

APPLICATION FOR PROPOSAL FOR SNAKE RIVER PILOT LEASING PROGRAM 2004

A. GENERAL

- A1. Applicant name(s): ROGER G. YOUNG
- A2. Proposed price per acre: \$ 150⁰⁰ per acre. Note that you will only receive 90% of that rate.
- A3. Number of acres you propose to idle: 164 acres

B. INFORMATION ABOUT THE APPLICANT

- B1. Type of applicant:
☒ Single individual
☐ Joint owners
☐ Partnership
☐ Corporation
☐ Limited liability co.
☐ Irrigation district
☐ Other _____
- B2. Taxpayer identification number, if applicable: SSN 150-24-4419
- B3. Mailing Address: P.O. BOX 430, MOUNTAIN HOME, IDAHO 83647-0430
- B4. Daytime Phone Number: (208) 845-2108 Additional cell phone number: _____ Fax: (208) 845-2108
- B5. E-mail Address: _____
- B6. Do you ☒ own the land that is to be idled?
☐ lease the land that is to be idled?
☐ neither, you only hold the water rights, e.g. irrigation district, canal company.
- B7. If you lease the land that is to be idled, complete the following:
a. Provide a copy of your entire lease.
b. Does your lease provide for authorization to put water into the water bank?
☐ Yes, on page ____ of my lease.
☐ No, but I have separate authorization, which is enclosed.
c. Name and address of the lessor landowner: _____

C. INFORMATION ABOUT THE LAND THAT WILL BE IDLED

- C1. Does each tract of land you are proposing meet the eligibility criteria? ☒ Yes ☐ No
- C2. Were any of the proposed lands leased to the Idaho State Water Supply Bank under a 2003 contract with Reclamation? ☐ Yes ☒ No
2003 CROP STUBBLE & VOLUNTEER WHEAT (1 PIVOT W/END GUN, 2 CORNER)
- C3. Is a cover crop planned for the idled land? ☐ No ☒ Yes, my cover crop will be: GRAIN FOLLOWING 2003 POTATOES (1 PIVOT W/END GUN & 2 CORNER)
- C4. Have you completed and enclosed the attached grid? (See application instructions.) ☒ Yes
- C5. Have you attached an acceptable map with the proposed acres identified? (See application instructions.) ☒ Yes
- C6. Have you enclosed acceptable evidence of irrigation of the proposed lands during the 2003 irrigation season? (See instructions) ☒ Yes

D. INFORMATION FOR EACH WATER RIGHT INCLUDED IN YOUR PROPOSAL E 1/2 S-35 T. 5 S., R. 5 E., B. M.

If you are proposing to lease more than one water right, copy this section and fill out a separate page for each water right.

- D1. Water Right Number: 31808 NOW A02-02298
- D2. What is the basis of the water right? ☐ permit ☒ license ☐ decree
- D3. Have you attached a copy of the permit, license, or decree? ☒ Yes
- D4. Has a claim been made for the water right in the Snake River Basin Adjudication (SRBA)? ☒ Yes Attach a copy of this SRBA claim.
- D5. Priority date of the water right: 04-01-1964
- D6. (a) What is the total number of acres described in the place of use for irrigation under this water right? 317 acres
- (b) Does this right have a permissible place of use? ☒ Yes ☐ No
- D7. Is the number of acres authorized for irrigation under this right limited within the place of use in a single irrigation season?
- ☒ Yes, it is limited to 317 acres.
- ☐ No
- D8. Are any other water rights appurtenant to the proposed lands that are not included in this proposal?
- ☐ Yes, the other water rights are: _____
- ☒ No
- D9. How many acres authorized under this water right were irrigated during the 2003 season? 104 acres
- D10. Were any acres under this water right leased to the Idaho Water Supply Bank under a 2003 Contract with Reclamation?
- ☐ Yes, _____ acres.
- ☒ No
- D11. Do you propose to enter only a portion of the water right into the Program? ☒ Yes ☐ No
- D12. If so, how many acres authorized under this water right will still be irrigated during the 2004 irrigation season if your proposal is accepted into the Program? 98 acres

D. INFORMATION FOR EACH WATER RIGHT INCLUDED IN YOUR PROPOSAL

W $\frac{1}{2}$ S-36 T. 5 S., R. 5 E., B.M.

If you are proposing to lease more than one water right, copy this section and fill out a separate page for each water right.

- D1. Water Right Number: 32458 NOW A02-02376
- D2. What is the basis of the water right? ☐ permit ☒ license ☐ decree
- D3. Have you attached a copy of the permit, license, or decree? ☒ Yes
- D4. Has a claim been made for the water right in the Snake River Basin Adjudication (SRBA)? ☒ Yes Attach a copy of this SRBA claim.
- D5. Priority date of the water right: 07-26-1965
- D6. (a) What is the total number of acres described in the place of use for irrigation under this water right? 317 acres
- (b) Does this right have a permissible place of use? ☒ Yes ☐ No
- D7. Is the number of acres authorized for irrigation under this right limited within the place of use in a single irrigation season?
- ☒ Yes, it is limited to 317 acres.
- ☐ No
- D8. Are any other water rights appurtenant to the proposed lands that are not included in this proposal?
- ☐ Yes, the other water rights are: _____
- ☒ No
- D9. How many acres authorized **under this water right** were irrigated during the 2003 season? 196 acres
- D10. Were any acres under this water right leased to the Idaho Water Supply Bank under a 2003 Contract with Reclamation?
- ☐ Yes, _____ acres.
- ☒ No
- D11. Do you propose to enter only a portion of the water right into the Program? ☒ Yes ☐ No
- D12. If so, how many acres authorized under this water right will still be irrigated during the 2004 irrigation season if your proposal is accepted into the Program? 125 acres

