

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

This is to certify that: FOSTER CO
PO BOX 626
RIRIE ID 83443
(208) 538-5170
VISTAVALLEYAG@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>
	35-13932	0.51 CFS	147.6 AF	36.9 AC	43.6 AC
LEASE TOTAL:		0.51 CFS	147.6 AF	36.9 AC	43.6 AC
	35-14099	0.03 CFS	6.8 AF	1.8 AC	43.6 AC
	35-14101	0.03 CFS	6.7 AF	1.7 AC	43.6 AC
	35-14103	0.03 CFS	6.8 AF	1.7 AC	43.6 AC
	35-14105	0.02 CFS	3.4 AF	0.9 AC	43.6 AC
COMBINED LEASE TOTALS:		0.04 CFS	17.5 AF	6.0 AC	43.6 AC
	35-14107	0.01 CFS	1.0 AF	0.3 AC	43.6 AC
	35-14109	0.01 CFS	1.0 AF	0.2 AC	43.6 AC
	35-14111	0.01 CFS	1.0 AF	0.2 AC	43.6 AC
COMBINED LEASE TOTALS:		0.01 CFS	0.3 AF	0.7 AC	43.6 AC
OVERALL COMBINED LEASE TOTALS:		0.53 CFS	167.3 AF	43.6 AC	43.6 AC

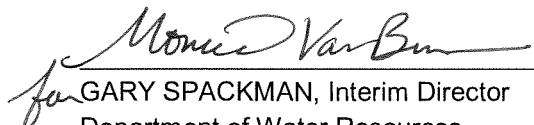
TERM OF LEASE: Lease Begin Date: April 5, 2011
Expiration Date: December 31, 2014

RENTAL AVAILABILITY: Season of Use: April 1 to November 1 annually

MINIMUM PAYMENT ACCEPTABLE: Private Rental Agreement; \$0.00 Lessor Fee
Renter Pays Only Department Administrative Fee

Detailed Lease Acceptance attached.

Dated this 4th day of May, 20 11


for GARY SPACKMAN, Interim Director
Department of Water Resources

SUPPORT DATA

IN FILE # 35-13932

**WATER RIGHT NO. 35-13932
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: FOSTER CO
PO BOX 626
RIRIE ID 83443
(208) 538-5170
VISTAVALLEYAG@GMAIL.COM

Priority Date: 05/26/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.51 CFS	147.6 AF
Total:			0.51 CFS	147.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NE¼ Sec. 22 Twp 04N Rge 35E JEFFERSON 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	
04N	35E	22	1.2	4.7	8.6	2.7	2.9	1.2	1.6	4.2	6.8	0.2	0.7	1.4	1.8	3.2	0.8	1.6	43.6

Total Acres: 43.6

Acre Limit within Place of Use described: 36.9

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 AND 35-14111	0.53 CFS	167.3 AF	43.6 AC

CONDITIONS OF ACCEPTANCE

1. The water right(s) referenced above is accepted into the bank and rented in accordance with a private agreement formulated between the lessor and the renter. The renter will pay only the 10% administrative fee to the department. 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.
2. 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.
3. 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.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
6. 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. 35-13932
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

7. 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.
8. 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.
9. 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.
10. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. 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.
13. 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.
14. This right is limited to the irrigation of a specific 543.6 acres within the 640.0 acre place of use authorized by this right in a single irrigation season. The specific 543.6 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 543.6 acres to be irrigated within the 640.0 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.
15. The leased and unleased portions of Water Right Nos. 35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 6.67 cfs, a total annual maximum diversion volume of 2085.6 af at the field headgate, and the irrigation of 543.6 acres.
16. This leased portion is limited to 36.9 acres of irrigation within the place of use described above.

