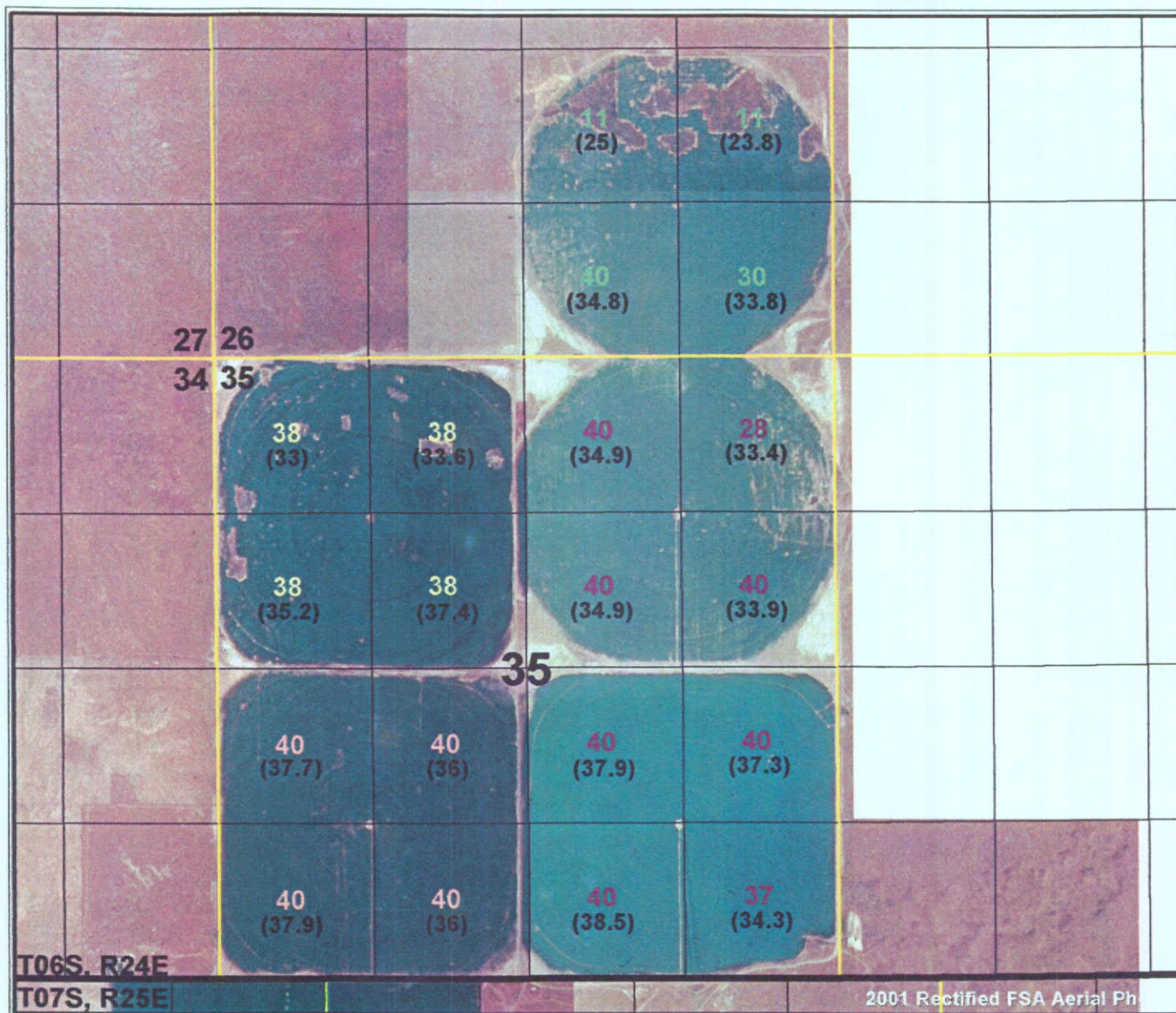


SECTION 35 FARM ROD AND JOE FARMS



 Section 35 Farm (approximate)

 Section Lines

 Quarter Section Lines

 Point of Diversion for Water Right
36-2190A, 36-2122B, 36-2123,
36-2124, and 36-7193

(40) Current Irrigation

 **Water Right 36-2190A: 1.52 CFS, 608 AFA, 4.5 gpm/ac, 2/25/1953**
Acres to be Irrigated = 152 ac.
Acres Currently Irrigated = 139.2 ac.

