



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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C.J. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

January 13, 2015

JOHN AND ANN MCINTOSH PARTRIDGE  
CO TRUSTEES OF THE AT LAST RANCH TRUST  
17 EUCALYPTUS RD  
BELVEDERE CA 94920

RE: Water Supply Bank Lease-Status Update 37-276H

Dear Lessors:

On September 24, 2015, the Idaho Department of Water Resources (IDWR) accepted water right 37-276H into the Water Supply Bank (Bank) as requested by previous owner, River Lodge, LLC. The lease term began in 2015 and is set to expire on December 31, 2019. The amount leased into the Bank is 3.9 acres out of a possible 4.8 acres.

During a routine review of this Bank lease, IDWR located potential errors with your water right which were erroneously duplicated in the lease. I have enclosed a map for your reference. The black outlined area indicates the location of the place of use, as decreed in the Snake River Basin Adjudication (SRBA). The green dot indicates the location of the point of diversion, as decreed in the SRBA. The white outlined area is your lot. As you can see your decreed water right does not authorize the diversion of water for your lot.

In accordance with Bank Rules, IDAPA 37.02.03, water rights may be leased to the Bank and made available for rent provided the change does not cause injury to other right holders or enlargement of use of the water rights and the change is in the local public interest. These criteria are used in evaluating whether it is appropriate to authorize the rental of a water right leased to the Bank.

Due to the potential error in your water right, IDWR cannot rent your water right without ensuring enlargement will not occur. Therefore, your water right will remain in the Bank for the duration of the lease contract but, will not be rentable. Meanwhile, the portion leased into the Bank will still be protected from forfeiture.

The place of use and point of diversion locations can be rectified by filing a transfer. If a transfer is filed and approved to correct the place of use and point of diversion, IDWR can re-evaluate the rentability of your leased right.

Late last year, a map was received as part of the lease application for 37-276H. The map indicated that 0.9 acres will still be irrigated on your lot. Presently, water right 37-276H does not provide authorization to irrigate land at your lot. Note that transfers may take many months to process and if you intend to irrigate your lot with water right 37-276H you may not receive a decision on the transfer until after the irrigation season begins.

Please let me know if you have any questions regarding this matter. You can contact me at (208) 287-4944.

Sincerely,

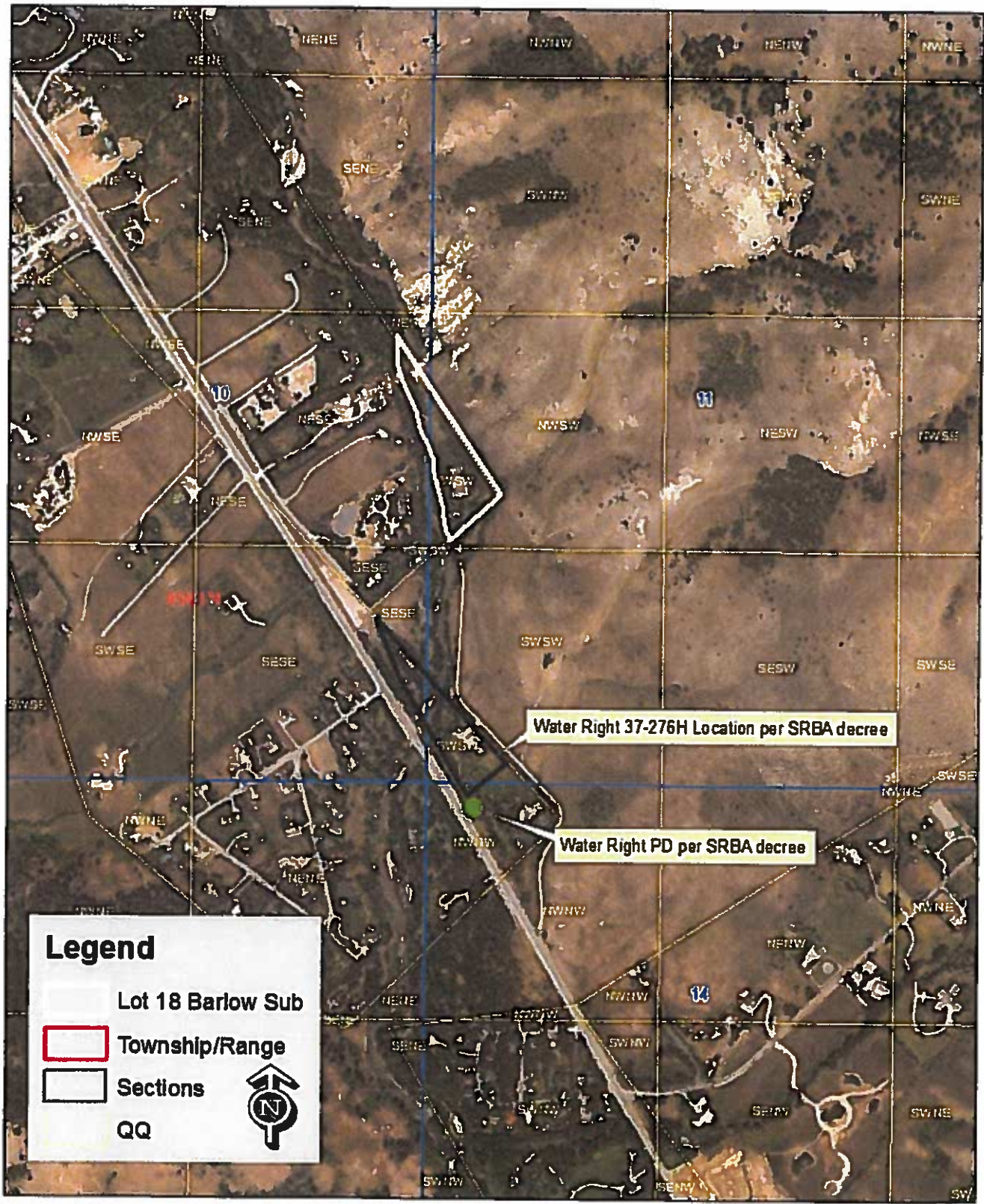


**Cherie Palmer**  
**Water Right Supervisor**  
**Water Allocation Bureau**

**Enclosure: Map**

**c: Brockway Engineering**  
**Jim Speck-Speck & Aanestad**  
**Allen Merritt-IDWR Southern Region**

# Water Right Map 37-276H



**NOTE: The PLSS data (Township/Range/Section/QQ) may be shifted and may not be accurately represented on this map.**