

Marshall, Aaron

From: Bruce M. Smith [BMS@msbtlaw.com]
Sent: Tuesday, August 14, 2007 6:39 AM
To: Marshall, Aaron
Subject: RE: Water Supply Bank Rental Application for City of Eagle

Aaron—I was unable to come in yesterday because of a previously scheduled meeting. I will come by your office to discuss the requested info first thing this morning. Bruce

From: Marshall, Aaron [mailto:Aaron.Marshall@idwr.idaho.gov]
Sent: Friday, August 10, 2007 3:27 PM
To: Bruce M. Smith
Subject: Water Supply Bank Rental Application for City of Eagle

Bruce,

Upon discussing the Water Supply Bank rental application for the City of Eagle with Jeff Peppersack, Water Allocation Bureau Chief, we concluded that more information is necessary prior to application processing. Please provide information to address the following.

On July 17, 2007, a preliminary order was issued approving permit applications 63-32089 and 63-32090 which has recently been petitioned for reconsideration. How is water sought under the rental application related to these permits? Is it intended to be diverted from the same points of diversion identified on those permit applications in addition to water diverted under those permits?

Water sought under the rental application is indicated to be used for municipal purposes within the service area of the City. What is the specific nature of the municipal use? Is it intended to be used for existing demand year round, existing peak season demand, future development, or other?

Under Water Supply Bank Rules, IDAPA 37.02.03, Rule 30.02, "The Director may give notice of an intended rental as he deems necessary". If the Department has a concern that there is potential for injury to other water users, the Department may provide public notice as outlined in Section 42-222(1), Idaho Code.

Please provide a written response addressing the information request above so the Department can proceed with application processing. Feel free to contact me by phone or email if you have further questions.

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