

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

This is to certify that: UNITED STATES BUREAU OF RECLAMATION
1PN-3100, 1150 N CURTIS ROAD STE 100
BOISE ID 83706-1234

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>
85-2146	N/A	up to 304.0 af	N/A
85-4483	up to 1.0 cfs	up to 304.0 af	N/A
85-15424	N/A	up to 304.0 af	N/A
COMBINED LEASE TOTALS	N/A	304.0 af	N/A

TERM OF LEASE:

Lease Begin Date: June 1, 2006

Expiration Date: November 15, 2006

RENTAL AVAILABILITY:

Season of Use: June 1, 2006 to November 15, 2006

MINIMUM PAYMENT ACCEPTABLE:

Current Rental Rate

Detailed Lease Acceptance attached.

Dated this 31st day of May, 2006



Chief, Water Allocation Bureau

**WATER RIGHT NO. 85-2146
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: UNITED STATES BUREAU OF RECLAMATION
1PN-3100, 1150 N CURTIS ROAD STE 100
BOISE ID 83706-1234

Priority Date: 05/24/1922

Source: WEBB CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION FROM STORAGE	06/01	to 11/15	N/A	up to 304.0 af
IRRIGATION STORAGE	06/01	to 11/15	N/A	up to 304.0 af
			Total: N/A	up to 304.0 af

LOCATION OF POINT(S) OF DIVERSION:

WEBB CREEK	L18 (SE1/4SE1/4)	Sec 17, Twp 35N, Rge 04W, B M	NEZ PERCE County (Rediversion)
WEBB CREEK	SE1/4SW1/4	Sec 29, Twp 33N, Rge 03W, B M	NEZ PERCE County
WEBB CREEK	SE1/4SW1/4	Sec 29, Twp 33N, Rge 03W, B M	NEZ PERCE County (Injection)
WEBB CREEK	L2 (NW1/4NE1/4)	Sec 6, Twp 33N, Rge 03W, B M	NEZ PERCE County (Rediversion)
WEBB CREEK	NE1/4NE1/4	Sec 34, Twp 34N, Rge 04W, B M	NEZ PERCE County (Injection)
WEBB CREEK	L3 (NW1/4SW1/4)	Sec 21, Twp 34N, Rge 04W, B M	NEZ PERCE County (Rediversion)
WEBB CREEK	L18 (SE1/4SE1/4)	Sec 17, Twp 35N, Rge 04W, B M	NEZ PERCE County (Injection)

PORTION OF RIGHT UNDER THIS LEASE:

SEE CONDITIONS

CONDITIONS OF ACCEPTANCE

- 1 A portion of water right referenced above is accepted into the bank and rented by the U S Bureau of Reclamation to meet requirements under the Biological Opinion for the operations of the Lewiston Orchards Project. Water is rented for this purpose from June 1 through October 31, 2006
- 2 The water right referenced above is rented from the bank at the current rental rate
- 3 The leased portions of rights 85-2146, 85-4483, and 85-15424 are limited when combined to a total diversion volume 304 af
- 4 While a right is in the bank, the owner of the right may not use the right except in accordance with an approved rental agreement. 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

**WATER RIGHT NO. 85-2146
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

- 5 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
- 6 While a water right is in the bank, forfeiture provisions are stayed
- 7 Rental of water under this right is subject to the limitations and conditions of approval of the water right
- 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 the ongoing Snake River Basin Adjudication or 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 31st day of May, 2006


Chief, Water Allocation Bureau

**WATER RIGHT NO. 85-4483
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: UNITED STATES BUREAU OF RECLAMATION
1PN-3100, 1150 N CURTIS ROAD STE 100
BOISE ID 83706-1234

Priority Date: 06/01/1907

Source: SWEETWATER CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION FROM STORAGE	06/01	to 11/15	N/A	up to 304.0 af
IRRIGATION STORAGE	06/01	to 11/15	N/A	up to 304.0 af
DIVERSION TO STORAGE	06/01	to 11/15	up to 1.0 cfs	N/A
			Total: up to 1.0 cfs	up to 304.0 af

