



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 6, 2017

ECCLES FLYING HAT RANCH LLC
PO BOX 3028
SALT LAKE CITY UT 84110

RE: NOTIFICATION OF WATER SUPPLY BANK LEASE EXPIRATION FOR WATER RIGHTS: 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975, 37-11976, 37-11977, 37-11978 & 37-481D

Dear Lessor:

Idaho Department of Water Resources (Department) records show that all or a portion of the above referenced water right(s) were leased to the Water Supply Bank (Bank) through December 31, 2016. **This letter is notice that the right(s) are now considered released from the Bank.**

If you would like to renew the lease of these right(s) to the Bank, please complete a new Application to Sell or Lease a Water Right to the Water Supply Bank and remit the applicable filing fee. You can find new applications at the Department's website at www.idwr.idaho.gov.

A water right is not protected from forfeiture unless it is accepted into the Bank or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. The five-year period of nonuse related to forfeiture of a water right shall begin to accrue upon release of the right from the bank or shall continue to accrue if a period of nonuse occurred prior to the lease date of the right to the Bank.

If you have any questions regarding this matter, please contact me at (208) 287-4918.

Sincerely,

Remington Buyer
Water Supply Bank Coordinator

Enclosures:

AMENDED WATER SUPPLY BANK LEASE CONTRACT AMENDED

This Lease Contract ("Lease") is effective June 15, 2011, between the Idaho Water Resource Board ("Board"), and

Lessor: ECCLES FLYING HAT RANCH LLC
PO BOX 3028
SALT LAKE CITY UT 84410
(801) 246-5329

RECEIVED

MAY 16 2014

DEPARTMENT OF
WATER RESOURCES

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right	Lease Rate	Lease Volume	Acre Limit	Total Leased Acres
37-481D	0.12 CFS	NA	14.9 AC	23.0 AC
37-482J	0.12 CFS	NA	14.9 AC	23.0 AC
37-483D	0.12 CFS	NA	20.2 AC	23.0 AC
37-577BP	0.22 CFS	NA	20.2 AC	23.0 AC
37-917	0.10 CFS	NA	9.5 AC	23.0 AC
37-11975	0.12 CFS	NA	3.0 AC	23.0 AC
37-11976	0.03 CFS	NA	3.0 AC	23.0 AC
37-11977	0.03 CFS	NA	1.0 AC	23.0 AC
37-11978	0.14 CFS	NA	3.0 AC	23.0 AC
37-2713	0.39 CFS	80.5 AF	23.0 AC	23.0 AC
37-7356	0.10 CFS	40.8 AF	23.0 AC	23.0 AC

COMBINED

LEASE TOTALS: 1.03 CFS 161.0 AF 23.0 AC 23.0 AC

The water rights described herein shall be available for rental from the Bank as follows:

Authorized Period of Use under Lease: April 15 to October 31

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** This Lease shall take effect when both parties have signed it and shall continue in effect until December 31, 2016.

SUPPORT DATA

IN FILE # 37-481D

WATER SUPPLY BANK LEASE CONTRACT

4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.
5. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

ECCLES FLYING HAT RANCH LLC
PO BOX 3028
SALT LAKE CITY UT 84410
(801) 246-5329

By *Charles E. Brockway*
Power of Attorney

Date *5/14/2014*

Printed Name *Charles E. Brockway*

Title *Reg.*

IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-9098

By *Brian Patton*
Brian Patton, Acting Administrator
Idaho Water Resource Board

Date *May 20, 2014*

Lease approved by IDWR *Chris Palmer*

Date *5/20/2014*

WATER RIGHT NO. 37-481D
WATER SUPPLY BANK LEASE ACCEPTANCE

The water right or portion thereof leased to the bank is described as follows:

Lessor: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110
 (801) 246-5329

Priority Date: 08/01/1882

Source: BIG WOOD RIVER **Tributary to:** MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.12 CFS	
	Total:		0.12 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SE¼SW¼NE¼	Sec. 16	Twp 02N	Rge 18E	BLAINE County
BIG WOOD RIVER	SE¼NE¼SE¼	Sec. 22	Twp 02N	Rge 18E	BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: 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	
02N	18E	22												3.6			0.8		4.4
02N	18E	25						1.8											1.8
02N	18E	26		1.2	7.1	4.5	0.5			3.5									16.8

Total Acres: 23.0

Limited to acres within place of use described above: 14.9

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-481D AND 37-482J			15.5 AC
37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356	1.03 CFS	161.0 AF	23.0 AC

CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the bank, forfeiture provisions are stayed.
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.

