



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 1, 2016

BIG SKY DAIRY
PO BOX 407
JEROME ID 83338

RE: LEASED WATER RIGHT NO(S). 45-7335, 45-7355 AND 45-13549 WILL BE RELEASED FROM THE WATER SUPPLY BANK

Dear Lessor:

On September 22, 2016, the Department of Water Resources (Department) received your request to cancel the existing Water Supply Bank (Bank) Lease Contract executed on June 27, 2014 and will release water right(s) 45-7335, 45-7355 and 45-13549 from the Bank. **At this time the Department acknowledges that the Bank Lease Contract for water right(s) 45-7335, 45-7355 and 45-14359 will be canceled December 31, 2016 releasing the right(s) from the Bank.**

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.

You can reapply to lease the water right(s) in the future by submitting new application form(s) from the Department's website at www.idwr.idaho.gov along with applicable fees.

If you have any questions regarding this matter, please contact me at (208) 287-4910.

Sincerely,

for Clay Webster
Water Resource Agent
WSB Process Point of Contact

c: Jason C. Helms, P. E.- JCH Engineering

MEMORANDUM

DATE: **October 31, 2016**

TO: **Water Right files 45-7335, 45-7355 and 45-13549**

FROM: **Clay Webster**

RE: Follow-up to Request to Release Water Rights 45-7335, 45-7355 and 45-13549 from the Bank

I spoke this morning with Jonica Somerset at Big Sky Dairy about clarification on the release dates requested for these water rights. These water rights will be released from the bank on December 31, 2016. This will prevent them from having to pay the rental fees for ½ season.

September 1, 2016

RECEIVED

SEP 26 2016

DEPARTMENT OF
WATER RESOURCES

RECEIVED

SEP 22 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

Remington Buyer
Water Supply Bank Coordinator
Idaho Department of Water Resources
322 East Front Street
Boise, ID 83702

Re: Big Sky Water Supply Bank Request for Release

Dear Mr. Buyer,

Big Sky Dairy is expecting completion of their stock and commercial facility and would appreciate an adjustment to the rental / lease period associated with combined water rights 45-7335, 45-7355 and 45-13549.

I have attached the three release requests. If you have any questions or need additional information please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Helms", with a long horizontal flourish extending to the right.

Jason C. Helms, P.E.

RECEIVED

SEP 26 2016

DEPARTMENT OF
WATER RESOURCES

RECEIVED

SEP 22 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

TSK ENTERPRISES
255 BLUE LAKES BLVD NTH, PMB 617
TWIN FALLS, IDAHO 83301
CEL 208 320-0897

September 2, 2016

BILLING

Big sky Dairy
P.O. BX 407
Jerome, Idaho 83338

Re: Big Sky Water Supply Bank request for Release.
Water rights 45-7335, 45-7355, and 45-13549

Jonica Somerset,

Please find enclosed Three Forms to be signed by (The Lessor). Please return them to me so I may send a follow up letter to IDWR. :

If you need any further clarification please contact me.

Gary L. Funderburg
TSK ENTERPRISES LLC

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

SEP 26 2016

RECEIVED

DEPARTMENT OF
WATER RESOURCES

SEP 22 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

WATER SUPPLY BANK
REQUEST TO RELEASE A WATER RIGHT FROM THE BANK

ONE FORM PER WATER RIGHT

All water rights leased into the Water Supply Bank shall remain unused by the water right holder for the duration of the Lease Contract. The water right will not be released from the Water Supply Bank until the conclusion of the Lease Contract unless otherwise authorized by the Idaho Water Resource Board. Water right holders may use this form to petition for early termination of their Water Supply Bank Lease Contract.

Water right holders seeking an early termination of a Lease Contract must demonstrate justifiable need for the release. Water rights under Lease Contract that are eligible for early termination can be released from the Water Supply Bank if the release will not impair administration of the Water Supply Bank. **If a water right is currently rented, it cannot be considered for release until the Rental Agreement concludes.** A water right is not released from the Water Supply Bank until written release confirmation is issued by the Water Supply Bank.

Water Right No: 45-7355

Name(s) of Lessor(s): Big Sky Dairy

Mailing Address: P.O. Box 407

City: Jerome State: ID Zip: 83338

Telephone No: (208) 934-9072 Email Address: _____

Lease Contract Expiration Date: 12/31/2018

Requested Release Date: 6/15/2017

Reason for Early Release:

We are the renter and the lessor requesting release of combined water rights 45-7335, 75-7355 & 45-13549.

Commercial facility is expected to be complete on requested release date and this water will no longer be used for irrigation but will be needed for stock and commercial uses.



Signature of Lessor



Printed Name and Title*

9-13-16

Date

Signature of Lessor

Printed Name and Title*

Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney.

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