

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK LEASE ACCEPTANCE**

This is to certify that: BLISS VALLEY PROPERTIES LLC
PO BOX 64
BLISS ID 83314
(208) 352-1200

AND

MAGIC MFG INC
716B EAST 4900 NORTH
BUHL ID 83316

AND

SAGEBRUSH LILLY HOMEOWNERS ASSN
PO BOX 64
BLISS ID 83314
(208) 352-1200

has requested to lease the water right(s) listed below to the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board") being authorized to operate a bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director", "Department") the acquisition of water rights for the Board's Bank, agrees to lease the water right to the Bank 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>
	37-810	1.20 CFS	NA	NA	133.0 AC
	37-811	0.80 CFS	NA	NA	133.0 AC
	37-4040	1.60 CFS	NA	NA	80.0 AC
	37-4041	NA	227.8 AF	NA	80.0 AC
COMBINED LEASE TOTALS:		NA	NA	NA	133.0 AC
	37-8165	1.93 CFS	1,397.3 AF	NA	133.0 AC
	37-22782	0.20 CFS	27.3 AF	NA	NA
COMBINED LEASE TOTALS:		1.93 CFS	1,397.3 AF	NA	NA
OVERALL LEASE TOTALS:		2.66 CFS	NA	NA	133.0 AC

TERM OF LEASE: Lease Begin Date: December 7, 2012
Expiration Date: December 31, 2017

RENTAL AVAILABILITY: Season of Use: January 1 to December 31

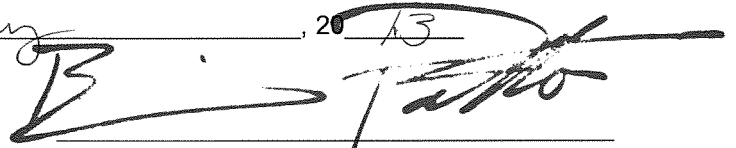
MINIMUM PAYMENT ACCEPTABLE: Current Rental Rate

SUPPORT DATA
IN FILE # 37-810

**WATER RIGHT NO. 37-810
WATER SUPPLY BANK LEASE ACCEPTANCE**

Detailed Lease Acceptance attached.

Dated this 28th day of February, 2013

A handwritten signature in black ink, appearing to read "Brian Patton", written over a horizontal line.

BRIAN PATTON, Acting Administrator
Idaho Water Resource Board



**WATER RIGHT NO. 37-810
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: BLISS VALLEY PROPERTIES LLC
PO BOX 64
BLISS ID 83314
(208) 352-1200

Priority Date: 04/01/1882

Source: HOT SPRING CREEK

Tributary: CLOVER CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	1.20 CFS
	Total:		1.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

HOT SPRING CREEK NW¼SE¼NE¼ Sec. 30 Twp 04S Rge 13E GOODING 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	
04S	13E	30													24.0		35.0	27.0	86.0
04S	13E	31	24.0	23.0															47.0

Total Acres: 133.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-810, 37-811, 37-4040, AND 37-4041	NA	NA	133.0 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.
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.

**WATER RIGHT NO. 37-810
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

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 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. Lease of Right Nos. 37-810, 37-811, 37-4040, and 37-4041 is limited to the irrigation of a combined total of 133 acres in a single irrigation season.



WATER RIGHT NO. 37-811 **WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: BLISS VALLEY PROPERTIES LLC
 PO BOX 64
 BLISS ID 83314
 (208) 352-1200

Priority Date: 06/01/1884

Source: HOT SPRING CREEK

Tributary: CLOVER CREEK

BENEFICIAL USE

IRRIGATION

From

03/15 to 11/15

To

Diversion Rate

0.80 CFS

Total: 0.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

HOT SPRING CREEK NW¼SE¼NE¼

Sec. 30 Twp 04S Rge 13E GOODING 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	
04S	13E	30													24.0		35.0	27.0	86.0
04S	13E	31	24.0	23.0															47.0

Total Acres: 133.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-810, 37-811, 37-4040, AND 37-4041	NA	NA	133.0 AC