 **Water Right 36-2122B: 1.28 CFS, 368 AFA, 6.26 gpm/ac, 6/7/1951**
Acres to be Irrigated = 92 ac.
Acres Currently Irrigated = 117.4 ac.

 **Water Right 36-2124: 6.1 CFS, 1220 AFA, 9 gpm/ac, 6/7/1951**
Acres to be Irrigated = 305 ac.
Acres Currently Irrigated = 285.1 ac.

 **Water Right 36-2123: 2.72 CFS, 7.65 gpm/ac, 6/7/1951**
Water Right 36-7193: 0.28 CFS, 0.79 gpm/ac, 6/29/1971

(Use of these water rights are limited to a total combined
annual diversion volume of 640 AFA, and the irrigation of a
combined total of 160 acres in a single irrigation season.)

Total Acreage to be Irrigated = 709 ac.
Total Acreage Currently Irrigated = 689.3 ac.



MICROFILMED
JUL 15 2003

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 24 2003

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Department of Water Resources
Southern Region

Name of Seller/Lessor Rodney A. Jentzsch & Shirley S. Jentzsch / Joseph Kearl & Melynda Kearl

Phone 208-532-4119 Post office address 480 East 1500 North, Rupert, Idaho 83350

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

a. Decree No. 36-2123 Decreed to Above (Name)

in case of SRBA vs _____

dated _____ in _____ county of _____
(Name of Court)

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Permit No. _____ issued by the Idaho Department of Water Resources.

2. Source of water Groundwater tributary to _____

3. Date of priority 6/7/1951

4. Water is used for the following purposes:

Amount 2.72 cfs for Irrigation purposes from 3/15 to 11/15

Amount _____ for _____ purposes from _____ to _____

Amount _____ for _____ purposes from _____ to _____

5. Total amount of water under right: a. 2.72 cubic acre per second

& / or

b. 640.0 acre-feet per annum

6. Total amount of water under right is SE 3 of SW 3 of Section 26 Township 6 S

Range 24 E, B.M. in Minidoka County

Additional points of diversion, if any NWSE Section 26, SWSENE Section 35, SWNESW Section 35

SWNESE Section 35, T. 6S. R 24 E.

MICROFILMED
JUL 15 2003

7. Lands irrigated or place of use:

TWP	RGE	SEC	N.E.				N.W.				S.W.				S.E.				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	24E	35									40	40	40	40					160

Total number of acres to be irrigated 160

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit Part B.)

- Amount of water under right: a. 0.82 cubic feet per second
& / or
b. 48.0 acre-feet per annum
- Point of diversion SE 3 of SW 3 of Section 26 Township 6S Range 24E
B.M. in Minidoka County
Additional points See Above

3. Place of use:

TWP	RGE	SEC	N.E.				N.W.				S.W.				S.E.				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	24E	35									4	2	2	4					12

Total number of acres to be irrigated 12

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JUN 15 2003

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEROF, FOR SALE OR LEASE

1. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

Purchase

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture.

Right has been used as indicated on attached aerial photo. Right was decreed in the SRBA in 2002 and was therefore protected from forfeiture until this point in time.

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

Land is served by a deep well which supplies adequate discharge for irrigation. A 2001 water measurement report is attached.

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

36-7193 overlaps this right. Land to be placed in the bank represents center pivot corners and will not be irrigated.

5. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

6. If the right to use the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

7. If the right is included in an ongoing adjudication, a copy of the claim of the claim must be provided with this application. N/A

8. If applicable, map(s) attached.

MICROFILMED
JUN 5 2003

9. Remarks: _____

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:
- _____ For Sale
- _____ XXX For Lease for period from 2003 to 2003
(Year) (Year)
- _____ As a gift to the State of Idaho
2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)
- _____

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:
- _____ XXX Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

3-21-03
(Date)

Rodney J. Smith
(Signature of Applicant)

FOR DEPARTMENT USE ONLY

Received by WJ Date 4-24-03 Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

MICROFILMED

APR 25 2003

9. Remarks: _____

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For Sale
XXX For Lease for period from 2003 to 2003
(Year) (Year)
_____ As a gift to the State of Idaho

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

XXX Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

3-24-03
(Date)

Shirley Ventzal
(Signature of Applicant)

FOR DEPARTMENT USE ONLY

Received by WJ Date 4-24-03 Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

MICROFILMED

111 15 2003⁴

9. Remarks: _____

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For Sale
XXX For Lease for period from 2003 to 2003
(Year) (Year)
_____ As a gift to the State of Idaho

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

XXX Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

3-21-03
(Date)

Joseph Kearl
(Signature of Applicant)

FOR DEPARTMENT USE ONLY

Received by *WZ* Date 4-24-03 Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

MICROFILMED

1111 15 2003 4

9. Remarks: _____

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:
- _____ For Sale
- _____ XXX For Lease for period from 2003 to 2003
(Year) (Year)
- _____ As a gift to the State of Idaho
2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)
- _____

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:
- _____ XXX Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

3-21-03
(Date)

Melinda Kears
(Signature of Applicant)

FOR DEPARTMENT USE ONLY

Received by WZ Date 4-24-03 Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

MICROFILMED 4
JUN 15 2003

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

03/17/2003

WATER RIGHT NO. 36-2123

Owner Type	Name and Address
Current Owner	RODNEY A JENTZSCH
Current Owner	SHIRLEY S JENTZSCH
Current Owner	JOSEPH KEARL
Current Owner	MELYNDA KEARL
	RT 3 BOX 3256
	RUPERT, ID 83350
	(208)436-1226
Directors Report Owner	ACEQUIA INC
	C/O JAMES P SPECK
	PO BOX 987
	KETCHUM, ID 83340
Attorney	JAMES P SPECK
	SPECK & AANESTAD
	PO BOX 987
	KETCHUM, ID 83340

Priority Date: 06/07/1951

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	2.72 CFS	
Total Diversion			2.72 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESW	Sec. 26	Township 06S	Range 24E	MINIDOKA County
GROUND WATER	NWSE	Sec. 26	Township 06S	Range 24E	MINIDOKA County
GROUND WATER	NWSENE	Sec. 35	Township 06S	Range 24E	MINIDOKA County
GROUND WATER	SWNESW	Sec. 35	Township 06S	Range 24E	MINIDOKA County
GROUND WATER	SWNESE	Sec. 35	Township 06S	Range 24E	MINIDOKA County

FILED
MAR 15 2003

Place(s) of use:

Place of Use Legal Description: IRRIGATION MINIDOKA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06S	24E	35		NESW	40		NWSW	40		SWSW	40		SESW	40

Total Acres: 160

Conditions of Approval:

1.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2.	C03	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1.	Quantity	USE OF THIS RIGHT WITH RIGHT NO. 36-07193 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 640.0 AF.
2.	Place of Use - Irrigation	USE OF THIS RIGHT WITH RIGHT NO. 36-07193 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 160.0 ACRES IN A SINGLE IRRIGATION SEASON.
3.	Explanatory	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 36-02122B, 36-02124, 36-02190, AND 36-07193.