WATER RIGHT NO. 37-481D
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into 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.
9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.
11. The portions of the following water rights leased to the Bank when combined shall not exceed the irrigation of 23 acres. Combined Right Nos. 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356.
12. The portions of 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 leased to the Bank shall not exceed a maximum diversion rate of 0.46 cfs and 80.5 af at the field headgate when applied by sprinkler system, and when applied by surface application shall not exceed a maximum diversion rate of 0.92 cfs and 161.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
13. The total instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 1.03 cfs and a total annual maximum diversion volume of 161.0 af at the field headgate.
14. Use of water under this right will be regulated by the watermaster of State Water District No. 37, Big Wood River.
15. Rights 37-481D and 37-482J when combined are limited to the irrigation of 387.0 acres within the place of use described on the water right in a single irrigation season.
16. The total instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 26.74 cfs and a total annual maximum diversion volume of 4172.0 af at the field headgate.
17. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 4172.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
18. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 37-481D
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

19. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed the irrigation of 596 acres.
20. The leased portions of 37-481D and 37-482J shall not exceed the irrigation of 15.5 acres.
21. This lease is limited to the irrigation of 14.9 acres within the places of use described above in a single irrigation season.

The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

WATER RIGHT NO. 37-482J
WATER SUPPLY BANK LEASE ACCEPTANCE

The water right or portion thereof leased to the bank is described as follows:

Lessor: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110
 (801) 246-5329

Priority Date: 08/01/1884

Source: BIG WOOD RIVER **Tributary to:** MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.12 CFS	
	Total:		0.12 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SE¼SW¼NE¼	Sec. 16	Twp 02N	Rge 18E	BLAINE County
BIG WOOD RIVER	SE¼NE¼SE¼	Sec. 22	Twp 02N	Rge 18E	BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: 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	
02N	18E	22												3.6			0.8		4.4
02N	18E	25						1.8											1.8
02N	18E	26		1.2	7.1	4.5	0.5			3.5									16.8

Total Acres: 23.0

Limited to acres within place of use described above: 14.9

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-481D AND 37-482J			15.5 AC
37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356	1.03 CFS	161.0 AF	23.0 AC

CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the bank, forfeiture provisions are stayed.
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.

WATER RIGHT NO. 37-482J
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into 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.
9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.
11. The portions of the following water rights leased to the Bank when combined shall not exceed the irrigation of 23 acres. Combined Right Nos. 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356.
12. The portions of 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 leased to the Bank shall not exceed a maximum diversion rate of 0.46 cfs and 80.5 af at the field headgate when applied by sprinkler system, and when applied by surface application shall not exceed a maximum diversion rate of 0.92 cfs and 161.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
13. The total instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 1.03 cfs and a total annual maximum diversion volume of 161.0 af at the field headgate.
14. Use of water under this right will be regulated by the watermaster of State Water District No. 37, Big Wood River.
15. Rights 37-481D and 37-482J when combined are limited to the irrigation of 387.0 acres within the place of use described on the water right in a single irrigation season.
16. The total instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 26.74 cfs and a total annual maximum diversion volume of 4172.0 af at the field headgate.
17. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 4172.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
18. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 37-482J
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

19. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed the irrigation of 596 acres.
20. The leased portions of 37-481D and 37-482J shall not exceed the irrigation of 15.5 acres.
21. This lease is limited to the irrigation of 14.9 acres within the places of use described above in a single irrigation season.