E. INFORMATION ABOUT OVERALL IRRIGATION PRACTICES

Answer E1 & E2 if you are a landholder, i.e. you own or lease land that was or will be irrigated, or you are a part owner of an entity that owns or leases land that was or will be irrigated.

- E1. (a) If you are a landholder, how many acres did you irrigate in 2003, at any location from any water rights from, or tributary to, the Snake River? 310 acres
- (b) If you were a part owner of one or more entities that leased or owned land, how many acres did each entity irrigate in 2003, at any location from any water rights from, or tributary to, the Snake River? _____ acres
- E2. (a) How many acres do you intend to irrigate in 2004, at any location from any and all water sources from, or tributary to, the Snake River if your proposed acres are accepted? 264 acres NOTE - IF NOT ACCEPTED I PLAN TO IRRIGATE 428 TO 468 ACRES.
- (b) If you are a part owner of one or more entities that holds land and intends to irrigate in 2004, at any location from any and all water sources from, or tributary to, the Snake River if your proposed acres are accepted? _____ acres

Answer E3 if you are completing this application on behalf of an irrigation district or canal company or similar entity.

- E3. Submit the following information for each landholder who is proposing to idle land under this application:

- (a) Name: _____
- (b) Number of acres the landholder proposes to idle: _____ acres
- (c) Number of acres the landholder (either by him/herself, or as part of another entity, such as a partnership or limited liability company) irrigated in 2003 from any and all water sources from, or tributary to, the Snake River in any location: _____ acres
- (d) Number of acres the landholder (either by him/herself, or as part of another entity) plans to irrigate in 2004: _____ acres

SIGNATURES

By signing below, you certify that the information included in this proposal is accurate and true to the best of your knowledge.

NOTE: To support your proposal, you may be asked to provide additional information. We will notify the applicant shown above if additional information is necessary.

Roger G. Young
Applicant's Signature
ROGER G. YOUNG
Printed Name

Applicant's Signature

Printed Name

Applicant's Signature

Printed Name

Applicant's Signature

Printed Name

Applicant's Signature

Printed Name

01-09-2004
Date

Office held (if entity)

Date

Office held (if entity)

Date

Office held (if entity)

Date

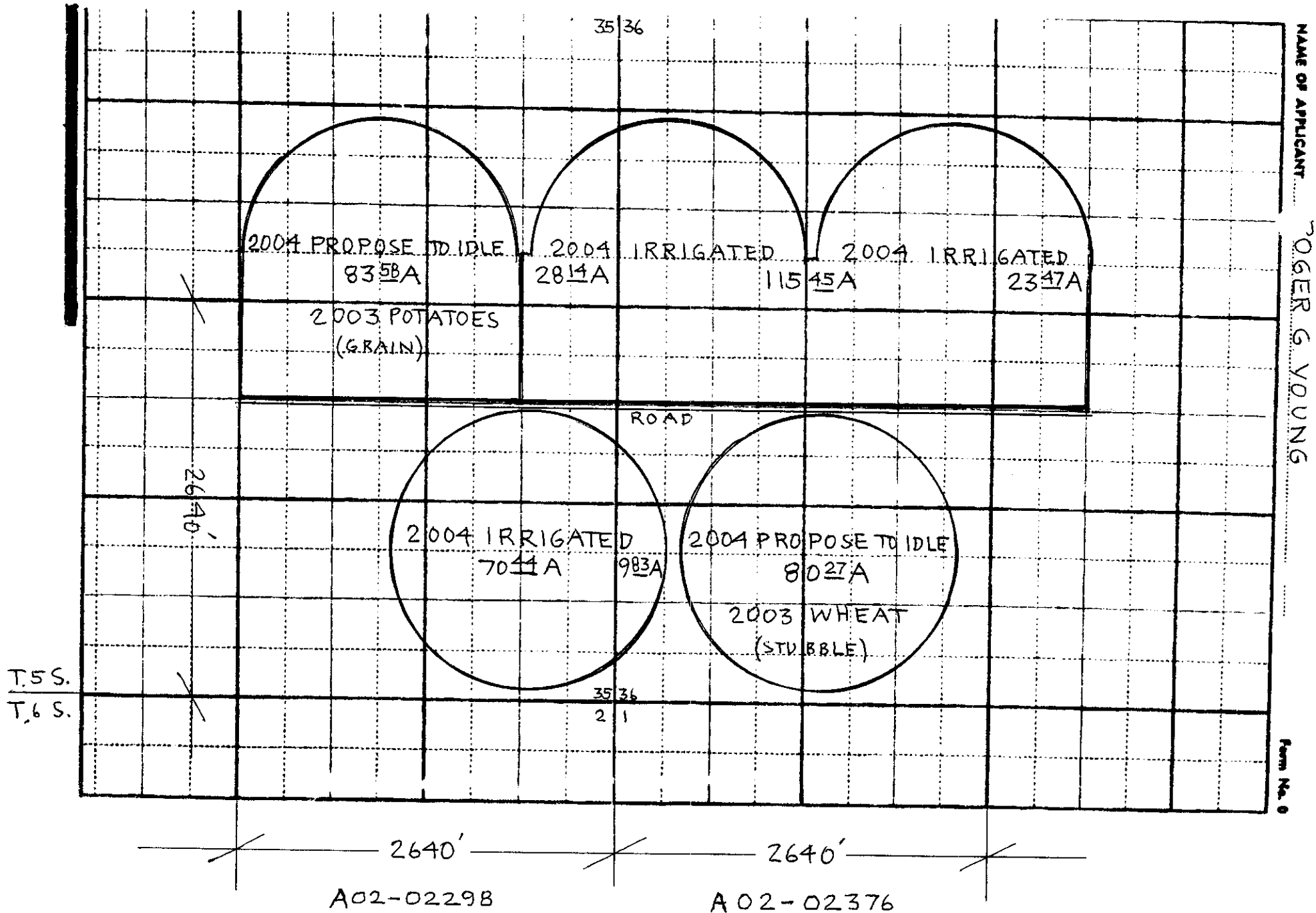
Office held (if entity)