Dates:

Licensed Date:

Decreed Date: 08/27/2001

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 160

Combined Volume Limit: 640

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

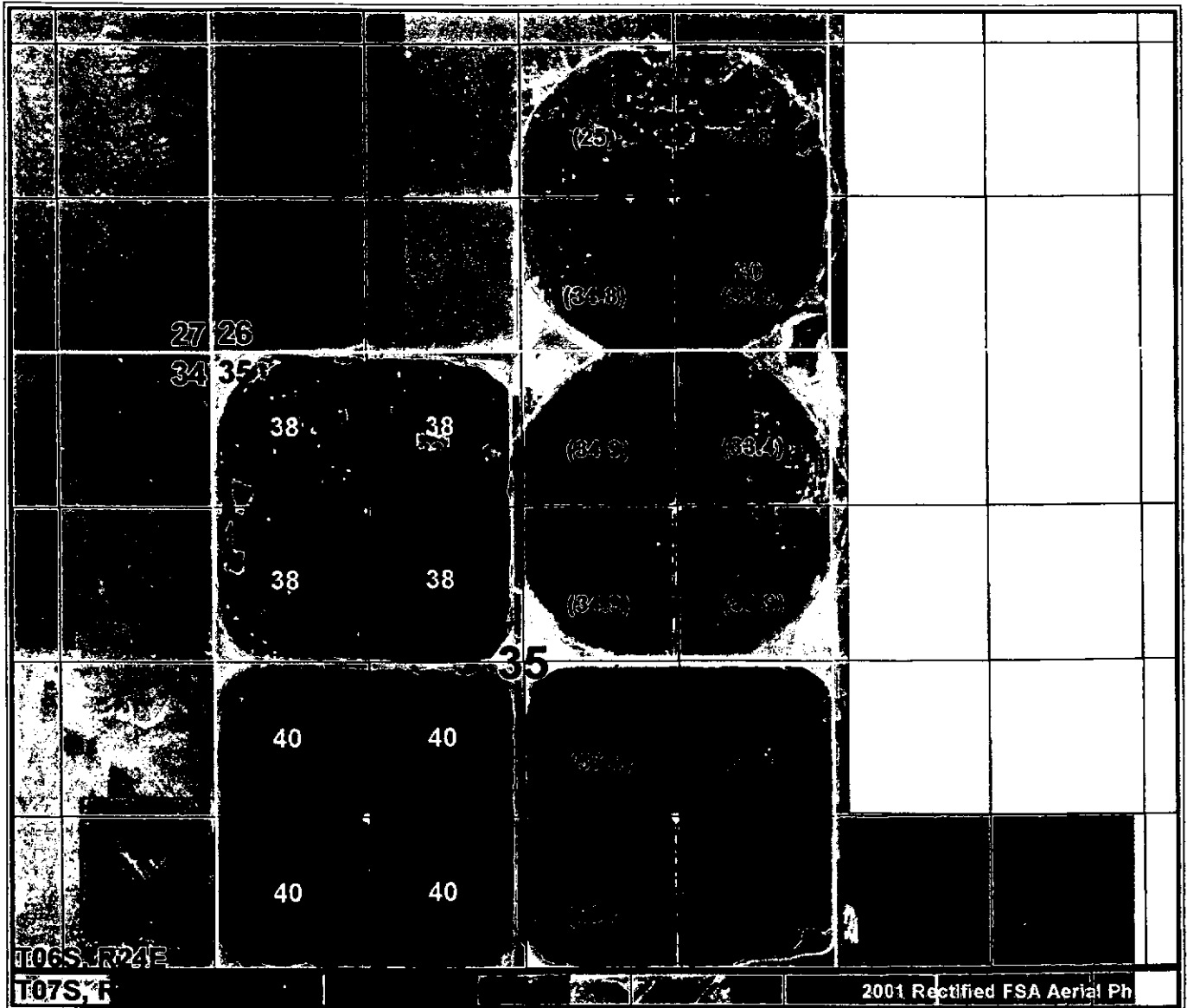
Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

MICROFILMED
JUL 15 2003

SECTION 35 FARM ROD AND JOE FARMS



1000 0 1000 2000 3000 4000 Feet



Section 35 Farm (approximate)

Section Lines



Quarter Section Lines



Point of Diversion for Water Right
36-2190A, 36-2122B, 36-2123,
36-2124, and 36-7193

(40)

Current Irrigation

Water Right 36-2190A: 1.52 CFS, 608 AFA, 4.5 gpm/ac, 2/25/1953

Acres to be Irrigated = 152 ac.

