



State of Idaho

DEPARTMENT OF WATER RESOURCES

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GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

March 30, 2015

RICHARD WINBERG
MYRNA WINBERG
1027 SOUTH 2600 WEST
ABERDEEN ID 83210

RE: RELEASE OF WATER RIGHT NO(S). 35-2084 AND 35-7699 FROM THE WATER SUPPLY BANK

Dear Mr. and Mrs. Winberg:

On June 26, 2013, the Department of Water Resources ("Department") executed lease contracts that accepted water rights 35-2084 and 35-7699 into the Water Supply Bank ("Bank"). The lease contracts contained terms that you agreed to comply with, such as:

- As long as lease terms were met, the lease contracts would expire on 12/31/2015
- Both rights were accepted into the Bank in their entirety
- The lessor may not use the right without approval of the Department even if the right is not rented from the bank.
- Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
- 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, provided the Board approves the release.

Last summer, during a routine review of lease contracts, the Department noticed that you were potentially out of compliance with your lease contracts. Further investigations indicated that the point of diversion for water rights 35-2084 and 35-7699 was being pumped when it should have been idled per your lease contract.

This letter is notice that your lease contracts are being cancelled and acceptance of water rights 35-2084 and 34-7699 into the Bank has been rescinded.

Please note the forfeiture period is not tolled unless a right is accepted into the Bank, or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223.

If you have any questions, please contact me at (208) 287-4944.

Sincerely,

Cherie Palmer
Water Rights Supervisor

Enclosure: Lease Application(s)

C: Greg Sullivan-Brockway Engineering PLLC