



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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February 4, 2011.

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

THAYNE DRISCOLL
ANDRA DRISCOLL
PO BOX 334
AMERICAN FALLS ID 83211

**RE: WATER SUPPLY BANK LEASE APPLICATION(S)
WATER RIGHT NO(S). 35-38F**

Dear Applicant:

On January 15, 2008, the Idaho Department of Water Resources (Department) received your application to lease all water right no. 35-38F to the Water Supply Bank (Bank) for an indefinite period. The Department is returning your application because the water right is still at issue in the Snake River Basin Adjudication (SRBA) and is scheduled for trial in the fall of 2011.

Your water right is protected from forfeiture as long as it is in the SRBA. We can not process an application which is pending action in the SRBA because we must know the extent of historical use, which is determined in the SRBA. Once your water right is partially decreed in the SRBA and is no longer at issue, you can file another lease application with the Bank.

Please contact me at (208) 287-4907 if you have questions.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent

Enclosure(s): Lease Application

C: Thomas J. Budge – Racine Olson Nye Budge & Bailey, Chtd.