

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

This is to certify that: **MICHAEL S TELFORD
SHANNON J TELFORD
1450 W HWY 24
PAUL ID 83347
(208) 532-4555
TELFORDSUNVALLEYSEED@GMAIL.COM**

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>
	36-2416	0.09 CFS	NA	4.4 AC	12.2 AC
	36-7002B	0.11 CFS	NA	5.8 AC	12.2 AC
COMBINED LEASE TOTALS:		0.20 CFS	40.7 AF	10.2 AC	12.2 AC
	36-15985	0.04 CFS	8.1 AF	2.0 AC	12.2 AC
COMBINED LEASE TOTALS:		0.23 CFS	48.8 AF	12.2 AC	12.2 AC

TERM OF LEASE: Lease Begin Date: November 2, 2009

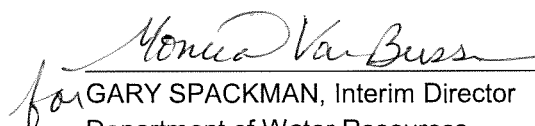
Expiration Date: December 31, 2014

RENTAL AVAILABILITY: Season of Use: April 1 to October 31 annually

MINIMUM PAYMENT ACCEPTABLE: Current Rental Rate

Detailed Lease Acceptance attached.

Dated this 11th day of August, 2011


for **GARY SPACKMAN**, Interim Director
Department of Water Resources

WATER RIGHT NO. 36-2416 WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: MICHAEL S TELFORD
SHANNON J TELFORD
1450 W HWY 24
PAUL ID 83347
(208) 532-4555
TELFORDSUNVALLEYSEED@GMAIL.COM

Priority Date: 01/20/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	10/31	0.09 CFS	
Total:			0.09 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW¼SE¼NW¼ Sec. 28 Twp 06S Rge 21E LINCOLN 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	
06S	21E	28					6.1										6.1		12.2

Total Acres: 12.2

Limited to acres within place of use described above: 4.4

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
36-2416 and 36-7002B		40.7 AF	10.2 AC
36-2416, 36-7002B and 36-15985	0.23 CFS		12.2 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. 36-2416
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 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 lease of Right Nos. 36-2416 and 36-7002B is limited to a total combined annual diversion volume of 40.7 acre feet and the irrigation of 10.2 acres within the place of use described above in a single irrigation season.
12. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
13. This lease is limited to the irrigation of 4.4 acres within the place of use described above in a single irrigation season.
14. The lease of Right Nos. 36-2416, 36-7002B and 36-15985 is limited to a total combined diversion rate of 0.23 cfs and the irrigation of 12.2 acres within the place of use described above in a single irrigation season.

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. 36-7002B
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: MICHAEL S TELFORD
SHANNON J TELFORD
1450 W HWY 24
PAUL ID 83347
(208) 532-4555
TELFORDSUNVALLEYSEED@GMAIL.COM

Priority Date: 08/01/1967

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	0.11 CFS	
	Total:			0.11 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW¼SE¼NW¼ Sec. 28 Twp 06S Rge 21E LINCOLN County

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
06S	21E	28					6.1										6.1		12.2

Total Acres: 12.2

Limited to acres within place of use described above: 5.8

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
36-2416 and 36-7002B		40.7 AF	10.2 AC
36-2416, 36-7002B and 36-15985	0.23 CFS		12.2 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. 36-7002B
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 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 lease of Right Nos. 36-2416 and 36-7002B is limited to a total combined annual diversion volume of 40.7 acre feet and the irrigation of 10.2 acres within the place of use described above in a single irrigation season.
12. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
13. This lease is limited to the irrigation of 5.8 acres within the place of use described above in a single irrigation season.
14. The lease of Right Nos. 36-2416, 36-7002B and 36-15985 is limited to a total combined diversion rate of 0.23 cfs and the irrigation of 12.2 acres within the place of use described above in a single irrigation season.

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. 36-15985
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: MICHAEL S TELFORD
1450 W HWY 24
PAUL ID 83347
(208) 532-4555
TELFORDSUNVALLEYSEED@GMAIL.COM

Priority Date: 12/07/1979

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	0.04 CFS	8.1 AF
	Total:		0.04 CFS	8.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW¼SE¼NW¼ Sec. 28 Twp 06S Rge 21E LINCOLN 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	
06S	21E	28					6.1										6.1		12.2

Total Acres: 12.2

Limited to acres within place of use described above: 2.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
36-2416, 36-7002B and 36-15985	0.23 CFS		12.2 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. 36-15985
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 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 lease of Right Nos. 36-2416, 36-7002B and 36-15985 when combined shall not exceed a total diversion rate of 0.23 cfs and the irrigation of 12.2 acres
12. This lease is limited to the irrigation of 2.0 acres within the place of use described above in a single irrigation season.
13. The lease of Right Nos. 36-2416, 36-7002B and 36-15985 is limited to a total combined diversion rate of 0.23 cfs and the irrigation of 12.2 acres within the place of use described above in a single irrigation season.

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.