

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

This is to certify that: KIRK EGBERT
1401 E 1300 N
TERRETON ID 83450
(208) 663-4505

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>Right</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Total Leased Acres</u>
31-7084	0.27 CFS	60.0 AF	20.0 AC
31-7103	0.18 CFS	39.0 AF	13.0 AC
31-11387	0.12 CFS	24.5 AF	7.0 AC
31-7104	0.09 CFS	18.0 AF	6.0 AC
31-7105	0.20 CFS	30.0 AF	10.0 AC
31-11388	0.10 CFS	21.0 AF	6.0 AC
31-7106	0.17 CFS	33.0 AF	11.0 AC
31-11389	0.10 CFS	16.5 AF	5.0 AC
31-7267A	0.52 CFS	N/A	51.5 AC
31-10964A	0.61 CFS	180.3 AF	51.5 AC
31-7569	0.26 CFS	56.0 AF	16.0 AC

COMBINED LEASE TOTALS	2.06 CFS	478.3 AF	127.5 AC
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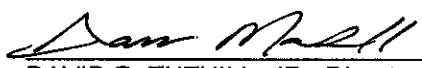
TERM OF LEASE: Lease Begin Date: May 14, 2007
 Expiration Date: December 31, 2007

RENTAL AVAILABILITY: Season of Use: 04/01 to 10/31

MINIMUM PAYMENT ACCEPTABLE: Current Rental Rate

Detailed Lease Acceptance attached

Dated this 29TH day of OCTOBER, 2007


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

**WATER RIGHT NO. 31-7084
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: KIRK EGBERT
1401 E 1300 N
TERRETON ID 83450
(208) 663-4505

Priority Date: 03/26/1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.27 CFS	60.0 AF
	TOTAL: 0.27 CFS			60.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE¼NW¼ Sec. 32 Twp 06N Rge 34E JEFFERSON 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
06N	34E	32					2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5					20.0

Total Acres: 20.0

Acre Limit within Place of Use described: N/A

COMBINED LIMITS OF LEASED RIGHT:

Combined Rights
N/A

Rate
N/A

Volume
N/A

Acres
N/A

WATER RIGHT NO. 31-7084
CONDITIONS OF ACCEPTANCE

- 1 The water right 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 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.
- 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 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.

**WATER RIGHT NO. 31-7103
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: KIRK EGBERT
1401 E 1300 N
TERRETON ID 83450
(208) 663-4505

Priority Date: 03/18/1974

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	0.18 CFS	39.0 AF
	TOTAL: 0.18 CFS			39.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SE¼NE¼ Sec 33 Twp 08N Rge 37E FREMONT 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	37E	33	4.5	2.5	2.5	3.5													13.0

Total Acres: 13.0

Acre Limit within Place of Use described: N/A

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
31-7103, 31-11387	1.83 cfs	N/A	139.0 acres

**WATER RIGHT NO. 31-7103
CONDITIONS OF ACCEPTANCE**

1. The water right 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 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. Rental of rights 31-7103 and 31-11387 are limited to a total combined diversion rate of 0.18 cfs and irrigation of 13.0 acres
8. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease
9. 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.
10. 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
11. 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

**WATER RIGHT NO. 31-7104
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: KIRK EGBERT
1401 E 1300 N
TERRETON ID 83450
(208) 663-4505

Priority Date: 03/18/1974

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	0.09 CFS	18.0 AF
	TOTAL: 0.09 CFS			18.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SE¼NW¼ Sec 33 Twp 08N Rge 37E FREMONT County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Tw	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08N	37E	33					1.5	1.5	1.5	1.5									6.0

Total Acres: 6.0

Acre Limit within Place of Use described: N/A

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
N/A	N/A	N/A	N/A

WATER RIGHT NO. 31-7104
CONDITIONS OF ACCEPTANCE

- 1 The water right 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 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
- 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 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.

