



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

May 30, 2025

GROUSE CREEK DOGS, LLC
1627 E LAKE VIEW LN
EAGLE MOUNTAIN UT 84005-3001

**RE: RETURNED APPLICATION(S) TO LEASE WATER RIGHT NO(S). 29-7161 & 29-7265 TO
THE WATER SUPPLY BANK**

Dear Applicant:

On November 13, 2025, the Department of Water Resources (Department) received your application(s) to lease water right(s) 29-7161 & 29-7265 to the Water Supply Bank (Bank). Water Supply Bank Rule 25 (also known as IDAPA 37.02.03.025) requires the Department to evaluate whether the water right has been lost through abandonment or forfeiture as defined by Section 42-222(2), Idaho Code. Section 42-222(2) states, in part, "All rights to the use of water acquired under this chapter or otherwise shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated."

A review of aerial photography between 2004 when the right was partially decreed in the Snake River Basin Adjudication and 2024 shows no evidence of irrigation on the acres proposed to be leased to the Bank. Exception to forfeiture 42-223(6) for circumstances over which the water right owner has no control is not applicable due to the water rights undergoing a period of non-use greater than five years prior to the change in ownership to the current owners. It is unknown at what times the supply of water may have been adequate or inadequate during the period of non-use.

This letter is notice that the attached application(s) to lease water to the Bank are being returned. The Bank rules provide criteria to be considered when determining whether to accept a water right into the Bank.

You may re-file your lease application(s) within fourteen (14) days with the requested information without having to submit new application filing fee(s). Department resources were expended in order to provide a full review of your applications. Therefore, the lease application filing fees will not be refunded if an acceptable application with all the required information isn't submitted within fourteen (14) days.

If you have any questions, please contact this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

Aaron Olson

for
Water Supply Bank

Enclosure: Rental Agreement

c: Luke H Marchant