

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

This is to certify that: CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 832202-5604
(208)237-2430

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
	29-14016	1.76 CFS	449.2 AF	NA	127.4 AC
COMBINED LEASE TOTALS:		1.76 CFS	449.2 AF	NA	127.4 AC

TERM OF LEASE:

Lease Begin Date: October 29, 2012

Expiration Date: December 31, 2013

RENTAL AVAILABILITY:

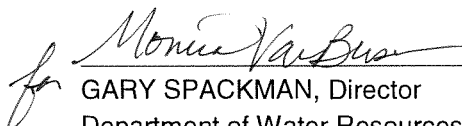
Season of Use: April 15 to October 15

MINIMUM PAYMENT ACCEPTABLE:

Current Rental Rate

Detailed Lease Acceptance attached.

Dated this 28th day of November, 2012


GARY SPACKMAN, Director
Department of Water Resources

WATER RIGHT NO. 29-14016
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 832202-5604
(208)237-2430

Priority Date: 01/17/1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	04/15	to 10/15	1.76 CFS	449.2 AF
	Total:			1.76 CFS
				449.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE¼NW¼SW¼	Sec. 34	Twp 05S	Rge 34E	BANNOCK County
GROUND WATER	NW¼NW¼SW¼	Sec. 03	Twp 06S	Rge 34E	BANNOCK County
GROUND WATER	SW¼SE¼SW¼	Sec. 04	Twp 06S	Rge 34E	BANNOCK County
GROUND WATER	L13(SW¼SW¼)	Sec. 10	Twp 06S	Rge 34E	BANNOCK County
GROUND WATER	L4(NE¼NW¼NW¼)	Sec. 11	Twp 06S	Rge 34E	BANNOCK County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	34E	33																X	
05S	34E	34								X	X	X	X	X	X	X	X	X	
06S	34E	2						X	X	X	X	X	X	X		X	X		
								L4											
06S	34E	3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
			L1	L2			L3	L4											
06S	34E	4	X	X	X	X	X			X	X	X	X	X	X	X	X	X	
			L1	L2			L3												
06S	34E	5													X	X	X	X	
06S	34E	8	X			X									X	X	X	X	
			L1			L8													
06S	34E	9	X	X	X	X	X	X	X	X					X	X			
			L1	L2	L7	L8	L3	L4	L5	L6					L9	L10			
06S	34E	10	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
			L1	L2	L7	L8	L3	L4	L5	L6	L11	L12	L13	L14	L9	L10	L15		
06S	34E	11	X	X	X	X	X	X	X	X		X							
			L1	L2	L7	L8	L3	L4	L5	L6		L12							

WATER RIGHT NO. 29-14016
WATER SUPPLY BANK LEASE ACCEPTANCE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	34E	12						X L4	X L5										
06S	34E	15		X L2			X L3	X L4											

Limited to acres within place of use described above: 127.4

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. The water right 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. Municipal use under this right is for irrigation of 127.4 acres within the authorized place of use in a single irrigation season.
13. Place of use is within the service area of the City of Chubbuck municipal water supply system as provided for under Idaho Law.
14. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

**WATER RIGHT NO. 63-18443
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

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. 120.
16. 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.
17. This right is limited to the irrigation of 127.4 acres within the authorized place of use in a single irrigation season.
18. The irrigation component of municipal use under this right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate.
19. Diversion of water from the point(s) of diversion authorized under Transfer 77509 shall not exceed a total combined maximum diversion rate as specified below:

SENWSW, Sec. 34, T05S, R34E, B.M. limited to 18.6 cfs.

SWSESW, Sec. 04, T06S, R34E, B.M. limited to 11.45 cfs.