**WATER RIGHT NO. 31-7105
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: KIRK EGBERT
1401 E 1300 N
TERRETON ID 83450
(208) 663-4505

Priority Date: 03/18/1974

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	0.20 CFS	30.0 AF
	TOTAL: 0.20 CFS			30.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SE¼SW¼ Sec. 33 Twp 08N Rge 37E FREMONT 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	37E	33									3.5	3.5	1.5	1.5					10.0

Total Acres: 10.0

Acre Limit within Place of Use described: N/A

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
31-7105, 31-11388	2.59 cfs	N/A	136.0 acres

WATER RIGHT NO. 31-7105
CONDITIONS OF ACCEPTANCE

1. The water right 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 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. Rental of rights 31-7105 and 31-11388 are limited to a total combined diversion rate of 0.20 cfs and irrigation of 10.0 acres.
8. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease
9. 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
10. 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.
11. 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.

**WATER RIGHT NO. 31-7106
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: KIRK EGBERT
1401 E 1300 N
TERRETON ID 83450
(208) 663-4505

Priority Date: 03/18/1974

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	0.17 CFS	33.0 AF
	TOTAL: 0.17 CFS			33.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33 Twp 08N Rge 37E FREMONT 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	37E	33													3.5	3.5	1.5	2.5	11.0

Total Acres: 11.0

Acre Limit within Place of Use described: N/A

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
31-7106, 31-11389	2.02 cfs	N/A	137.0 acres

**WATER RIGHT NO. 31-7106
CONDITIONS OF ACCEPTANCE**

1. The water right 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 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. Rental of rights 31-7106 and 31-11389 are limited to a total combined diversion rate of 0.17 cfs and irrigation of 11.0 acres.
8. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
9. 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.
10. 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.
11. 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.

**WATER RIGHT NO. 31-7267A
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: KIRK EGBERT
1401 E 1300 N
TERRETON ID 83450
(208) 663-4505

Priority Date: 09/07/1977

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	0.52 CFS	N/A
	TOTAL: 0.52 CFS			N/A

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L1(SW¼SE¼NE¼) Sec 6 Twp 05N 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	
05N	35E	5										0.5							0.5
05N	35E	6			8.5	8.5				8.5	8.5				8.5	8.5			51.0
					L2	L1				L3									

Total Acres: 51.5

Acre Limit within Place of Use described: N/A

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
31-7267A, 31-10964A	5.24 cfs	1,057 af	302.0 acres

**WATER RIGHT NO. 31-7267A
CONDITIONS OF ACCEPTANCE**

1. The water right 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 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. Rental of rights 31-7267A and 31-10964A are limited to a total combined diversion rate of 0.89 cfs, diversion volume of 180.3 acre-feet, and irrigation of 51.5 acres.
8. During the term of this lease, use of the unleased portion of rights 31-7267A and 31-10964A for irrigation is limited to a combined total of 250.5 acres, a combined diversion rate of 4.35 cfs, and an annual diversion volume of 876.7 acre-feet
9. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
10. 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
11. 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
12. 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

**WATER RIGHT NO. 31-7569
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: KIRK EGBERT
1401 E 1300 N
TERRETON ID 83450
(208) 663-4505

Priority Date: 12/12/1975

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	0.26 CFS	56.0 AF
	TOTAL: 0.26 CFS			56.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SE¼ Sec. 28 Twp 06N Rge 35E JEFFERSON 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
06N	35E	28													4.5	3.5	3.5	4.5	16.0

Total Acres: 16.0

Acre Limit within Place of Use described: N/A

COMBINED LIMITS OF LEASED RIGHT:

Combined Rights
N/A

Rate
N/A

Volume
N/A

Acres
N/A

WATER RIGHT NO. 31-7569
CONDITIONS OF ACCEPTANCE

1. The water right 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 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.
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 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.