Date

Office held (if entity)

↑ NORTH

T. 5 S., R. 5 S., B. M.



URE 1 - COMMON IRRIGATION SYSTEM & LAND SERVED

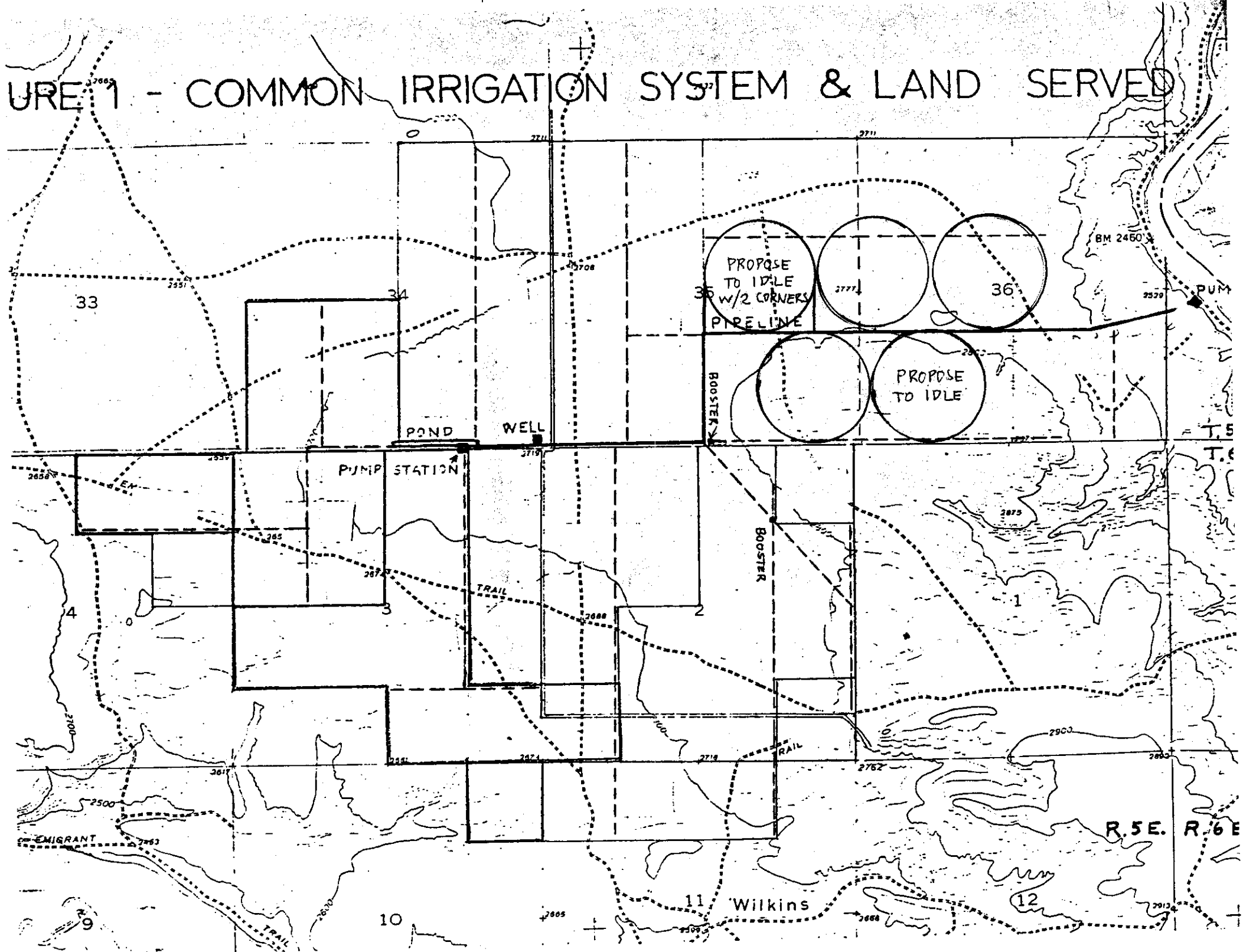
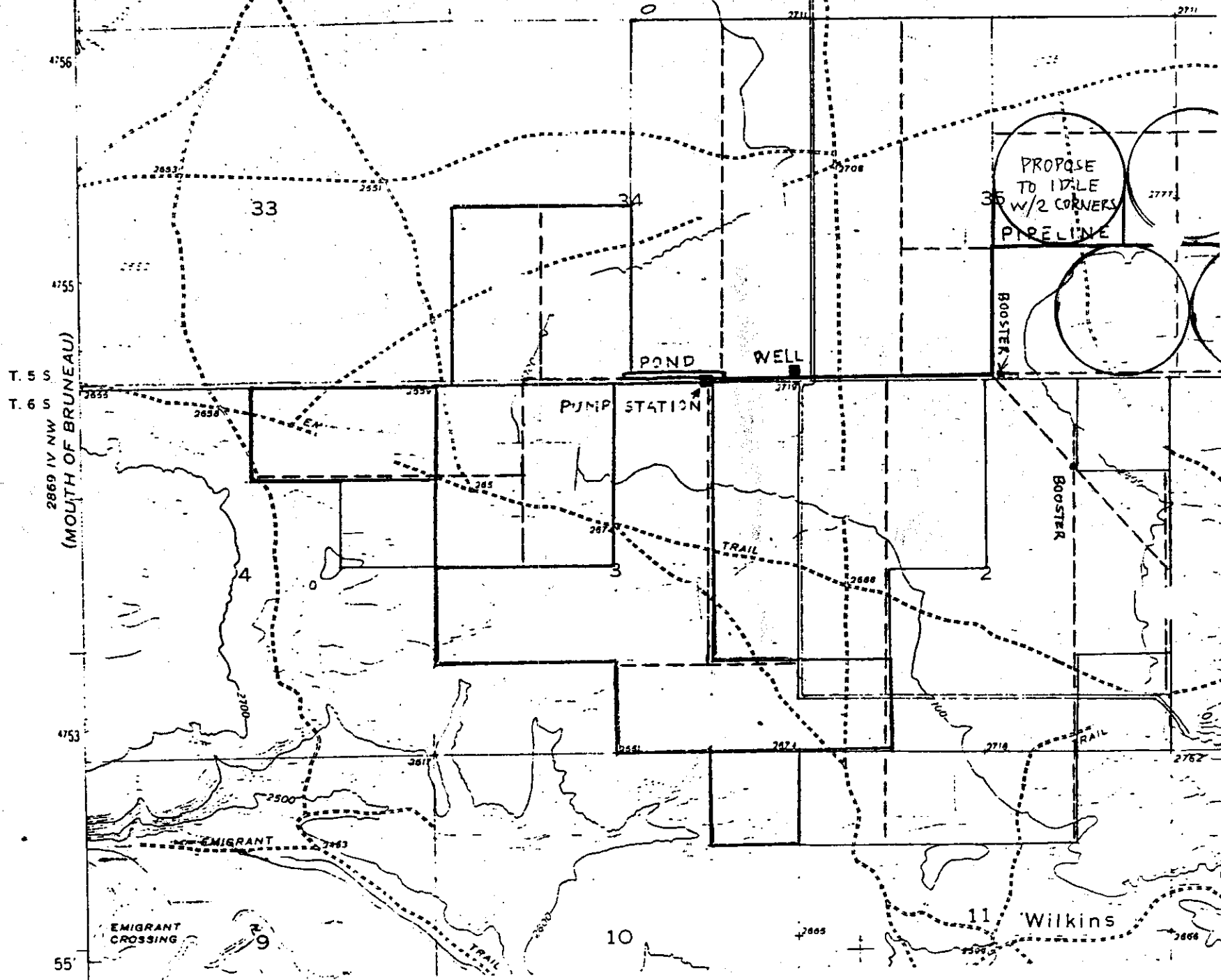


FIGURE 1 - COMMON IRRIGATION SYSTEM & L



RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: M001988

Date: 11/28/88
Time: 16:18:03

Received
From: YOUNG, ROGER G.

Type of Payment	Program A cct	Amount
ADJUDICATION FEE	0410162 9337 6490	\$1,061.00
Total		\$1,061.00

CHECK 2448

WR/NO: A02-02296 A02-02376 A02-07182 A02-07222 A51-10041

Idaho Department of Water Resources

Region:

Signature:



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A02-02298
Date Received: 11/28/1988
Receipt No: M001988
Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROGER G. YOUNG
Address: P. O. BOX 430
MOUNTAIN HOME, ID 83647
208-845-2108

