

RECEIVED

AUG 15 2013

DEPARTMENT OF
WATER RESOURCES**WATER SUPPLY BANK LEASE CONTRACT**

This Lease Contract ("**Lease**") is effective May 1, 2013, between the Idaho Water Resource Board ("**Board**"), and

Lessor: DANIEL D MOSS
JANN MOSS
 390 N 925 E
 DECLO ID 83323
 (208)300-0009

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

<u>Water Right</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
43-2346H	0.44 CFS	98.8 AF	24.7 AC	130.8 AC
43-2346J	0.22 CFS	48.4 AF	12.1 AC	130.8 AC
43-2346K	0.21 CFS	49.2 AF	12.3 AC	130.8 AC
43-2350	0.13 CFS	65.3 AF	25.2 AC	130.8 AC
43-2506	0.28 CFS	76.0 AF	19.0 AC	130.8 AC
Combined Totals:	0.42 CFS	100.8 AF	25.2 AC	130.8 AC
43-2346C	0.22 CFS	50.8 AF	12.7 AC	130.8 AC
43-2349	0.41 CFS	81.2 AF	20.3 AC	130.8 AC
43-10478	0.30 CFS	NA	23.6 AC	130.8 AC
Combined Totals:	1.04 CFS	232.4 AF	81.7 AC	130.8 AC
Combined Lease Totals:	1.91 CFS	428.8 AF	130.8 AC	130.8 AC

The water rights described herein shall be available for rental from the Bank as follows:
Authorized Period of Use under Lease: March 15 to November 15

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.

SUPPORT DATA

IN FILE # 43-2346C

Minimum Payment Acceptable: Current Rental Rate

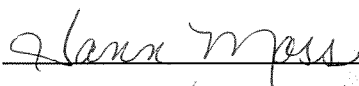
3. **TERM OF LEASE:** This Lease shall take effect when both parties have signed it and shall continue in effect until December 31, 2017.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, 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.

DANIEL D MOSS
JANN MOSS
390 N 925 E
DECLO ID 83323

By 
Printed Name DANIEL D MOSS

Date 8/13/13
Title _____

By 
Printed Name Jann Moss

Date 8/13/13
Title _____

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

By 
Brian Patton, Acting Administrator
Idaho Water Resource Board

Date 08-15-2013

Lease approved by IDWR 

Date 08-15-2013

ATTACHMENT A
WATER RIGHT NO. 43-2346H
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: **DANIEL D MOSS**
JANN MOSS
390 N 925 E
DECLO ID 83323
(208)300-0009

Priority Date: 12/26/1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.44 CFS	98.8 AF
Total:			0.44 CFS	98.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 29, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA 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	
11S	27E	28		1.3		2.5	2.3							0.1	2.8				9.0
11S	27E	29									0.1			8.1			8.4	9.3	25.9
11S	27E	32	10.1	11.1		9.8													31.0
11S	27E	33		0.1			9.3	9.7	9.0	2.7	4.0	9.3	103.	10.5					64.9

Total Acres: 130.8

Limited to acres within place of use described above: 24.7

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350, 43-2506 & 43-10478	1.91 CFS	428.88 AF	130.8 AC	130.8 AC

ADDITIONAL 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, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
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.
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. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
11. 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.
12. During the term of this lease, use of the unleased portion of rights 43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350, 43-2506 and 43-10478 are limited to irrigation of a combined total of 1522.2 acres in a single irrigation season, a total diversion rate of 22.32 cfs, and a total combined annual diversion volume of 4991.2 af at the field headgate.
13. During the term of this lease, use of the unleased portion of this water right is limited to irrigation of 287.3 acres in a single irrigation season.
14. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field for irrigation of the place of use.

