



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

April 8, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN ID 83325

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK; WATER RIGHTS 35-2241, 35-2242 AND 35-7310A

Dear Applicant:

On March 25, 2011, the Idaho Department of Water Resources (Department) received your application to rent water from the Water Supply Bank (Bank) for irrigation during 2011.

We have had time to review the rental application and the ESPA model results you faxed on April 7, 2011, and are returning them to you because some revisions are needed. First, under part 2, "Source of Water," you wrote 35-7310A, 35-2241 and 35-2242. 35-2241 has been split. One of the splits was 35-2241A. 35-2241A was split into several portions, one of which was 35-14032. A portion of 35-14032 was accepted into the Bank in October 2010. Since that time, 35-14032 was split into 35-14069 and 35-14070. You are the owner of record for both 35-14069 and 35-14070. We do not know which water right you want to use for this rental, 35-14069 or 35-14070, and we do not know how much that water right will contribute. It is critical to know how much each water right is contributing so we can avoid enlargement and/or injury pursuant to Water Supply Bank Rule 30. Additionally, 35-2242 is no longer a valid water right number; it, too, has been split. The portion of 35-2242 that you own is 35-14019. If you decide to pursue the rental, please amend your application to show the correct water right numbers and the amount each is expected to contribute to the rental. This will also help with assessing your ESPA model run.

Thank you for faxing us the results of your ESPA model run. Those are normally very helpful and expedite processing time. However, there are two issues with this model run that need addressed. First, you propose a one-year rental period and have modeled a five-year rental. Modeling the correct rental period is crucial for assessing mitigation requirements. Second, as noted above, we cannot determine how much is being contributed from 35-14019 and 35-14069 or 35-14070 because they have the same priority date and are modeled in the same FROM WELL cell. When you return your rental application with the appropriate modeling scheme, please include a note telling us how much each of the rights is contributing.

Please contact me at (208) 287-4907 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Monica Van Bussum". The signature is written in dark ink and is positioned above the printed name and title.

Monica Van Bussum
Sr. Water Resource Agent