

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

This is to certify that: WILLIAM H VANDERBILT
ANN S VANDERBILT
2651 COCNUT DR
SANIBEL FL 33957
(239) 395-1325

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
	71-2014	1.50 CFS	N/A	N/A	43.1 AC
	71-10762	1.47 CFS	N/A	N/A	43.1 AC
COMBINED LEASE TOTALS:		2.97 CFS	N/A	N/A	43.1 AC

TERM OF LEASE:

Lease Begin Date: May 1, 2008

Expiration Date: November 1, 2008

RENTAL AVAILABILITY:

Season of Use: 05/01 to 10/31

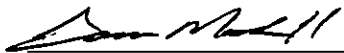
MINIMUM PAYMENT ACCEPTABLE:

\$239.44

The total fee for rental of the above-described water is \$2,394.44 based on a negotiated agreement between the lessor and renter. The lessor has agreed to donate the use of water under the rights referenced above in 2008. Therefore, the renter is obligated to pay only the administrative fee of \$239.44.

Detailed Lease Acceptance attached.

Dated this 30TH day of JUNE, 2008



FOR DAVID R. TUTHILL, JR., Director
Department of Water Resources

WATER RIGHT NO. 71-2014 WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: WILLIAM H VANDERBILT
ANN S VANDERBILT
2651 COCNUT DR
SANIBEL FL 33957
(239) 395-1325

Priority Date: 04/08/1916

Source: FOURTH OF JULY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	06/01	to 11/01	0.07 CFS
IRRIGATION	05/01	to 10/31	1.43 CFS
Total:			1.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

FOURTH OF JULY CREEK SE¼SW¼SE¼ Sec. 10 Twp 08N Rge 14E CUSTER 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	
08N	14E	9													14.2	6.4	12.0	10.5	43.1

Total Acres: 43.1

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
71-2014, 71-10762	N/A	N/A	43.1 AC

CONDITIONS OF ACCEPTANCE

1. A portion of 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 total rental fee for the leased water is \$2,394.44 based on a negotiated rate through the Columbia River Basin Water Transaction Program. The lessor has agreed to donate the use of water under the rights referenced above in 2008. Therefore, the renter is obligated to pay only the administrative fee of \$239.44.
2. Payment for rental of the referenced water right(s) from the bank is contingent upon the determination that the lessor is in compliance with an executed rental agreement.
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 section 42-351, Idaho Code, for illegal diversion and use of water, and may include civil penalties pursuant to Section 42-1701B, Idaho Code.
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.

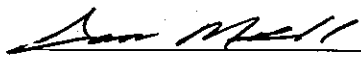
**WATER RIGHT NO. 71-2014
WATER SUPPLY BANK LEASE ACCEPTANCE**

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 the ongoing Snake River Basin Adjudication or any other department application process.
9. In accordance with Sections 42-248 and 42-1409(6), Idaho Code, 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.

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 30TH day of JUNE, 2008



FOR DAVID R. TUTHILL, JR., Director
Department of Water Resources

**WATER RIGHT NO. 71-10762
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: WILLIAM H VANDERBILT
ANN S VANDERBILT
2651 COCNUT DR
SANIBEL FL 33957
(239) 395-1325

Priority Date: 08/11/1927

Source: FOURTH OF JULY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01 to	10/31	1.47 CFS
	Total:		1.47 CFS

LOCATION OF POINT(S) OF DIVERSION:

FOURTH OF JULY CREEK SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10 Twp 08N Rge 14E CUSTER 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
08N	14E	9													14.2	6.4	12.0	10.5	43.1

Total Acres: 43.1

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
71-2014, 71-10762	N/A	N/A	43.1 AC

CONDITIONS OF ACCEPTANCE

1. A portion of 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 total rental fee for the leased water is \$2,394.44 based on a negotiated rate through the Columbia River Basin Water Transaction Program. The lessor has agreed to donate the use of water under the rights referenced above in 2008. Therefore, the renter is obligated to pay only the administrative fee of \$239.44.
2. Payment for rental of the referenced water right(s) from the bank is contingent upon the determination that the lessor is in compliance with an executed rental agreement.
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 section 42-351, Idaho Code, for illegal diversion and use of water, and may include civil penalties pursuant to Section 42-1701B, Idaho Code.
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.
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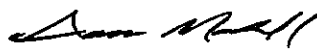
**WATER RIGHT NO. 71-10762
WATER SUPPLY BANK LEASE ACCEPTANCE**

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 the ongoing Snake River Basin Adjudication or any other department application process.
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