ATTACHMENT A
WATER RIGHT NO. 43-2346J
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: **DANIEL D MOSS**
JANN MOSS
390 N 925 E
DECLO ID 83323
(208)300-0009

Priority Date: 12/26/1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.22 CFS	48.4 AF
	Total:		0.22 CFS	48.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 29, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA 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	
11S	27E	28		1.3		2.5								0.1	2.8				9.0
11S	27E	29									0.1			8.1			8.4	9.3	25.9
11S	27E	32	10.1	11.1		9.8													31.0
11S	27E	33		0.1			9.3	9.7	9.0	2.7	4.0	9.3	10.3	10.5					64.9

Total Acres: 130.8

Limited to acres within place of use described above: 12.1

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
43-2346H, 43-2346J, 43-2346K,	1.91 CFS	428.8 AF	130.8 AC	130.8 AC
43-2346C, 43-2349, 43-2350,				
43-2506 & 43-10478				

ADDITIONAL 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, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
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.
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. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
11. 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.
12. During the term of this lease, use of the unleased portion of rights 43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350, 43-2506 and 43-10478 are limited to irrigation of a combined total of 1522.2 acres in a single irrigation season, a total diversion rate of 22.32 cfs, and a total combined annual diversion volume of 4991.2 af at the field headgate.
13. During the term of this lease, use of the unleased portion of this right is limited to a total of 140.9 acres in a single irrigation season.
14. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field for irrigation of the place of use.

ATTACHMENT A
WATER RIGHT NO. 43-2346K
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: **DANIEL D MOSS**
JANN MOSS
390 N 925 E
DECLO ID 83323
(208)300-0009

Priority Date: 12/26/1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.21 CFS	49.2 AF
	Total:		0.21 CFS	49.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 29, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA 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	
11S	27E	28		1.3		2.5	2.3							0.1	2.8				9.0
11S	27E	29									0.1			8.1			8.4	9.3	25.9
11S	27E	32	10.1	11.1		9.8													31.0
11S	27E	33		0.1			9.3	9.7	9.0	2.7	4.0	9.3	103.	10.5					64.9

Total Acres: 130.8

Limited to acres within place of use described above: 12.3

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
43-2346H, 43-2346J, 43-2346K,	1.91 CFS	428.8 AF	130.8 AC	130.8 AC
43-2346C, 43-2349, 43-2350,				
43-2506 & 43-10478				

ADDITIONAL 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, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
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.
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. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
11. 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.
12. During the term of this lease, use of the unleased portion of rights 43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350, 43-2506 and 43-10478 are limited to irrigation of a combined total of 1522.2 acres in a single irrigation season, a total diversion rate of 22.32 cfs, and a total combined annual diversion volume of 4991.2 af at the field headgate.
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field for irrigation of the place of use.
14. During the term of this lease, use of the unleased portion of this right is limited to a total of 140.7 acres in a single irrigation season.

ATTACHMENT A
WATER RIGHT NO. 43-2346C
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: **DANIEL D MOSS**
JANN MOSS
390 N 925 E
DECLO ID 83323
(208)300-0009

Priority Date: 03/02/1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01 to	11/15	0.22 CFS	50.8 AF
	Total:		0.22 CFS	50.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 29, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA 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	
11S	27E	28		1.3		2.5	2.3							0.1	2.8				9.0
11S	27E	29									0.1			8.1			8.4	9.3	25.9
11S	27E	32	10.1	11.1		9.8													31.0
11S	27E	33		0.1			9.3	9.7	9.0	2.7	4.0	9.3	10.3	10.5					64.9

Total Acres: 130.8

Limited to acres within place of use described above: 12.7

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
43-2346C, 43-2349, 43-2350 43-2506 & 43-10478	1.04 CFS	232.4 AF	81.7 AC	130.8 AC
43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350 43-2506 & 43-10478	1.91 CFS	428.8 AF	130.8 AC	130.8 AC

ADDITIONAL CONDITIONS OF ACCEPTANCE

- 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, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
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.
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. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
11. 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.
12. During the term of this lease, use of the unleased portion of rights 43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350, 43-2506 and 43-10478 are limited to irrigation of a combined total of 1522.2 acres in a single irrigation season, a total diversion rate of 22.32 cfs, and a total combined annual diversion volume of 4991.2 af at the field headgate.
13. During the term of this lease, use of the unleased portion of this right is limited to a total of 137.0 acres in a single irrigation season.
14. During the term of this lease, use of the unleased portion of rights 43-2346C, 43-2349, 43-2350, 43-2506 and 43-10478 are limited to irrigation of a combined total of 950.3 acres in a single irrigation season, a total diversion rate of 12.11 cfs, and a total combined annual diversion volume of 2703.6 af at the field headgate.
15. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field for irrigation of the place of use.

