



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

C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

May 1, 2013

SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

**RE: APPLICATION TO LEASE WATER RIGHT NO(S). 37-2683B
TO THE WATER SUPPLY BANK**

Dear Applicant:

The Department of Water Resources ("Department") has completed its review of the application(s) to lease water right(s) to the Water Supply Bank ("Bank") in the name of Hemingways's Blind LLC. Based on that review, the Department cannot accept water right(s) 37-2683B into the Bank unless water right 37-7349B is also leased into the bank. The reasons are described below.

The Water Supply Bank Rules provide criteria to be considered when determining whether to accept a water right into the Bank. Water rights 37-2683B and 37-7349B are overlapping rights with a combined use limit of 62.2 acres in a single irrigation season within the place of use. The overlap would include all but approximately 3 acres for irrigation for water right 37-7349B and it would also create an enlargement. In a previous lease, submitted in 2005, both rights were included in the lease to the Bank.

Please notify the Department within 14 days if water right 37-7349B is going to be included on the lease application. If after 14 days from the date of this letter the Department hasn't heard from you or the applicant, the Department will presume you do not wish to proceed with the lease application and it will be returned denied.

Please note that a water right is not protected from forfeiture unless it is accepted into the Bank or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. If forfeiture is a concern, you may also consider filing an Application for Extension of Time to Avoid Forfeiture of a Water Right.

If you have any questions, please contact me at (208) 287-4951.

Sincerely,

for 
Pamela S. Skaggs
Water Rights Supervisor

c: Hemingway's Blind LLC