The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

**WATER RIGHT NO. 37-483D
WATER SUPPLY BANK LEASE ACCEPTANCE**

The water right or portion thereof leased to the bank is described as follows:

Lessor: ECCLES FLYING HAT RANCH LLC
PO BOX 3028
SALT LAKE CITY UT 84110
(801) 246-5329

Priority Date: 08/01/1902

Source: BIG WOOD RIVER **Tributary to:** MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.12 CFS	
	Total:		0.12 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 16	Twp 02N	Rge 18E	BLAINE County
BIG WOOD RIVER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 22	Twp 02N	Rge 18E	BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: 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	
02N	18E	22												3.6			0.8		4.4
02N	18E	25						1.8											1.8
02N	18E	26		1.2	7.1	4.5	0.5			3.5									16.8

Total Acres: 23.0

Limited to acres within place of use described above: 20.2

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-483D AND 37-577BP			21.0 AC
37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356	1.03 CFS	161.0 AF	23.0 AC

CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the bank, forfeiture provisions are stayed.
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.

WATER RIGHT NO. 37-483D
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into 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.
9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.
11. The portions of the following water rights leased to the Bank when combined shall not exceed the irrigation of 23 acres. Combined Right Nos. 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356.
12. The portions of 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 leased to the Bank shall not exceed a maximum diversion rate of 0.46 cfs and 80.5 af at the field headgate when applied by sprinkler system, and when applied by surface application shall not exceed a maximum diversion rate of 0.92 cfs and 161.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
13. The total instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 1.03 cfs and a total annual maximum diversion volume of 161.0 af at the field headgate.
14. Use of water under this right will be regulated by the watermaster of State Water District No. 37, Big Wood River.
15. The total instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 26.74 cfs and a total annual maximum diversion volume of 4172.0 af at the field headgate.
16. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 4172.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
17. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 37-483D
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

18. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed the irrigation of 596 acres.
19. Rights 37-483D and 37-577BP when combined are limited to the irrigation of 523.0 acres within the place of use described on the water right in a single irrigation season.
20. The leased portions of 37-483D and 37-577BP shall not exceed the irrigation of 21.0 acres.
21. This lease is limited to the irrigation of 20.2 acres within the places of use described above in a single irrigation season.

The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

**WATER RIGHT NO. 37-577BP
WATER SUPPLY BANK LEASE ACCEPTANCE**

The water right or portion thereof leased to the bank is described as follows:

Lessor: ECCLES FLYING HAT RANCH LLC
PO BOX 3028
SALT LAKE CITY UT 84110
(801) 246-5329

Priority Date: 03/24/1883

Source: BIG WOOD RIVER **Tributary to:** MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.22 CFS	
	Total:		0.22 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SE¼SW¼NE¼	Sec. 16	Twp 02N	Rge 18E	BLAINE County
BIG WOOD RIVER	SE¼NE¼SE¼	Sec. 22	Twp 02N	Rge 18E	BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: 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	
02N	18E	22												3.6			0.8		4.4
02N	18E	25						1.8											1.8
02N	18E	26		1.2	7.1	4.5	0.5			3.5									16.8

Total Acres: 23.0

Limited to acres within place of use described above: 20.2

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-483D AND 37-577BP			21.0 AC
37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356	1.03 CFS	161.0 AF	23.0 AC

CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the bank, forfeiture provisions are stayed.

**WATER RIGHT NO. 37-577BP
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into 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.
9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.
11. The portions of the following water rights leased to the Bank when combined shall not exceed the irrigation of 23 acres. Combined Right Nos. 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356.
12. The portions of 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 leased to the Bank shall not exceed a maximum diversion rate of 0.46 cfs and 80.5 af at the field headgate when applied by sprinkler system, and when applied by surface application shall not exceed a maximum diversion rate of 0.92 cfs and 161.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
13. The total instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 1.03 cfs and a total annual maximum diversion volume of 161.0 af at the field headgate.
14. Use of water under this right will be regulated by the watermaster of State Water District No. 37, Big Wood River.
15. The total instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 26.74 cfs and a total annual maximum diversion volume of 4172.0 af at the field headgate.
16. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 4172.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
17. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.

