

Van Bussum, Monica

From: Van Bussum, Monica
Sent: Wednesday, February 09, 2011 1:15 PM
To: 'Lori Graves'
Cc: Roxanne Brown; Scott King; Westra, John; Nelson, Dan
Subject: RE: Pending Water Bank Lease Applications

Hi Lori,

As promised, Dan has done a preliminary review of the lease applications and we have an update for you. A review of the files revealed that water right transfer 75912 was filed on 63-7131A and 63-8376E. This water right transfer has been protested on the grounds that Willowbrook Development does not own all or a portion of these water rights and that the proposed water right transfer will result in injury to existing water rights, enlargement in the use of existing water rights, conflict with the local public interest, and would be contrary to the conservation of water resources within the state of Idaho.

Water Supply Bank Rule 25 requires the Department to evaluate whether the applicant is the current owner of the water right. Additionally, WSB Rule 25 requires the Department to determine whether the lease will result in injury to existing water rights, will result in enlargement in the existing rights, and will be in the local public interest.

Because the protest to transfer 75912 lists issues linked to Water Supply Bank acceptability, and because a letter from the protestant on November 29, 2010, cited "fruitful negotiations," we will hold the applications for 30 days to allow further effort toward resolution. However, we can not hold the applications indefinitely pending further negotiations. Please let me know how things are progressing during the next 30 days. I have copied John Westra on this email to keep him informed.

Thanks!

Monica

MONICA VAN BUSSUM

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From: Lori Graves [<mailto:LGraves@spfwater.com>]
Sent: Thursday, February 03, 2011 2:09 PM
To: Van Bussum, Monica
Cc: Roxanne Brown; Scott King
Subject: Pending Water Bank Lease Applications

Monica,

Per our telephone conversation, the applications that may be subject to forfeiture in the near future unless accepted to the bank are highlighted below. I included all the applications we submitted for Willowbrook since they probably need to be reviewed together.

		Decree Date
Willowbrook –	all of 63-32819	3/19/2009
	63-32821	3/19/2009
	63-33025	3/19/2009
	63-33027	3/19/2009
	parts of 63-3079	2/16/2007
	63-7056B	2/6/2009
	63-7131A	2/16/2007
	63-8376E	2/16/2007

All the above applications were submitted August 24, 2009.

Surprise Valley -	parts of 63-161BN	2/16/2007
	63-2932	2/16/2007

The above application was submitted August 31, 2009.

After a preliminary review of the applications, please let me know if you advise we file *Requests to Avoid Forfeiture* on any or all of the highlighted water rights.

Thanks Monica.

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