



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

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

June 18, 2013

MITCHELL SMAELLIE  
PO BOX 165  
TETONIA ID 83452

**RE: WATER SUPPLY BANK LEASE CONTRACT FOR RIGHT NO. 22-380B**

Dear Lessor:

Water Right 22-380B was leased into the Water Supply Bank on May 17, 2013 in accordance with the executed original Lease Contract enclosed. Your right as described on the Lease Contract(s) is considered leased into the Bank, and should remain unused, until it is formally released from the Bank.

The right will automatically be released from the Bank on **December 31, 2017**, unless the rights are released earlier by the Board, or upon your request. To change the term of the lease or to release the rights from the Bank, you must submit a request in writing, along with all applicable fees, to the Department prior to the release date. Please note your rights may not be available for immediate release if they have been rented to someone else.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

"While a right is in the bank, the lessor may not use the right without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

Please feel free to contact me at (208) 287-4949 if you have any further questions

Sincerely,

Nicholas Van Dyke  
Sr. Water Resource Agent

Enclosure: Executed Lease Contract

C: Lyle Swank – IDWR Eastern Regional Manager