STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1578

This Lease Contract (**"Lease"**) is between the Idaho Water Resource Board (**"Board"**), and

LESSOR: EAGLE CREEK NORTHWEST LLC
C/O UBS FARMLAND INVESTORS LLC
10 STATE HOUSE SQ FL 15
HARTFORD, CT 06103-3600

RECEIVED
NOV 03 2022
DEPARTMENT OF
WATER RESOURCES

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.

2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on April 25, 2022.

3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS**: The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
43-2489	2/11/1960	GROUND WATER, tributary to	2.39	500.0	125.0
Combined Lease Totals			**2.39**	**500.0**	**125.0**

IDAHO DEPARTMENT OF WATER RESOURCES

2. **COMPENSATION**: The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

   Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE**: The term of this lease shall be January 1, 2022 to December 31, 2022. This Lease shall bind the parties and take effect when both parties have signed it.

4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE**: The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.

SCANNED
JAN 26 2023

WATER SUPPLY BANK LEASE CONTRACT No. 1578

5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.

6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.

7. **DUPLICATE ORIGINAL**: This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

IDAHO DEPARTMENT OF
WATER RESOURCES

SCANNED
JAN 26 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1578

IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

LESSOR: EAGLE CREEK NORTHWEST LLC
C/O UBS FARMLAND INVESTORS LLC
10 STATE HOUSE SQ FL 15
HARTFORD, CT 06103-3600

By _____
Title VICE PRESIDENT
Date 11/1/2022

IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By _____ Date 11-29-22
Brian Patton, Acting Administrator
Idaho Water Resource Board

Lease approved by IDWR _____ Date 11-29-22

IDAHO DEPARTMENT OF WATER RESOURCES

SCANNED JUL 26 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1578

ATTACHMENT A
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 43-2489

GROUND WATER	SENW	Sec. 12	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NESE	Sec. 1	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec. 8	Twp 11S	Rge 27E	CASSIA County
GROUND WATER	L 3NENW	Sec. 5	Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SWNE	Sec. 5	Twp 11S	Rge 27E	CASSIA County
GROUND WATER	NESE	Sec. 8	Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SENE	Sec. 5	Twp 11S	Rge 27E	CASSIA County
GROUND WATER	NWSE	Sec. 4	Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SESE	Sec. 4	Twp 11S	Rge 27E	CASSIA County
GROUND WATER	NWSE	Sec. 32	Twp 10S	Rge 27E	CASSIA County
GROUND WATER	SWSE	Sec. 33	Twp 10S	Rge 27E	CASSIA County
GROUND WATER	SESW	Sec. 1	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec. 8	Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SENE	Sec. 1	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESW	Sec. 5	Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SWSW	Sec. 32	Twp 10S	Rge 27E	CASSIA County
GROUND WATER	NESE	Sec. 31	Twp 10S	Rge 27E	CASSIA County
GROUND WATER	L 2NWNE	Sec. 6	Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SWSW	Sec. 33	Twp 10S	Rge 27E	CASSIA County
GROUND WATER	SESW	Sec. 30	Twp 10S	Rge 27E	CASSIA County
GROUND WATER	NWSW	Sec. 1	Twp 11S	Rge 26E	CASSIA County

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
43-2489	IRRIGATION	03/15	to	11/15	2.39 cfs	500.0 AF
				Totals:	2.39 cfs	500.0 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	8													31.0	32.0	31.0	31.0	125.0

Total Acres: 125.0

SCANNED JAN 06 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1578

ADDITIONAL 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.
3. While a right is in the bank, the lessor may not use the right without approval of the Department 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 Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
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 Idaho Code § 42-248 and § 42-1409(6), 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. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
    a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
    b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. 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.
12. The unleased portions of rights 43-2471, 43-2472, 43-2475, 43-2488, 43-2489, 43-2504, 43-2505, 43-2516, 43-2517, 43-2519, 43-2575, 43-4199, 43-13351, 43-13352, 43-13577, 43-13578, 43-13603, and 43-13604 when combined shall not exceed a total diversion rate of 70.90 cfs, a total annual maximum diversion volume of 16497.7 af at the field headgate, and the irrigation of 4167.8 acres.
13. The unleased portions of rights 43-2471, 43-2472, 43-2475, 43-2488, 43-2489, 43-2504, 43-2505, 43-2516, 43-2517, 43-2519, 43-2575, 43-4199, 43-13351, 43-13352, 43-13577, and 43-13603 when combined shall not exceed a total diversion rate of 68.99 cfs, a total annual maximum diversion volume of 15,919.6 af at the field headgate, and the irrigation of 4003.8 acres.
14. The unleased portion of right 43-2489 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

WATER SUPPLY BANK LEASE CONTRACT No. 1578

15. The unleased portion of right 43-2489 is limited to a total diversion rate of 6.51 cfs, a total annual maximum diversion volume of 1,360.0 af at the field headgate, and the irrigation of 340 acres within the place of use described above in a single irrigation season.

16. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

IDAHO DEPARTMENT OF
WATER RESOURCES

SCANNED
JAN 16 2023

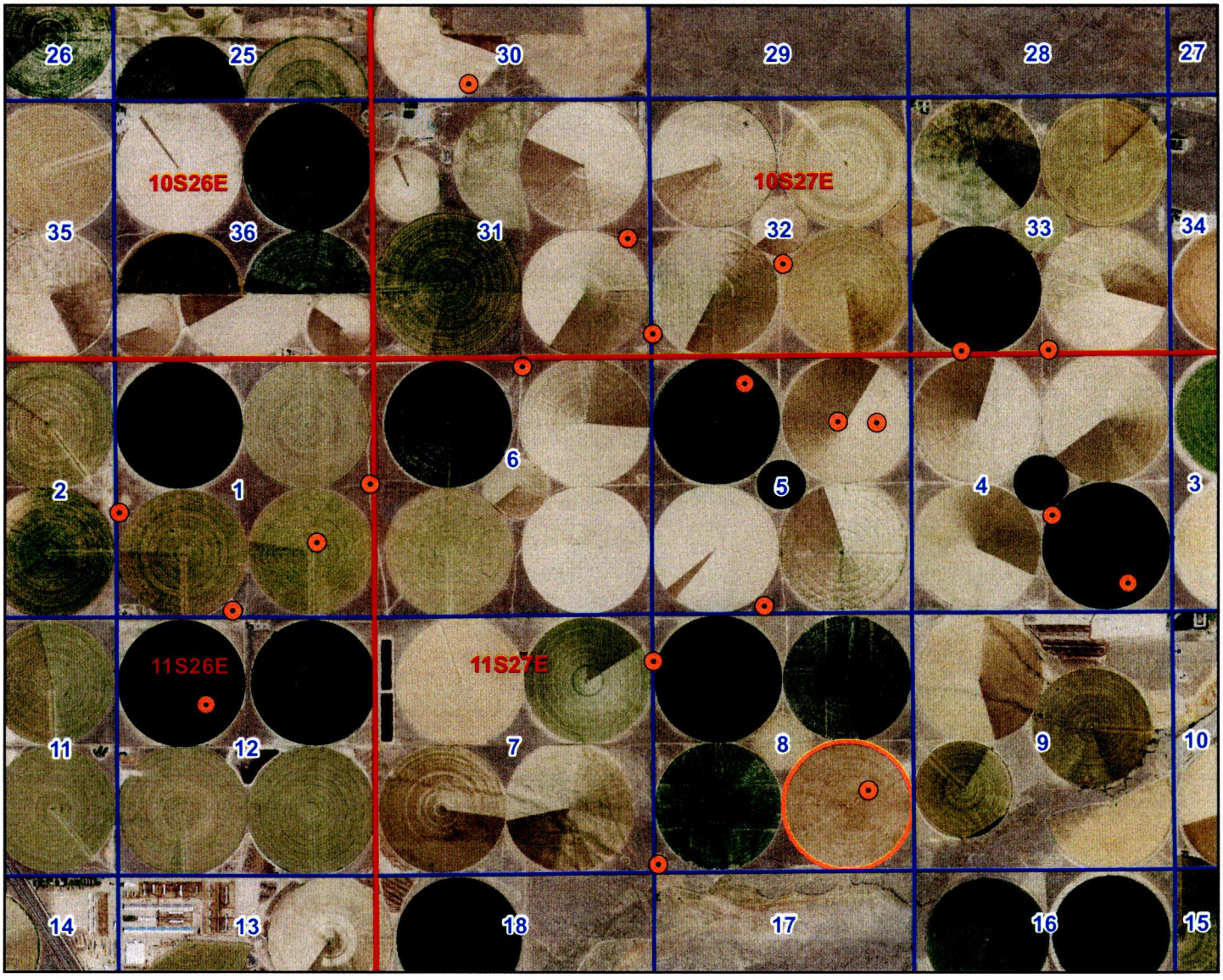
Idaho Water Resource Board

Water Supply Bank Lease Contract No. 1578

43-2489

Effective until December 31, 2022

This map depicts the **IRRIGATION place of use to be idled** pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



Approved Lease Point of Diversion

Approved Lease Place of Use

Township/Range

Sections

N

0 0.25 0.5 1 1.5 Miles

SCANNED JAN 27 2021

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
APR 25 2022
DEPARTMENT OF WATER RESOURCES

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

Designated Applicant Eagle Creek Northwest LLC C/O UBS Agrivest LLC
(Select one owner – see item 1A on the application)

Water Right No. 43-2489
(One water right per application)

Is this application being submitted with a rental application as a lease/rental package? **Yes** ☑ **No** ☐

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MIMUMUM REQUIREMENT CHECKLIST
All items must be checked as either *Attached* (Yes) or *Not Applicable* (N/A)

		Yes	
		☑	Completed *Application to Sell or Lease a Water Right to the Water Supply Bank.*
		☑	Application filing fee of $250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is $500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
		☑	Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.
Attachment	**N/A**	**Yes**	
1A	☐	☑	Signatures and contact information for ***all owners*** of the water right to be leased or sold on this application.
1B	☑	☐	An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.
1C	☑	☐	*Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
1D	☐	☑	Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
2	☐	☑	Description of a water right portion offered to the Water Supply Bank.
3	☐	☑	A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.
4A	☑	☐	Written consent from irrigation district or water delivery company.
4G	☐	☑	Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.

Department Use Only

Fee Amount $ 250 ··	Received By: KH	Date Received: 4.25.22	Receipt # C112597
W-9 received? Yes ☐ No ☑ (Route W-9 to Fiscal)		Name on W-9:	

2358

SCANNED
JAN 26 2023

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant Eagle Creek Northwest LLC C/O UBS Agrivest LLC

Mailing Address PO BOX 53 NAMPA, ID 83653
Street City State Zip Code

Email Address _____ Phone Number 2084660419

☑ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☐ No ☑
If no, complete the form and attach to this application (Attachment 1B).

C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☑ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☑ No ☐
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative Greg Sullivan Organization Brockway Engineering

Professional Title Engineer Email Address greg.sullivan@brockwayeng.com

Mailing Address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Phone Number 208-736-8543

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☑ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☐ The full water right is being offered to the Bank.