2. Date of Priority: APR 01, 1964

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	06E	31	NW	SW		6	OWYHEE

5. Description of diverting works:
PUMP AND PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	12/01	5.830		1585.00

7. Total Quantity Appropriated is:
5.830 C.F.S. (and/or) 1585.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	05E	35	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres.
05S	05E	35	NE		SE		IRR	39.0
			NW		SE		IRR	39.0
			SW		SE		IRR	39.0
			SE		SE		IRR	40.0
							Section Acres	317.0
							Total Acres	317.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 31808

to said application; that the proposed works were completed on or about June 10, 1969, with a storage/or carrying capacity of 36.88 c.f.s., said works consisting of pumps, motors, and sprinkler system; and that on June 10, 1969, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1585 acre feet per season, with a maximum rate of diversion of 5.83 cubic feet per second of the waters of SNAKE RIVER, tributary of COLUMBIA RIVER, for the purpose of Irrigation from MARCH 1 to DECEMBER 1; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in Lot 6 (NW 1/4 SW 1/4) Sec. 31, T. 5 S., R. 6 E., B.M., and other additional points, in the County of Owyhee; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 1585 acre feet per year.

Description and location of place of use:

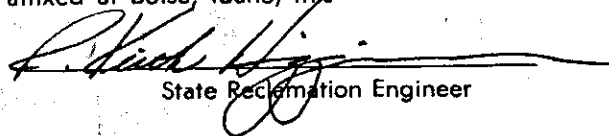
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 S	5 E	35	40	40	40	40									39	39	39	40	317

Total number of acres irrigated 317

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

15th day of September, 19 69.


State Reclamation Engineer

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A02-02376
Date Received: 11/28/1988
Receipt No: M001988
Received By: AS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROGER G. YOUNG 208-845-2108
Address: P.O. BOX 430
MOUNTAIN HOME, ID 83647

2. Date of Priority: JUL 26, 1965

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	06E	31		NW	SW		OWYHEE

5. Description of diverting works:
PUMP AND PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	12/01	5.660		1540.00

7. Total Quantity Appropriated is:
5.660 C.F.S. (and/or) 1540.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	05E	36	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	05E	36	NE	SW		IRR	38.0 2.9
			NW	SW		IRR	39.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	317.0
						Total Acres	317.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 32458

WATER LICENSE

THIS IS TO CERTIFY, that ROGER G. YOUNG

Description and location of place of use:

[illegible]

with a storage/or carrying capacity of 36.88 c.f.s., said works consisting of _____
pumps, motors, and sprinkler system; and that on line 10, 1969,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1540
acre feet per season, with a maximum rate of diversion of 5.66 cubic feet per second of the waters
of SNAKE RIVER, tributary of Columbia River,
for the purpose of Irrigation from March 1 to December 1;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in Lot 6 (NW 1/4 SW 1/4) Sec. 31, T. 5 S, R. 6 E, B.M., and
other additional points _____, in the County of
Owyhee; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 1540 acre feet per year.

Description and location of place of use:

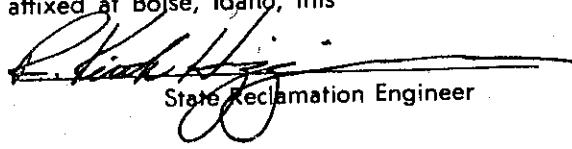
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 S	5 E	36					40	40	40	40	29	39	40	40					308

Total number of acres irrigated 308

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

15th day of September, 19 69.


State Reclamation Engineer

MCN MAT

FULLY IRRIGATED ACREAGE

PUMP POWER - FULLY IRRIGATED ACREAGE
OPERATING & MAINTENANCE EXPENSE
SPECIAL EXPENSES - WELL POWER
DUE ON 2003 ASSESSMENT NO. 6
PAYMENTS (ACCUMULATED)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

434

問

10-12-03

ENDING BALANCE

PAYEE'S CHECK

EDWARD POWER COMPANY Power Station 19-29;
Pumps \$20,480.95; Over 240 (19-29), Well
\$202.15)

100

156-253

100

222

[illegible]

257/4, 232
256/5, 232
257/1, 232

\$33.07/\$	32.64
\$24.90/\$	24.58
\$4.14/\$	4.58
\$35.60/\$	38.00
\$11.82/\$	132.12



ROGER C YOUNG
PO BOX 430
MOUNTAIN HOME ID 83647-0430

8 3 6 6 3 2 5

331

DATE NOVEMBER 08, 2003

07-568/1012

PAY TO THE
ORDER OF

BRUNEAU ARM IRRIGATION

\$ 3,663. 5

THREE THOUSAND SIX HUNDRED SIXTY THREE 25/100
Payable Through UMB Warren, MO

DOLLARS Security features included. Details on lock.

AMERICAN CENTURY
PRIME MONEY MARKET

MEMO ASSESSMENT NO. 7

Roger J Young

15101205681:4921009365193210331 100003663251

United States Department of the Interior
Bureau of Reclamation

RECEIVED

JUN 25 2004

DEPARTMENT OF WATER RESOURCES

Water Rental and Forbearance Agreement

With **Roger Young**
(Lessor's name)

Reclamation agreement number **#1425-04-WL-10-00014**

This Agreement is entered into pursuant to the Reclamation Act of 1902, as amended and supplemented, for the purpose of meeting commitments of the Bureau of Reclamation (Reclamation) under the Biological Opinions on the Operation of the Federal Columbia River Power System and the operation and maintenance of Reclamation Projects in the Snake River Basin above Brownlee Dam. This Agreement is by and between the United States of America, acting by and through the Department of the Interior, Bureau of Reclamation, represented by the officer executing this instrument on its behalf and Roger Young, hereafter known as the Lessor.

