

Palmer, Cherie

From: Palmer, Cherie
Sent: Tuesday, June 18, 2013 4:53 PM
To: Palmer, Cherie; csearle@pmt.org
Cc: Greg Sullivan
Subject: Rental Agreement 45-13904--RESPONSE REQUIRED ASAP!!

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Craig,

I received the signed agreement in today's mail. Thank you for attending to that matter. There is one outstanding item that must be addressed before I can finalize your rental agreement. 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. You may access the form here: <http://www.idwr.idaho.gov/RulesStatutesForms/WaterRights/PDFs/WSB%20Lease%20Release%20Request.pdf> Please indicate that you wish to release 42 acres of water right 45-13904 as 82.1 acres will fulfill your pending rental agreement.

If I don't receive the release request within **10 days**, or by June 28, 2013, I must cancel your lease and rental agreement regarding 45-13904 and your fee will not be refunded. There are other consequences for not completing the rental of 45-13904 which may include compliance issues that can result in notice of violations and subsequent fees.

If you have any questions regarding this matter please give me a call. Otherwise I look forward to receiving your signed release request.

*Cherie Palmer, Sr. Water Resource Agent
Idaho Dept of Water Resources
Water Allocation Bureau
322 E. Front Street (Front St. & Broadway Ave)
Mail: PO BOX 83720 Boise, ID 83720-0098
email: cherie.palmer@idwr.idaho.gov
phone: (208) 287-4944
fax: (208) 287-6700*

From: Palmer, Cherie
Sent: Tuesday, June 04, 2013 12:07 PM
To: 'csearle@pmt.org'; 'Greg Sullivan'
Subject: MVCP Rental Agreement 45-13904

<< File: L2.0 Rental Agreement-Revised.pdf >>

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