ATTACHMENT A
WATER RIGHT NO. 43-2349
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: **DANIEL D MOSS**
JANN MOSS
390 N 925 E
DECLO ID 83323
(208)300-0009

Priority Date: 06/21/1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.41 CFS	81.2 AF
	Total:		0.41 CFS	81.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 29, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA 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	
11S	27E	28		1.3		2.5	2.3							0.1	2.8				9.0
11S	27E	29									0.1			8.1			8.4	9.3	25.9
11S	27E	32	10.1	11.1		9.8													31.0
11S	27E	33		0.1			9.3	9.7	9.0	2.7	4.0	9.3	10.3	10.5					64.9

Total Acres: 130.8

Limited to acres within place of use described above: 20.3

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
43-2346C, 43-2349, 43-2350 43-2506 & 43-10478	1.04 CFS	232.4 AF	81.7 AC	130.8 AC
43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350, 43-2506 & 43-10478	1.91 CFS	428.8 AF	130.8 AC	130.8 AC

ADDITIONAL CONDITIONS OF ACCEPTANCE

- 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, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
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.
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. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
11. 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.
12. During the term of this lease, use of the unleased portion of rights 43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350, 43-2506 and 43-10478 are limited to irrigation of a combined total of 1522.2 acres in a single irrigation season, a total diversion rate of 22.32 cfs, and a total combined annual diversion volume of 4991.2 af at the field headgate.
13. During the term of this lease, use of the unleased portion of rights 43-2346C, 43-2349, 43-2350, 43-2506 and 43-10478 are limited to irrigation of a combined total of 950.3 acres in a single irrigation season, a total diversion rate of 12.11 cfs, and a total combined annual diversion volume of 2703.6 af at the field headgate.
14. During the term of this lease, use of the unleased portion of this right is limited to a total of 232.7 acres in a single irrigation season.
15. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field for irrigation of the place of use.

ATTACHMENT A
WATER RIGHT NO. 43-2350
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: **DANIEL D MOSS**
JANN MOSS
390 N 925 E
DECLO ID 83323
(208)300-0009

Priority Date: 06/21/1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.13 CFS	65.3 AF
	Total:		0.13 CFS	65.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 29, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA 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	
11S	27E	28		1.3		2.5	2.3							0.1	2.8				9.0
11S	27E	29									0.1			8.1			8.4	9.3	25.9
11S	27E	32	10.1	11.1		9.8													31.0
11S	27E	33		0.1			9.3	9.7	9.0	2.7	4.0	9.3	10.3	10.5					64.9

Total Acres: 130.8

Limited to acres within place of use described above: 25.2

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
43-2346C, 43-2349, 43-2350 43-2506 & 43-10478	1.04 CFS	232.4 AF	81.7 AC	130.8 AC
43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350 43-2506 & 43-10478	1.91 CFS	428.8 AF	130.8 AC	130.8 AC
43-2350 & 43-2506	0.42 CFS	100.8 AF	25.2 AC	130.8 AC

ADDITIONAL 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, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
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.
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. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
12. 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.
13. During the term of this lease, use of the unleased portion of rights 43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350, 43-2506 and 43-10478 are limited to irrigation of a combined total of 1522.2 acres in a single irrigation season, a total diversion rate of 22.32 cfs, and a total combined annual diversion volume of 4991.2 af at the field headgate.
14. During the term of this lease, use of the unleased portion of rights 43-2346C, 43-2349, 43-2350, 43-2506 and 43-10478 are limited to irrigation of a combined total of 950.3 acres in a single irrigation season, a total diversion rate of 12.11 cfs, and a total combined annual diversion volume of 2703.6 af at the field headgate.
15. During the term of this lease, use of the unleased portion of this right is limited to a total of 292.8 acres in a single irrigation season.
16. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field for irrigation of the place of use.

17. During the term of this lease, use of the unleased portion of rights 43-2350 and 43-2506 are limited to irrigation of a combined total of 292.8 acres in a single irrigation season, a total diversion rate of 4.83 cfs and a total combined annual diversion volume of 1171.2 af at the field headgate.