Acres Currently Irrigated = 139.2 ac.

Water Right 36-2122B: 1.28 CFS, 368 AFA, 6.26 gpm/ac, 6/7/1951

Acres to be Irrigated = 92 ac.

Acres Currently Irrigated = 117.4 ac.

Water Right 36-2124: 6.1 CFS, 1220 AFA, 9 gpm/ac, 6/7/1951

Acres to be Irrigated = 305 ac.

Acres Currently Irrigated = 285.1 ac.

Water Right 36-2123: 2.72 CFS, 7.65 gpm/ac, 6/7/1951

Water Right 36-7193: 0.28 CFS, 0.79 gpm/ac, 6/29/1971

(Use of these water rights are limited to a total combined
annual diversion volume of 640 AFA, and the irrigation of a
combined total of 160 acres in a single irrigation season.)

Total Acreage to be Irrigated = 709 ac.

Total Acreage Currently Irrigated = 689.3 ac.



MICROFILMED
JUL 15 2003

Important Information About Your Water Right

August 27, 2001

MELYNDA KEARL
JOSEPH KEARL
SHIRLEY S JENTZSCH
RODNEY A JENTZSCH
RT 3 BOX 3256
RUPERT, ID 83350

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-02123. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order* in combination with the *Partial Decree* that was issued for this water right on July 15, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of the water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney
Case Administrator

MICROFILMED

JUL 15 2003

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

In Re SRBA)

Water Right 36-02123

Case No. 39576)

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on July 15, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated August 27, 2001

Roger Burdick
ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED
11/15 2003

RECEIVED

JUL 17 1997

Department of Water Resources
Adjudication Bureau

1997 JUL 15 AM 11:30

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE

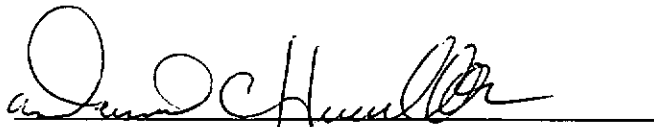
) For Water Right 36-02123

On May 15, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-02123 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED July 15, 1997.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

MICROFILMED

JUL 15 2003

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO JUL 15 AM 11:30
I.R.C.P. 54(b) FOR

Water Right 36-02123 DISTRICT COURT-SEBA
TWIN FALLS CO. IDAHO
FILED _____

NAME & ADDRESS: JOSEPH KEARL
RODNEY A JENTZSCH
MELYNDA KEARL
SHIRLEY S JENTZSCH
RT 3 BOX 3256
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 2.72 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07193 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 640.0 AF.

PRIORITY DATE: 06/07/1951

POINT OF DIVERSION: T06S R24E S26 SESW Within MINIDOKA County
S35 NWSE
NWSNE
SWNESE
SWNESE

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season 2.72 CFS

PLACE OF USE: IRRIGATION Within MINIDOKA County
T06S R24E S35 NESW 40.0 NWSW 40.0 SWSW 40.0 SESW 40.0
160.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-07193 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 160.0 ACRES IN A SINGLE
IRRIGATION SEASON.

