
- D9. How many acres authorized under this water right were irrigated during the 2003 season? 540 acres
- D10. Were any acres under this water right leased to the Idaho Water Supply Bank under a 2003 Contract with Reclamation?
- ☐ Yes, _____ acres.
☒ No
- D11. Do you propose to enter only a portion of the water right into the Program? ☒ Yes ☐ No
- D12. If so, how many acres authorized under this water right will still be irrigated during the 2004 irrigation season if your proposal is accepted into the Program? 462 acres

D. INFORMATION FOR EACH WATER RIGHT INCLUDED IN YOUR PROPOSAL

If you are proposing to lease more than one water right, copy this section and fill out a separate page for each water right.

- D1. Water Right Number: 2-7068
- D2. What is the basis of the water right? ☐ permit ☒ license ☐ decree
- D3. Have you attached a copy of the permit, license, or decree? ☒ Yes
- D4. Has a claim been made for the water right in the Snake River Basin Adjudication (SRBA)? ☒ Yes Attach a copy of this SRBA claim.
- D5. Priority date of the water right: 08/14/1970
- D6. (a) What is the total number of acres described in the place of use for irrigation under this water right? 2945 acres
- (b) Does this right have a permissible place of use? ☒ Yes ☐ No
- D7. Is the number of acres authorized for irrigation under this right limited within the place of use in a single irrigation season?
- ☒ Yes, it is limited to 2945 acres.
- ☐ No
- D8. Are any other water rights appurtenant to the proposed lands that are not included in this proposal?
- ☒ Yes, the other water rights are: # 2-2443, 57-2203, 57-2202
- ☐ No
- D9. How many acres authorized under this water right were irrigated during the 2003 season? 2945 acres
- D10. Were any acres under this water right leased to the Idaho Water Supply Bank under a 2003 Contract with Reclamation?
- ☐ Yes, _____ acres.
- ☒ No
- D11. Do you propose to enter only a portion of the water right into the Program? ☒ Yes ☐ No
- D12. If so, how many acres authorized under this water right will still be irrigated during the 2004 irrigation season if your proposal is accepted into the Program? 2153 acres

E. INFORMATION ABOUT OVERALL IRRIGATION PRACTICES

Answer E1 & E2 if you are a landholder, i.e. you own or lease land that was or will be irrigated, or you are a part owner of an entity that owns or leases land that was or will be irrigated.

- E1. (a) If you are a landholder, how many acres did you irrigate in 2003, at any location from any water rights from, or tributary to, the Snake River? _____ acres
- (b) If you were a part owner of one or more entities that leased or owned land, how many acres did each entity irrigate in 2003, at any location from any water rights from, or tributary to, the Snake River? _____ acres
- E2. (a) How many acres do you intend to irrigate in 2004, at any location from any and all water sources from, or tributary to, the Snake River if your proposed acres are accepted? _____ acres
- (b) If you are a part owner of one or more entities that holds land and intends to irrigate in 2004, at any location from any and all water sources from, or tributary to, the Snake River if your proposed acres are accepted? _____ acres

Answer E3 if you are completing this application on behalf of an irrigation district or canal company or similar entity.

E3. Submit the following information for each landholder who is proposing to idle land under this application:

- (a) Name: Fowers Idaho, LLC
- (b) Number of acres the landholder proposes to idle: 254 acres
- (c) Number of acres the landholder (either by him/herself, or as part of another entity, such as a partnership or limited liability company) irrigated in 2003 from any and all water sources from, or tributary to, the Snake River in any location: 869 acres
- (d) Number of acres the landholder (either by him/herself, or as part of another entity) plans to irrigate in 2004: 615 acres

If this proposal is accepted.

E3 (cont.) Make copies of this page if you need additional space.

Landholder #2

- a) Name: Allen Merrick
- (b) Number of acres the landholder proposes to idle: 157 acres
- (c) Number of acres the landholder (either by him/herself, or as part of another entity, such as a partnership or limited liability company) irrigated in 2003 from any and all water sources from, or tributary to, the Snake River in any location: 158 acres
- (d) Number of acres the landholder (either by him/herself, or as part of another entity) plans to irrigate in 2004: 1 acres

Landholder #3

- a) Name: Sherwin Sundberg
- (b) Number of acres the landholder proposes to idle: 146 acres
- (c) Number of acres the landholder (either by him/herself, or as part of another entity, such as a partnership or limited liability company) irrigated in 2003 from any and all water sources from, or tributary to, the Snake River in any location: 307 acres
- (d) Number of acres the landholder (either by him/herself, or as part of another entity) plans to irrigate in 2004: 201 acres

