



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

January 7, 2013

ROBERT H WOOD
RIGBY THATCHER ANDRUS RIGBY & MOELLER CHTD
25 N 2ND E
PO BOX 250
REXBURG ID 83440-0250

**RE: APPLICATIONS TO LEASE WATER RIGHT NOS. 22-2238, 22-7689, AND 22-11318
TO THE WATER SUPPLY BANK**

Dear Mr. Wood:

The Department of Water Resources has completed its review of your client's applications to lease water rights to the Water Supply Bank. Based on that review, the Department cannot accept water rights 22-2238, 22-7689, and 22-11318 into the Bank. The reasons are described below.

On December 5, 2012, I spoke with you by phone and followed up by email regarding the acres that could be considered under this application. I sent a shapefile of acres under these water rights and included outlines of what I could estimate was irrigated in 2012 and what I estimated was not irrigated in 2012, from the available imagery for 2012. In our phone conversation, you mentioned having a consultant look at the shapefile and amend the application. In my email, I asked you to submit the amended application within 14 days. As of this date, we have received no amended application and must deny your original application.

If you have any questions, please contact me at (208) 287-4907.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent

c: James Cefalo – IDWR Eastern Regional Office
Summers Farm & Ranch Inc; c/o Danny Summers; 1500 S 3000 E; Sugar City, ID
83448

Van Bussum, Monica

From: Van Bussum, Monica
Sent: Wednesday, December 05, 2012 11:52 AM
To: 'rwood@rex-law.com'
Subject: shapefile for 22-2238, 22-7689 and 22-11318
Attachments: LeasePOU.shx; LeasePOU.dbf; LeasePOU.prj; LeasePOU.sbn; LeasePOU.sbx; LeasePOU.shp

Hi Rob,

Thanks for the great discussion this morning. I'm included a shapefile of acres under 22-2238, 22-7689, and 22-11318. Whoever looks at this shapefile will notice a bunch of shapes. There are really two categories of shapes in here:

1. Shapes made for what **was irrigated** in 2012 as far as I could tell from looking at the imagery
2. Shapes made for what **was not irrigated** in 2012 as far as I could tell from looking at the imagery

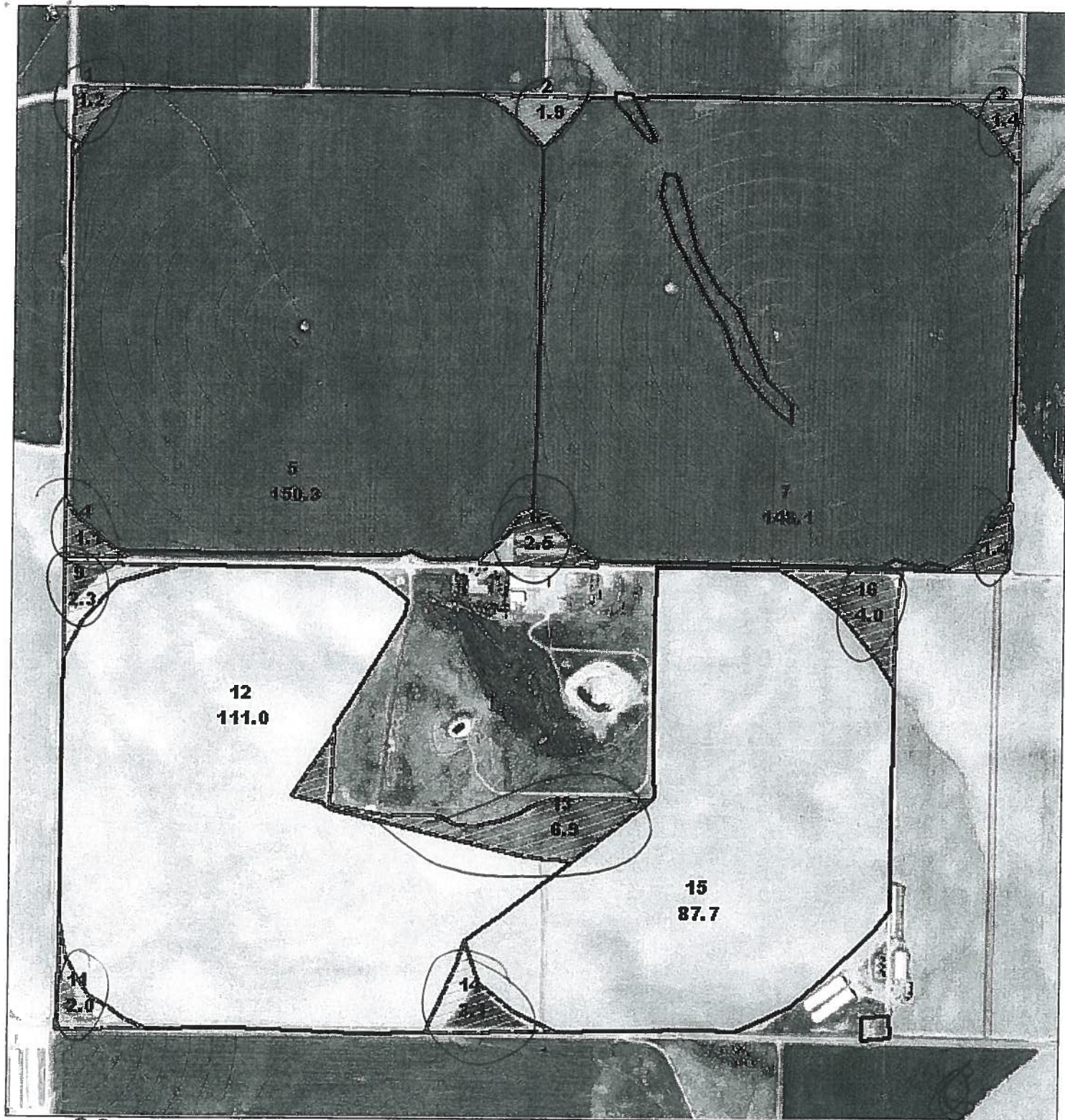
The Water Right POU is also in this shapefile so your consultant can have a view of what the shape looks like for what is allowed versus what I think was irrigated. I provide this for illustrative purposes so your consultant can see my logic in estimating there is more available for lease under these water rights than was submitted under the original application. Your consultant might also be able to tighten up the shapes a little bit (or "loosen" them up as needed).