RECITALS

- A. WHEREAS, Reclamation has commitments under Biological Opinions on the operation of the Federal Columbia River Power System and the operation and maintenance of Reclamation Projects in the Snake River Basin above Brownlee Dam to provide flow augmentation for delivery at Lower Granite Dam.
- B. WHEREAS, The Idaho Legislature authorized Reclamation to annually rent up to 427,000 acre-feet of storage water per year during the years 2002-2004 under the provisions of Idaho Code § 42-1763B.
- C. WHEREAS, In 2003, there was insufficient storage water available for rental by Reclamation to meet the 427,000 acre-feet rental target. Therefore, Reclamation conducted a pilot leasing program under which water right holders submitted proposals to idle land and place their water rights in the State Water Supply Bank, thereby increasing water flow downstream to Lower Granite Dam. Rules governing the Idaho State Water Supply Bank, IDAPA 37.02.03, provide that rentals shall be approved only for use in Idaho unless there is compliance with the provisions of Idaho Code § 42-401(3). In order to avoid the complexities of Reclamation seeking approval for out-of-state use, the water was rented by the Idaho Power Company and used for hydropower generation in Idaho with the result that additional water flowed to Lower Granite Dam for flow augmentation.
- D. WHEREAS, Similar to 2003, it is expected that insufficient storage water will be available this year for rental by Reclamation. Therefore, Reclamation is conducting another similar pilot program (Program). Under this Program, water right holders will forego irrigation of land and place their water right into the Idaho State Water Supply Bank. As a practical way of ensuring that Reclamation receives additional water, over and above the water flows that would otherwise be available, a qualification was added requiring that the land to which the water right is appurtenant was either irrigated last year or was in Reclamation's 2003

program explained in Recital C above. Again, it is intended for Idaho Power to rent the water from the State Water Supply Bank.

- E. Reclamation advertised a request for proposals to the public. In response, the Lessor submitted a proposal for participation in the Program. The proposal shows that the Lessor has a right to use water for irrigation purposes and absent this Program was intending to irrigate with the water proposed for the Program. Therefore, placing the Lessor's water in the Water Bank during 2004 will result in additional water in the Snake River at Lower Granite Dam, Oregon. This additional water will be counted towards Reclamation's obligation to provide 427,000 acre-feet of water at Lower Granite Dam.

AGREEMENT

NOW THEREFORE, in consideration of the mutual and dependent covenants herein contained, the parties agree as follows:

I. Land Accepted into the Program

- A. The total number of acres accepted into the Program is 390.4 acres. The land, hereinafter referred to as the Land, accepted into the Program is identified as "LL" on the map(s) included in Attachment A. This is the maximum number of acres eligible for payment under this Agreement. Reclamation recognizes the following conditions may exist: 1) additional acres may have been proposed in the Lessor's application, 2) the Lessor may have a right to irrigate additional acres, 3) the Lessor may intend to irrigate additional acres in 2004 and is willing to idle those acres, and 4) the Lessor may submit an application to the State Water Supply Bank to lease water rights appurtenant to acres other than the acres identified in this Agreement. Notwithstanding any of the conditions stated above or any other conditions, under this "willing seller, willing buyer" Agreement, the number of acres covered by the Agreement is limited to the number and location stated in this section I.A. of the Agreement.
- B. If it is determined after the execution of this Agreement that certain acres are not eligible for the Program because of a mistake, error, or misrepresentation in the Lessor's application, the land covered under this Program will be reduced accordingly.
- C. The Land may not be irrigated from any source, regardless of whether there is another valid water right appurtenant to the Land. Water authorized to be diverted under water rights, or portions of water rights, leased to the Water Supply Bank may not be applied to lands that are not identified in this Agreement. The Lessor may not water the Land for any reason; for example, testing equipment, irrigating a cover crop, or dust abatement.
- D. IDWR intends to monitor the Lessor's idled lands. The monitoring will include field visits, and the collection and analysis of satellite data and related pump and flow measurements collected at IDWR's discretion. The Lessor agrees to allow the collection of data and access for field visits.

II. Water Rights Appurtenant to the Leased Land

- A. The Lessor agrees that this Agreement shall be submitted to the Idaho State Water Supply Bank as an application to lease water to the bank, and that the Lessor is offering the water rights described in Attachment A to the bank by signing this Agreement. The Lessor agrees that any additional information or requirement IDWR may require to process or accept the application shall be furnished promptly to IDWR, including but not limited to, the submission of a separate application form if required. Failure to comply with IDWR requests for information or other requirements is cause for termination of this agreement.
- B. All rentals of the Lessor's water rights out of the water bank shall be subject to Reclamation's approval.
- C. With respect to the water rights covered by this Agreement, the Lessor warrants that the Lessor has the right, title, and interest necessary to enter into this Agreement; and that there are no agreements, leases, licenses, liens or encumbrances which would prohibit the Lessor from placing the Lessor's water rights into the Idaho State Water Bank; and that to the extent necessary, the Lessor has obtained any consent or approval necessary to authorize the execution of this contract.
- D. The Lessor shall immediately notify Reclamation if there are any changes in ownership, or any encumbrances or liens placed upon, any of the real property or water rights covered by this contract during the term of the Agreement.