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. 35-14099
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: FOSTER CO
 PO BOX 626
 RIRIE ID 83443
 (208) 538-5170
 VISTAVALLEYAG@GMAIL.COM

Priority Date: 09/25/1973

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	0.03 CFS	6.8 AF
	Total:		0.03 CFS	6.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NE¼ Sec. 22 Twp 04N Rge 35E JEFFERSON 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	
04N	35E	22	1.2	4.7	8.6	2.7	2.9	1.2	1.6	4.2	6.8	0.2	0.7	1.4	1.8	3.2	0.8	1.6	43.6

Total Acres: 43.6

Acre Limit within Place of Use described: 1.8

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 AND 35-14111	0.53 CFS	167.3 AF	43.6 AC
35-14099, 35-14101, 35-14103 AND 35-14105	0.04 CFS	17.5 AF	6.0 AC

CONDITIONS OF ACCEPTANCE

1. The water right(s) referenced above is accepted into the bank and rented in accordance with a private agreement formulated between the lessor and the renter. The renter will pay only the 10% administrative fee to the department. 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.
2. 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.
3. 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.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Rental of water under this right is subject to the limitations and conditions of approval of the water right.

**WATER RIGHT NO. 35-14099
WATER SUPPLY BANK LEASE ACCEPTANCE
CONDITIONS OF ACCEPTANCE**

6. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
7. 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.
8. 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.
9. 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.
10. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. 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.
13. 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.
14. This right is limited to the irrigation of a specific 543.6 acres within the 640.0 acre place of use authorized by this right in a single irrigation season. The specific 543.6 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 543.6 acres to be irrigated within the 640.0 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.
15. The leased and unleased portions of Water Right Nos. 35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 6.67 cfs, a total annual maximum diversion volume of 2085.6 af at the field headgate, and the irrigation of 543.6 acres.
16. The leased and unleased portions of Water Right Nos. 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 1.03 cfs, a total annual maximum diversion volume of 439.2 af at the field headgate, and the irrigation of 132.0 acres.
17. The leased portions of Water Right Nos. 35-14099, 35-14101, 35-14103 and 35-14105 when combined shall not exceed a total diversion rate of 0.04 cfs, a total annual maximum diversion volume of 17.5 af at the field headgate, and the irrigation of 6.0 acres.
18. This leased portion is limited to 1.8 acres of irrigation within the place of use described above.

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. 35-14101
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: FOSTER CO
 PO BOX 626
 RIRIE ID 83443
 (208) 538-5170
 VISTAVALLEYAG@GMAIL.COM

Priority Date: 09/25/1973

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	0.03 CFS	6.7 AF
	Total:		0.03 CFS	6.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NE¼ Sec. 22 Twp 04N Rge 35E JEFFERSON 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	
04N	35E	22	1.2	4.7	8.6	2.7	2.9	1.2	1.6	4.2	6.8	0.2	0.7	1.4	1.8	3.2	0.8	1.6	43.6

Total Acres: 43.6

Acre Limit within Place of Use described: 1.7

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 AND 35-14111	0.53 CFS	167.3 AF	43.6 AC
35-14099, 35-14101, 35-14103 AND 35-14105	0.04 CFS	17.5 AF	6.0 AC

CONDITIONS OF ACCEPTANCE

1. The water right(s) referenced above is accepted into the bank and rented in accordance with a private agreement formulated between the lessor and the renter. The renter will pay only the 10% administrative fee to the department. 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.
2. 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.
3. 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.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Rental of water under this right is subject to the limitations and conditions of approval of the water right.

**WATER RIGHT NO. 35-14101
WATER SUPPLY BANK LEASE ACCEPTANCE
CONDITIONS OF ACCEPTANCE**

6. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
7. 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.
8. 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.
9. 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.
10. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. 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.
13. 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.
14. This right is limited to the irrigation of a specific 543.6 acres within the 640.0 acre place of use authorized by this right in a single irrigation season. The specific 543.6 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 543.6 acres to be irrigated within the 640.0 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.
15. The leased and unleased portions of Water Right Nos. 35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 6.67 cfs, a total annual maximum diversion volume of 2085.6 af at the field headgate, and the irrigation of 543.6 acres.
16. The leased and unleased portions of Water Right Nos. 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 1.03 cfs, a total annual maximum diversion volume of 439.2 af at the field headgate, and the irrigation of 132.0 acres.
17. The leased portions of Water Right Nos. 35-14099, 35-14101, 35-14103 and 35-14105 when combined shall not exceed a total diversion rate of 0.04 cfs, a total annual maximum diversion volume of 17.5 af at the field headgate, and the irrigation of 6.0 acres.
18. This leased portion is limited to 1.7 acres of irrigation within the place of use described above.

