

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

This is to certify that: JOHN BEUKERS
RUTH BEUKERS
3831 N 3500 E
KIMBERLY ID 83341
(208) 324-8618

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
45-2578	0.11 CFS	29.6 AF	14.3 AC	67.0 AC
45-2597	0.41 CFS	14.9 AF	38.6 AC	67.0 AC
45-14060	0.65 CFS	260.0 AF	65.0 AC	67.0 AC
COMBINED LEASE TOTALS:	1.17 CFS	268.0 AF	67.0 AC	67.0 AC

TERM OF LEASE:

Lease Begin Date: March 15, 2012

Expiration Date: December 31, 2012

RENTAL AVAILABILITY:

Season of Use: March 15 to November 15 annually

MINIMUM PAYMENT ACCEPTABLE:

Current Rental Rate

Detailed Lease Acceptance attached.

Dated this 26th day of April, 2012


for GARY SPACKMAN, Interim Director
Department of Water Resources

SUPPORT DATA

IN FILE # 45-2578

**WATER RIGHT NO. 45-2578
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: JOHN BEUKERS
RUTH BEUKERS
3831 N 3500 E
KIMBERLY ID 83341
(208) 324-8618

Priority Date: 04/29/1959

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	0.11 CFS	29.6 AF
Total:			0.11 CFS	29.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 8	Twp 13S	Rge 21E	CASSIA County
GROUND WATER	L2 (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$)	Sec. 31	Twp 13S	Rge 21E	CASSIA County
GROUND WATER	L2 (SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$)	Sec. 31	Twp 13S	Rge 21E	CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 5	Twp 13S	Rge 21E	CASSIA County
GROUND WATER	NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 5	Twp 13S	Rge 21E	CASSIA 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	
12S	21E	18													34			33	67

Total Acres: 67.0

Limited to acres within place of use described above: 14.3

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
45-2578, 45-2597, and 45-14060	1.17 CFS	268.0 AF	67.0 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.

**WATER RIGHT NO. 45-2578
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

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. This lease is limited to 14.3 acres within the place of use described above in a single irrigation season.
12. The leased amount of Right Nos. 45-2578 and 45-2597 when combined shall not exceed the idling of 40.2 acres.
13. The unleased amount of Right Nos. 45-2578 and 45-2597 when combined shall not exceed the irrigation of 1,291.8 acres.
14. The unleased portions of Right Nos. 45-2578, 45-2597, when combined with Right No. 45-7086D, shall not exceed the irrigation of 2225.8 acres.
15. The unleased portions of Right Nos. 45-2578, 45-2597, and 45-14060, when combined with Right Nos. 45-13627 and 45-13628, shall not exceed a total annual maximum diversion volume of 8,608 af and the irrigation of 2152 acres.

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. 45-2597
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: JOHN BEUKERS
 RUTH BEUKERS
 3831 N 3500 E
 KIMBERLY ID 83341
 (208) 324-8618

Priority Date: 01/13/1960

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	0.41 CFS	14.9 AF
	Total:	0.41 CFS	14.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 8	Twp 13S	Rge 21E	CASSIA County
GROUND WATER	L2 (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$)	Sec. 31	Twp 13S	Rge 21E	CASSIA County
GROUND WATER	L2 (SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$)	Sec. 31	Twp 13S	Rge 21E	CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 5	Twp 13S	Rge 21E	CASSIA County
GROUND WATER	NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 5	Twp 13S	Rge 21E	CASSIA 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	
12S	21E	18													34			33	67

Total Acres: 67.0

Limited to acres within place of use described above: 38.6

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
45-2578, 45-2597, and 45-14060	1.17 CFS	268.0 AF	67.0 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.

**WATER RIGHT NO. 45-2597
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

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. This lease is limited to 38.6 acres within the place of use described above in a single irrigation season.
12. The leased amount of Right Nos. 45-2578 and 45-2597 when combined shall not exceed the idling of 40.2 acres.
13. The unleased amount of Right Nos. 45-2578 and 45-2597 when combined shall not exceed the irrigation of 1,291.8 acres.
14. The unleased portions of Right Nos. 45-2578 and 45-2597, when combined with Right No. 45-7086D, shall not exceed the irrigation of 2225.8 acres.
15. The unleased portions of Right Nos. 45-2578, 45-2597, and 45-14060, when combined with Right Nos. 45-13627 and 45-13628, shall not exceed a total annual maximum diversion volume of 8,608 af and the irrigation of 2152 acres.
16. This right is subject to conditions found in decree dated 6-25-1980.

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. 45-14060
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: JOHN BEUKERS
 RUTH BEUKERS
 3831 N 3500 E
 KIMBERLY ID 83341
 (208) 324-8618

Priority Date: 12/03/1971

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	0.65 CFS	260.0 AF
	Total:			0.65 CFS
				260.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW¼SE¼SE¼	Sec. 13	Twp 12S	Rge 20E	CASSIA County
GROUND WATER	L3 (SE¼NW¼SW¼)	Sec. 18	Twp 12S	Rge 21E	CASSIA County
GROUND WATER	SW¼SW¼NE¼	Sec. 1	Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SW¼SW¼SW¼	Sec. 12	Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SW¼SW¼SW¼	Sec. 12	Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SW¼SW¼NE¼	Sec. 17	Twp 12S	Rge 21E	CASSIA County
GROUND WATER	SW¼SW¼NW¼	Sec. 17	Twp 12S	Rge 21E	CASSIA 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	
12S	21E	18													34			33	67

Total Acres: 67.0

Limited to acres within place of use described above: 65.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
45-2578, 45-2597, and 45-14060	1.17 CFS	268.0 AF	67.0 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.

**WATER RIGHT NO. 45-14060
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

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. This lease is limited to 65.0 acres within the place of use described above in a single irrigation season.
12. The unleased portions of Right Nos. 45-2578, 45-2597, and 45-14060, when combined with Right Nos. 45-13627 and 45-13628, shall not exceed a total annual maximum diversion volume of 8,608 af and the irrigation of 2152 acres.
13. The unleased portion of Right Nos. 45-14060, when combined with Right No. 45-13628, shall not exceed a total annual maximum diversion volume of 8408 af at the field headgate and the irrigation of 2102 acres.
14. The unleased portions of Right No. 45-14060, when combined with Right Nos. 45-13627, shall not exceed a total annual maximum diversion volume of 8384 af at the field headgate and the irrigation of 2096 acres.

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.