



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

September 10, 2012

LM BULL
5787 W PORTNEUF RD
POCATELLO ID 83204

RE: APPLICATION TO LEASE WATER RIGHT NO. 29-4179 TO THE WATER SUPPLY BANK

Dear Lessor:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right to the Water Supply Bank. The offered water right is accepted into the Bank in accordance with the attached Water Supply Bank Lease Acceptance. If you do not agree with the Lease Acceptance conditions and would like to withdraw your water right from the Bank, you must contact the Department within thirty (30) days of receipt of this notification.

The rights will automatically be released from the Bank on **December 31, 2016**, unless the rights are released earlier by the Board, or upon request by the lessor. 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. Your original request was to the lease the right through the 2017 irrigation season, but we limited to approving a lease for 5 seasons, so this lease will expire at the end of 2016. Additionally, your lease application indicated 23.3 acres were to be idled but a review of the map included with the application and compared with the Department's Geographic Information Systems data indicate only 17.1 acres are included in the outline of the map, so this lease acceptance is for 17.1 acres.

Please review the conditions of acceptance listed on the Lease Acceptance, 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."

Contact me at (208) 287-4907 if you have any questions.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent

Enclosure(s)

c: John Westra – IDWR Western Regional Office
T.J. Budge – Racine Olson Nye Budge & Bailey, Chtd.