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. 35-14103
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: FOSTER CO
PO BOX 626
RIRIE ID 83443
(208) 538-5170
VISTAVALLEYAG@GMAIL.COM

Priority Date: 04/08/1975

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	0.03 CFS	6.8 AF
	Total:		0.03 CFS	6.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NE¼ Sec. 22 Twp 04N Rge 35E JEFFERSON 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	
04N	35E	22	1.2	4.7	8.6	2.7	2.9	1.2	1.6	4.2	6.8	0.2	0.7	1.4	1.8	3.2	0.8	1.6	43.6

Total Acres: 43.6

Acre Limit within Place of Use described: 1.7

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 AND 35-14111	0.53 CFS	167.3 AF	43.6 AC
35-14099, 35-14101, 35-14103 AND 35-14105	0.04 CFS	17.5 AF	6.0 AC

CONDITIONS OF ACCEPTANCE

1. The water right(s) referenced above is accepted into the bank and rented in accordance with a private agreement formulated between the lessor and the renter. The renter will pay only the 10% administrative fee to the department. 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.
2. 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.
3. 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.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Rental of water under this right is subject to the limitations and conditions of approval of the water right.

**WATER RIGHT NO. 35-14103
WATER SUPPLY BANK LEASE ACCEPTANCE
CONDITIONS OF ACCEPTANCE**

6. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
7. 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.
8. 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.
9. 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.
10. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. 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.
13. 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.
14. This right is limited to the irrigation of a specific 543.6 acres within the 640.0 acre place of use authorized by this right in a single irrigation season. The specific 543.6 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 543.6 acres to be irrigated within the 640.0 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.
15. The leased and unleased portions of Water Right Nos. 35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 6.67 cfs, a total annual maximum diversion volume of 2085.6 af at the field headgate, and the irrigation of 543.6 acres.
16. The leased and unleased portions of Water Right Nos. 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 1.03 cfs, a total annual maximum diversion volume of 439.2 af at the field headgate, and the irrigation of 132.0 acres.
17. The leased portions of Water Right Nos. 35-14099, 35-14101, 35-14103 and 35-14105 when combined shall not exceed a total diversion rate of 0.04 cfs, a total annual maximum diversion volume of 17.5 af at the field headgate, and the irrigation of 6.0 acres.
18. This leased portion is limited to 1.7 acres of irrigation within the place of use described above.

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. 35-14105
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: FOSTER CO
 PO BOX 626
 RIRIE ID 83443
 (208) 538-5170
 VISTAVALLEYAG@GMAIL.COM

Priority Date: 05/23/1975

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	0.02 CFS	3.4 AF
	Total:		0.02 CFS	3.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NE¼ Sec. 22 Twp 04N Rge 35E JEFFERSON 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	
04N	35E	22	1.2	4.7	8.6	2.7	2.9	1.2	1.6	4.2	6.8	0.2	0.7	1.4	1.8	3.2	0.8	1.6	43.6

Total Acres: 43.6

Acre Limit within Place of Use described: 0.9

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 AND 35-14111	0.53 CFS	167.3 AF	43.6 AC
35-14099, 35-14101, 35-14103 AND 35-14105	0.04 CFS	17.5 AF	6.0 AC

CONDITIONS OF ACCEPTANCE

1. The water right(s) referenced above is accepted into the bank and rented in accordance with a private agreement formulated between the lessor and the renter. The renter will pay only the 10% administrative fee to the department. 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.
2. 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.
3. 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.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Rental of water under this right is subject to the limitations and conditions of approval of the water right.