ATTACHMENT A
WATER RIGHT NO. 43-2506
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: **DANIEL D MOSS**
JANN MOSS
390 N 925 E
DECLO ID 83323
(208)300-0009

Priority Date: 11/30/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.28 CFS	76.0 AF
	Total:		0.28 CFS	76.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 29, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA 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	
11S	27E	28		1.3		2.5	2.3							0.1	2.8				9.0
11S	27E	29									0.1			8.1			8.4	9.3	25.9
11S	27E	32	10.1	11.0		9.8													31.0
11S	27E	33		0.1			9.3	9.7	9.0	2.7	4.0	9.3	10.3	10.5					64.9

Total Acres: 130.8

Limited to acres within place of use described above: 19.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
43-2346C, 43-2349, 43-2350 43-2506 & 43-10478	1.04 CFS	232.4 AF	81.7 AC	130.8 AC
43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350 43-2506 & 43-10478	1.91 CFS	428.8 AF	130.8 AC	130.8 AC
43-2350 & 43-2506	0.42 CFS	100.8 AF	25.2 AC	130.8 AC

ADDITIONAL 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, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
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.
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. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
12. 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.
13. During the term of this lease, use of the unleased portion of rights 43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350, 43-2506 and 43-10478 are limited to irrigation of a combined total of 1522.2 acres in a single irrigation season, a total diversion rate of 22.32 cfs, and a total combined annual diversion volume of 4991.2 af at the field headgate.
14. During the term of this lease, use of the unleased portion of rights 43-2346C, 43-2349, 43-2350, 43-2506 and 43-10478 are limited to irrigation of a combined total of 950.3 acres in a single irrigation season, a total diversion rate of 12.11 cfs, and a total combined annual diversion volume of 2703.6 af at the field headgate.
15. During the term of this lease, use of the unleased portion of this right is limited to a total of 237.8 acres in a single irrigation season.

16. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field for irrigation of the place of use.
18. During the term of this lease, use of the unleased portion of rights 43-2350 and 43-2506 are limited to irrigation of a combined total of 292.8 acres in a single irrigation season, a total diversion rate of 4.83 cfs and a total combined annual diversion volume of 1171.2 af at the field headgate.



ATTACHMENT A
WATER RIGHT NO. 43-10478
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

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

Lessor: **DANIEL D MOSS**
JANN MOSS
390 N 925 E
DECLO ID 83323
(208)300-0009

Priority Date: 06/30/1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.30 CFS
	Total:		0.30 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 28, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 29, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 32, Twp 11S, Rge27E, CASSIA 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	
11S	27E	28		1.3		2.5	2.3							0.1	2.8				9.0
11S	27E	29									0.1			8.1			8.4	9.3	25.9
11S	27E	32	10.1	11.1		9.8													31.0
11S	27E	33		0.1			9.3	9.7	9.0	2.7	4.0	9.3	10.3	10.5					64.9

Total Acres: 130.8

Limited to acres within place of use described above: 23.6

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
43-2346C, 43-2349, 43-2350 43-2506 & 43-10478	1.04 CFS	232.4 AF	81.7 AC	130.8 AC
43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350, 43-2506 & 43-10478	1.91 CFS	428.8 AF	130.8 AC	130.8 AC

ADDITIONAL 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, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
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.
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. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - b. If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - c. New lessor(s) of record will receive payment after the following rental season.
12. 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.
13. During the term of this lease, use of the unleased portion of rights 43-2346H, 43-2346J, 43-2346K, 43-2346C, 43-2349, 43-2350, 43-2506 and 43-10478 are limited to irrigation of a combined total of 1522.2 acres in a single irrigation season, a total diversion rate of 22.32 cfs, and a total combined annual diversion volume of 4991.2 af at the field headgate.
14. During the term of this lease, use of the unleased portion of rights 43-2346C, 43-2349, 43-2350, 43-2506 and 43-10478 are limited to irrigation of a combined total of 950.3 acres in a single irrigation season, a total diversion rate of 12.11 cfs, and a total combined annual diversion volume of 2703.6 af at the field headgate.
15. During the term of this lease, use of the unleased portion of this right is limited to a total of 274.4 acres in a single irrigation season.
16. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field for irrigation of the place of use.

17. This right is an expansion of Water Right Nos. 43-2346C, 43-2349, 43-2350 and 43-2506 pursuant to Section 42-1416B, Idaho Code.