**WATER RIGHT NO. 31-10964A
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: KIRK EGBERT
1401 E 1300 N
TERRETON ID 83450
(208) 663-4505

Priority Date: 02/25/1959

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	0.61 CFS	180.3 AF
	TOTAL: 0.61 CFS			180.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L1(SW¼SE¼NE¼) Sec 6 Twp 05N Rge 35E JEFFERSON County

PLACE OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Tw	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	35E	5										0.5							0.5
05N	35E	6			8.5	8.5				8.5	8.5				8.5	8.5			51.0
					L2	L1				L3									

Total Acres: 51.5

Acre Limit within Place of Use described: N/A

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
31-7267A, 31-10964A	5.24 cfs	1,057 ac ft	302 acres

WATER RIGHT NO. 31-10964A
CONDITIONS OF ACCEPTANCE

1. The water right 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 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. Rental of rights 31-7267A and 31-10964A are limited to a total combined diversion rate of 0.89 cfs, diversion volume of 180.3 acre-feet, and irrigation of 51.5 acres.
8. During the term of this lease, use of the unleased portion of rights 31-7267A and 31-10964A for irrigation is limited to a combined total of 250.5 acres, a combined diversion rate of 4.35 cfs, and an annual diversion volume of 876.7 acre-feet.
9. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
10. 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.
11. 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.
12. 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.

**WATER RIGHT NO. 31-11387
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: KIRK EGBERT
1401 E 1300 N
TERRETON ID 83450
(208) 663-4505

Priority Date: 07/15/1981

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	0.12 CFS	24.5 AF
	TOTAL: 0.12 CFS			24.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SE¼NE¼ Sec. 33 Twp 08N Rge 37E FREMONT 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	37E	33	4.5	2.5	2.5	3.5													13.0

Total Acres: 13.0

Acre Limit within Place of Use described: 7.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
31-7103, 31-11387	1.89 cfs	N/A	139.0 acres

WATER RIGHT NO. 31-11387
CONDITIONS OF ACCEPTANCE

1. The water right 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 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. Rental of rights 31-7103 and 31-11387 are limited to a total combined diversion rate of 0.18 cfs and irrigation of 13.0 acres
8. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease
9. 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
10. 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
11. 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.

WATER RIGHT NO. 31-11388
WATER SUPPLY BANK LEASE ACCEPTANCE

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

Lessor: KIRK EGBERT
 1401 E 1300 N
 TERRETON ID 83450
 (208) 663-4505

Priority Date: 06/05/1984

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	0.10 CFS	21.0 AF
	TOTAL: 0.10 CFS			21.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SE¼SW¼ Sec 33 Twp 08N Rge 37E FREMONT 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	37E	33									3.5	3.5	1.5	1.5					10.0

Total Acres: 10.0

Acre Limit within Place of Use described: 6.0

COMBINED LIMITS OF LEASED RIGHT:

<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
31-7105, 31-11388	2.59 cfs	N/A	136.0 acres

WATER RIGHT NO. 31-11388
CONDITIONS OF ACCEPTANCE

1. The water right 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 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. Rental of rights 31-7105 and 31-11388 are limited to a total combined diversion rate of 0.20 cfs and irrigation of 10.0 acres
8. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
9. 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.
10. 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.
11. 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.

**WATER RIGHT NO. 31-11389
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: KIRK EGBERT
1401 E 1300 N
TERRETON ID 83450
(208) 663-4505

Priority Date: 10/09/1981

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	0.10 CFS	16.5 AF
	TOTAL: 0.10 CFS			16.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33 Twp 08N Rge 37E FREMONT 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	37E	33													3.5	3.5	1.5	2.5	11.0

Total Acres: 11.0

Acre Limit within Place of Use described: 5.0

COMBINED LIMITS OF LEASED RIGHT:

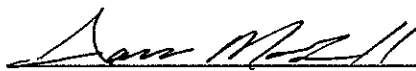
<u>Combined Rights</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
31-7106, 31-11389	2.02 cfs	N/A	137.0 acres

WATER RIGHT NO. 31-11389
CONDITIONS OF ACCEPTANCE

- 1 The water right 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 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 Rental of rights 31-7106 and 31-11389 are limited to a total combined diversion rate of 0.17 cfs and irrigation of 11.0 acres
- 8 Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
- 9 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.
- 10 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
- 11 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 29TH day of OCTOBER, 2007


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