**WATER RIGHT NO. 35-14105
WATER SUPPLY BANK LEASE ACCEPTANCE
CONDITIONS OF ACCEPTANCE**

6. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
7. 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.
8. 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.
9. 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.
10. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. 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.
13. 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.
14. This right is limited to the irrigation of a specific 543.6 acres within the 640.0 acre place of use authorized by this right in a single irrigation season. The specific 543.6 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 543.6 acres to be irrigated within the 640.0 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.
15. The leased and unleased portions of Water Right Nos. 35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 6.67 cfs, a total annual maximum diversion volume of 2085.6 af at the field headgate, and the irrigation of 543.6 acres.
16. The leased and unleased portions of Water Right Nos. 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 1.03 cfs, a total annual maximum diversion volume of 439.2 af at the field headgate, and the irrigation of 132.0 acres.
17. The leased portions of Water Right Nos. 35-14099, 35-14101, 35-14103 and 35-14105 when combined shall not exceed a total diversion rate of 0.04 cfs, a total annual maximum diversion volume of 17.5 af at the field headgate, and the irrigation of 6.0 acres.
18. This leased portion is limited to 0.9 acres of irrigation within the place of use described above.

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. 35-14107
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: FOSTER CO
 PO BOX 626
 RIRIE ID 83443
 (208) 538-5170
 VISTAVALLEYAG@GMAIL.COM

Priority Date: 07/27/1976

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	0.01 CFS	1.0 AF
	Total:		0.01 CFS	1.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NE¼ Sec. 22 Twp 04N Rge 35E JEFFERSON 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	
04N	35E	22	1.2	4.7	8.6	2.7	2.9	1.2	1.6	4.2	6.8	0.2	0.7	1.4	1.8	3.2	0.8	1.6	43.6

Total Acres: 43.6

Acre Limit within Place of Use described: 0.3

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 AND 35-14111	0.53 CFS	167.3 AF	43.6 AC
35-14107, 35-14109 AND 35-14111	0.01 CFS	0.3 AF	0.7 AC

CONDITIONS OF ACCEPTANCE

1. The water right(s) referenced above is accepted into the bank and rented in accordance with a private agreement formulated between the lessor and the renter. The renter will pay only the 10% administrative fee to the department. 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.
2. 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.
3. 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.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Rental of water under this right is subject to the limitations and conditions of approval of the water right.

**WATER RIGHT NO. 35-14107
WATER SUPPLY BANK LEASE ACCEPTANCE
CONDITIONS OF ACCEPTANCE**

6. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
7. 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.
8. 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.
9. 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.
10. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. 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.
13. 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.
14. This right is limited to the irrigation of a specific 543.6 acres within the 640.0 acre place of use authorized by this right in a single irrigation season. The specific 543.6 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 543.6 acres to be irrigated within the 640.0 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.
15. The leased and unleased portions of Water Right Nos. 35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 6.67 cfs, a total annual maximum diversion volume of 2085.6 af at the field headgate, and the irrigation of 543.6 acres.
16. The leased and unleased portions of Water Right Nos. 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 0.11 cfs, a total annual maximum diversion volume of 46.9 af at the field headgate, and the irrigation of 14.9 acres.
17. The leased portions of Water Right Nos. 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 0.01 cfs, a total annual maximum diversion volume of 0.3 af at the field headgate, and the irrigation of 0.7 acres.
18. This leased portion is limited to 0.3 acres of irrigation within the place of use described above.

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. 35-14109
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: FOSTER CO
PO BOX 626
RIRIE ID 83443
(208) 538-5170
VISTAVALLEYAG@GMAIL.COM

Priority Date: 05/23/1975

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	0.01 CFS	1.0 AF
	Total:			0.01 CFS
				1.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NE¼ Sec. 22 Twp 04N Rge 35E JEFFERSON 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	
04N	35E	22	1.2	4.7	8.6	2.7	2.9	1.2	1.6	4.2	6.8	0.2	0.7	1.4	1.8	3.2	0.8	1.6	43.6

Total Acres: 43.6

Acre Limit within Place of Use described: 0.2

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 AND 35-14111	0.53 CFS	167.3 AF	43.6 AC
35-14107, 35-14109 AND 35-14111	0.01 CFS	0.3 AF	0.7 AC

CONDITIONS OF ACCEPTANCE

1. The water right(s) referenced above is accepted into the bank and rented in accordance with a private agreement formulated between the lessor and the renter. The renter will pay only the 10% administrative fee to the department. 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.
2. 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.
3. 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.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Rental of water under this right is subject to the limitations and conditions of approval of the water right.

