



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 21, 2014

FMC IDAHO LLC
PO BOX 4111
POCATELLO ID 83205

RE: LEASED WATER RIGHT NO. 29-2255C REMAIN IN THE WATER SUPPLY BANK

Dear Lessor:

On April 18, 2014, the Department of Water Resources (Department) received your request to cancel the existing Water Supply Bank (Bank) Lease Contract executed on December 18, 2007 and release water right 29-2255C from the Bank. At this time your water right cannot be released from the Bank.

The leased water right is partially rented, 0.08 cfs and 7.9 af, from the Bank until December 31, 2015 and cannot be released from the Bank until the end of the rental term.

If you would like to use the unrented portion of your water right you have two options:

You may submit an application to rent your own water right from the Bank. This is the cheaper of the two options; however, the Bank is inundated with rental applications and your rental application may not be processed in a timely manner. Additionally, rental applications are processed in order they were received and the water right may be in danger of being rented by someone else.

Alternatively, you may submit a new lease application that would supersede your existing lease. In this case you would lease the rented portion, 0.08 cfs and 7.9 af, of your water right into the bank, leaving the unrented portion of your water right released from the Bank.

You may find lease and rental application on our website here:

<http://www.idwr.idaho.gov/RulesStatutesForms/WaterRights/WaterRightForms.htm>

Please notify me on how you would like to proceed within 10 days. If a response is not received the Department will leave your water right fully leased into the Bank and will be made available for others to rent. If you have any questions regarding this matter, please contact me at (208) 287-4944.

Sincerely,

Cherie Palmer
Senior Water Resource Agent
WSB Process Point of Contact

c: James Cefalo, watermaster – Water District 120 via email
Paul Arrington-Barker Rosholt & Simpson LLP via email