

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

This is to certify that: WG FARMS LLC
719 E 700 N
RUPERT ID 83350
(208) 531-5104

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

Water Right	Lease Rate	Lease Volume	Acre Limit	Total Leased Acres
36-2415A	3.05 CFS	869.2 AF	217.3 AC	227.1 AC
36-15356A	0.18 CFS	39.2 AF	9.8 AC	227.1 AC
COMBINED LEASE TOTALS:	3.05 CFS	908.4 AF	227.1 AC	227.1 AC

TERM OF LEASE:

Lease Begin Date: May 8, 2012

Expiration Date: December 31, 2012

RENTAL AVAILABILITY:

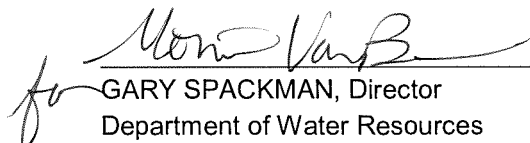
Season of Use: January 1 to December 31

MINIMUM PAYMENT ACCEPTABLE:

Current Rental Rate

Detailed Lease Acceptance attached.

Dated this 7th day of February, 2013


GARY SPACKMAN, Director
Department of Water Resources

WATER RIGHT NO. 36-2415A
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: WG FARMS LLC
719 E 700 N
RUPERT ID 83350
(208) 531-5104

Priority Date: 02/18/1960

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	3.05 CFS	869.2 AF
			Total: 3.05 CFS	869.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW¼SE¼NW¼	Sec. 7, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	NE¼SW¼NE¼	Sec 7, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	NE¼SW¼SE¼	Sec 7, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	SW¼NE¼SW¼	Sec 7, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	SW¼SE¼NE¼	Sec 13, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	SW¼NE¼NE¼	Sec 14, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	SW¼NW¼SE¼	Sec 14, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	SE¼NW¼NE¼	Sec 24, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	SE¼SE¼SE¼	Sec 25, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	NE¼SW¼NW¼	Sec 17, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	SE¼NE¼SW¼	Sec 18, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	NE¼SE¼NW¼	Sec 19, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	SE¼SE¼NE¼	Sec 12, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	NE¼NW¼NW¼	Sec 25, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	NE¼SE¼SE¼	Sec 18, Twp 07S, Rge 25E, MINIDOKA 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	
07S	24E	12	2.8																2.8
07S	24E	13	5.8	5.3	5.1	6.1	6.2			6.3	5.5								40.3
07S	24E	14			5.8			5.3		5.2	5.2		6.5	6.7		5.8	6.3		46.8
07S	24E	24							6.2	4.5	5.3	5.7		5.3	5.7	4.6	5.1		42.4
07S	24E	25		4.6			5.6						1.4	6.7			1.7		20
07S	25E	7			2.1	2.5					1.5			3.3	6.3	8.8	5.8	5.4	35.7
07S	25E	12	1.0			1.0												7.8	9.8
07S	25E	17						7.3											7.3
07S	25E	18	6.0	6.0			4.1			4.1			1.8						22.0

Total Acres: 227.1

Limited to acres within place of use described above: 217.3

**WATER RIGHT NO. 36-2415A
WATER SUPPLY BANK LEASE ACCEPTANCE**

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
36-2415A AND 36-15356A	3.05 CFS	908.4 AF	227.1 AC

