



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

September 24, 2013

MERLIN SMITH
833 S STOUT
BLACKFOOT ID 83221

RE: 2013 Water Supply Bank Rental Application

Dear Mr. Smith,

On July 10, 2013, I sent an email to Brandee Cammack of Baker & Harris, requesting clarification on a couple of items on your application (copy of email enclosed). I spoke with Brandee on September 10th asking for the needed information/clarification. The items are:

- The grid listings for the rental place of use on page one of the application (Part A.4) shows acres in the SWNE, SENW, NESW and NESE of Section 13 T2S R33E. The map, received by email June 28, appears to denote the rental place of use as only being in the NESE and SWNE of same section/tpw/rge (both enclosed). The grid listing and map illustration should closely mirror each other.
- Page one of the rental application lists 21 total acres to be rented. However, inferring from the map provided, the rental acre area represents about 12 acres. Clarification of the bullet above should also fix this.

To date, I have not received anything. Please clarify the above items within fourteen (14) days from the date of this letter, or the application will be returned, unprocessed. If you have any questions, please don't hesitate to contact me at (208) 287-4949 or nick.vandyke@idwr.idaho.gov

Sincerely,

A handwritten signature in cursive script that reads "Nicholas Van Dyke".

Nicholas Van Dyke
Sr. Water Resource Agent

Enclosures

c: Brandee Cammack – Baker and Harris

Van Dyke, Nick

From: Brandee Cammack [bcammack@bakerharrislaw.com]
Sent: Wednesday, July 10, 2013 2:34 PM
To: Van Dyke, Nick
Subject: RE: Merlin Smith rental application for 21 acres, year 2013

Nick,

Thank you for your email. I have printed your email and given it to Mr. Harris for his assistance. We hope to have a response to you in the very near future.

Brandee Cammack, Legal Assistant
BAKER & HARRIS
266 W Bridge St
Blackfoot ID 83221
p: (208) 785-2310
e: bcammack@bakerharrislaw.com

----- Original Message -----

From: "Van Dyke, Nick" <Nick.VanDyke@idwr.idaho.gov>
To: <bcammack@bakerharrislaw.com>
Sent: 7/10/2013 1:53PM
Subject: Merlin Smith rental application for 21 acres, year 2013

Brandee,

A couple items after reviewing the rental application this morning:

- The grid listings for the rental place of use on page one of the application (Part A.4) shows acres in the SWNE, SENW, NESW and NESE of Section 13 T2S R33E. The map, received by email June 28, appears to denote the rental place of use as only being in the NESE and SWNE of same section/tpw/rge (both are attached). The grid listing and map illustration should fairly closely mirror each other. I've also included a screenshot of 2011 irrigation below, where bright red designates irrigation. The area in black crosshatch represents the rental acreage?
- Additionally, page one of the rental application lists 21 total acres to be rented. However, inferring from the map provided, that area represents about 12 acres. Clarification of the bullet above should also fix this.

Please submit clarification and feel free to contact me with any questions you have.

Nicholas Van Dyke