



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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August 10, 2007

C. L. "BUTCH" OTTER  
Governor

DAVID R. IUTHILL, JR.  
Director

ALLEN R & JAQUELINE YOUNG  
1543 W TABER RD  
BLACKFOOT ID 83221

**RE: APPLICATION TO LEASE ALL OR PART OF WATER RIGHT NO(S). 35-2614,  
35-7442, 35-13247, AND 35-13505 TO THE WATER SUPPLY BANK**

Dear Applicant(s):

The Department of Water Resources ("department") has completed its review of the Application to Sell or Lease Water Right(s) to the Water Supply Bank ("bank"). Based on that review, the department has decided not to accept the applications in their current form for water rights 35-2614, 35-7442, 35-13247, and 35-13505 into the bank. The reasons are described below.

The bank rules provide criteria to be considered when determining whether to accept a water right into the bank. One of the criteria for consideration when a portion of a water right is offered for lease to the bank is that the quantity offered is proportional to the portion of the water right offered. The aforementioned water rights have combined use limits and acre limits to be considered when calculating quantities proportional to the portion of the water right offered. Please review the conditions listed on each water right for specification of limits. For your convenience, the following identifies the flow rate per acre allocation of each water right currently unacceptable for inclusion in the bank: 35-2614 = 0.018 cfs/acre, 35-7442 = 0.0157 cfs/acre, 35-13247 = 0.02 cfs/acre, 35-13505 = 0.02 cfs/acre. If you would like to offer these rights to the bank please submit a letter amending the applications so that the flow rate per acre offered for lease is proportional to the flow rate per acre of the water right. Please provide correspondence within thirty (30) days of the date of this letter or the applications will be returned.

If forfeiture of the right is a concern, a right holder can apply to extend the period to avoid forfeiture of a water right. You can request a form be mailed to you, or visit our website at <http://www.idwr.idaho.gov> to obtain a copy of the form. Your right may also be protected from forfeiture based on exceptions or defenses to forfeiture described in Section 42-223, *Idaho Code*.

If you have questions, please feel free to contact me at (208) 287-4943

Sincerely,

Aaron Marshall  
Water Allocation Bureau

c: Lyle Swank – IDWR Eastern Regional Office  
Kent Foster – Holden, Kidwell, Hahn, & Crapo