



State of Idaho

DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 4, 2004

TED CANTRELL
28294 RIVER RD
BRUNEAU ID 83604

**RE: APPLICATION TO LEASE PART OF WATER RIGHT NO(S). 57-7100 TO
THE WATER SUPPLY BANK**

Dear Lessor:

The Department of Water Resources ("department") has completed its review of the Applications to Sell or Lease Water Right(s) to the Water Supply Bank ("bank"). Please consider that the offered water right(s) are accepted into the bank.

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

1. Portion(s) of the above referenced water right(s) are leased to the bank as follows:

Right No.	Acres (ac)	Diversion Rate (cubic ft per sec., cfs)	Diversion Volume (acre-feet, af)
57-7100	35 ac	0.70 cfs	157.5 af

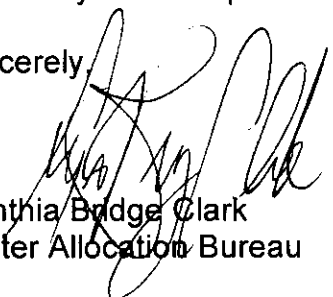
2. The lands leased to the bank under this water right are located as follows: 30 acres in the NWNW Section 31, T5S, R4E, B.M. and 5 acres in the SWSW Section 30, T5S, R4E, B.M.
3. Water rented from the bank under rights 57-7051A and 57-7100 from lands located in the NWNW Section 31, T5S, R4E, B.M, is limited to irrigation of a combined total of 30 acres, and a combined diversion rate of 0.6 cfs and diversion volume of 135 af.
4. During the term of this lease, use of rights 57-7100 and 2-202A for irrigation of lands located in the NWNW Section 31, T5S, R4E, B.M, is limited to irrigation of a combined total of 18 acres, and a combined diversion rate of 0.36 cfs and diversion volume of 81 af. Water may be rented from the bank for irrigation of additional acres in the referenced location.
5. 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.

6. 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.
7. 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.
8. While a water right is in the bank, forfeiture provisions are stayed.
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.
10. The water rights referenced above will be rented from the bank at the current rental rate unless otherwise specified by the lessor.
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 right(s) will automatically be released from the bank on **December 31, 2004**, unless the right(s) are released earlier by the 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: John Westra – IDWR Western Regional Office