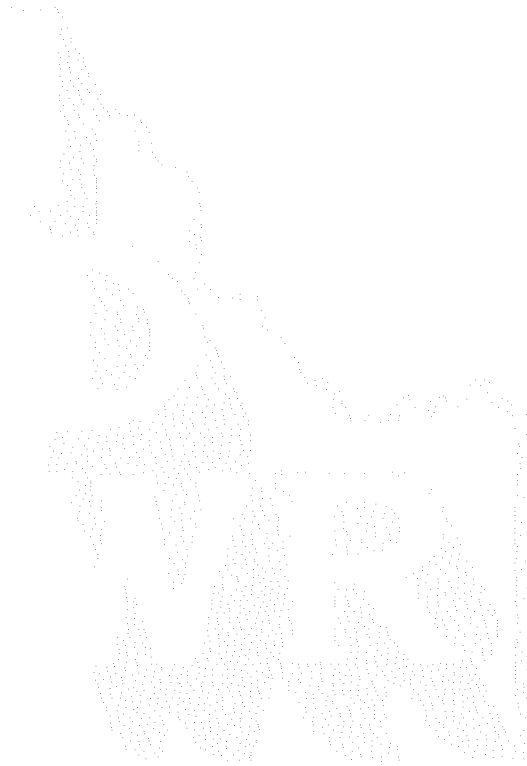
CONDITIONS OF ACCEPTANCE

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.
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. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
12. Rights 36-2061, 36-2134, 36-2135, 36-2136, 36-2142A, 36-2220, 36-2315A, 36-2315C, 36-2315D, 36-2315E, 36-2415A, 36-2501, 36-2550, 36-7186, 36-7187, 36-7399, 36-8212, 36-8213, 36-8257, 36-8258, 36-8259, 36-15356A, 36-15380, 36-16403 and 36-16796 when combined shall not exceed a total diversion rate of 70.04 cfs, a total annual maximum diversion volume of 17,510.8 af at the field headgate, and the irrigation of 4,382.7 acres.
13. Right No. 36-15356A is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
14. The lease of this right is limited to the irrigation of 217.3 acres within the place of use described above in a single irrigation season.
15. Lease of rights 36-2415A and 36-15356A when combined shall not exceed a total diversion rate of 3.05 cfs, a total annual maximum diversion volume of 908.4 af at the field headgate, and the irrigation of 227.1 acres.
16. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

**WATER RIGHT NO. 36-2415A
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

17. 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 lands above.
18. 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. 36-15356A
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: WG FARMS LLC
719 E 700 N
RUPERT ID 83350
208-531-5104

Priority Date: 6/30/1973

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	0.18 CFS	39.2 AF
Total:		0.18 CFS	39.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW¼SE¼NW¼	Sec. 7, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	NE¼SW¼NE¼	Sec 7, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	NE¼SW¼SE¼	Sec 7, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	SW¼NE¼SW¼	Sec 7, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	SW¼SE¼NE¼	Sec 13, Twp 07S, Rge 24E, MINIDOKA County
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GROUND WATER	SW¼NW¼SE¼	Sec 14, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	SE¼NW¼NE¼	Sec 24, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	SE¼SE¼SE¼	Sec 25, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	NE¼SW¼NW¼	Sec 17, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	SE¼NE¼SW¼	Sec 18, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	NE¼SE¼NW¼	Sec 19, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	SE¼SE¼NE¼	Sec 12, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	NE¼NW¼NW¼	Sec 25, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	NE¼SE¼SE¼	Sec 18, Twp 07S, Rge 25E, MINIDOKA 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	
07S	24E	12	2.8																2.8
07S	24E	13	5.8	5.3	5.1	6.1	6.2			6.3	5.5								40.3
07S	24E	14			5.8			5.3		5.2	5.2		6.5	6.7		5.8	6.3		46.8
07S	24E	24							6.2	4.5	5.3	5.7		5.3	5.7	4.6	5.1		42.4
07S	24E	25		4.6			5.6						1.4	6.7			1.7		20
07S	25E	7			2.1	2.5					1.5			3.3	6.3	8.8	5.8	5.4	35.7
07S	25E	12	1.0			1.0												7.8	9.8
07S	25E	17						7.3											7.3
07S	25E	18	6.0	6.0			4.1			4.1			1.8						22.0

Total Acres: 227.1

Limited to acres within place of use described above: 9.8

**WATER RIGHT NO. 36-15356A
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
36-15356A AND 36-2415A	3.05 CFS	908.4 AF	227.1 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.
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. Rights 36-2061, 36-2134, 36-2135, 36-2136, 36-2142A, 36-2220, 36-2315A, 36-2315C, 36-2315D, 36-2315E, 36-2415A, 36-2501, 36-2550, 36-7186, 36-7187, 36-7399, 36-8212, 36-8213, 36-8257, 36-8258, 36-8259, 36-15356A, 36-15380, 36-16403 and 36-16796 when combined shall not exceed a total diversion rate of 70.04 cfs, a total annual maximum diversion volume of 17,510.8 af at the field headgate, and the irrigation of 4,382.7 acres.
12. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
13. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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 headgate for irrigation of the lands above.
15. The lease of this right is limited to the irrigation of 9.8 acres within the place of use described above in a single irrigation season.

**WATER RIGHT NO. 36-15356A
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

16. Lease of Right Nos. 36-2415A and 36-15356A when combined shall not exceed a total diversion rate of 3.05 cfs, a total annual maximum diversion volume of 908.4 af at the field headgate, and the irrigation of 227.1 acres.
17. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
18. This right is based upon an enlargement of Right No. 36-2415A pursuant to Section 42-1426, Idaho Code.
19. 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.

