



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

April 25, 2014

NORTHERN AGRICULTURE II LLC
1803 WOODFIELD DR STE B
SAVOY IL 61874

**RE: REQUEST FOR RETURN OF SIGNED AMENDED WATER SUPPLY BANK LEASE
CONTRACTS FOR WATER RIGHT(S) 35-7789**

*****TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant,

The Department of Water Resources (Department) mailed **two original Water Supply Bank Lease Contracts for your review and signature** on April 8, 2014. The signed contracts have not been returned to the Department.

Please sign both original Lease Contracts and return them to the Department within ten (10) days of this letter to complete processing. The Lease Contract is not considered final until both you and the Department have signed.

If the signed lease contracts are not received by the Department within the 10-day period, the lease application(s) will be returned, and the application fee will not be refunded. You can reapply to lease the water right(s) in the future by submitting new application form(s) along with applicable fees.

Please note the forfeiture period is not tolled unless a right is accepted into the Bank, or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. If forfeiture is a concern, you may consider filing an Application for Extension of Time to Avoid Forfeiture of a Water Right form. This and other water right forms are available from the Department's web site at www.idwr.idaho.gov.

If you have questions regarding this matter, please contact me at 287-4944.

Sincerely,



Cherie Palmer
Senior Water Resource Agent
WSB Process Point of Contact

c. Greg Sullivan – Brockway Engineering PLLC



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April 8, 2014

NORTHERN AGRICULTURE II LLC
1803 WOODFIELD DR STE B
SAVOY IL 61874

RE: AMENDMENT OF CONTRACT TO LEASE WATER RIGHT 35-7789 TO THE WATER SUPPLY BANK

******TIME SENSITIVE RESPONSE REQUIRED******

Dear Applicant:

The Department of Water Resources has completed its review of your request to release water right 35-7788B from the Water Supply Bank. Water right 35-7788B has been released from the bank. However, water right 35-7789 is under the same contract as water right 35-7788B (enclosed). I have amended your contract to include water right 35-7789 only. The amendment simply removes water right 35-7788B from your original contract.

I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please sign and return BOTH Lease Contracts within 14 days. Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The right will automatically be released from the Bank on **December 31, 2016**, unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease portion of the water right, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. Please note your rights may not be available for immediate release if they have been rented.

Lastly, please review the conditions of acceptance listed on the Lease Contract, especially #3.

If you have questions regarding this matter, please contact me at 287-4944.

Sincerely,

Cherie Palmer
Senior Water Resource Agent
WSB Process Point of Contact

Enclosure: Proposed Lease Contracts

c. Greg Sullivan – Brockway Engineering PLLC