



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 22, 2013

BRANDI AND KIP HUNTER
467 SOUTH 1600 WEST
PINGREE ID 83262

RE: APPLICATION TO LEASE WATER RIGHT 35-2824 TO THE WATER SUPPLY BANK

Dear Applicant:

On May 1, 2013, the Department of Water Resources (Department) sent you a letter notifying you that water right 35-2824 cannot be accepted into the Water Supply Bank (Bank). Per the correspondence, your Application to Lease Water Right 35-2824 is not acceptable because the right is supplemental to Aberdeen-Springfield Canal water. Because no new evidence has come to light to demonstrate that water right 35-2824 is a primary water right, the Department must deny your application.

Please note that the Application to Rent Water from the Bank for Lance and Lisa Funk, which was submitted at the same time as your application, will be retained by the Department. The application is requesting a two year rental of water to irrigate 121 acres. The Department will attempt to find an acceptable lease to fulfill that application.

Supplemental water rights are difficult to forfeit through 5 years of non-use through their very nature – they are only used when needed. However, if you are concerned about forfeiture, you might want to consider filing an Application for Extension of Time to Avoid Forfeiture of a Water Right. This form is available from the Department's web site at www.idwr.idaho.gov.

If you have questions regarding this matter, feel free to contact me at (208) 287-4944.

Sincerely,

A handwritten signature in cursive script that reads "Cherie Palmer".

Cherie Palmer, Sr. Water Resource Agent
Water Allocation Bureau

Enclosure: Application to Lease a Water Right 35-2824

c: Greg Sullivan-Brockway Engineering PLCC
James Cefalo-IDWR Eastern Region w/o enclosure
Lisa and Lance Funk w/o enclosure