



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

December 5, 2007

C. L. "BUICK" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

ALONZO B LEAVELL
PO BOX 54
GOODING ID 83330

RE: WATER SUPPLY BANK LEASE, WATER RIGHT NO(S) 37-7385B

Dear Mr. Leavell:

The Department of Water Resources ("department") requests clarification of your intent to maintain the lease of the split portion of water right no(s) 37-7385B to the Water Supply Bank ("bank"). A portion of water right no. 37-7385B was originally accepted into the bank on April 7, 2006 in the names of Gary and Helen DeMoss, for an "indefinite" lease period. Water right no. 37-7385B was split through a change of ownership into nos. 37-22164, 37-22165, 37-22166, 37-22167, and 37-22168. Our records show that you now own water right nos. 37-22164, 37-22165, 37-22166, and 37-22167. Following is the breakdown of the split water right portions:

<u>Water Right No.</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
37-22164	05 cfs	9.20 ac ft	N/A	4.1 acres
37-22165	05 cfs	8.00 ac ft	N/A	2.0 acres
37-22166	30 cfs	62.00 ac ft	N/A	21.6 acres
37-22167	40 cfs	80.80 ac ft	N/A	31.0 acres

The department requests that you clarify either in writing or using the attached form whether you intend to continue to lease all or a portion of water right nos. 37-22164, 37-22165, 37-22166, and 37-22167 to the bank. If you would like all or a portion of the rights to remain leased to the bank, please specify the date to which you want the lease term extended. You may also request the rights remain leased to the bank for an "indefinite" period. In this case, the rights 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 of the rights from the bank.

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. If you have any questions regarding the Water Supply Bank or a specific lease, please contact me at (208) 287-4954.

Sincerely,

A handwritten signature in cursive script, appearing to read "Diana L. Ball".

Diana L. Ball
Water Allocation Bureau

Enc: 1

c: Allen Merritt – IDWR Southern Regional Office