



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 17, 2010

ROWLANDS INC
1141 ROWLAND RD
POCATELLO ID 83204-7416

RE: APPLICATIONS TO LEASE WATER RIGHTS 29-4443 AND 29-4445 TO THE WATER SUPPLY BANK

Dear Applicant:

On July 13, 2009, the Department received the applications to lease the above-mentioned water rights to the Water Supply Bank. Both were pending late claims in the Snake River Basin Adjudication (SRBA). In the most recent late and miscellaneous claims director's report, 29-4443 was recommended solely for domestic and 29-4445 was recommended as disallowed.

Your application for 29-4443 sought to place the industrial portion of the statutory claim in the Bank. This portion of the claim was not recommended in the SRBA and, thus, can not be accepted into the Bank.

Your application for 29-4443 must also be denied because 29-4445 was recommended as disallowed, meaning it does not appear to be a valid right.

If you disagree, you will need to file objections to the SRBA director's report and pursue your water rights through the SRBA process. After they are partially decreed by the SRBA court, you will be free to apply for Bank leases again.

Please feel free to call me at (208) 287-4907 if you have any questions.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent

Enclosure(s): Original lease applications

C: Lyle Swank – IDWR Eastern Regional Manager
Thomas J. Budge – Racine Olson Nye Budge & Bailey Chartered