



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

C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

May 8, 2013

MVCP LLC
474 EAST 550 SOUTH
BURLEY ID 83318

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 45-13904**

Dear Renter:

The Department of Water Resources previously sent you a Water Supply Bank Rental Agreement that you signed and returned. Before the agreement could be executed, it came to the Department's attention that water right 45-13904 should be dedicated to the Southwest Irrigation District (SWID) Mitigation Plan. As you know, a water right that is used for mitigation purposes cannot be leased or rented into the Bank for a number of reasons. However, we received correspondence from SWID that confirms that right 45-13904 can be leased and rented into and out of the Bank for the 2013 season only. Based on that correspondence, the Department is issuing a new agreement which is enclosed for your review and signature. Upon signature and return of the original agreement the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement. Note that the rental fee of \$558.28 has been received and no fee is due at this time. Pursuant to the Water Supply Bank Rules, the rental fee will be retained by the Department to offset administrative costs.

In addition, the SWID and the Department are requiring that you release the 42 acres that have previously been leased into the Bank under water right 45-13904. The 42 acres have not been rented out and there are no apparent problems upon release of the acres from the Bank.

Please send the signed rental agreement and the Request to Release a Water Right from the Bank form to my attention within 14 days so I can complete the processing.

If you have any questions, please contact me at (208) 287-4944.

Sincerely,

Cherie Palmer
Sr. Water Resource Agent

Enclosure(s)

c: Greg Sullivan-Brockway Engineering PLLC