

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

This is to certify that: **VISSER HOLSTEINS**
DBA EAGLE VIEW FARMS
PO BOX 665
CASTLEFORD ID 83321-0665
(208) 537-0918

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>
	47-2316A	10.5 CFS	NA	NA	713.0 AC
	47-2353/51-13075	1.25 CFS	944.0 AF	236.0 AC	713.0 AC
COMBINED LEASE TOTALS:		11.75 CFS	NA	NA	713.0 AC
	47-7615	4.88 CFS	1,212.0 AF	NA	1,232.5 AC
	47-7618	4.88 CFS	1,280.0 AF	NA	1,232.5 AC
COMBINED LEASE TOTALS:		4.88 CFS	2,071.4 AF	NA	1,232.5 AC
	47-2316A & 47-2353/51-13075	NA	NA	NA	713.0 AC
	47-4099	5.50 CFS	NA	313.0 AC	1,232.5 AC
	47-7252	16.00 CFS	90.0 AF	NA	1,232.5 AC
COMBINED LEASE TOTALS:		21.5 CFS	NA	NA	1,232.5 AC
*47-2316A, 47-2353/51-13075, 47-4099, 47-7252, 47-7615 AND 47-7618 ARE COMBINED LIMITED TO THE LEASE OF 1,232.5 ACRES IN A SINGLE IRRIGATION SEASON.					
	47-2376/51-13081	14.58 CFS	1,280.0 AF	320.0 AC	391.3 AC
	47-2377/51-13082	4.00 CFS	1,264.0 AF	316.0 AC	391.3 AC
COMBINED LEASE TOTALS:		14.58 CFS	1,565.2 AF	391.3 AC	391.3 AC
	47-2379/51-13083	4.84 CFS	1,220.0 AF	NA	305.0 AC
	47-2419/51-13084	1.85 CFS	468.0 AF	NA	117.0 AC
	47-7040/51-13085	2.40 CFS	480.0 AF	NA	120.0 AC
	47-2374/51-13080	0.51 CFS	141.7 AF	NA	40.5 AC
COMBINED LEASE TOTALS:		9.09 CFS	2,168.0 AF	NA	582.5 AC
OVERALL LEASE TOTALS:		66.68 CFS	7,935.3 AF	391.3 AC	2,206.3 AC

The entirety of the water rights listed above have been accepted into the Water Supply Bank with the exception of 47-2374/51-13080. A more complete description of the leased portion of 47-2374/51-13080 follows.

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WATER RIGHT NOS. 47-2316A ET AL**

TERM OF LEASE: Lease Begin Date: September 9, 2011

Expiration Date: December 31, 2016

RENTAL AVAILABILITY: Season of Use: March 15 to November 15 annually

MINIMUM PAYMENT ACCEPTABLE: Current Rental Rate

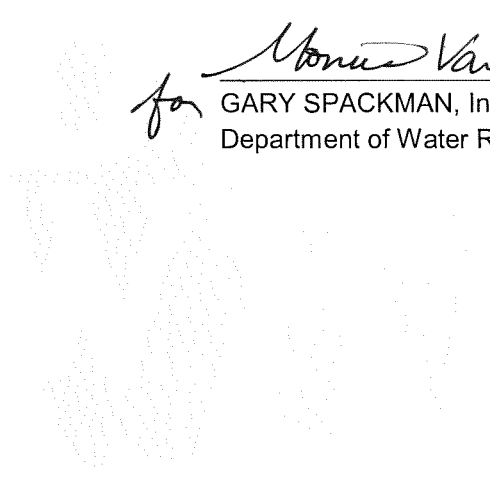
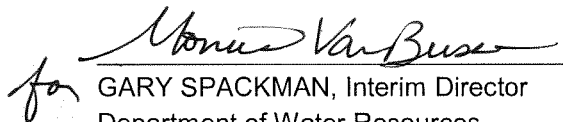
Detailed Lease Acceptance for 47-2374/51-13080 attached. Leases for all of the above-mentioned right numbers are governed by the following conditions of acceptance:

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. 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.
12. Rights 47-2316A, 47-2316B, 47-2316C, 47-2331/51-13076, 47-2341/51-13077, 47-2342/51-13078, 47-2353/51-13075, 47-2374/51-13080, 47-2376/51-13081, 47-2377/51-13082, 47-2379/51-13083, 47-2381/51-13079, 47-2402, 47-2417, 47-2419/51-13084, 47-4099, 47-7040/51-13085, 47-7252, 47-7565, 47-7569, 47-7615, 47-7618, 47-7642, and 51-13010/47-17542 when combined shall not exceed a total diversion rate of 77.08 cfs, a total annual maximum diversion volume of 17,624.6 af at the field headgate, and the irrigation of 4,900.3 acres.

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WATER RIGHT NOS. 47-2316A ET AL**

13. Rights 47-2316A, 47-2316B, 47-2316C, 47-2331/51-13076, 47-2341/51-13077, 47-2342/51-13078, 47-2353/51-13075, 47-2374/51-13080, 47-2376/51-13081, 47-2377/51-13082, 47-2379/51-13083, 47-2381/51-13079, 47-2402, 47-2417, 47-2419/51-13084, 47-4099, 47-7040/51-13085, 47-7252, 47-7565, 47-7569, 47-7615, 47-7618, 47-7642, and 51-13010/47-17542 when combined are limited to the irrigation of a specific 4900.3 acres within the 6085 acre place of use authorized by these rights in a single irrigation season. The specific 4900.3 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 4900.3 acres to be irrigated within the 6085 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Dated this 16th day of September, 2011



for GARY SPACKMAN, Interim Director
Department of Water Resources

**WATER RIGHT NO. 47-2374/51-13080
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: VISSER HOLSTEINS
DBA EAGLE VIEW FARMS
PO BOX 665
CASTLEFORD ID 83321-0665
(208) 537-0918

Priority Date: 11/04/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.51 CFS	141.7 AF
	Total:			0.51 CFS
				141.7 AF

LOCATION OF POINT(S) OF DIVERSION:

Points of diversion as listed in approval for Transfer 75352.

PLACE OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09S	13E	34													0.5			40	40.5

Total Acres: 40.5

CONDITIONS OF ACCEPTANCE

1. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
2. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
3. Rights 47-2316A, 47-2316B, 47-2316C, 47-2331/51-13076, 47-2341/51-13077, 47-2342/51-13078, 47-2353/51-13075, 47-2374/51-13080, 47-2376/51-13081, 47-2377/51-13082, 47-2379/51-13083, 47-2381/51-13079, 47-2402, 47-2417, 47-2419/51-13084, 47-4099, 47-7040/51-13085, 47-7252, 47-7565, 47-7569, 47-7615, 47-7618, 47-7642, and 51-13010/47-17542 when combined shall not exceed a total diversion rate of 77.08 cfs, a total annual maximum diversion volume of 17,624.6 af at the field headgate, and the irrigation of 4,900.3 acres.
4. Right 47-2374 is also recorded as Right 51-13080 to identify the diversion of ground water from multiple points of diversion located within both Basins 47 and 51 as a result of Transfer approval 75352. These two water right numbers represent a single water right.
5. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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.