



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 8, 2010

RE: NOTIFICATION OF WATER SUPPLY BANK LEASE STATUS

Dear Water Right Holder:

This letter serves as notice that you are the current water right holder of record for a water right that is leased to the Board's Water Supply Bank ("Bank"). On July 20, 1995, water right nos. 43-4037 and 43-7126 were accepted into the Bank in their entirety for the remainder of the year. The lease was renewed for 1996 and later extended for an indefinite period. Subsequent water right transfers split and renumbered these rights into the following active water rights:

43-4037 → 35-13898, 35-13900, 35-13906, 35-13916, 36-16211, 43-13597, 45-13947,
45-13982, 45-14103, 45-14251, 45-14258

43-7126 → 35-13897, 35-13899, 35-13905, 35-13915, 36-16210, 43-13595, 45-13946,
45-13981, 45-14102, 45-14250, 45-14257

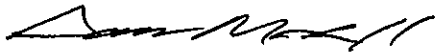
Your water right will remain leased to the Bank indefinitely unless released by the Board. To request release of your water right from the Bank, please complete the appropriate section of the enclosed form and return it to my attention for processing. The following conditions apply to water rights leased to the Bank:

1. The water rights referenced above will be rented from the Bank at the current rental rate.
2. There is no payment to the lessor of the water right if the right is not rented from the Bank.
3. While a right is in the Bank, the lessor may not use the right without prior approval of the Department even if the right is not rented from the Bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the Bank stays in the Bank until the Board releases it, the lease term expires, or upon request from the lessor to change the term of the lease.
5. While a water right is in the Bank, forfeiture provisions are stayed in accordance with Idaho Code § 42-223(5) and 42-1764(2).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.

8. Acceptance of a right into the Bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code § 42-248 and 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.

If you have any questions, please contact me at (208) 287-4943.

Sincerely,



Aaron Marshall
Sr. Water Resource Agent

Enclosure: Release Request Form

c: Allen Merritt – IDWR Southern Regional Office

CLOYD R SEARLE
474 E 550 S
BURLEY ID 83318

KELLY SEARLE
739 S 50 W
BURLEY ID 83318

RAYMOND C SEARLE
655 S 650 E
BURLEY ID 83318

CLIFFORD SEARLE
500 E 500 S
BURLEY ID 83318

CRAIG SEARLE
522 E 600 S
BURLEY ID 83318

KENT R SEARLE
476 E 600 S
BURLEY ID 83318

LAVEL STOKER
WENDY STOKER
707 E 500 S
BURLEY ID 83318

MARLA STOKER
BRENT STOKER
707 E 500 S
BURLEY ID 83318

ALLIANCE LAND & LIVESTOCK LLC
707 E 500 S
BURLEY ID 83318

KBC FARMS LLC
KBCP LLC
3062 S FRONTAGE RD
AMERICAN FALLS ID 83211

GLEN WARD
WARD LAND & LIVESTOCK LLC
227 E 400 S
BURLEY ID 83318

P CHAD BAILEY
SUSAN C BAILEY
428 S 200 W
RUPERT ID 83350