



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

August 31, 2012

GARY B GARNER
BEVERLY GARNER
1458 N 300 E
RUPERT ID 83350

**RE: APPLICATION TO LEASE WATER RIGHT NOS. 36-2381A AND 36-12043 TO THE
WATER SUPPLY BANK**

Dear Applicant:

The Department of Water Resources (Department) has completed its review of your applications to lease portions of the above-mentioned water rights to the Water Supply Bank (Bank). Based on that review, the Department must deny the applications. The reasons are described below.

A review of Landsat aerial photography indicates 272 acres still being irrigated under the water rights. Your application proposes to lease 42.8 acres to the Water Supply Bank. Adding 272 acres to 42.8 acres gives 314.8 acres when the water rights only authorize a total of 308 acres. This indicates there are not 42.8 acres of idled ground that can be offered to the Bank for lease.

Additionally, aerial photography indicates the acreage you propose to lease, commonly known as pivot corners, have not been irrigated in more than five seasons. Any future lease applications should be accompanied by evidence of beneficial use within the last five years.

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

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent

Enclosure – Lease Application (original)

C: Allen Merritt – IDWR Southern Regional Office
Cindy Yenter – Watermaster, Water District 130
Zach Latham – Brockway Engineering PLLC