**WATER RIGHT NO. 37-577BP
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

18. A portion of Right 37-577BP, 1.40 cfs, shall continue to be diverted into the Hiawatha Canal to mitigate the removal of Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977 and 37-11978 diverted into Cove Canal and Kohler Ditch under Transfer 68526 until such time as the canal ceases operation or is otherwise no longer necessary for such mitigation. The right holder retains ownership of the 1.40 cfs portion of this right diverted into the Hiawatha Canal.
19. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed the irrigation of 596 acres.
20. Rights 37-483D and 37-577BP when combined are limited to the irrigation of 523.0 acres within the place of use described on the water right in a single irrigation season.
21. The leased portions of 37-483D and 37-577BP shall not exceed the irrigation of 21.0 acres.
22. This lease is limited to the irrigation of 20.2 acres within the places of use described above in a single irrigation season.

The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

WATER RIGHT NO. 37-917
WATER SUPPLY BANK LEASE ACCEPTANCE

The water right or portion thereof leased to the bank is described as follows:

Lessor: ECCLES FLYING HAT RANCH LLC
PO BOX 3028
SALT LAKE CITY UT 84110
(801) 246-5329

Priority Date: 04/01/1940

Source: BIG WOOD RIVER **Tributary to:** MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.10 CFS	
		Total:	0.10 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SE¼SW¼NE¼	Sec. 16	Twp 02N	Rge 18E	BLAINE County
BIG WOOD RIVER	SE¼NE¼SE¼	Sec. 22	Twp 02N	Rge 18E	BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: 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	
02N	18E	22												3.6			0.8		4.4
02N	18E	25						1.8											1.8
02N	18E	26		1.2	7.1	4.5	0.5			3.5									16.8

Total Acres: 23.0

Limited to acres within place of use described above: 9.5

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 AND 37-7356	1.03 CFS	161.0 AF	23.0 AC

CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the bank, forfeiture provisions are stayed.
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.

WATER RIGHT NO. 37-917
WATER SUPPLY BANK LEASE ACCEPTANCE
CONDITIONS OF ACCEPTANCE

8. Acceptance of a right into 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.
9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.
11. The portions of the following water rights leased to the Bank when combined shall not exceed the irrigation of 23 acres. Combined Right Nos. 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356.
12. The portions of 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 leased to the Bank shall not exceed a maximum diversion rate of 0.46 cfs and 80.5 af at the field headgate when applied by sprinkler system, and when applied by surface application shall not exceed a maximum diversion rate of 0.92 cfs and 161.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
13. The total leased instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 1.03 cfs and a total annual maximum diversion volume of 161.0 af at the field headgate.
14. Use of water under this right will be regulated by the watermaster of State Water District No. 37, Big Wood River.
15. The total instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 26.74 cfs and a total annual maximum diversion volume of 4172.0 af at the field headgate.
16. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 4172.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
17. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.
18. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed the irrigation of 596 acres.
19. This lease is limited to the irrigation of 9.5 acres within the places of use described above in a single irrigation season.

The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

**WATER RIGHT NO. 37-11975
WATER SUPPLY BANK LEASE ACCEPTANCE**

The water right or portion thereof leased to the bank is described as follows:

Lessor: ECCLES FLYING HAT RANCH LLC
PO BOX 3028
SALT LAKE CITY UT 84110
(801) 246-5329

Priority Date: 06/15/1891

Source: BIG WOOD RIVER **Tributary to:** MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.12 CFS	
	Total:		0.12 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SE¼SW¼NE¼	Sec. 16	Twp 02N	Rge 18E BLAINE County
BIG WOOD RIVER	SE¼NE¼SE¼	Sec. 22	Twp 02N	Rge 18E BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: 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	
02N	18E	22												3.6			0.8		4.4
02N	18E	25						1.8											1.8
02N	18E	26		1.2	7.1	4.5	0.5			3.5									16.8

Total Acres: 23.0

Limited to acres within place of use described above: 3.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-11975, 37-11976, 37-11977 AND 37-11978			3.0 AC
37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356	1.03 CFS	161.0 AF	23.0 AC

CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the bank, forfeiture provisions are stayed.