Landholder #4

- a) Name: Galen Sundberg
- (b) Number of acres the landholder proposes to idle: 40 acres
- (c) Number of acres the landholder (either by him/herself, or as part of another entity, such as a partnership or limited liability company) irrigated in 2003 from any and all water sources from, or tributary to, the Snake River in any location: 151 acres
- (d) Number of acres the landholder (either by him/herself, or as part of another entity) plans to irrigate in 2004: 111 acres

Landholder #5

- a) Name: Carl F. Reynolds and Sons
- (b) Number of acres the landholder proposes to idle: 273 acres
- (c) Number of acres the landholder (either by him/herself, or as part of another entity, such as a partnership or limited liability company) irrigated in 2003 from any and all water sources from, or tributary to, the Snake River in any location: 400 acres
- (d) Number of acres the landholder (either by him/herself, or as part of another entity) plans to irrigate in 2004: 476 acres

SIGNATURES

By signing below, you certify that the information included in this proposal is accurate and true to the best of your knowledge.

NOTE: To support your proposal, you may be asked to provide additional information. We will notify the applicant shown above if additional information is necessary.

Little Valley Mutual Irrigation Co. by Bart L. Fowers
Applicant's Signature
Bart L. Fowers
Printed Name

Applicant's Signature

Printed Name

Applicant's Signature

Printed Name

Applicant's Signature

Printed Name

Applicant's Signature

Printed Name

1/14/04
Date
President
Office held (if entity)

Date

Office held (if entity)

Date

Office held (if entity)

Date

Office held (if entity)

Date

Office held (if entity)

An aerial photograph of agricultural fields, showing various shades of green and brown. A rectangular area in the center is highlighted with a black border. Inside this area, the text "Little Valley Mutual Irrigation Co. 2003" is handwritten in black ink. The text is arranged in four lines: "Little Valley" on the first line, "Mutual Irrigation" on the second line, "2003" on the third line, and "Co." on the fourth line. The background of the photograph shows a grid-like pattern of fields, with some areas appearing more lush green than others.

Little Valley
Mutual Irrigation
2003 Co.

Little Valley Mutual Irrigation Co.

15

Handlines

Tilled

Pivot

40

38

39

Handlines

Tilled

Pivot

39

38

26

Handlines

Tilled

Pivot

39

38

34

Handlines

Tilled

Pivot

39

38

34

Handlines

Tilled

Pivot

39

38

34

Handlines

Tilled

Pivot

39

38

34

Handlines

Tilled

Pivot

39

38

34

Handlines

22

4 acre out for home and pasture

Barley

Pivot

40

40

32

34

39

Wheat

Handlines

40

Tilled

Wheat

23

6 acre out for home

39

40

39

39

Wheat

Handlines

39

39

38

24

1 acre out for home

39

39

39

38

Wheat

Handlines

39

38



N ↑

Little
Manti

N ↑

This corner
was irrigated like
Summer (winterwheel)
← so need IDWR to
verify

2-7030

2-7068

Section Lines

T6S R4E B.M.

To C. S. Strike

Canal
Pumps

W

39
Tilled
wheat
handlines

40
Tilled
Pivot

40
Barley
Pivot
32

39
wheat
handlines

39
Tilled
Pivot
34
Wheat
38

40
1 acre out for Home
6 acre out for Home

39
wheat
handlines

39
Tilled
Pivot
34
Wheat
38

40
1 acre out for Home
6 acre out for Home

39
wheat
handlines

39
Tilled
Pivot
34
Wheat
38

40
1 acre out for Home
6 acre out for Home

39
wheat
handlines

39
Tilled
Pivot
34
Wheat
38

40
1 acre out for Home
6 acre out for Home

39
wheat
handlines

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

01/10/2004

WATER RIGHT NO. 2-7030

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LITTLE VALLEY MUTUAL IRRIGATION CO C/O BART FOWERS PO BOX 305 GRAND VIEW, ID 83624 (208)845-2181
Original Owner	JAMES MORRISON
Original Owner	JOSEPH A MORRISON
Original Owner	GENE L MORRISON

Priority Date: 03/23/1969

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	10.8 CFS	2700 AFA
Total Diversion			10.8 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER	NENW Lt 3	Sec. 02	Township 06S	Range 04E	OWYHEE County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Ac
06S	04E	10		SESW	39									
				SWSE	39		SESE	39						
		11		SWNW	40									
				NWSW	40		SWSW	40		SESW	26			
		14		NWNW	40									
		15		NENE	40		NWNE	40		SWNE	39		SENE	39
				NENW	39		SENE	40						