**WATER RIGHT NO. 35-14109
WATER SUPPLY BANK LEASE ACCEPTANCE
CONDITIONS OF ACCEPTANCE**

6. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
7. 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.
8. 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.
9. 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.
10. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. 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.
13. 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.
14. This right is limited to the irrigation of a specific 543.6 acres within the 640.0 acre place of use authorized by this right in a single irrigation season. The specific 543.6 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 543.6 acres to be irrigated within the 640.0 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.
15. The leased and unleased portions of Water Right Nos. 35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 6.67 cfs, a total annual maximum diversion volume of 2085.6 af at the field headgate, and the irrigation of 543.6 acres.
16. The leased and unleased portions of Water Right Nos. 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 0.11 cfs, a total annual maximum diversion volume of 46.9 af at the field headgate, and the irrigation of 14.9 acres.
17. The leased portions of Water Right Nos. 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 0.01 cfs, a total annual maximum diversion volume of 0.3 af at the field headgate, and the irrigation of 0.7 acres.
18. This leased portion is limited to 0.2 acres of irrigation within the place of use described above.

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. 35-14111
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: FOSTER CO
 PO BOX 626
 RIRIE ID 83443
 (208) 538-5170
 VISTAVALLEYAG@GMAIL.COM

Priority Date: 10/10/1973

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	0.01 CFS	1.0 AF
	Total:		0.01 CFS	1.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NE¼ Sec. 22 Twp 04N Rge 35E JEFFERSON 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	
04N	35E	22	1.2	4.7	8.6	2.7	2.9	1.2	1.6	4.2	6.8	0.2	0.7	1.4	1.8	3.2	0.8	1.6	43.6

Total Acres: 43.6

Acre Limit within Place of Use described: 0.2

COMBINED LIMITS OF LEASED RIGHT:

Combined Rights	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 AND 35-14111	0.53 CFS	167.3 AF	43.6 AC
35-14107, 35-14109 AND 35-14111	0.01 CFS	0.3 AF	0.7 AC

CONDITIONS OF ACCEPTANCE

1. The water right(s) referenced above is accepted into the bank and rented in accordance with a private agreement formulated between the lessor and the renter. The renter will pay only the 10% administrative fee to the department. 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.
2. 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.
3. 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.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Rental of water under this right is subject to the limitations and conditions of approval of the water right.

**WATER RIGHT NO. 35-14111
WATER SUPPLY BANK LEASE ACCEPTANCE
CONDITIONS OF ACCEPTANCE**

6. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
7. 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.
8. 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.
9. 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.
10. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. 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.
13. 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.
14. This right is limited to the irrigation of a specific 543.6 acres within the 640.0 acre place of use authorized by this right in a single irrigation season. The specific 543.6 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 543.6 acres to be irrigated within the 640.0 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.
15. The leased and unleased portions of Water Right Nos. 35-13932, 35-14099, 35-14101, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 6.67 cfs, a total annual maximum diversion volume of 2085.6 af at the field headgate, and the irrigation of 543.6 acres.
16. The leased and unleased portions of Water Right Nos. 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 0.11 cfs, a total annual maximum diversion volume of 46.9 af at the field headgate, and the irrigation of 14.9 acres.
17. The leased portions of Water Right Nos. 35-14107, 35-14109 and 35-14111 when combined shall not exceed a total diversion rate of 0.01 cfs, a total annual maximum diversion volume of 0.3 af at the field headgate, and the irrigation of 0.7 acres.
18. This leased portion is limited to 0.2 acres of irrigation within the place of use described above.

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.