WATER RIGHT NO. 37-11975
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into 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.
9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.
11. The portions of the following water rights leased to the Bank when combined shall not exceed the irrigation of 23 acres. Combined Right Nos. 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356.
12. The portions of 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 leased to the Bank shall not exceed a maximum diversion rate of 0.46 cfs and 80.5 af at the field headgate when applied by sprinkler system, and when applied by surface application shall not exceed a maximum diversion rate of 0.92 cfs and 161.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
13. The total leased instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 1.03 cfs and a total annual maximum diversion volume of 161.0 af at the field headgate.
14. Use of water under this right will be regulated by the watermaster of State Water District No. 37, Big Wood River.
15. The total instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 26.74 cfs and a total annual maximum diversion volume of 4172.0 af at the field headgate.
16. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 4172.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
17. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 37-11975
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

18. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed the irrigation of 596 acres.
19. Rights 37-11975, 37-11976, 37-11977 and 37-11978 when combined are limited to the irrigation of 79.0 acres within the place of use described on the water right in a single irrigation season.
20. The leased portions of 37-11975, 37-11976, 37-11977 and 37-11978 shall not exceed the irrigation of 3.0 acres.
21. This lease is limited to the irrigation of 3.0 acres within the places of use described above in a single irrigation season.

The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

**WATER RIGHT NO. 37-11976
WATER SUPPLY BANK LEASE ACCEPTANCE**

The water right or portion thereof leased to the bank is described as follows:

Lessor: ECCLES FLYING HAT RANCH LLC
PO BOX 3028
SALT LAKE CITY UT 84110
(801) 246-5329

Priority Date: 06/01/1884

Source: BIG WOOD RIVER **Tributary to:** MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.03 CFS	
	Total:			0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SE¼SW¼NE¼	Sec. 16	Twp 02N	Rge 18E	BLAINE County
BIG WOOD RIVER	SE¼NE¼SE¼	Sec. 22	Twp 02N	Rge 18E	BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: 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	
02N	18E	22												3.6			0.8		4.4
02N	18E	25						1.8											1.8
02N	18E	26		1.2	7.1	4.5	0.5			3.5									16.8

Total Acres: 23.0

Limited to acres within place of use described above: 3.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-11975, 37-11976, 37-11977 AND 37-11978			3.0 AC
37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356	1.03 CFS	161.0 AF	23.0 AC

CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the bank, forfeiture provisions are stayed.

WATER RIGHT NO. 37-11976
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into 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.
9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.
11. The portions of the following water rights leased to the Bank when combined shall not exceed the irrigation of 23 acres. Combined Right Nos. 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356.
12. The portions of 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 leased to the Bank shall not exceed a maximum diversion rate of 0.46 cfs and 80.5 af at the field headgate when applied by sprinkler system, and when applied by surface application shall not exceed a maximum diversion rate of 0.92 cfs and 161.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
13. The total leased instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 1.03 cfs and a total annual maximum diversion volume of 161.0 af at the field headgate.
14. Use of water under this right will be regulated by the watermaster of State Water District No. 37, Big Wood River.
15. The total instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 26.74 cfs and a total annual maximum diversion volume of 4172.0 af at the field headgate.
16. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 4172.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
17. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 37-11976
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

18. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed the irrigation of 596 acres.
19. Rights 37-11975, 37-11976, 37-11977 and 37-11978 when combined are limited to the irrigation of 79.0 acres within the place of use described on the water right in a single irrigation season.
20. The leased portions of 37-11975, 37-11976, 37-11977 and 37-11978 shall not exceed the irrigation of 3.0 acres.

The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

WATER RIGHT NO. 37-11977
WATER SUPPLY BANK LEASE ACCEPTANCE

The water right or portion thereof leased to the bank is described as follows:

Lessor: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110
 (801) 246-5329

Priority Date: 06/15/1891

Source: BIG WOOD RIVER **Tributary to:** MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.03 CFS	
	Total:		0.03 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SE¼SW¼NE¼	Sec. 16	Twp 02N	Rge 18E	BLAINE County
BIG WOOD RIVER	SE¼NE¼SE¼	Sec. 22	Twp 02N	Rge 18E	BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: 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	
02N	18E	22												3.6			0.8		4.4
02N	18E	25						1.8											1.8
02N	18E	26		1.2	7.1	4.5	0.5			3.5									16.8

Total Acres: 23.0

Limited to acres within place of use described above: 1.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-11975, 37-11976, 37-11977 AND 37-11978			3.0 AC
37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356	1.03 CFS	161.0 AF	23.0 AC

CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the bank, forfeiture provisions are stayed.

