



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

April 7, 2014

LISA AND LANCE FUNK
2960 N CEDAR LN
AMERICAN FALLS ID 83211

RE: WITHDRAWAL OF RENTAL AGREEMENT FROM THE WATER SUPPLY BANK

Dear Mr. and Mrs. Funk:

Per your written request received on March 20, 2014, the Department of Water Resources (Department) acknowledges your intent to withdraw your Rental Agreement pertaining to water rights 35-7788B, 35-7789, and 35-7534B.

As of March 20, 2014, your agreement has been withdrawn and is no longer of any force nor effect. Any use associated with your withdrawn agreement is not authorized and, if occurring, will be subject to necessary enforcement action.

If you wish to rent water in the future, please reapply using new forms from the Department's website at www.idwr.idaho.gov. 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

Enclosure: Copy of Withdrawn Rental Agreement

c: Greg Sullivan – Brockway Engineering PLLC

SCANNED

MAY 08 2014

Palmer, Cherie

From: Palmer, Cherie
Sent: Monday, April 07, 2014 5:08 PM
To: Marston, Sascha
Subject: Refund Request - Receipt # 0098377

Sascha,

Please issue a refund to:

Lance Funk Farms
2960 Cedar Ln
American Falls ID 83211

The amount due is \$2,159.00.

The Funk's withdrew their rental agreement associated with water rights 35-7788B, 35-7789, and 35-7534B before the season began.

Thank you,

Cherie Palmer

MEMO

TO: 35-7534B
FROM: Cherie Palmer
DATE: April 7, 2014
RE: WSB Rental Agreement

On March 20, 2014, Lisa and Lance Funk requested that their rental agreement be terminated. The rental agreement they wished to terminate involves 35-7788B, 35-7789, and 35-7534B for 5.13 cfs, 1,270 af, and 317.5 acres. Because the irrigation season had not started prior to their request, the rental agreement will be cancelled. In addition, they already paid for this rental in February. A refund request has been initiated for the Funks as follows:

Sascha,

Please issue a refund to:

Lance Funk Farms
2960 Cedar Ln
American Falls ID 83211

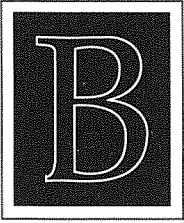
The amount due is \$2,159.00.

The Funk's withdrew their rental agreement associated with water rights 35-7788B, 35-7789, and 35-7534B before the season began.

Thank you,

Cherie Palmer

SCANNED
MAY 08 2014



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

March 19, 2014

Cherie Palmer
Idaho Water Supply Bank
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED
MAR 20 2014
DEPARTMENT OF
WATER RESOURCES

Re: Funk Rentals

Dear Mrs. Palmer:

In behalf of Lance Funk and through the Limited Power of Attorney I have for Lance Funk and/or Lisa Funk, I formally request the previous approved rental that included 35-7788B be withdrawn. The previous rental was approved in 2013.

Water right 35-7788B should not be allowed to be rented in 2014. Northern Ag has submitted a Request for Release of 35-7788B to the Idaho Water Supply Bank.

A new rental application has been submitted to the Idaho Water Supply Bank that will replace the approved 2013 rental. The replacement rental identifies the exact same acres to be rented. Other leased water rights have identified to provide the sufficient amount of water for the rental.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Lance Funk, Rob Harris

Enc: Limited Power of Attorney, Email from Cherie Palmer, Request for Release of 35-7788B

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

SCANNED
MAY 08 2014

Greg Sullivan

From: Palmer, Cherie <Cherie.Palmer@idwr.idaho.gov>
Sent: Tuesday, March 18, 2014 3:43 PM
To: Greg Sullivan
Subject: Burgemeister Rental

Greg,

Your letter dated December 19, 2013, requests that we release water right 35-7788B from the Water Supply Bank on behalf of Northern Ag. Water right 35-7788B is leased to the bank through 2016 for 116 acres. A rental agreement with Lance Funk-Burgemeister commits 35-7788B in its entirety through 2015.

The only way to remove 35-7788B from the bank is to cancel the existing rental agreement. If your client does not wish to move forward with the above referenced rental agreement, please submit a letter from them asking to withdraw from the agreement.

Once the rental has been withdrawn, the Bank can move take action on the lease release for Northern Ag and for the new rental proposal for Burgemeister. Although, I can't find the signed Request to Release A water Right from the Bank form. Note that if the rental is withdrawn and there is no release request in place, water right 35-7788B can be in danger of being rented out.

Because the Burgemeister rental application is being stalled out by the paperwork shuffle, I am requiring that all the necessary documents be received within the next 7 days. If the documentation is not received within 7 days, I must return the Burgemeister rental application.

Thanks and have a good day.

Cherie

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2247 / Virus Database: 3722/6708 - Release Date: 03/17/14

SCANNED
MAY 08 2014