

**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

	<u>Water Right</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
	36-2550	1.23 CFS	266.4 AF	66.6 AC	84.4 AC
	36-8212	0.36 CFS	71.2 AF	17.8 AC	84.4 AC
COMBINED LEASE TOTALS:		1.41 CFS	337.6 AF	84.4 AC	84.4 AC

TERM OF LEASE:

Lease Begin Date: May 8, 2012

Expiration Date: December 31, 2012

RENTAL AVAILABILITY:

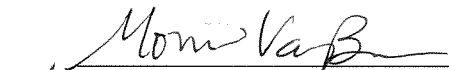
Season of Use: January 1 to December 31

MINIMUM PAYMENT ACCEPTABLE:

Current Rental Rate

Detailed Lease Acceptance attached.

Dated this 7th day of February, 2013


BRIAN PATTON, Administrator
Idaho Water Resource Board

**WATER RIGHT NO. 36-2550
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: 8/27/1962

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	1.23 CFS	266.4 AF
Total:			1.23 CFS	266.4 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	25E	7							0.2			1.2	5.2						6.6
07S	25E	18			4.1			4.3	5.5			0.3			10.5	7.0	2.1		33.8
07S	25E	19						3.6	4.3	6.0	11.6	8.6	4.2	5.7					44

Total Acres: 84.4

Limited to acres within place of use described above: 66.6

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
36-2550 and 36-8212	1.41 CFS	337.6 AF	84.4 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.

**WATER RIGHT NO. 36-2550
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

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. The lease of this right is limited to the irrigation of 66.6 acres within the place of use described above in a single irrigation season.
14. Lease of rights 36-2550 and 36-8212 when combined shall not exceed a total diversion rate of 1.41 cfs, a total annual maximum diversion volume of 337.6 af at the field headgate, and the irrigation of 84.4 acres.
15. 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.
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 headgate for irrigation of the lands above.
17. 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. 36-8212
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: 6/22/1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	0.36 CFS	71.2 AF
Total:			0.36 CFS	71.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 7, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec 7, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec 7, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec 7, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec 13, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec 14, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec 14, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec 24, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec 25, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec 17, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec 18, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec 19, Twp 07S, Rge 25E, MINIDOKA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec 12, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec 25, Twp 07S, Rge 24E, MINIDOKA County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	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	25E	7							0.2			1.2	5.2						6.6
07S	25E	18			4.1			4.3	5.5			0.3			10.5	7.0	2.1		33.8
07S	25E	19						3.6	4.3	6.0	11.6	8.6	4.2	5.7					44

Total Acres: 84.4

Limited to acres within place of use described above: 17.8

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
36-2550 and 36-8212	1.41 CFS	337.6 AF	84.4 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.

**WATER RIGHT NO. 36-8212
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

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. 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.
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 headgate for irrigation of the lands above.
14. The lease of this right is limited to the irrigation of 17.8 acres within the place of use described above in a single irrigation season.
15. Lease of rights 36-2550 and 36-8212 when combined shall not exceed a total diversion rate of 1.41 cfs, a total annual maximum diversion volume of 337.6 af at the field headgate, and the irrigation of 84.4 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.
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.