Total Acres: 540

Conditions of Approval:

1.	R33	This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.
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Remarks:

1.	General	Address change by DB 2/20/2002
2.	General	THIS RT. WHEN COMBINED WITH RT. NOS. 02-2442/2443/7068 & 7221 SHALL NOT EXCEED 59.07 CFS. THIS RIGHT HELD THE RESTRICTION SHOWN ABOVE; HOWEVER, THIS MEASUREMENT MAY BE INACCURATE BECAUSE AFTER THE FIELD EXAM WAS PERFORMED THE CLAIMANT FOUND DEBRIS IN 3 OF 5 PUMPS WHICH MAY HAVE AFFECTED THE MEASUREMENT. CLAIMANT HAS, THEREFORE, REQUESTED A NEW FIELD EXAM FOR 1989 SEASON. HOPEFULLY, THIS NEW EXAM WILL REFLECT A CORRECTED AMOUNT FOR ALL RIGHTS TO NOT EXCEED 87.88 CFS, OR WHATEVER IS FOUND IN EXAM. FIELD EXAM DONE IN 1985 3 PUMPS PULLED PRIOR TO 1986 SEASON AND DEBRIS FOUND, FOURTH PUMP PULLED IN 1987.

Dates:

Licensed Date: 07/29/1985

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 2-7030

WATER RIGHT NUMBER: 2-7030

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JOSEPH A MORRISON
	, ZZ
Original Owner	GENE L MORRISON
	, ZZ
Current Owner	LITTLE VALLEY MUTUAL IRRIGATION CO C/O DICK REYNOLDS RT B BOX 182 BRUNEAU, ID 83604
Original Owner	JAMES MORRISON
	, ZZ

Priority Date: 03/23/1969

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	10.800 CFS	2,700.00 AF
	<u>Total Diversion:</u>	10.800 CFS	2,700.00 AF

Location of Point(s) of Diversion

SNAKE RIVER	L3 NE1/4NW1/4	Sec. 2,	Twp 06S,	Rge 04E, B.M.
OWYHEE County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	04E	10												39.0				39.0	117.0
06S	04E	11							40.0				40.0	40.0	26.0				146.0
06S	04E	14							40.0										40.0
06S	04E	15	40.0	40.0	39.0	39.0	39.0			40.0									237.0

Total Acres: 540

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 2-7030

Conditions of Approval:

1. 016 See remarks for additional conditions of approval.
2. R33 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.

Remarks:

1. General THIS RT. WHEN COMBINED WITH RT. NOS. 02-2442/2443/7068 & 7221 SHALL NOT EXCEED 59.07 CFS.

Comments:Dates and Other Information:

Licensed Date: 7/29/1985
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

01/10/2004

WATER RIGHT NO. 2-7068

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LITTLE VALLEY MUTUAL IRRIGATION CO C/O DICK REYNOLDS RT B BOX 182 BRUNEAU, ID 83604

Priority Date: 08/14/1970

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	51.4 CFS	
Total Diversion			51.4 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER	NENW Lt 3	Sec. 02	Township 06S	Range 04E	OWYHEE County
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Licensed Diversion Capacity: 59.07

Place(s) of use:

.../RightReportAJ.asp?BasinNumber=2&SequenceNumber=7068&SplitSuffix=&Type=WaterRight/11/04

Place of Use Legal Description: IRRIGATION OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06S	04E	10		SWSW	39									
		11		NESW	27									
		14		NWNE	31		SWNE	39						
				NENW	37		SWNW	39		SENE	37			
				NESW	26		NWSW	39		SWSW	38		SESW	35
		15		NWNW	39		SWNW	40						
				NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	39		NWSE	40		SWSE	40		SESE	39
		22		NENE	40		NWNE	40		SWNE	36		SENE	40
				NWNW	40									
				NESW	40		NWSW	40		SWSW	31		SESW	40
				NESE	39		NWSE	38		SWSE	40		SESE	40
		23		NENE	38		NWNE	39		SWNE	39		SENE	38
				NENW	39		NWNW	38		SWNW	37		SENE	38
				NESW	39		NWSW	38		SWSW	40		SESW	40
				NESE	39		NWSE	39		SWSE	38		SESE	37
		24		SWNW	33									
				NESW	40		NWSW	40		SWSW	39		SESW	39
				NWSE	39		SWSE	38						
		26		NWNE	37		SWNE	39						
				NENW	40		NWNW	37		SWNW	39		SENE	40
				NESW	39		NWSW	39		SWSW	38		SESW	38
				NWSE	39		SWSE	38						
		27		NENE	39		NWNE	39		SWNE	39		SENE	38
				NENW	40		NWNW	35						
				NESE	40		SESE	40						

Total Acres: 2945

Conditions of Approval:

1.	016	See remarks for additional conditions of approval.
2.	R33	This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.

