

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

This is to certify that: MITCHELL D SORENSEN
ELAINE R SORENSEN
3871 W 2500 N
MOORE ID 83255
(208) 527-3271
SOREMD@IDA.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
34-2428	3.85 CFS	NA	NA	193.0 AC
34-12416	3.85 CFS	NA	NA	365.0 AC
COMBINED LEASE TOTALS:	3.85 CFS	NA	NA	558.0 AC

TERM OF LEASE:

Lease Begin Date: April 28, 2011

Expiration Date: December 31, 2011

RENTAL AVAILABILITY:

Season of Use: April 1 to October 31 annually

MINIMUM PAYMENT ACCEPTABLE:

Current Rental Rate

Detailed Lease Acceptance attached.

Dated this 15th day of June, 2011


for GARY SPACKMAN, Interim Director
Department of Water Resources

WATER RIGHT NO. 34-2428
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: MITCHELL D SORENSEN
 ELAINE R SORENSEN
 3871 W 2500 N
 MOORE ID 83255
 (208) 527-3271
 SOREMD@IDA.NET

Priority Date: 04/01/1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	3.85 CFS	
	Total:			3.85 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SE¼NE¼ Sec. 5 Twp 04N Rge 26E BUTTE 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	25E	2					39 (L3)	39 (L4)	40	40									158
03N	25E	3	39 (L1)	39 (L2)															78
04N	25E	34	39	38	40	40									40	40	40	40	317
04N	25E	35					38	38	40	40	20	40	39	20					275
04n	26e	5				39									39			39	117

Total Acres: 945.0

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. 34-2428
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. Water is delivered through Timber Dome Canal.
12. Right No. 34-12416 is also diverted through the point of diversion described above.
13. Right No. 34-12416 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
14. Use of the rights listed below is limited to the irrigation of a combined total of 945 acres within the place of use described above in a single irrigation season: Combined Right Nos. 34-496A, 34-692D, 34-2428, 34-7035B and 34-12416. This right is limited to the irrigation of 193 acres within the place of use described above in a single irrigation season.
15. Use of this right with Right No. 34-12416 is limited to a total combined diversion rate of 3.85 cfs.
16. Use of the rights listed below is limited to a total combined diversion rate of 8.83 cfs and to a total combined annual diversion volume of 3229.9 AF. Combined right numbers 34-2428, 34-7035B and 34-12416.
17. This leased right may only be rented to the place of use authorized under the water right.

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. 34-12416
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: MITCHELL D SORENSEN
 ELAINE R SORENSEN
 3871 W 2500 N
 MOORE ID 83255
 (208) 527-3271
 SOREMD@IDA.NET

Priority Date: 05/01/1982

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	3.85 CFS	
	Total:			3.85 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SE¼NE¼ Sec. 5 Twp 04N Rge 26E BUTTE 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	25E	2					39 (L3)	39 (L4)	40	40									158
03N	25E	3	39 (L1)	39 (L2)															78
04N	25E	34	39	38	40	40									40	40	40	40	317
04N	25E	35					38	38	40	40	20	40	39	20					275
04n	26e	5				39									39			39	117

Total Acres: 945.0

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. 34-12416
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. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargement pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
12. Use of this right with Right No. 34-2428 is limited to a total combined diversion rate of 3.85 cfs.
13. Right No. 34-2428 is also diverted through the point of diversion described above.
14. Use of the rights listed below is limited to a total combined diversion rate of 8.85 cfs and to a total combined annual diversion volume of 3229.9 AF. Combined Right Nos.: 34-2428, 34-7096A, 34-7097A and 34-7223.
15. This right is based upon an enlargement of Right No. 34-2428, pursuant to Section 42-1426, Idaho Code.
16. Use of this right with rights listed below is limited to the irrigation of a combined total of 945 acres within the place of use described above in a single irrigation season. Combined Right Nos." 34-496A, 34-692D, 34-2428, 34-7096A, 34-7097A and 34-7223.
17. Water is delivered through Timber Dome Canal.
18. This right is for an enlargement of 365 acres within the place of use described for this right.
19. This leased right may only be rented to the place of use authorized under the water right.

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.