OR

☑ A part of the water right is being offered to the Bank.
If a portion of the water right is being offered, **complete Attachment 2.**

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3.**

SCANNED

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☑
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

B. Please provide a description of the current water diversion and delivery system.
Existing wells, mainlines and delivery system.

C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. 43-2472 et al.

D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☑
Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of $500.

E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☑
If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.

F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. A full volume of water right has been diverted to these pivot to grow a productive crop for the last 5 years.

G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☑
If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?
If yes, describe. Yes ☐ No ☑

SCANNED

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☑?

If lease, specify the years when the use of water will be suspended: 2022 (Year) to 2022 (Year) (maximum lease period 5 calendar years).

B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

The current water right owner and the proposed renter have entered into an annual payment agreement. The 10% processing fee will be paid to IDWR. No payment will be made to the water right owner through IDWR.

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

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

Signature of Designated Applicant	Printed Name	Date
, VP	Charles W Brayton	4/8/22
Signature of Authorized Representative	Printed Name	Date

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

SCANNED

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1.

Water Right Number	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
43-2489	Irrigation	2.39	500	125.0
	Total Amounts:	2.39	500	125

2. Source of water Ground Water tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County

See Exhibit A



0 0.25 0.5 1 Miles

SCANNED

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 3/31/2022

Eagle Creek Northwest LLC
C/O UBS Agrivest LLC

2022 LEASE ACRES
NAIP 2019 AERIAL

Legend

- Cassia Creek Lease
- Cassia_Creek_POU

N

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1. Water Right Number	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
43-2489	Irrigation	2.39	500	125.0
	Total Amounts:	2.39	500	125

2. Source of water Ground Water tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County

See Exhibit A

SCANNED
2023

Exhibit A
Eagle Creek Northwest LLC
PODs

	QQ	Sec.	Twp.	Rge.	County	Source
1	SESW	30	10S	27E	CASSIA County	GROUND WATER
2	NESE	31	10S	27E	CASSIA County	GROUND WATER
3	SWSW	32	10S	27E	CASSIA County	GROUND WATER
4	NWSE	32	10S	27E	CASSIA County	GROUND WATER
5	SWSW	33	10S	27E	CASSIA County	GROUND WATER
6	SWSE	33	10S	27E	CASSIA County	GROUND WATER
7	SENE	1	11S	26E	CASSIA County	GROUND WATER
8	NWSW	1	11S	26E	CASSIA County	GROUND WATER
9	SESW	1	11S	26E	CASSIA County	GROUND WATER
10	NESE	1	11S	26E	CASSIA County	GROUND WATER
11	SENW	12	11S	26E	CASSIA County	GROUND WATER
12	NWSE	4	11S	27E	CASSIA County	GROUND WATER
13	SESE	4	11S	27E	CASSIA County	GROUND WATER
14	SWNE	5	11S	27E	CASSIA County	GROUND WATER
15	SENE	5	11S	27E	CASSIA County	GROUND WATER
16	NENW	5	11S	27E	CASSIA County	GROUND WATER
17	SESW	5	11S	27E	CASSIA County	GROUND WATER
18	NWNE	6	11S	27E	CASSIA County	GROUND WATER
19	NWNW	8	11S	27E	CASSIA County	GROUND WATER
20	SWSW	8	11S	27E	CASSIA County	GROUND WATER
21	NESE	8	11S	27E	CASSIA County	GROUND WATER

SCANNED
2023

Eagle Creek Northwest LLC

Resolution

January 2, 2018

The undersigned, being the sole Member of Eagle Creek Northwest LLC, a Delaware limited liability company (the "Company"), hereby consents to the adoption of the following resolutions:

RESOLVED: That all officers of the Company now in office are hereby removed.

RESOLVED: Pursuant to Article V of the Company's Operating Agreement, the following persons are hereby appointed to the indicated offices of the Company:

President	James B. McCandless
Vice President	J. Scott Haffner
Vice President	Charles W. Bryan, Jr.
Vice President	Barbara Pierson Roy
Secretary	Rose Marie Beaulieu
Treasurer	Elaina Benson

RESOLVED: Pursuant to Article III of the Company's Operating Agreement, any of the above officers shall be an "Authorized Person" to execute, deliver and file any documents or certificates on behalf of the Company.

RESOLVED: To direct that this Resolution be filed with the records of meetings of the Company.

EXECUTED as of this date set forth above.

AGRIVEST FARMLAND FUND L.P., a
Delaware limited partnership

By: AgriVest GP LLC, a Delaware
limited liability company, general partner

By: _____
James B. McCandless
President

SCANNED
2 6 2023

CONTRACT OF AGREEMENT

To Whom It May Concern,

Eagle Creek Northwest LLC C/O UBS Agrivest LLC. and ADT Farms LLC have in place a long term farm lease agreement or contract for property owned by Eagle Creek Northwest LLC C/O UBS Agrivest LLC. The contract includes the property, water rights and water distribution systems pertaining to water right 43-2489.

ADT Farms LLC has agreed to pay the annual farm contract payment for 2022. No additional fees are required by Eagle Creek Northwest LLC C/O UBS Agrivest LLC. of ADT Farms LLC for the rental of any water from the Idaho Water Supply Bank pertaining to water right 43-2489 during the 2022 irrigation season.

Therefore, the rental payment of the 90% of the rental fees for water rights 43-2489 for the year 2022 has been paid in full.

ADT Farms LLC will pay the Idaho Water Supply Bank the 2022 processing 10% rental fee when the rental agreement is signed and returned to IDWR for final approval.

Eagle Creek Northwest LLC C/O UBS Agrivest LLC gives permission to ADT Farms LLC to irrigate farm ground in the NWNW of Section 31 T10S R27E from water diverted from ADT Farms LLC irrigation wells. All legal ownership of the property and appurtenances will remain unchanged by this agreement.

