

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

This is to certify that: JOHN AND/OR KATHRYN SCHORZMAN
2198 E 1400 S
MALTA ID 83342
(208) 645-2284

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 Water Supply Bank ("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 Existing Water Right Record

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
43-13416	AJC/Decreed	10/14/1956	2.08 cfs	416.0 af	104 ac	790 ac	Ground Water
43-13417	AJC/Decreed	10/14/1956	1.64 cfs	328.0 af	82 ac	790 ac	Ground Water

Summary of Water Rights or Portions Leased to the Bank

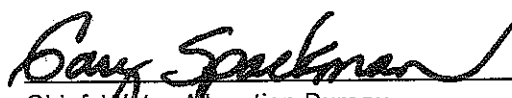
<u>Right</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Total Leased Acres</u>
43-13416	2.08 cfs	416.0 af	104 ac
43-13417	1.64 cfs	328.0 af	82 ac
COMBINED			
LEASE TOTALS	3.72 cfs	744.0 af	186 ac

TERM OF LEASE: From: February 03, 2006 to December 31, 2006

MINIMUM PAYMENT ACCEPTABLE: Current Rental Rate

Detailed Lease Acceptance attached.

Dated this 8TH day of FEBRUARY, 2006



Chief, Water Allocation Bureau

**WATER RIGHT NO. 43-13416
WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Right Holder: JOHN AND/OR KATHRYN SCHORZMAN
2198 E 1400 S
MALTA ID 83342
(208) 645-2284

Priority Date: 10/14/1956

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	2.08 CFS	416.0 AF
	TOTAL: 2.08 CFS			416.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWSW Sec 27 Twp 12S Rge 28E CASSIA County

PLACE OF USE TO BE IDLED UNDER THIS LEASE:

Place of Use

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	28E	27	40.0	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	39.0	39.0	40.0	40.0	40.0	39.0	39.0	634.0
12S	28E	34	39.0	38.0	39.0	40.0													156.0

Total Acres: 790

Acre Limit within Place of Use described: 104 ac

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

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.

**WATER RIGHT NO. 43-13416
WATER SUPPLY BANK LEASE ACCEPTANCE**

- 3 While a right is in the bank, the owner of the right may not use the right 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.

The water right 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 8TH day of FEBRUARY, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13417 **WATER SUPPLY BANK LEASE ACCEPTANCE**

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

Right Holder: JOHN AND/OR KATHRYN SCHORZMAN
 2198 E 1400 S
 MALTA ID 83342
 (208) 645-2284

Priority Date: 10/14/1956

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	1 64 CFS	328 AF
	TOTAL: 1 64 CFS		328 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWSW Sec 27 Twp 12S Rge 28E CASSIA County

PLACE OF USE TO BE IDLED UNDER THIS LEASE:

Place of Use
 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	28E	27	40 0	40 0	40 0	40 0	40 0	39 0	39 0	40 0	40 0	39 0	39 0	40 0	40 0	40 0	39 0	39 0	634 0
12S	28E	34	39 0	38 0	39 0	40 0													156 0

Total AC 790

Acre Limit within Place of Use described: 82 ac

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

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.

WATER RIGHT NO. 43-13417
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Dated this 8TH day of FEBRUARY, 20 06



Chief, Water Allocation Bureau