



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

March 6, 2015

PKD PROPERTIES LC  
TLD PROPERTIES LLC  
1404 EAST 500 NORTH  
JACKSON ID 83350

**RE: LEASED WATER RIGHT NO(S). 45-2578, 45-2597 AND 45-14060 RELEASED FROM THE WATER SUPPLY BANK**

Dear Lessor:

On February 26, 2015, the Department of Water Resources (Department) received your request to cancel the existing Water Supply Bank (Bank) Lease Contract executed on February 3, 2014 and release water right(s) 45-2578, 45-2597 and 45-14060 from the Bank. **At this time the Department acknowledges that the Bank Lease Contract for 67 acres of water right(s) 45-2578, 45-2597 and 45-14060 has been canceled 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](http://www.idwr.idaho.gov) along with applicable fees.

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

Sincerely,

A handwritten signature in cursive script that reads "Christine Field".

 Clay Webster  
Water Resource Agent  
WSB Process Point of Contact

c: Brian Higgs – Watermaster of District 140

RECEIVED  
FEB 26 2015  
DEPT OF WATER RESOURCES

STATE OF IDAHO  
WATER RESOURCE BOARD  
**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: 45-14060  
Name(s) of Lessor(s): PKD Properties LC., TLD Properties LLC.  
Mailing Address: 1404 East 500 North  
City: Jackson State: ID Zip: 83350  
Telephone No: 208-436-1214 Email Address: taylor@circledfarms.us

Lease Contract Expiration Date: 12-31-2018  
Requested Release Date: 2-26-2015

Reason for Early Release:

These water rights are involved in the South West Irrigation District mitigation plan and must be released as soon as possible.

TLD Properties LLC by:

Taylor Duncan  
Signature of Lessor

Taylor Duncan Member/owner  
Printed Name and Title\*

2-26-15  
Date

PKD Properties LC by:  
Paul Duncan  
Signature of Lessor

Paul Duncan member/owner  
Printed Name and Title\*

2-26-2015  
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