



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

October 28, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

KEITH J MUNNS
RUTH N MUNNS
8279 S 400 W
REXBURG ID 83440

RE: WATER SUPPLY BANK LEASE FOR 01-169F
WATER RIGHTS 01-28D, 27-2124, 27-4008, 27-4009, 27-4010

Dear Lessors:

In a review of water rights leased to the Water Supply Bank, we determined Snake River Basin Adjudication (SRBA) claim 01-169F was partially decreed as disallowed with prejudice on July 13, 2009. Water right 01-169F had been leased to the Water Supply Bank. Because the SRBA partially decreed the water right as disallowed, it is not considered a valid water right and is considered released from the Bank.

The other water rights you leased to the Bank (mentioned on the second line above) are still considered as leased to the Bank. However, those rights are at issue in the SRBA Court and decisions by the SRBA Court will determine the extent of those leases.

If you have any questions, please feel free to contact me at (208) 287-4907.

Respectfully submitted,

Monica Van Bussum
Sr. Water Resource Agent

C: Lyle Swank – IDWR Eastern Region
Randy Budge – Racine Olson Nye Budge & Bailey Chartered

RECEIVED

JUL 14 2009

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

DISTRICT COURT-SRBA
County of Twin Falls - State of Idaho

JUL 13 2009

Water Right: 01-00169F
(Munns)

FINAL ORDER DISALLOWING
WATER RIGHT CLAIM

On May 15, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 01, Part I, for Irrigation and Other Water Rights*, in which the above named water right was recommended disallowed. No objections were filed and the time period for filing objections has expired.

On May 4, 2009, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a substitution of party in the above named water right. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

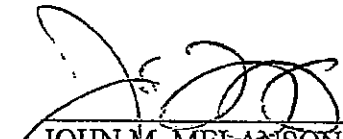
THEREFORE IT IS ORDERED AND ADJUDGED that the above named water right is hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED

July 13, 2009



JOHN M. MELANSON

Presiding Judge

Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the FINAL ORDER
DISALLOWING WATER RIGHT CLAIM was mailed on July 13, 2009,
with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

KEITH J MUNNS
RUTH N MUNNS
8279 S 400 W
REXBURG, ID 83440

ORDER

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Deputy Clerk