



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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

January 12, 2022

COPY

LANDMARK PROPERTIES LLC  
1855 MADISON AVE  
IDAHO FALLS, ID 83404-1212

**Re: Water Supply Bank Lease Application for 23-10271**

The Department of Water Resources ("Department") is in the process of reviewing your application to lease water right 23-10271 in the Water Supply Bank ("Bank"). Water Supply Bank Rule 25 (IDAPA 37.02.03.025) states that the Idaho Water Resource Board shall consider if the information available indicates the right has been lost to forfeiture when determining if a right should be accepted into the water supply bank. A review of the satellite and aerial imagery for the place of use is inconclusive.

Right 23-10271 authorizes irrigation of 23 acres. Review of the imagery of the place of use indicates all 23 acres have not been irrigated in recent years.

Please provide clear evidence showing irrigation has occurred on all the acres proposed to be leased or provide a valid defense to forfeiture as defined by Idaho Code § 42-223. Please submit the additional information within 14 days and the Department will continue processing the application. If a response is not received in 14 days, the Department may return your application.

Sincerely,

Tyler Smith  
Senior Water Resource Agent  
(208)287-4913  
[tyler.smith@idwr.idaho.gov](mailto:tyler.smith@idwr.idaho.gov)

Enclosure:



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**Governor Brad Little**

**Director Gary Spackman**

January 26, 2022

COPY

LANDMARK PROPERTIES LLC  
1855 MADISON AVE  
IDAHO FALLS, ID 83404

The Idaho Department of Water Resources (Department) is returning your Application to Sell or Lease a Water Right to the Water Supply Bank (Application Number 2178), which was received on October 14, 2021. Your application proposed to lease the full extent of water right 23-10271 into the Bank. This letter explains how a decision was made on your application.

Water Supply Bank rule 25.02 (IDAPA 37.02.03) describes the materials needed for a complete application. Upon initial review, the Department has determined your application is incomplete. You have not provided information that the water right has not been lost through abandonment or forfeiture, required by rule 25.02.c. The Department has requested the needed information as required in rule 25.04, however the requested information has not been supplied. Therefore, the Water Supply Bank is declining to lease into the Bank water right 23-10271.

This letter is notice that the attached application to lease water to the Bank is being returned as incomplete. A refund in the amount of \$250 has been requested and will be forwarded to you in a separate mailing.

Please note that should more information become available at a later date you can reapply to the Water Supply Bank.

Sincerely,

Tyler Smith  
Senior Water Resource Agent  
(208)287-4913  
[tyler.smith@idwr.idaho.gov](mailto:tyler.smith@idwr.idaho.gov)

Enclosure: Original application