Remarks:

1.	General	THIS RT. WHEN COMBINED WITH RTS. 02-2442/2443 SHALL NOT EXCEED 14,725.0 AF/ANNUM. THIS RT. WHEN COMBINED WITH RTS. 02-2442/2443/7030/7221 SHALL NOT EXCEED 59.07 CFS.
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Dates:

Licensed Date: 02/18/1986

Decreed Date:

Permit Proof Due Date: 9/1/1979

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 9/10/1970

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[Close](#)

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

01/14/2004

WATER RIGHT NO. 2-7068

Owner Type	Name and Address
Current Owner	LITTLE VALLEY MUTUAL IRRIGATION CO C/O BART FOWERS PO BOX 305 GRAND VIEW, ID 83624 (208)845-2181

Priority Date: 08/14/1970

Basis: License

Status: Active

Source	Tributary
SNAKE RIVER	COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	51.4 CFS	
Total Diversion			51.4 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER	NENW Lt 3	Sec. 02	Township 06S	Range 04E	OWYHEE County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06S	04E	10		SWSW	39									
				NESW	27									
				NWNE	31		SWNE	39						
		14		NENW	37		SWNW	39		SENE	37			
				NESW	26		NWSW	39		SWSW	38		SESW	35
				NWNW	39		SWNW	40						
				NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	39		NWSE	40		SWSE	40		SESE	39
		22		NENE	40		NWNE	40		SWNE	36		SENE	40
				NWNW	40									
				NESW	40		NWSW	40		SWSW	31		SESW	40
				NESE	39		NWSE	38		SWSE	40		SESE	40
				NENE	38		NWNE	39		SWNE	39		SENE	38
		23		NENW	39		NWNW	38		SWNW	37		SENE	38
				NESW	39		NWSW	38		SWSW	40		SESW	40
				NESE	39		NWSE	39		SWSE	38		SESE	37
				SWNW	33									
				NESW	40		NWSW	40		SWSW	39		SESW	39
				NWSE	39		SWSE	38						
		26		NWNE	37		SWNE	39						
				NENW	40		NWNW	37		SWNW	39		SENE	40
				NESW	39		NWSW	39		SWSW	38		SESW	38
				NWSE	39		SWSE	38						
				NENE	39		NWNE	39		SWNE	39		SENE	38
				NENW	40		NWNW	35						
		27		NESE	40		SESE	40						

Total Acres: 2945

Conditions of Approval:

1.	R33	This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.
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Remarks:

1.	General	Address change by DB 2/20/2002 THIS RT. WHEN COMBINED WITH RTS. 02-2442/2443 SHALL NOT EXCEED 14,725.0 AF/ANNUM. THIS RT. WHEN COMBINED WITH RTS. 02-2442/2443/7030/7221 SHALL NOT EXCEED 59.07 CFS. THE AMOUNT OF WATER FOR THIS USAGE IS INCREASED TO 58.9 CFS BASED ON 1"/ACRE. THIS RIGHT HELD THE RESTRICTION SHOWN ABOVE; HOWEVER THIS MEASUREMENT MAY BE INACCURATE BECAUSE AFTER THE FIELD EXAM WAS PERFORMED THE CLAIMANT FOUND DEBRIS IN 3 OF 5 PUMPS WHICH MAY HAVE AFFECTED THE MEASUREMENT. CLAIMANT HAS, THEREFORE,
2.	General	REQUESTED A NEW FIELD EXAM FOR 1989 SEASON. HOPEFULLY, THIS NEW EXAM WILL REFLECT A CORRECTED AMOUNT FOR ALL RIGHTS TO NOT EXCEED 87.88 CFS, OR WHATEVER IS FOUND IN EXAM. -FIELD EXAM DONE IN 1985-3 PUMPS PULLED PRIOR TO 1986 SEASON AND DEBRIS FOUND AND FOURTH PUMP PULLED IN 1987. 12/21/89-AMENDED TOTAL QUANTITY TO REFLECT AMOUNT SHOWN UNDER ITEM 6. ALSO, THE TOTAL FLOW OF WATER PRODUCED BY LITTLE VALLEY MUTUAL IRR. CO. IS 69.11 CFS RATHER THAN 87.88 CFS AS INDICATED IN LETTER DATED NOVEMBER 21, 1989 FROM SHERL CHAPMAN. SEE FILE.

Dates:

Licensed Date: 02/18/1986

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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