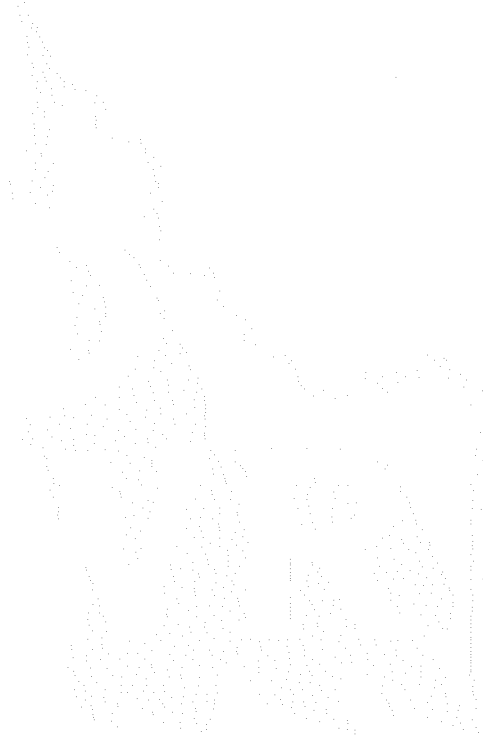
CONDITIONS OF ACCEPTANCE

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.
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.

**WATER RIGHT NO. 37-811
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

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 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. Lease of Right Nos. 37-810, 37-811, 37-4040, and 37-4041 is limited to the irrigation of a combined total of 133 acres in a single irrigation season.



**WATER RIGHT NO. 37-4040
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: BLISS VALLEY PROPERTIES LLC
PO BOX 64
BLISS ID 83314
(208) 352-1200

Priority Date: 06/01/1947

Source: UNNAMED STREAM **Tributary:** CLOVER CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	1.60 CFS
	Total:		1.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

HOT SPRING CREEK NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31 Twp 04S Rge 13E GOODING 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	
04S	13E	30															18.0	15.0	33.0
04S	13E	31	24.0	23.0															47.0

Total Acres: 80.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-4040 AND 37-4041	NA	NA	80.0 AC
37-810, 37-811, 37-4040, AND 37-4041	NA	NA	133.0 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.
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.

**WATER RIGHT NO. 37-4040
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

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 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. Lease of Right Nos. 37-810, 37-811, 37-4040, and 37-4041 is limited to the irrigation of a combined total of 133 acres in a single irrigation season.
13. Lease of Right Nos. 37-4040 and 37-4041 is limited to the irrigation of a combined total of 80 acres in a single irrigation season.

WATER RIGHT NO. 37-4041 **WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: MAGIC MFG INC
 PO BOX 64
 BLISS ID 83314
 (208) 352-1200

Priority Date: 07/26/1963

Source: UNNAMED STREAM **Tributary:** CLOVER CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Volume</u>
IRRIGATION STORAGE	01/01	to 12/31	227.8 AF
IRRIGATION FROM STORAGE	03/15	to 11/15	227.8 AF
FISH PROPAGATION STORAGE	01/01	to 12/31	227.8 AF
	Total:		227.8 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SW¼SW¼ Sec. 29 Twp 04S Rge 13E GOODING County
 UNNAMED STREAM SW¼SW¼ Sec. 29 Twp 04S Rge 13E GOODING County (Injection)
 UNNAMED STREAM NE¼NE¼ Sec. 31 Twp 04S Rge 13E GOODING County (Rediversion)

PLACE OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	13E	30															18.0	15.0	33.0
04S	13E	31	24.0	23.0															47.0

Total Acres: 80.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-4040 AND 37-4041	NA	NA	80.0 AC
37-810, 37-811, 37-4040, AND 37-4041	NA	NA	133.0 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. 37-4041
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 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. Lease of Right Nos. 37-810, 37-811, 37-4040, and 37-4041 is limited to the irrigation of a combined total of 133 acres in a single irrigation season.
13. Lease of Right Nos. 37-4040 and 37-4041 is limited to the irrigation of a combined total of 80 acres in a single irrigation season.

WATER RIGHT NO. 37-8165
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: MAGIC MFG INC
 PO BOX 64
 BLISS ID 83314
 (208) 352-1200

Priority Date: 06/30/1983

Source: WHITE ARROW HOT SPRING

Tributary: CLOVER CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.93 CFS	532.0 AF
COMMERCIAL	01/01	to 12/31	0.25 CFS	106.3 AF
FISH PROPAGATION	01/01	to 12/31	1.93 CFS	1,397.3 AF
FISH PROPAGATION STORAGE	01/01	to 12/31		1.9 AF
HEATING	01/01	to 12/31	0.20 CFS	27.4 AF
DOMESTIC	01/01	to 12/31	0.06 CFS	1.8 AF
RECREATION	01/01	to 12/31	0.30 CFS	217.2 AF
AESTHETIC	01/01	to 12/31	1.93 CFS	1,397.3 AF
	Total:		1.93 CFS	1,397.3 AF