III. Payment

- A. By signing this Agreement the Lessor offers to the Idaho State Water Supply Bank the water rights described above for a total lease price of \$ 58,560⁰⁰. This amount is based on \$ 150⁰⁰ per acre of land idled. The Lessor understands that the amount the Lessor will receive from the Idaho State Water Supply Bank is 90% of the total lease price. Ten percent will be retained by IDWR for administrative costs of operating the Water Supply Bank, pursuant to the Water Supply Bank Rules.
- B. Payment as shown in section III.A above is based upon a dollar amount per acre of land idled, regardless of the diversion rate or maximum diversion volume allowed under the water right, the historical diversion rate or consumptive use under the water right, or the diversion rate or diversion volume approved for lease by IDWR.
- C. Pursuant to the Water Supply Bank Rules, IDAPA 37.02.03, after the water rights are leased, payment is to be made by the Water Supply Bank to the Lessor. Lessor agrees to accept the following intended plan for payment by IDWR: One half of the estimated payment will be made on or about July 30, 2004, and the remainder will be paid after the irrigation season ends and final verification of program compliance is complete. Reclamation will enter into a separate contract with IDWR to make payment to the Water Supply Bank for this purpose.

IV. **Term, Termination of Agreement and Remedies**

- A. The Agreement shall become effective on the date of the last signature hereto and shall extend through December 31, 2004.
- B. At Reclamation's discretion, this Agreement may be terminated upon:
- (1) Failure of the Lessor to abide by the terms and conditions of this Agreement;
 - (2) Refusal of the Lessor to allow Reclamation or IDWR access to the Land to monitor compliance with the Agreement;
 - (3) Application of water by the Lessor to the Land during the period of this Agreement, except in emergency situations where the application of water is required for public safety reasons;
 - (4) Discovery of fraudulent information submitted in the Lessor's Application.
- C. If this Agreement is terminated for any other reason prior to its ending date, the Lessor shall reimburse Reclamation for a prorated portion of the amount stated in Section III.A of this Agreement, as determined by Reclamation.

V. **Miscellaneous**

- A. The Landowner or Lessor is responsible for all taxes, assessments, soil conservation measures such as weed and erosion control and other obligations related to any of the Land covered by this Agreement.
- B. The Landowner will indemnify and hold harmless Reclamation from any loss or damage and from any liability on account of personal injury, property damage, or claims for personal injury or death, or property damage of any nature caused by the Landowner or any person, firm or corporation acting on the Landowner's behalf related to or arising out this Agreement.

C. **Water Right Ownership**

This Agreement shall not be used as evidence of ownership of water rights in the Snake River Basin Adjudication.

D. **Officials Not to Benefit**

No member of or delegate to Congress or the Resident Commissioner shall be admitted to any share or part of this Agreement or to any benefit to arise therefrom, but this restriction shall not be construed to extend to this Agreement if made with a corporation or company for its general benefit.

E. **Covenant Against Contingent Fees**

The Lessor warrants that no person or agency has been employed or retained to solicit or secure this Agreement upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee except bona fide employees and bona fide commercial agencies maintained by the Lessor for the purpose of securing business. For breach or violation of this warranty, Reclamation shall have the right to revoke this Agreement without liability or in its discretion to require the Lessor to pay the full amount of such commission, percentage, brokerage, or contingency fee to the United States.

Signatures

Print name(s): ROGER G YOUNG

Mailing address: P.O. BOX 430
MOUNTAIN HOME, IDAHO 83647-0430

Phone: (208) 845-2108

Signed Roger G Young

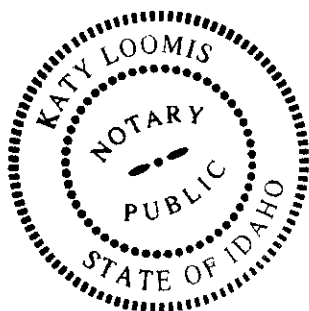
Signed _____

Title: FARM OWNER

Date: APRIL 02, 2004

On this 2nd day of April, 2004, before me the undersigned Notary Public in and for said county and state, personally appeared Roger G. Young, known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first written.



Katy Loomis
Notary Public in and for Idaho
Residing at; Ada County
Commission Expires: 10/17/2009

For the Bureau of Reclamation

Agreement # 1425-04-WL-10-00014

Signature: _____

Kenneth R. Pedde
Regional Director, Pacific Northwest Region

Date: _____

4/16/04

State of Idaho

County of Ada

On this 16th day of April 2004, before me the undersigned Notary Public in and for said county and state, personally appeared Kenneth R. Pedde, known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he/she executed the same.

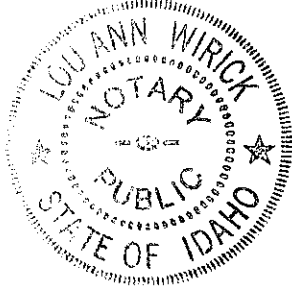
In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first written.

