



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

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C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

February 19, 2010

MARIA MINICUCCI
BOISE PARKS & RECREATION
1104 ROYAL BLVD
BOISE ID 83706-2840

Re: Application for Transfer No. 69327, Water Right No. 63-9276

Dear Ms. Minicucci:

Thank you for your January 27, 2010 response regarding the proposed mitigation plan for the above referenced transfer application. I discussed the plan with the Idaho Department of Water Resources (IDWR) administration. Based on that discussion, the following comments are provided for your consideration.

IDWR has not issued approvals based on mitigation plans in which mitigation water could not be assured to be available for at least a significant period of time, e. g., many years. The need for a supplemental source at the municipal golf course would be more pronounced in water short years. In such years, typically the demand for rental pool water would be greater than normal while the supply of rental pool water would be less than normal. Additionally, a rental pool lease cannot guarantee available water beyond a single irrigation season. The rental pool does not provide reliable mitigation for this transfer application.

An alternate plan providing a multi-year source of mitigation water would allow IDWR to approve the transfer. For example, please see the enclosed 40-year contract for storage water in Anderson Reservoir that resulted in approval of Permit 63-11439.

Several options are available at this point as follows:

- 1) Withdraw the application.
- 2) Provide a plan demonstrating that mitigation water would be reliably available.
- 3) Request up to six months more time to consider the next step.

IDWR should reject the application if a timely written reply is not provided within thirty (30) days. A rejected application may be re-filed when adequate information can be provided. Please contact me if you need more information in this regard.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure