



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

January 17, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DUNCAN D FARRIS
493 N KATSURA AVE
KUNA ID 83634

**RE: REQUEST FOR ADDITIONAL INFORMATION. APPLICATION TO
SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK.
WATER RIGHT 63-7223**

Dear Applicant:

The Department of Water Resources ("department") is reviewing your Application to Sell or Lease Water Right(s) to the Water Supply Bank ("bank"). The Water Supply Bank rules provide criteria to be considered when determining whether to accept a water right into the bank. These criteria include the probability of renting the water right from the bank, and whether rental of water under the right would result in injury to other right holders or enlargement of use of the water right. A couple of related questions need to be addressed before the department can continue processing your application.

First, you indicated in the application that the above referenced water right has been used as the primary source of water. Information in the water right file suggests that all or a portion of the right was licensed to supplement an existing source of water. Additional information regarding the historic use of this water right should be provided to clarify whether use is primary or supplemental. Information about the existing water supply from the irrigation district should also be provided to establish its use in conjunction with the ground water right.

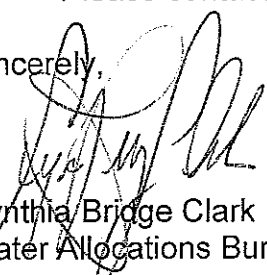
Second, if the water right is in fact supplemental to the surface water delivered by the Nampa & Meridian Irrigation District, the department will require documentation showing historic use to determine the amount of water available for lease. It is necessary to evaluate use under the supplemental right over an appropriately representative time period to establish the volume historically diverted and available for lease in order to prevent enlargement of the right when renting from the bank.

Please note water may not be diverted under the right while it is leased to the bank unless it is subsequently rented from the bank. If the right is associated with lands covered with water supplied by the irrigation district, future rental or use may be limited to avoid enlargement. For further consideration of your application, please provide evidence of extent of use of the right and other associated rights during at least the last

five-year period. The department will continue processing your application once you have submitted the requested information.

Please contact me at 208-287-4946 if you have any questions

Sincerely,



Cynthia Bridge Clark
Water Allocations Bureau