You should submit an amended application on behalf of your client showing the amended acres assigned appropriately to 40-acre tracts and you should include 2012 imagery where you have it. There is no application fee necessary because it's just an amendment and leases are not based on lease amounts. Please submit the amended application within 14 days and, of course, please call or email if you have questions or concerns.

Monica

MONICA VAN BUSSUM

Sr. Water Resource Agent
Coordinator, State Water Supply Bank
Idaho Department of Water Resources
322 East Front Street
PO Box 83720
Boise, ID 83720-0098
(208) 287-4907
Fax: (208) 287-6700



22-1138
22-2238
22-7680



Farm 600 Tract 371

27.8 total

House/Butte

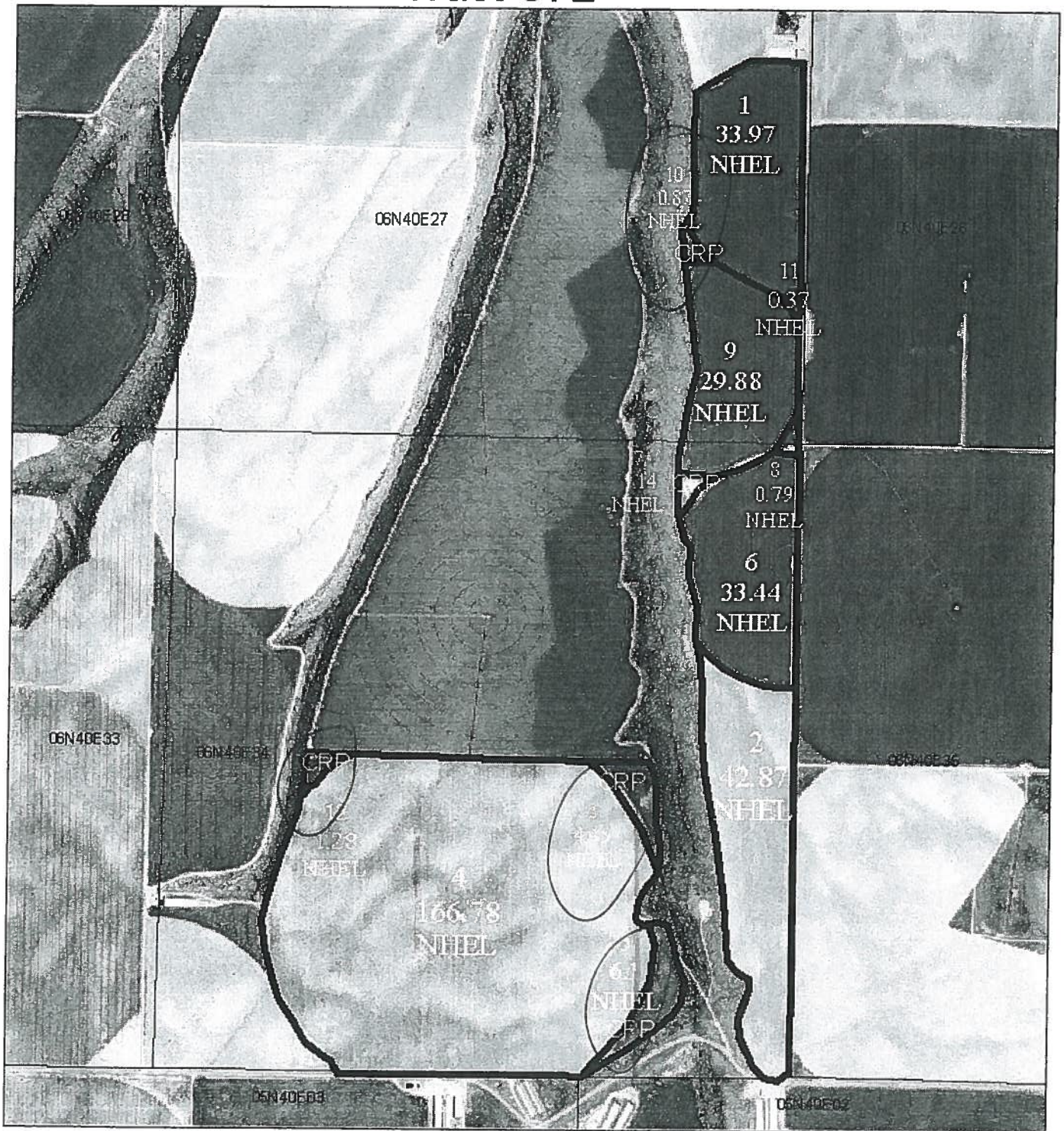
Madison County Idaho
Farm Service Agency



November 30, 2010

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

Farm 600 Tract 372



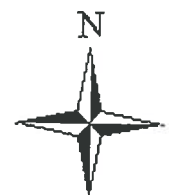
April 08, 2010

22-1138
22-2238
22-7689

House

Madison County Idaho

Farm Service Agency



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d/f



FSA field 6

22-11318, 22-2238, 22-7689

6N 40E 35 SENW
SWNE

South junction of the two RRs