



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 2, 2009

KEVIN KOHTZ
DELBERT KOHTZ
1135 VALLEY RD S
EDEN ID 83325

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 61-2154, 61-10378, 61-2155, 61-2188, AND 61-7151

Dear Mr. Kohtz:

The Department of Water Resources ("Department") acknowledges receipt of your application to rent water from the Water Supply Bank ("Bank"). Please find enclosed a Water Supply Bank Rental Agreement for your review and signature. Upon signature and return of the original agreement, together with the rental fee described below, 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.

On the application you requested a rental diversion rate of 6.84 cfs and a diversion volume of 1,560 acre-feet for irrigation of 390 acres. The amount of water reflected in this rental agreement is the rate and volume proportional to the amounts authorized under the water right(s) rented for irrigation of 390 acres: 6.32 cfs and 1,587.6 acre-feet.

A total rental fee of \$22,226.40 was calculated based on \$14.00 per acre-foot times a diversion volume of 1,587.6 acre-feet. The enclosed receipt shows a total of \$21,000 was already paid for this rental. Please send a check for the remaining balance of **\$1,226.40** made payable to the Idaho Department of Water Resources together with the signed rental agreement to my attention within fourteen (14) days so I can complete the processing.

Please note that applications for rental of water must be reviewed in accordance with Idaho Code § 42-1763 and the Department's Water Supply Bank Rule 30 (IDAPA 37.02.03.030). This includes consideration of whether there will be injury to other water rights, whether the proposal would constitute an enlargement of the water rights, whether the water will be put to a beneficial use, whether the water supply available from applicable rights in the Bank is sufficient for the use intended and whether the proposal is in the local public interest. While a one-year rental usually involves a general review of the water rights and proposed use, rental of water over multiple years may require more comprehensive review, notice to advise anyone who desires to protest the proposed water use, and approval by the Idaho Water Resource Board.

If you have any questions, please contact me at (208) 287-4943.

Sincerely,

Aaron Marshall
Sr. Water Resource Agent

Enclosure(s): Receipt, Rental Agreement