



State of Idaho

DEPARTMENT OF WATER RESOURCES

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December 3, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MARK MCDONOUGH
PO BOX 74
MELBA ID 83641

RE: CURRENT STATUS OF WATER RIGHTS LEASED TO WATER SUPPLY BANK

Dear Mr. McDonough:

Per our phone conversation today, I am enclosing a status update of all the water rights you have leased to the Water Supply Bank (bank) as of 12/03/2007. I am also enclosing a current Application to Sell or Lease a Water Right to the Water Supply Bank (application) and Request to Release or Lease Term Extension Form.

The department acknowledges receipt of two (2) applications for water right nos. 63-3597F and 63-7156D on 2/02/2007. Department resources were focused on the Snake River Basin Adjudication last year. Efforts are currently being made to address the backlog of all department applications with an emphasis on applications for transfer and new water right permits. Please consider the following with regard to your water supply bank applications:

Application to Sell or Lease a Water Right to the Water Supply Bank:

The department will hold your application(s) for review as resources allow. If the right is determined to be eligible for acceptance into the bank and if additional information is not required upon review of the application(s), the right will be entered into the bank as of the date of receipt of the application. The acceptance date may be adjusted if additional information is required. Please note the forfeiture period is not tolled unless a right is accepted into the bank. If forfeiture is a concern, you may also consider filing Extension of Time to Avoid Forfeiture Application.

Please feel free to contact me with any additional questions or concerns you may have regarding this matter.

Sincerely,

Diana L. Ball
Water Allocation Bureau

Encl: 3

c: John Westra – IDWR Western Regional Office
Bruce Smith – Moore Smith Buxton & Turcke, Chartered
Steven R. Hannula – ERO Resources Corp.