Eagle Creek Northwest LLC C/O UBS Agrivest LLC.:

_____, VP

Date: 4/5/22

ADT Farms LLC

_____

Date: _____

SCANNED
2023

CONTRACT OF AGREEMENT

To Whom It May Concern,

Eagle Creek Northwest LLC C/O UBS Agrivest LLC. and ADTD Farms LLC have in place a long term farm lease agreement or contract for property owned by Eagle Creek Northwest LLC C/O UBS Agrivest LLC. The contract includes the property, water rights and water distribution systems pertaining to water right 43-2489.

ADTD Farms LLC has agreed to pay the annual farm contract payment for 2022. No additional fees are required by Eagle Creek Northwest LLC C/O UBS Agrivest LLC. of ADTD Farms LLC for the rental of any water from the Idaho Water Supply Bank pertaining to water right 43-2489 during the 2022 irrigation season.

Therefore, the rental payment of the 90% of the rental fees for water rights 43-2489 for the year 2022 has been paid in full.

ADTD Farms LLC will pay the Idaho Water Supply Bank the 2022 processing 10% rental fee when the rental agreement is signed and returned to IDWR for final approval.

Eagle Creek Northwest LLC C/O UBS Agrivest LLC.:

_____ VP

Date: 4/8/22

ADTD Farms LLC

_____

Date: _____

SCANNED

CONTRACT OF AGREEMENT

To Whom It May Concern,

Eagle Creek Northwest LLC C/O UBS Agrivest LLC. and ADTD Farms LLC have in place a long term farm lease agreement or contract for property owned by Eagle Creek Northwest LLC C/O UBS Agrivest LLC. The contract includes the property, water rights and water distribution systems pertaining to water right 43-2489.

ADTD Farms LLC has agreed to pay the annual farm contract payment for 2022. No additional fees are required by Eagle Creek Northwest LLC C/O UBS Agrivest LLC. of ADTD Farms LLC for the rental of any water from the Idaho Water Supply Bank pertaining to water right 43-2489 during the 2022 irrigation season.

Therefore, the rental payment of the 90% of the rental fees for water rights 43-2489 for the year 2022 has been paid in full.

ADTD Farms LLC will pay the Idaho Water Supply Bank the 2022 processing 10% rental fee when the rental agreement is signed and returned to IDWR for final approval.

Eagle Creek Northwest LLC C/O UBS Agrivest LLC.:

_____

Date: _____

ADTD Farms LLC

Tock Garrett Tock

Date: 4-14-22

SCANNED

CONTRACT OF AGREEMENT

To Whom It May Concern,

Eagle Creek Northwest LLC C/O UBS Agrivest LLC. and ADT Farms LLC have in place a long term farm lease agreement or contract for property owned by Eagle Creek Northwest LLC C/O UBS Agrivest LLC. The contract includes the property, water rights and water distribution systems pertaining to water right 43-2489.

ADT Farms LLC has agreed to pay the annual farm contract payment for 2022. No additional fees are required by Eagle Creek Northwest LLC C/O UBS Agrivest LLC. of ADT Farms LLC for the rental of any water from the Idaho Water Supply Bank pertaining to water right 43-2489 during the 2022 irrigation season.

Therefore, the rental payment of the 90% of the rental fees for water rights 43-2489 for the year 2022 has been paid in full.

ADT Farms LLC will pay the Idaho Water Supply Bank the 2022 processing 10% rental fee when the rental agreement is signed and returned to IDWR for final approval.

Eagle Creek Northwest LLC C/O UBS Agrivest LLC gives permission to ADT Farms LLC to irrigate farm ground in the NWNW of Section 31 T10S R27E from water diverted from ADT Farms LLC irrigation wells. All legal ownership of the property and appurtenances will remain unchanged by this agreement.

Eagle Creek Northwest LLC C/O UBS Agrivest LLC.:

_____

Date: _____

ADT Farms LLC

Todd Cannata Todd Cannata

Date: 4-14-22

SCANNED

CONTRACT OF AGREEMENT

To Whom It May Concern,

Eagle Creek Northwest LLC C/O UBS Agrivest LLC. and ADT Farms LLC have in place a long term farm lease agreement or contract for property owned by Eagle Creek Northwest LLC C/O UBS Agrivest LLC. The contract includes the property, water rights and water distribution systems pertaining to water right 43-2489.

ADT Farms LLC has agreed to pay the annual farm contract payment for 2022. No additional fees are required by Eagle Creek Northwest LLC C/O UBS Agrivest LLC. of ADT Farms LLC for the rental of any water from the Idaho Water Supply Bank pertaining to water right 43-2489 during the 2022 irrigation season.

Therefore, the rental payment of the 90% of the rental fees for water rights 43-2489 for the year 2022 has been paid in full.

ADT Farms LLC will pay the Idaho Water Supply Bank the 2022 processing 10% rental fee when the rental agreement is signed and returned to IDWR for final approval.

Eagle Creek Northwest LLC C/O UBS Agrivest LLC gives permission to ADT Farms LLC to irrigate farm ground in the NWNW of Section 31 T10S R27E from water diverted from ADT Farms LLC irrigation wells. All legal ownership of the property and appurtenances will remain unchanged by this agreement.

Eagle Creek Northwest LLC C/O UBS Agrivest LLC.:

_____, VP

Date: 4/5/22

ADT Farms LLC

_____

Date: _____

SCANNED

CONTRACT OF AGREEMENT

To Whom It May Concern,

Eagle Creek Northwest LLC C/O UBS Agrivest LLC. and ADTD Farms LLC have in place a long term farm lease agreement or contract for property owned by Eagle Creek Northwest LLC C/O UBS Agrivest LLC. The contract includes the property, water rights and water distribution systems pertaining to water right 43-2489.