WATER RIGHT NO. 37-11977
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into 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.
9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.
11. The portions of the following water rights leased to the Bank when combined shall not exceed the irrigation of 23 acres. Combined Right Nos. 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356.
12. The portions of 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 leased to the Bank shall not exceed a maximum diversion rate of 0.46 cfs and 80.5 af at the field headgate when applied by sprinkler system, and when applied by surface application shall not exceed a maximum diversion rate of 0.92 cfs and 161.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
13. The total leased instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 1.03 cfs and a total annual maximum diversion volume of 161.0 af at the field headgate.
14. Use of water under this right will be regulated by the watermaster of State Water District No. 37, Big Wood River.
15. The total instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 26.74 cfs and a total annual maximum diversion volume of 4172.0 af at the field headgate.
16. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 4172.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
17. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 37-11977
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

18. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed the irrigation of 596 acres.
19. Rights 37-11975, 37-11976, 37-11977 and 37-11978 when combined are limited to the irrigation of 79.0 acres within the place of use described on the water right in a single irrigation season.
20. The leased portions of 37-11975, 37-11976, 37-11977 and 37-11978 shall not exceed the irrigation of 3.0 acres.
21. This lease is limited to the irrigation of 1.0 acres within the places of use described above in a single irrigation season.

The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

WATER RIGHT NO. 37-11978

WATER SUPPLY BANK LEASE ACCEPTANCE

The water right or portion thereof leased to the bank is described as follows:

Lessor: ECCLES FLYING HAT RANCH LLC
PO BOX 3028
SALT LAKE CITY UT 84110
(801) 246-5329

Priority Date: 06/01/1884

Source: BIG WOOD RIVER **Tributary to:** MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.14 CFS	
	Total:		0.14 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SE¼SW¼NE¼	Sec. 16	Twp 02N	Rge 18E	BLAINE County
BIG WOOD RIVER	SE¼NE¼SE¼	Sec. 22	Twp 02N	Rge 18E	BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: 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	
02N	18E	22												3.6			0.8		4.4
02N	18E	25						1.8											1.8
02N	18E	26		1.2	7.1	4.5	0.5			3.5									16.8

Total Acres: 23.0

Limited to acres within place of use described above: 3.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-11975, 37-11976, 37-11977 AND 37-11978			3.0 AC
37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356	1.03 CFS	161.0 AF	23.0 AC

CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the bank, forfeiture provisions are stayed.

WATER RIGHT NO. 37-11978
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into 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.
9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.
11. The portions of the following water rights leased to the Bank when combined shall not exceed the irrigation of 23 acres. Combined Right Nos. 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356.
12. The portions of 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 leased to the Bank shall not exceed a maximum diversion rate of 0.46 cfs and 80.5 af at the field headgate when applied by sprinkler system, and when applied by surface application shall not exceed a maximum diversion rate of 0.92 cfs and 161.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
13. The total leased instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 1.03 cfs and a total annual maximum diversion volume of 161.0 af at the field headgate.
14. Use of water under this right will be regulated by the watermaster of State Water District No. 37, Big Wood River.
15. The total instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 26.74 cfs and a total annual maximum diversion volume of 4172.0 af at the field headgate.
16. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 4172.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
17. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 37-11978
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

18. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed the irrigation of 596 acres.
19. Rights 37-11975, 37-11976, 37-11977 and 37-11978 when combined are limited to the irrigation of 79.0 acres within the place of use described on the water right in a single irrigation season.
20. The leased portions of 37-11975, 37-11976, 37-11977 and 37-11978 shall not exceed the irrigation of 3.0 acres.