LOCATION OF POINT(S) OF DIVERSION:

WHITE ARROW HOT SPRING NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30 Twp 04S Rge 13E GOODING County
 WHITE ARROW HOT SPRING NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30 Twp 04S Rge 13E GOODING County
 (Injection)
 WHITE ARROW HOT SPRING NW $\frac{1}{4}$ sSW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30 Twp 04S Rge 13E GOODING County
 (Rediversion)
 WHITE ARROW HOT SPRING SW $\frac{1}{4}$ sNW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31 Twp 04S Rge 13E GOODING County
 (Rediversion)

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	
04S	13E	30													24.0		35.0	27.0	86.0
04S	13E	31	24.0	23.0															47.0

Total Acres: 133.0

PLACE OF USE TO BE IDLED UNDER THIS LEASE: FISH PROPAGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	13E	30															X		

PLACE OF USE TO BE IDLED UNDER THIS LEASE: HEATING, COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	13E	30				X									X				

PLACE OF USE TO BE IDLED UNDER THIS LEASE: RECREATION, DOMESTIC, AESTHETIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	13E	30													X				

PLACE OF USE TO BE IDLED UNDER THIS LEASE: FISH PROPAGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	13E	30													X				
04S	13E	31		X															

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-8165 AND 37-22782	1.93 CFS	1397.3 AF	NA
37-810, 37-811, 37-4040, AND 37-8165	2.66 CFS	NA	NA
37-810, 37-811, 37-4040, 37-4041, AND 37-8165	NA	NA	133.0

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. Rights 37-8165 and 37-22782 when combined for heating shall not exceed a total diversion rate of 0.5 cfs, and a total annual maximum diversion volume of 68.4 af.
7. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
8. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
9. 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.
10. 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.
11. 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.
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. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

14. Rights 37-810, 37-811, 37-4041, and 37-8165 when combined shall not exceed a total diversion rate of 2.66 cfs for irrigation purposes.
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 headgate for irrigation of the place of use.
16. The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.
17. Lease of Right Nos. 37-810, 37-811, 37-4040, 37-4041, and 37-8165 when combined shall not exceed the irrigation of 133 acres in a single irrigation season.
18. This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gage station meet or exceed the minimum stream flows established by state action.
19. Rights 37-8165 and 37-22782 when combined shall not exceed a total diversion rate of 1.93 cfs and a total annual maximum diversion volume of 1397.30 af.

WATER RIGHT NO. 37-22782
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: SAGEBRUSH LILLY HOMEOWNERS ASSN
 PO BOX 64
 BLISS ID 83314
 (208) 352-1200

Priority Date: 06/30/1983

Source: WHITE ARROW HOT SPRING

Tributary: CLOVER CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
HEATING	01/01	to 12/31	0.20 CFS	27.3 AF
	Total: 0.20 CFS			27.3 AF

LOCATION OF POINT(S) OF DIVERSION:

WHITE ARROW HOT SPRING	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 30 Twp 04S Rge 13E	GOODING County
WHITE ARROW HOT SPRING	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 30 Twp 04S Rge 13E	GOODING County
(Injection)			
WHITE ARROW HOT SPRING	NW $\frac{1}{4}$ sSW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 30 Twp 04S Rge 13E	GOODING County
(Rediversion)			
WHITE ARROW HOT SPRING	SW $\frac{1}{4}$ sNW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 31 Twp 04S Rge 13E	GOODING County
(Rediversion)			

PLACE OF USE TO BE IDLED UNDER THIS LEASE: HEATING

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	13E	30				X									X				

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-8165 AND 37-22782	1.93 CFS	1397.3 AF	NA

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. Rights 37-8165 and 37-22782 when combined for heating shall not exceed a total diversion rate of 0.5 cfs, and a total annual maximum diversion volume of 68.4 af.
7. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
8. 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. 37-22782
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

9. 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.
10. 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.
11. 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.
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. This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gage station meet or exceed the minimum stream flows established by state action.
14. Rights 37-8165 and 37-22782 when combined shall not exceed a total diversion rate of 1.93 cfs and a total annual maximum diversion volume of 1,397.30 af.
15. Rights 37-8165 and 37-22782 when combined for heating shall not exceed a total diversion rate of 0.5 cfs and a total annual maximum diversion volume of 68.4 af.
16. The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.