ADTD Farms LLC has agreed to pay the annual farm contract payment for 2022. No additional fees are required by Eagle Creek Northwest LLC C/O UBS Agrivest LLC. of ADTD Farms LLC for the rental of any water from the Idaho Water Supply Bank pertaining to water right 43-2489 during the 2022 irrigation season.

Therefore, the rental payment of the 90% of the rental fees for water rights 43-2489 for the year 2022 has been paid in full.

ADTD Farms LLC will pay the Idaho Water Supply Bank the 2022 processing 10% rental fee when the rental agreement is signed and returned to IDWR for final approval.

Eagle Creek Northwest LLC C/O UBS Agrivest LLC.:

_____ VP

Date: 4/8/22

ADTD Farms LLC

_____

Date: _____

WSB Mailing Checklist for Leases

Instructions: Staple to outside of lowest numbered water right file during processing.

Key: Who Completes What?
CLERICAL STAFF: MK
REVIEWER: MK

Received Date: 4/25/2022

Desired Lease Duration: 2022

Lease / Rental Package: (Y) N

If yes, Renter Name: ADT + ADTD Farms LLC

Application # 2358 Contract # 1578

WR#s	# 43-2489
#	#
#	#
#	#
#	#
#	#
#	#

Applicant Authorized?	(Y) / N
Multiple owners, Attach 1A included?	Y / N (NA)
If portion is offered, Attach 2 included?	(Y) / N NA
Map of POU and POD?	(Y) / N NA
POD Consent (if required)?	Y / N (NA)
Application Complete?	(Y) / N
Minimum checklist in data base?	☑
Request for additional information letter sent:	Y (NA)
WSB Action Request for deficiencies	☐

Stacked Water Rights Need to be Leased? ☐ _____

If checked, list water rights: _____

If the WR owner provided a different address on the application than what's in our database, update address in workflow.

Mailings (per lease application)	CC	Original	
Designated Applicant: Eagle Creek Northwest LLC c/o UBS Agrivest LLC	☐	☒	**EMAIL:**
Attorney:	☐	☐	**EMAIL:**
Consultants Name: Greg Sullivan - Brockway Eng.	☒		**Comments:**
Watermaster: B. Ragan	☐		
Delivery Entity:	☐		
Water District: 43A & 143	☐		
Ground Water District: Raft River	☐		
Region: Southern	☐		
Other: Raft River CGWMA	☐	☐	
Address:			

Call up Date: _____

DO NOT SCAN

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

January 26, 2023

EAGLE CREEK NORTHWEST LLC
C/O UBS FARMLAND INVESTORS LLC
10 STATE HOUS SQ FL 15
HARTFORD, CT 06103-3600

RE: WATER SUPPLY BANK LEASE CONTRACT 1578
FOR WATER RIGHT 43-2489

Dear Lessor:

Water rights **43-2489** were leased into the Water Supply Bank (Bank) as of January 1, 2022, in accordance with the enclosed executed lease contract. **Your water rights, as described on the lease contract, are considered leased into the Bank and should remain unused until they are formally released from the Bank**. More information and further restrictions placed on your water rights while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The rights were automatically be released from the Bank on **December 31, 2022.** If you would like the right(s) to remain leased to the Bank, please complete a new Application to Sell or Lease a Water Right to the Water Supply Bank and remit the applicable filing fee. You can find new applications at the Department's website at www.idwr.idaho.gov.

A water right is not protected from forfeiture unless it is accepted into the Bank or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. The five-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 you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosure: Executed Lease Contract

c: IDWR- Eastern Region
Water District No. 120
Greg Sullivan

SCANNED
JAN 26 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 28, 2022

EAGLE CREEK NORTHWEST LLC
C/O UBS FARMLAND INVESTORS LLC
10 STATE HOUSE SQ FL 15
HARTFORD, CT 06103-3600

RE: APPLICATION TO LEASE WATER RIGHTS 43-2489 TO THE WATER SUPPLY BANK CONTRACT 1578

******TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature**. **Please sign and return ALL Lease Contracts within 14 days**. Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The right will automatically be released from the Bank on **December 31, 2022,** unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at http://www.idwr.idaho.gov. Please note your right may not be available for immediate release if it has been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

> "While a right is in the bank, **the lessor may not use the right** without approval of the department 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 Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

Amanda Johnson-Veibell

for
Water Supply Bank

Enclosures: Proposed Lease Contracts

C: Greg Sullivan

SCANNED
NOV 2 6 2023

MEMORANDUM FOR APPLICATION # 2358

To: Water Right(s) 43-2489

From: **Mackenzie Kienholz**

Date: **September 16, 2022 – October 4, 2022**

Re: Review & Analysis of Application to Lease Water to the State Water Supply Bank

---

PURPOSE/NARRATIVE: Lease application #2358 was received on April 25th, 2022 from Greg Sullivan of Brockway Engineering on behalf of Eagle Creek Northwest LLC C/O UBS Agrivest LLC. The application proposes to lease a 125.0 portion of groundwater right 43-2489. This lease application was received as a package with rental applications #2359 and #2360 for ADTD Farms LLC and ADT Farms LLC respectively. Rental application #2358 proposes to rent 61.0 acres of the right; rental application #2360 proposes to rent the remaining 64.0 acres of the leased portion of right 43-2489.
The POD for water right 43-2489 is located in Water Districts 43A – Lower Raft River and 143 – Raft River Basin as well as the Raft River Ground Water District.