LOCATION OF POINT(S) OF DIVERSION:

SWEETWATER CREEK	L3 (NW1/4SW1/4)	Sec. 21, Twp 34N, Rge 04W, B M	NEZ PERCE County
LINDSAY CREEK	L18 (SE1/4SE1/4)	Sec. 17, Twp 35N, Rge 04W, B M	NEZ PERCE County
SWEETWATER CREEK	L18 (SE1/4SE1/4)	Sec. 17, Twp 35N, Rge 04W, B M	NEZ PERCE County (Injection)
SWEETWATER CREEK	L18 (SE1/4SE1/4)	Sec. 17, Twp 35N, Rge 04W, B M	NEZ PERCE County (Rediversion)

PORTION OF RIGHT UNDER THIS LEASE:

SEE CONDITIONS

CONDITIONS OF ACCEPTANCE

1. A portion of water right referenced above is accepted into the bank and rented by the U.S. Bureau of Reclamation to meet requirements under the Biological Opinion for the operations of the Lewiston Orchards Project. Water is rented for this purpose from June 1 through October 31, 2006.
2. The water right referenced above is rented from the bank at the current rental rate.
3. The leased portions of rights 85-2146, 85-4483, and 85-15424 are limited when combined to a total diversion volume 304 af.
4. While a right is in the bank, the owner of the right may not use the right except in accordance with an approved rental agreement. 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.

**WATER RIGHT NO. 85-4483
WATER SUPPLY BANK LEASE ACCEPTANCE**

CONDITIONS OF ACCEPTANCE

5. 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
6. While a water right is in the bank, forfeiture provisions are stayed
7. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
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 the ongoing Snake River Basin Adjudication or 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 31st day of May, 20 06


Chief, Water Allocation Bureau

**WATER RIGHT NO. 85-15424
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Lessor: UNITED STATES BUREAU OF RECLAMATION
1PN-3100, 1150 N CURTIS ROAD STE 100
BOISE ID 83706-1234

Priority Date: 12/01/1935

Source: WAHA LAKE

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION FROM STORAGE	06/01	to 11/15	N/A	up to 304.0 af
IRRIGATION STORAGE	06/01	to 11/15	N/A	up to 304.0 af
			Total: N/A	up to 304.0 af

LOCATION OF POINT(S) OF DIVERSION:

WAHA LAKE	NW1/4NW1/4	Sec. 9,	Twp 33N, Rge 04W, B M	NEZ PERCE County (Injection)
WAHA LAKE	L5 (SE1/4SE1/4)	Sec. 9,	Twp 33N, Rge 04W, B M	NEZ PERCE County
WAHA LAKE	L3 (NW1/4SW1/4)	Sec. 21,	Twp 34N, Rge 04W, B M	NEZ PERCE County (Rediversion)
WAHA LAKE	L18 (SE1/4SE1/4)	Sec. 17	Twp 35N, Rge 04W, B M	NEZ PERCE County (Injection)
WAHA LAKE	L18 (SE1/4SE1/4)	Sec. 17,	Twp 35N, Rge 04W, B M	NEZ PERCE County (Rediversion)

PORTION OF RIGHT UNDER THIS LEASE:

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CONDITIONS OF ACCEPTANCE

- 1 A portion of water right referenced above is accepted into the bank and rented by the U S Bureau of Reclamation to meet requirements under the Biological Opinion for the operations of the Lewiston Orchards Project. Water is rented for this purpose from June 1 through October 31, 2006.
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- 3 The leased portions of rights 85-2146, 85-4483, and 85-15424 are limited when combined to a total diversion volume 304 af.
- 4 While a right is in the bank, the owner of the right may not use the right except in accordance with an approved rental agreement. 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.

WATER RIGHT NO. 85-15424
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Dated this 31st day of May, 2006



Chief, Water Allocation Bureau