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Summary of Water Rights or Portions Rented from the Bank

34-2459	4/19/1965	Ground Water	NA	4.17 cfs	833.0 af	NA	238.0 ac
34-2460	4/19/1965	Ground Water	NA	4.17 cfs	833.0 af	NA	238.0 ac

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT

WATER USE DETAILS

LOCATION OF RENTER'S POINT(S) OF DIVERSION:

GROUND WATER	SE¼NW¼SW¼	Sec. 34	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	NE¼SE¼NW¼	Sec. 03	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SE¼NE¼SW¼	Sec. 02	Twp 03N	Rge 26E	BUTTE County
GROUND WATER	SW¼SE¼NW¼	Sec. 02	Twp 03N	Rge 26E	BUTTE County

BENEFIAL USE

IRRIGATION

SEASON OF USE

04/01 to 10/31

RENTER'S 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	
03N	26E	14					39	36	40	40	40	40	40	40					315
03N	26E	15	39	40	40	40	39	39	40	40	40	40	40	40	40	40	40	40	637
03N	26E	16	39	39	40	40									40	40	39	39	158
03N	26E	22	40	40	40	40	40	40	40	40									320
03N	26E	23					40	40	40	40	40			33	39	40	40	40	392

Total Acres: 1980.0

Limited to acres within place of use described above: 476.0

CONDITIONS APPLICABLE TO ALL RENTED WATER RIGHTS

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
5. This rental agreement does not authorize the construction of a well.
6. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
7. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
8. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
9. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.

10. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
11. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
12. Pursuant to a call, in times of scarcity, the diversion of water under this right from the two wells in T05N, R26E, S34 SENWSW and T04N, R26E, S3 NESENW have a priority date of May 18, 1982.
13. The rights listed below are limited to a total combined diversion rate of 20.34 cfs at the two wells located in T05N, R26E, S34 SENWSW and T04N R26E S3 NESENW. Combined Right Nos.: 34-2459, 34-2460 and 34-7037.
14. The rights listed below are limited to a total combined annual diversion volume of 5,000.0 AF from the two wells located in T05N, R26E, S34 SENWSW and T04N, R26E, S3 NESENW. Combined Right Nos.: 34-2459, 34-2460 and 34-7037.
15. Under this rental, the water right holder shall make full use of available surface water rights and divert ground water from the wells located in T03N, R26E, S2 SWSW and T03N, R26E, S2 SENESW (the "Airport Wells") prior to diversion of ground water from the two wells located in T05N, R26E, S34 SENWSW and T04N, R26E, S3, NESENW (the "Island Wells").
16. Use of this right with Right Nos. 34-2460, 34-2461, 34-2462 and 34-7037 is limited to the irrigation of a combined total of 1664 acres in a single irrigation season.
17. Use of this right with the rights listed below is limited to the irrigation of a combined total of 1980 acres in a single irrigation season. Combined Right Nos.: 34-7138, 34-2460, 34-2461, 34-2462, 34-7037 and 34-10925.
18. Use of this right with Right Nos. 34-2460, 34-2461, 34-2462 and 34-10925 is limited to a total combined diversion rate of 12.5 cfs.
19. Use of this right with the rights listed below is limited to a total combined annual diversion volume of 8441.5 AF. Combined Right Nos.: 34-7138, 34-2460, 34-2461, 34-2462, 34-7037 and 34-10925.