



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
Interim Director

October 7, 2011

STEVE WILSON
WOOD RIVER VALLEY IRRIGATION DISTRICT #45
PO BOX 108
BELLEVUE ID 83313

RE: WATER SUPPLY BANK (BANK) APPLICATIONS FOR RIGHT NOS. 37-363D AND 37-20348

Dear Mr. Wilson:

This letter is to follow up on a phone conversation I had with Pepin Corso-Harris of your office on October 5. I reached Pepin by calling the phone number on your office letterhead. Pepin and I discussed that the water rights were partially decreed by the Snake River Basin Adjudication (SRBA) District Court in 2010 and 2011 and the partial decree resets the forfeiture clock. People who lease to the Bank are often looking to protect their water rights from forfeiture.

Pepin and I also discussed how forfeiture of a water right would impact both the rightholder and an irrigation district. As you know, the Department did not receive written consent from WRVID #45 prior to accepting the water rights into the Bank. I apologize for the oversight. Since that time, the Department has changed its lease application form in hopes of remedying the situation. However, we need to rectify the situation with the water rights mentioned above. As I discussed with Pepin, it would be helpful to know WRVID #45's concerns with the water rights being leased to the Bank and what WRVID #45 feels it needs to provide written consent for the leases, whether it's an allowance for conveyance loss in the lease or something else.

Pepin indicated the next WRVID #45 Board meeting is not until November 11th but the Board might also be able to meet before then to discuss this matter. I emailed Pepin the Water Supply Bank application packet for these water rights and have attached copies of the same here. Please let me know how I can be of assistance. Feel free to contact me at (208) 287-4907.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent

Enclosure(s)

c: Kevin Lake – Watermaster, Water District 37
Timothy Tyree – Hawley Troxell Ennis & Hawley LLP