



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

August 12, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

MICHAEL S TELFORD
SHANNON J TELFORD
1450 W HWY 24
PAUL ID 83347

**RE: APPLICATION TO LEASE WATER RIGHT NO. 36-2417, 36-7002A and 36-15984 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 between 2002 and 2010 shows that a maximum 437.2 irrigated acres within the place of use (POU) authorized by the water rights. The water rights authorize a total of 444 irrigated acres, leaving a balance of 6.8 acres that had not been irrigated. However, a review of the same aerial photography indicates 15.6 acres were irrigated outside of the authorized POU during those years. Therefore, it appears more acres have been irrigated than were authorized under the water rights and there are no acres that can be offered to the Bank for lease during those years. We spoke with your attorney, Robert L. Harris, and recommended filing an application for transfer to cover at least some of the irrigated acres currently outside the authorized POU.

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
Robert L. Harris – Holden Kidwell Hahn & Crapo PLLC
Tim Luke – IDWR State Office