



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

December 22, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

JAMES E MAHONEY
53 SETTLERS RD
BOISE ID 83716

RE: APPLICATION TO GRANT WATER RIGHT TO THE IDAHO WATER RESOURCE BOARD; WATER SUPPLY BANK APPLICATION FOR 63-31218 AND 63-31836 (SPLIT OF PARENT WATER RIGHT 63-270)

Dear Mr. Mahoney,

On August 26, 2005, the Department received your application to grant part of water right 63-270 (now known as water right 63-31836) to the Idaho Water Resource Board through an application to the Water Supply Bank. You offered three acres to the Bank to satisfy a condition of permit 63-31218, which stated:

The permit holder shall provide information to satisfy the Department that 0.06 cfs appurtenant to three (3) acres under water right no. 63-00270 has been permanently acquired by the applicant to mitigate flow depletions in the Boise River below Lucky Peak Dam. The portion of water right no. 63-00270 acquired by the permit holder shall be assigned to the water bank operated by the Idaho Water Resource Board to be used solely for the purpose of mitigating water use under permit no. 63-31218.

I apologize it has taken so long to finalize this lease acceptance for the three acres under 63-31836. At the time of your lease, the Department was still determining its policy for mitigation in the Boise River. We would like to bring your water right in line with this policy. We propose to accept your lease of three acres under water right 63-31836. However, when license 63-31218 is granted, we propose to change a portion of 63-31836 to mitigation for three acres and change the above-quoted condition of permit 63-31218 to reflect that the required three acres is now listed as mitigation.

I have enclosed a lease acceptance for your review. If you disagree, please contact me at (208) 287-4907 or in writing within the next 30 days. Otherwise, the lease acceptance will be in effect until permit 63-31218 goes through licensing. At this time, a field exam will need to be conducted on 63-31218 before it can be licensed.

Sincerely,

Monica Van Bussum

Enclosure: Lease Acceptance

C: Shelley Keen – Section Manager, Water Rights
Jeff Peppersack – Chief, Water Allocation Bureau
Brian Patton – Chief, Water Planning Bureau
John Westra – Manager, IDWR Western Regional Office