



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

February 21, 2007

JAMES E. RISCH
Governor

KARL J. DREHER
Director

BRENT L ALLEN
N SCOTT ALLEN
NORMAN G ALLEN
PO BOX 1057
HOWE ID 83244

**RE: APPLICATIONS TO THE WATER SUPPLY BANK.
WATER RIGHT NOS. 33-2081A, 33-7012, 33-7173, 33-2124, 33-7017,
33-2081B AND 33-7175**

Dear Applicants:

The Idaho Department of Water Resources (department) acknowledges receipt of your application(s) to lease the above referenced water right(s) to the Idaho Water Supply Bank (bank). During 2006, staff resources at the department were focused on the completion of the Snake River Basin Adjudication (SRBA). As a result, other department functions have not been fully operational including processing of water supply bank applications. Efforts are now being made to address the backlog of applications. Please consider the following with regard to your water right:

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

If you filed an application to lease or sell a water right(s) to the 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 an application for Extension of Time to Avoid Forfeiture.

Application to Rent Water from the Water Supply Bank:

The department will make every effort to process the application prior to the end of the year. The department cannot authorize you to divert water without an approved water supply bank rental agreement.

Preliminary Review of your application(s):

A preliminary review of your application has been completed to determine if additional information is required to proceed with processing as

described above. Question no. 3a of the Application to Sell or Lease a Water Right to the Water Supply Bank requires a description of frequency of use under the right, or portion thereof, during the past five (5) years of use to demonstrate that right has not been lost through forfeiture. As indicated on the application, this information is not required if the partial decree was issued within the last five years. In response to this question, you identify the date the partial decree was issued in the Snake River Basin Adjudication for each of the water rights offered for lease. Other than water right 33-2081A, all partial decrees were issued on August 11, 2000, more than five years before the applications to the water supply bank were received on July 10, 2006.

Additional information regarding use or defenses to forfeiture of the offered rights other than right water right 33-2081 is required before the department can continue processing the lease applications. Please provide requested information within thirty days (30) of the date of this letter or the application will be returned to you without processing.

The department will hold the referenced application(s) and proceed as described above as time allows. The department regrets the inconvenience caused by the delay. Please contact me at (208) 287-4800 if you have any questions.

Sincerely,



 Cynthia Bridge Clark
Water Rights Permits Section