AUTHORITY TO FILE: The application was signed by Charles W. Bryan. A resolution from Eagle Creek Northwest LLC in 2018 was included listing Mr. Bryan as a vice president. The resolution was signed by the president James B. McCandless who is the signing president on the SOS annual report for 2022. The parcels at the lease location are owned by Eagle Creek Northwest LLC. The majority of the POD's only divert water for water rights owned by Eagle Creek Northwest LLC, and all are located on land owned by Eagle Creek Northwest LLC. WMIS data noted that one POD (10S27E33 SWSE) was not found.

Exhibit A #	WMIS Object ID	Exhibit A #	WMIS Object ID	Exhibit A #	WMIS Object ID
1	9226	8	794	15	807
2	9343	9	8452	16	810
3	5713	10	790	17	783
4	9270	11	7694	18	816
5	822	12	793	19	7012
6	823 *POD not found	13	9079	20	738
7	800	14	7987	21	751

WATER RIGHT VALIDITY: Right 43-2489 was decreed May 4th, 2004. The right had an approved transfer (with an amendment) in 2009 to change the POU and add at least one POD. A second transfer in 2014 changed the POU and an updated 206 map submitted at the request of IDWR staff in 2016 showed the addition of the half pivot previously proposed for lease. Imagery suggests that irrigation has occurred since decree in 2004 without a period of 5 years of non-use resulting in forfeiture.

The proposed lease acres were reviewed using sentinel data from 3/24/2022 to 8/13/2022, and it was determined that the acres have been idled in 2022. There was only one questionable sentinel image (6/14/2022, below), however the images from the weeks preceding and following this date gave no indication that water was applied.

Review of 2021 imagery from March to August 2021 suggests that the leased acres for the previous lease (Lease Contract #1421) in 2021 for the same water right and applicants may have received water application in April, 2021. However, May through the rest of the calendar

SCANNED
JAN 06 2023

year showed no application of water on the proposed acres. The application for 2021 was received in August, 2021 and put into effect in October, 2021

As the application for 2022 is only for one year, and the acres appear to have been idled in 2022 up to the date of the review, it is recommended by the reviewer that the lease be allowed for 2022. Idleness of acres should continue to be closely analyzed for future leases, especially if a period longer than one year is proposed.

No concerns with validity of the water right and portion offered to the bank.

INJURY TO OTHER WATER RIGHTS: Review staff has no information to suggest that the lease of this water right would not cause injury to other water rights. Proper review to prevent injury completed with associated rentals.

ENLARGEMENT OF USE:
Right 43-2489 has a combined limit with 17 other water rights all of which are owned by the applicant. There are combined limits within combined limits for this suite (see excerpt from spreadsheet below). The overall combined limit is not additive, but 43-2489 falls outside any of the interior combined limits. For this reason, water right 43-2489 specifically is additive to the overall combined limit and can be reduced by the portion proposed for lease; the overall combined limit can be reduced by this same amount without needing to reduce the other water rights involved.
No other rights besides those included in the combined limit cover the lease POU.

Combined Limit Rights: 43-2471, 43-2472, 43-2475, 43-2488, 43-2489, 43-2504, 43-2505, 43-2516, 43-2517, 43-2519, 43-2575, 43-4199, 43-13351, 43-13352, 43-13577, 43-13578, 43-13603, and 43-13604

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The lease appears consistent with the conservation of water resources in Idaho.

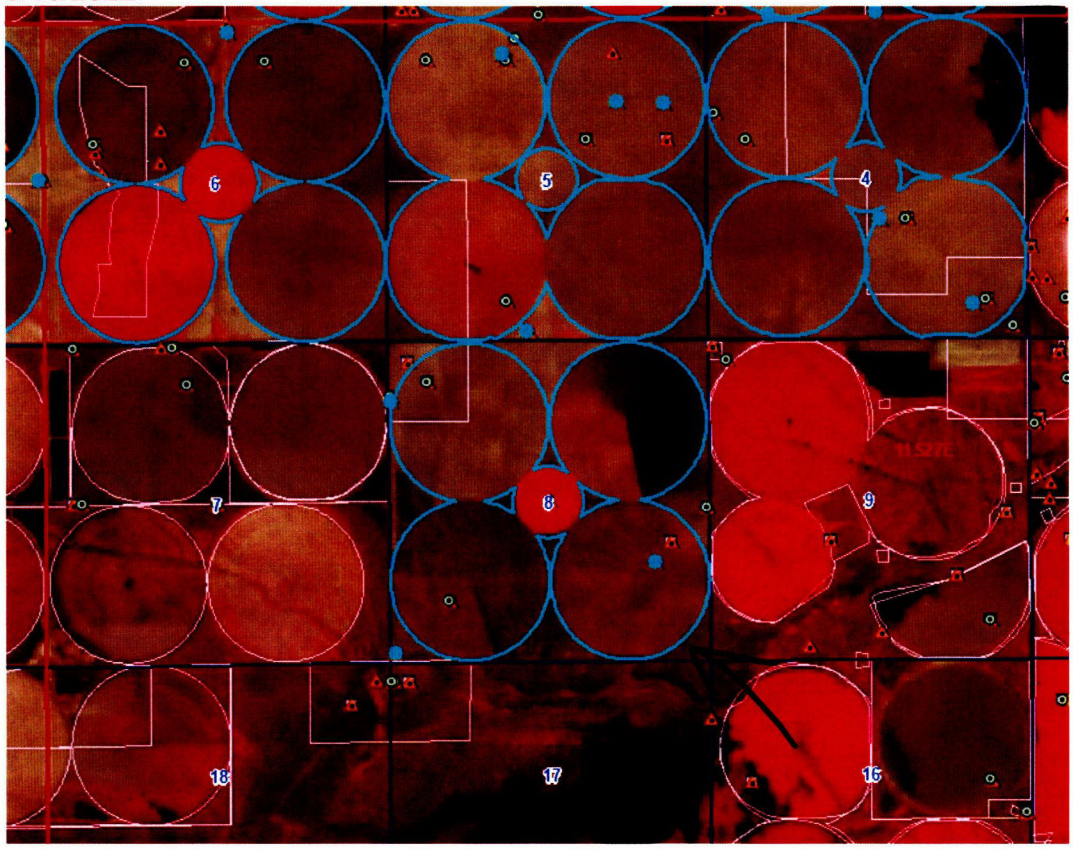
DEPARTMENT STAFF OR WATERMASTER COMMENTS:
The location for the rental PD is subject to Water District # 43A and 143. A request for comments was sent to watermasters and the Southern Region Office on 10/6/2022.