The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

WATER RIGHT NO. 37-2713
WATER SUPPLY BANK LEASE ACCEPTANCE

The water right or portion thereof leased to the bank is described as follows:

Lessor: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110
 (801) 246-5329

Priority Date: 08/18/1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01 to	09/01	0.39 CFS	80.5 AF
	Total:		0.39 CFS	80.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW¼SE¼	Sec. 23	Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NE¼SW¼	Sec. 23	Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NW¼SW¼	Sec. 23	Twp 02N	Rge 18E	BLAINE County
GROUND WATER	SW¼SE¼	Sec. 15	Twp 02N	Rge 18E	BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: 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	
02N	18E	22												3.6			0.8		4.4
02N	18E	25						1.8											1.8
02N	18E	26		1.2	7.1	4.5	0.5			3.5									16.8

Total Acres: 23.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 AND 37-7356	1.03 CFS	161.0 AF	23.0 AC

CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the bank, forfeiture provisions are stayed.
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.

WATER RIGHT NO. 37-2713
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

8. Acceptance of a right into 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.
9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.
11. The portions of the following water rights leased to the Bank when combined shall not exceed the irrigation of 23 acres. Combined Right Nos. 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356.
12. The portions of 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 leased to the Bank shall not exceed a maximum diversion rate of 0.46 cfs and 80.5 af at the field headgate when applied by sprinkler system, and when applied by surface application shall not exceed a maximum diversion rate of 0.92 cfs and 161.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
13. The total leased instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 1.03 cfs and a total annual maximum diversion volume of 161.0 af at the field headgate.
14. Use of water under this right will be regulated by the watermaster of State Water District No. 37, Big Wood River.
15. Rights 37-2713 and 37-7356 when combined shall not exceed the irrigation of 596 acres.
16. Rights 37-2713 and 37-7356 when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for sprinkler irrigation of the lands described above and on the water right. When water is applied through a sprinkler irrigation system, the portion of Rights 37-2713 and 37-7356 used for conveyance losses is 0.76 cfs.
17. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
18. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 9/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
19. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

WATER RIGHT NO. 37-7356
WATER SUPPLY BANK LEASE ACCEPTANCE

The water right or portion thereof leased to the bank is described as follows:

Lessor: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110
 (801) 246-5329

Priority Date: 04/28/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01 to	09/01	0.10 CFS	40.8 AF
	Total:		0.10 CFS	40.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW¼SE¼	Sec. 23	Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NE¼SW¼	Sec. 23	Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NW¼SW¼	Sec. 23	Twp 02N	Rge 18E	BLAINE County
GROUND WATER	SW¼SE¼	Sec. 15	Twp 02N	Rge 18E	BLAINE County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: 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	
02N	18E	22												3.6			0.8		4.4
02N	18E	25						1.8											1.8
02N	18E	26		1.2	7.1	4.5	0.5			3.5									16.8

Total Acres: 23.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356	1.03 CFS	161.0 AF	23.0 AC

CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the bank, forfeiture provisions are stayed.

WATER RIGHT NO. 37-7356
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into 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.
9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. Upon acceptance of a water right into the Board's water supply bank, the owner of the right may withdraw the right within thirty (30) days of acceptance into the bank if the owner does not agree with the conditions of acceptance.
11. The portions of the following water rights leased to the Bank when combined shall not exceed the irrigation of 23 acres. Combined Right Nos. 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356.
12. The portions of 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 leased to the Bank shall not exceed a maximum diversion rate of 0.46 cfs and 80.5 af at the field headgate when applied by sprinkler system, and when applied by surface application shall not exceed a maximum diversion rate of 0.92 cfs and 161.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
13. The total leased instantaneous diversion of water from all points of diversion under Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713 and 37-7356 when combined shall not exceed 1.03 cfs and a total annual maximum diversion volume of 161.0 af at the field headgate.
14. Use of water under this right will be regulated by the watermaster of State Water District No. 37, Big Wood River.
15. Rights 37-2713 and 37-7356 when combined shall not exceed the irrigation of 596 acres.
16. Rights 37-2713 and 37-7356 when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for sprinkler irrigation of the lands described above and on the water right. When water is applied through a sprinkler irrigation system, the portion of Rights 37-2713 and 37-7356 used for conveyance losses is 0.76 cfs.
17. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
18. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 9/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

WATER RIGHT NO. 37-7356
WATER SUPPLY BANK LEASE ACCEPTANCE

CONDITIONS OF ACCEPTANCE

19. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
20. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.