

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

This is to certify that: LAMBERT PRODUCE CO INC
DOUBLE C FARMS
203 E 1100 S
BURLEY ID 83318
(208) 678-2668

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>
	45-2520	3.83 CFS	1240.8 AF	NA	310.2 AC
COMBINED LEASE TOTALS:		3.83 CFS	1240.8 AF	NA	310.2 AC

TERM OF LEASE:

Lease Begin Date: March 15, 2005

Expiration Date: November 15, 2005

RENTAL AVAILABILITY:

Partial Season: March 15 to November 15

MINIMUM PAYMENT ACCEPTABLE:

Current Rental Rate

Detailed Lease Acceptance attached.

Dated this 20th day of October, 2010


for GARY SPACKMAN, Interim Director
Department of Water Resources

WATER RIGHT NO. 45-2520
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: LAMBERT PRODUCE CO INC
DOUBLE C FARMS
203 E 1100 S
BURLEY ID 83318
(208) 678-2668

Priority Date: 03/28/1956

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	3.83 CFS	1240.8 AF
	Total:		3.83 CFS	1240.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 8	Twp 13S	Rge 23E	CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 8	Twp 13S	Rge 23E	CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 8	Twp 13S	Rge 23E	CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 8	Twp 13S	Rge 23E	CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 8	Twp 13S	Rge 23E	CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 22	Twp 12S	Rge 23E	CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 22	Twp 12S	Rge 23E	CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 20	Twp 12S	Rge 23E	CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 26	Twp 12S	Rge 22E	CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 35	Twp 12S	Rge 22E	CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 17	Twp 12S	Rge 23E	CASSIA County
GROUND WATER	NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 20	Twp 12S	Rge 23E	CASSIA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 20	Twp 12S	Rge 23E	CASSIA County
GROUND WATER	SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 20	Twp 12S	Rge 23E	CASSIA County
GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 4	Twp 13S	Rge 23E	CASSIA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 5	Twp 13S	Rge 23E	CASSIA County

WATER RIGHT NO. 45-2520
WATER SUPPLY BANK LEASE ACCEPTANCE

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	22E	24													40	32	39	41	152
12S	22E	25	41	39	36	31													147
12S	23E	15		32	40	3	34		40	34	3	35	30	2	36	38	34	32	357
12S	23E	16	32	34	32	38	41	41	41	40	41	41	41	41	40	22	18	37	580
12S	23E	17	41	41	41	41	41	41	41	41	41	41	31	41	41	41	41	41	646
12S	23E	19	39	39	40	39									40	40	40	40	317
12S	23E	20	40	40	40	40	40	40	40	35	40	40	40	40	40	40	40	40	635
12S	23E	21	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
12S	23E	22	32	34	31	32	30	39	33	39	32	40	40	33					415
12S	23E	28	40	40	40	40	40	40	40	40									320
12S	23E	29	40	40	40	40	40	40	40	40	40	40	35	38	40	40	38	38	629
12S	23E	30	40	40	33	32													145

Total Acres: 4983

Acre Limit within Place of Use described: 310.2

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.

**WATER RIGHT NO. 45-2520
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CONDITIONS OF ACCEPTANCE

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. When the portion of water right 45-2520 being leased to the water bank and the portion of water right 45-2520 not being leased to the water bank are combined with water right 45-4048F they will be limited to a total combined diversion rate of 5.92 cfs.
12. Use of the rights listed below is limited to the irrigation of a combined total of 4641.7 acres in a single irrigation season. Combined Right Nos.: 45-169, 45-695, 45-696, 45-701, 45-2053, 45-2254A, 45-2520, 45-2526, 45-2579, 45-2630, 45-2630, 45-2657, 45-4009A, 45-4011A, 45-4013A, 45-4048F, 45-4258A, 45-13455 and 45-13777.
13. Use of the rights listed below is limited to a total combined diversion rate of 24.26 cfs and to a total combined annual diversion volume of 9742.2 AF. Combined Right Nos.: 45-2254A, 45-2520, 45-2526, 45-2579, 45-2630, 45-2657, 45-4009A, 45-4011A, 45-4013A, 45-4048F and 45-13777.

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.

Dated this 20th day of October, 2010


for GARY SPACKMAN, Interim Director
Department of Water Resources