SCANNED
JAN 26 2023

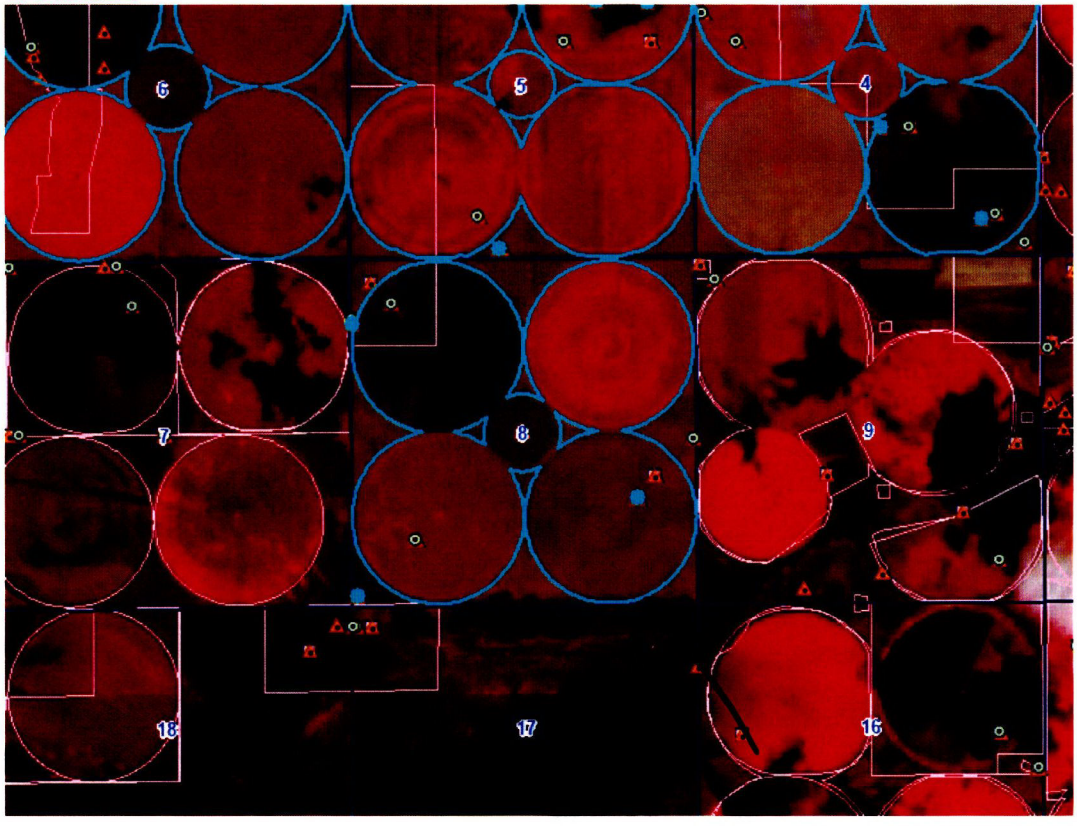
BasinNum	Sequence	SplitSuffix	VersionNu	SourceTab	Applicatio	Basis	Status	Draft	RightID	PriorityDa	OverallMa	SourceList	TributaryL	WaterUse	OwnerList	OtherOwr	LeaseStatu	WaterApp	ApprovalD	TotalAcres	AcreLimit	OverallMa
43	2471			Water Rig		Decreed	Active	N	619246	21738	6	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	360	1440
43	2472			Water Rig		Decreed	Active	N	617098	21738	7	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	360	1440
43	4199			Water Rig		Decreed	Active	N	617109	22720	2.16	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	108	432
											13											3312
43	2475			Water Rig		Decreed	Active	N	617100	21738	8.5	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	455	1820
43	13577			Water Rig		Decreed	Active	N	616604	23258	4.08	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	968	1987.9
																					1023	3807.9
											25.58										1324	5296
43	2488			Water Rig		Decreed	Active	N	617101	21957	5.6	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	300	1200
43	2519			Water Rig		Decreed	Active	N	617107	22368	4.2	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	304	1216
																					564	2256
43	13603			Water Rig		Decreed	Active	N	619247	21738	3.86	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	276	1104
																					500	2000
																					760	3040
43	2489			Water Rig		Decreed	Active	N	617102	21957	6.507527	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	340	1360
43	2504			Water Rig		Decreed	Active	N	617103	22213	6.4	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	380	1520
43	2505			Water Rig		Decreed	Active	N	617104	22213	6.4	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	370	1480
43	2516			Water Rig		Decreed	Active	N	617105	22361	0.6	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	30	120
43	2517			Water Rig		Decreed	Active	N	617106	22361	3	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	150	525
43	2575			Water Rig		Decreed	Active	N	617108	23517	6.08	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	612	2448
43	13351			Water Rig		Decreed	Active	N	617110	27463	0.39	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	19.5	67.4
43	13352			Water Rig		Decreed	Active	N	617111	27463	0.37	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	18.3	63.2
											68.98753										4003.8	15919.6
43	13578			Water Rig		Decreed	Active	N	616602	23258	0.17	GROUND WATER		IRRIGATIO	EAGLE CRE	FUNK, LANCE	(Previous Owner); FUNK, LIS			5456.5	40	82.1
43	13604			Water Rig		Decreed	Active	N	619248	21738	1.74	GROUND WATER		IRRIGATIO	EAGLE CRE	ACHS, AMY E	(Original Owner); ACHS, RON			5456.5	124	496
											70.89753									5456.5	4167.8	16497.7
										SUMS	70.8975										4167.8	16497.7

