

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

This is to certify that: ELISE G LUFKIN
2817 10TH AVE E
SEATTLE WA 98102
(206) 450-3020
EGBL@COX.NET

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
37-496B	0.33 CFS	NA	NA	16.3 AC
37-497B	0.16 CFS	NA	NA	16.3 AC
COMBINED LEASE TOTALS:	0.49 CFS	NA	NA	16.3 AC

TERM OF LEASE:

Lease Begin Date: April 1, 2013

Expiration Date: December 31, 2017

RENTAL AVAILABILITY:

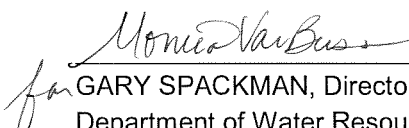
Season of Use: April 1 to November 1

MINIMUM PAYMENT ACCEPTABLE:

Current Rental Rate

Detailed Lease Acceptance attached.

Dated this 14th day of November, 20 12


for GARY SPACKMAN, Director
Department of Water Resources

SUPPORT DATA

IN FILE # 37-497A

WATER RIGHT NO. 37-496B **WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: ELISE G LUFKIN
 2817 10TH AVE E
 SEATTLE WA 98102
 (206) 450-3020
 EGBL@COX.NET

Priority Date: 07/01/1883

Source: BIG WOOD RIVER **Tributary to:** MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.33 CFS	
	Total:			0.33 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NE¼NE¼ Sec. 19 Twp 03N Rge 18E BLAINE 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	
03N	18E	19	14.6			1.7													16.3

Total Acres: 16.3

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
37-496B AND 37-497B	NA	NA	16.3 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. 37-496B
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. 37-496B and 37-497B is limited to the irrigation of a combined total of 16.3 acres in a single irrigation season.
13. Use of water under this water right will be regulated by the watermaster of State Water District No. 37. The water master shall have access to the point of diversion from the Big Wood River and the point of return flow to the Big Wood River
14. The total combined annual consumptive volume of water diverted under Right Nos. 37-00496B & 37-00497B as authorized by transfer No. 3810 shall not exceed 2.5 acre-feet per acre or a total of 75 acre-feet. For purposes of this lease, rental of Right Nos. 37-496B and 37-497B shall not exceed 2.5 acre-feet per acre or a total of 40.8 acre-feet.
15. Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of discharge to the Big Wood River.
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.

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<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.16 CFS	
	Total:			0.16 CFS

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Twp	Rge	Sec	NE				NW				SW				SE				Totals
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