Lou Ann Wirick

Notary Public in and for Idaho

Residing at; _____

Commission Expires: Oct 22, 2008



Water Right Numbers for lands in 2004 Snake River Pilot Leasing Program.
02-7182, 02-2376, 02-2298

Legal Description of Lands Approved for 2004 Snake River Pilot Leasing Program.

TWN	RGE	SEC	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
5S	5E	35			37.6	33									35.6	22.5	6.8	37.9
		36			13.5			0.5	36.6	32.0	29	34.5	33.5	29.0		8.4		

Applicant initials RY Applicant initials _____ Applicant initials _____ Applicant initials _____

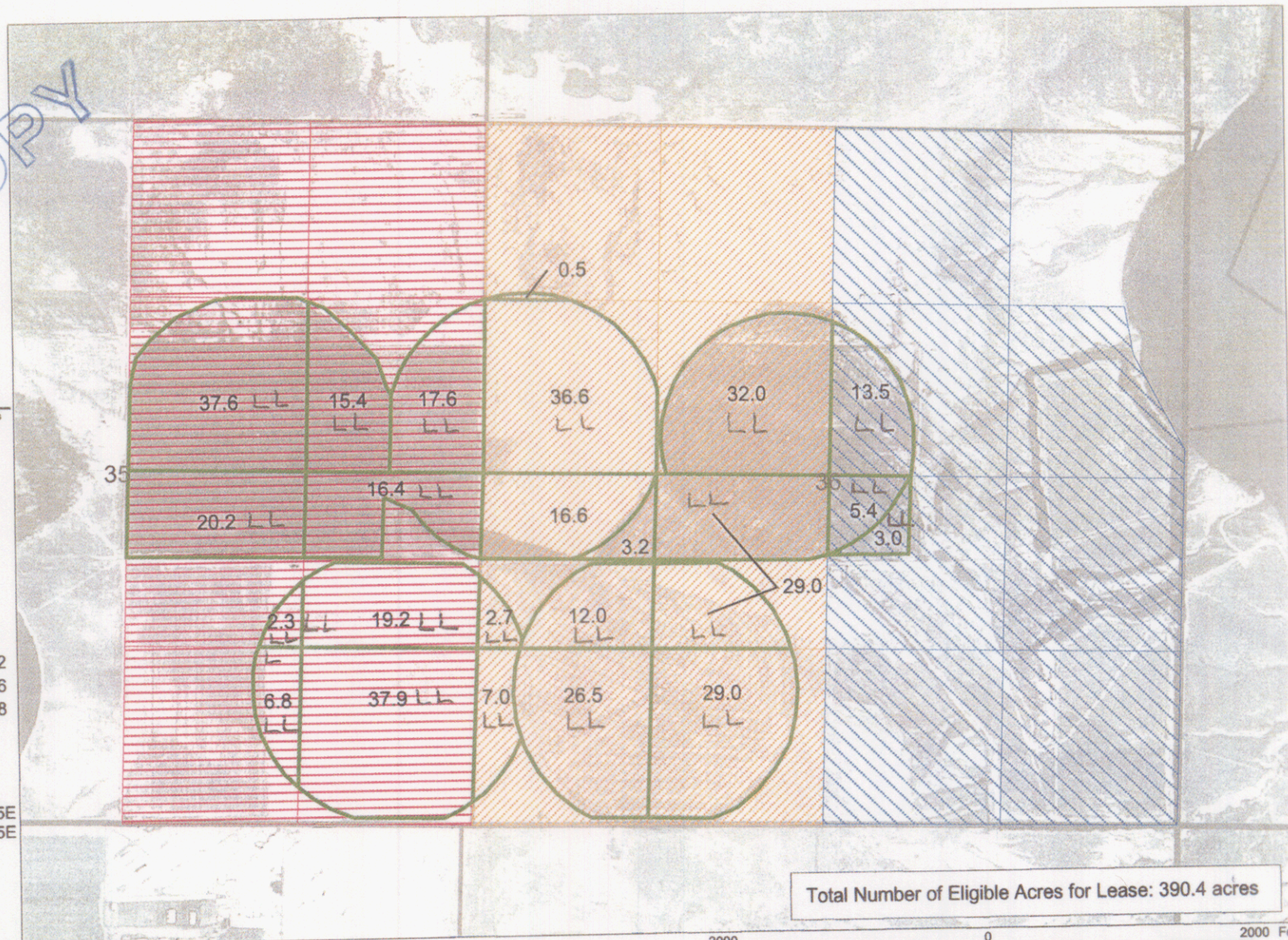


Prepared by: M. Wilkins
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83709
(208) 327-7900

Water right boundaries identify the quarter quarters within the licensed or permitted place of use, but do not represent the number of acres authorized.

- ELIGIBLE
- INELIGIBLE
- QUESTIONABLE
- Water Right 2-7182
- Water Right 2-2376
- Water Right 2-2298
- Township/Range
- Section Lines
- Quarter/Quarter

T05S R05E
T06S R05E



Applicant Signature

Date

USBOR Signature

Date

Roger G. Young

**2004 Snake River Pilot Leasing Program
Rental of Water from the Water Supply Bank**

Prepared: April 1, 2004