SCANNED
JAN 26 2023

2022 Sentinel
5/10/2022

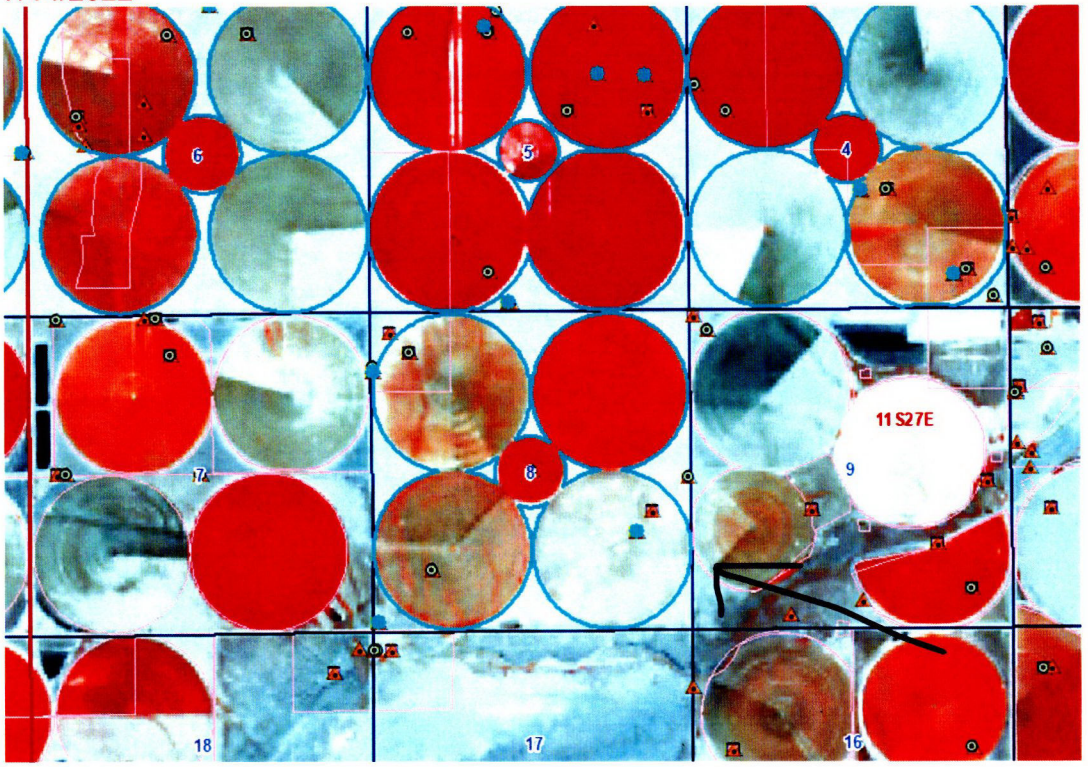


6/14/2022



SCANNED
JAN 26 2023

7/14/2022



SCANNED
JAN 26 2023

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

RECEIVED
APR 25 2022
DEPARTMENT OF
WATER RESOURCES

April 21, 2022

Mary Condon
Idaho Water Supply Bank
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Eagle Creek Northwest, ADT Farms LLC and ADTD Farms LLC rentals

Dear Mr. Buyer:

Eagle Creek Northwest LLC desires to lease 125.0 acres of water right 43-2489 into the Idaho Water Supply Bank for the 2022 irrigation season. The proposed lease acres are identified in the attached application and aerial map.

ADTD Farms LLC proposes to rent 61.0 acres for the 2022 irrigation season from water rights 43-2489. The proposed rental location is identified in the attached rental application and aerial map.

ADT Farms LLC proposes to rent 64.0 acres for the 2022 irrigation season from 43-2489. The proposed rental location is identified in the attached rental application and aerial map.

Attached to this letter are signed contracts of agreement between:

- John Spratling and ADT Farms LLC
- Jones & Widerburg Farms, ADT Farms LLC and ADTD Farm LLC
- Eagle Creek Northwest LLC C/O UBS Agrivest LLC, ADT Farms LLC and ADTD Farm LLC

These agreements indicate that ADT Farms LLC and ADTD Farm LLC have entered into a farm lease or a private agreement regarding the management of these water rights to be rented. No rental payment will be paid to the water right owners by the Idaho Water Supply Bank. The 10% processing rental fee will be paid to the Idaho Water Supply Bank by ADT Farms LLC and ADTD Farms LLC upon the processing and approval of the attached rental applications.

SCANNED
2358 + 2359 + 2360

Please copy our office on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Todd Gerratt
Enc: Rental Applications, Aerial Maps, Contract of Agreements, Brockway Engineering
Check# 10006 for $250.00

SCANNED
6 2023