



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

May 9, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MICHAEL L AND RHONDA J JAMES
21610 ROBINSON RD
OREANA ID 83650

RE: WATER SUPPLY BANK LEASED WATER RIGHT NO. 57-7268

Dear Michael and Rhonda James:

Idaho Department of Water Resources (Department) records show that a portion of water right no. 57-7268 was originally accepted into the Water Supply Bank (Bank) on March 28, 2003, in the name of Hill Way, Inc. An ownership change completed by the Department on May 3, 2008, identifies you as the current owner of this water right. This letter is to inform you that the following amount of stockwater under water right no. 57-7268 is currently leased to the Bank for an indefinite term:

<u>Water Right No.</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>
57-7268	0.05 cfs	5.4 ac-ft	NA	NA

Please clarify either in writing or using the attached form whether you intend to continue to lease all or a portion of water right no. 57-7268 to the Bank. If you would like all or a portion of the right to remain leased to the Bank, please specify the date to which you want the lease term extended. You may also request the right remain leased to the Bank for an "indefinite" period. In this case, the right will remain in the Bank indefinitely unless released earlier by the Water Resource Board or until the lessor submits a request to the Department in writing to release the right from the Bank. If the Department does not receive a response, the right will remain in the Bank indefinitely.

Please note, while a right is in the Bank, the owner of the right may not use the right without 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 Section 42-351, Idaho Code, for illegal diversion and use of water, and may include civil penalties pursuant to Section 42-1701B, Idaho Code. Also consider that the five (5) year period of nonuse related to forfeiture of a water right shall begin to accrue upon release of the right from the Bank or shall continue to accrue if a period of nonuse occurred prior to the lease date of the right to the Bank.

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

Sincerely,

Aaron Marshall
Water Allocation Bureau

c: John Westra – IDWR Western Regional Office
Hill Way Inc – 3895 Girdner Ln, Meridian, ID 83642