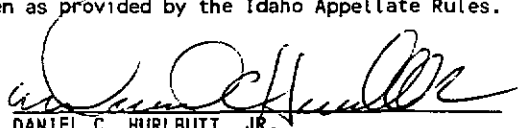
DATED: JUL 15 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

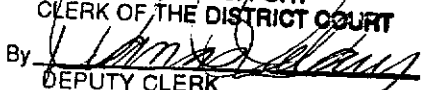
RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: JUL 15 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-02123

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK

PAGE 1
JUN-10-1997
FIFTH JUDICIAL DISTRICT
TWIN FALLS COUNTY IDAHO
JUL 15 2003
FILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 10, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ORTONS LIMITED PARTNERSHIP &
RODNEY A. & SHIRLEY S. JENTZSCH
JOSEPH & MELYNDA KEARL
C/O RODNEY JENTZSCH
480 E 1500 N
RUPERT ID 83350

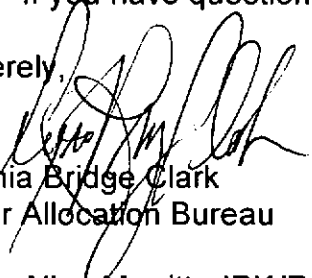
RE: WATER SUPPLY BANK LEASE TERM. WATER RIGHT NO(S). 36-2123, 36-2124, 36-2190A, 36-2565A, 36-7193, AND 36-16170

Dear Lessor(s):

As requested in the electronic mail message you sent on March 11, 2004, the department will retain the water right number(s) referenced above in Water Supply Bank. The right(s) will automatically be released from the bank on **December 31, 2004**, unless the rights are released earlier by the Water Resource Board, or upon request by the lessor. To change the term of the lease or to release the right(s) from the bank, the lessor must submit a request in writing to the department prior to the release date.

If you have questions, please feel free to contact me.

Sincerely,


Cynthia Bridge Clark
Water Allocation Bureau

c: Allen Merritt - IDWR Southern Regional Office

Clark, Cynthia (Bridge)

From: Bryan Jentzsch [bryan@safelink.net]
Sent: Thursday, March 11, 2004 11:25 AM
To: cclark@idwr.state.id.us
Subject: Water Bank

Cynthia:
Jentzsch-Kearl Farms would like to keep the existing water in the bank for another year.
Namely: Right # 36-2565 Orton Limited
And: Rights # 36-2123, 36-2124, 36-2190A, 36-7193 & 36-16170

Thank You for your help



Bryan Jentzsch

480 E 1500 N Rupert, ID 83350

Office: (208) 532-4119

Fax: (208) 532-4110

Cell: (208) 431-4754

bryan@safelink.net

5/9/2004

3/18/2004

Jentzsch-Kearl Farms
480 E. 1500 N.
Rupert, Id 83350



Page 1 of 1

Office: (208) 532-4119
Fax: (208) 532-4110
jkfarms@safelink.net

To: Cynthia Clark

We, Rodney Jentzsch and Joe Kearl, of Jentzsch-Kearl farms, do hereby grant Bryan Jentzsch authority to act in behalf of and for us pertaining to administering our water rights, IE: Transfers, Combinations, Placing in and renting from the Water bank and all other issues pertaining to the water rights.

Thank You.

Rodney Jentzsch

A handwritten signature of Rodney Jentzsch in cursive script, written over a horizontal line.

Joe Kearl

A handwritten signature of Joe Kearl in cursive script, written over a horizontal line.

3/18/2004

Baker Farms
480 E. 1500 N.
Rupert, Id 83350

RECEIVED
MAR 23 2004
Department of Water Resources

Page 1 of 1

Office: (208) 532-4119
Fax: (208) 532-4110

To: Cynthia Clark

I, Jim Baker, do hereby grant Bryan Jentzsch authority to act in behalf of and for us pertaining to administering our water rights, IE: Transfers, Combinations, Placing in and renting from the Water bank and all other issues pertaining to the water rights.

Thank You.

D. J. Baker

DJ Baker

3/18/2004

Roscoe Orton.
635 Chad Drive
Rexburg, Id 83440

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MAR 30 2004

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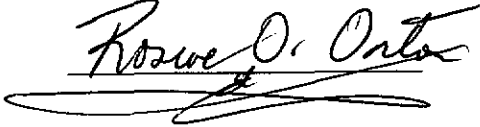
Department of Water Resources

To: Cynthia Clark

I, Roscoe Orton, (Orton Limited Partnership) do hereby grant Bryan Jentzsch authority to act in behalf of and for us pertaining to administering our water rights, IE: Transfers, Combinations, Placing in and renting from the Water bank and all other issues pertaining to the water rights.

Thank You.

Roscoe Orton

A handwritten signature in cursive script, reading "Roscoe O. Orton", is written over a horizontal line. The signature is fluid and stylized, with a long horizontal flourish extending to the left.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 24, 2004

RODNEY A. & SHIRLEY S. JENTZSCH
JOSEPH & MELYNDA KEARL
480 E 1500 N
RUPERT ID 83350

**RE: TERMINATION OF LEASE TO THE WATER SUPPLY BANK – WATER
RIGHT NO(S). 36-2123, 36-2124, 36-2190A, 36-7193, & 36-16170**

Dear Sir or Madam:

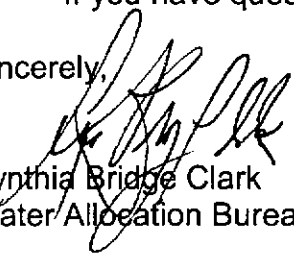
Department records show that the above referenced water right(s) has been leased through December 31, 2003 to the Water Supply Bank ("bank") operated by the Idaho Water Resource Board. This letter is notice that the right will be considered released from the bank unless you advise me, in writing, within fourteen (14) days of the date of this letter that you want to extend the period of the lease.

If you would like the right(s) to remain leased to the bank, please specify the date to which you want the lease extended. You may also request the right(s) remain leased to the bank for an "indefinite" period. In this case, the right(s) will remain in the bank indefinitely unless released earlier by the Board or until the water right owner or lease applicant contacts the department in writing to request the release of the right(s) from the bank.

Please consider that the five (5) year period of nonuse related to forfeiture of a water right shall begin to accrue upon release of the right from the bank or shall continue to accrue if a period of nonuse occurred prior to the lease date of the right to the bank. If a written request is not received within fourteen (14) days, the right(s) will be considered released from the bank as of December 31, 2003.

If you have questions, feel free to contact me directly at (208) 327-7898.

Sincerely,



Cynthia Bridge Clark
Water Allocation Bureau

c: IDWR - Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 30, 2003

RODNEY A & SHIRLEY S JENTZSCH
JOSEPH & MELYNDA KEARL
480 E 1500 N
RUPERT ID 83350

**RE: APPLICATION TO LEASE PART OF WATER RIGHT NOS. 36-2123, 36-2124,
36-2190A, AND 36-7193 TO THE WATER SUPPLY BANK**

Dear Applicants:

The department has completed its review of the Applications to Sell or Lease Water Rights to the Water Supply Bank ("bank") that you submitted to this office. Please consider that the offered water rights are accepted into the bank.

Several items to keep in mind in connection with lease of a water right to the bank is as follows:

1. There is no rental payment to the owner of the water right if the right or a part thereof is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

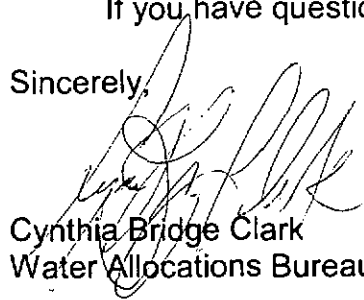
Additionally, the rates leased to the bank associated with water rights 36-2123 and 36-7193 will be 0.2 and 0.02 cubic feet per second (cfs) respectively. The rates identified on the applications were not proportional to the number of acres proposed for lease. These rates were confirmed with Chuck G. Brockway by telephone on May 29, 2003.

MICROFILMED

JUN 15 2003

If you have questions, please feel free to contact me.

Sincerely,



Cynthia Bridge Clark
Water Allocations Bureau

c: IDWR - W. Region
36-2123, 36-2124, 36-2190A, 36-7193

Chuck G. Brockway
Brockway Engineering

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JUL 15 2003