



State of Idaho

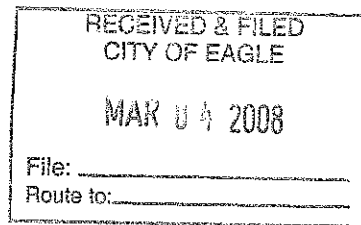
DEPARTMENT OF WATER RESOURCES

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

ORIGINAL

February 29, 2008

CITY OF EAGLE
660 E CIVIC LN
PO BOX 1520
EAGLE ID 83616



C. L. "BUTCH" OTTER
Governor

DAVID R. LUTHILL, JR.
Director

Mayor/ City Council ☒
City Clerk ☒
P & Z Dept. ☒
Bldg. Dept. ☒
Attorney ☒
Engineer ☒

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S) 63-32960

RECEIVED

MAR 10 2008

DEPARTMENT OF
WATER RESOURCES

Dear Renter:

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 2.00 cfs and a diversion volume of 320.0 acre-feet. The diversion volume applied to this rental agreement is the amount proportional to the requested diversion rate based on the amount authorized under the water right(s) rented.

The total rental fee of \$4800.60 was calculated based on the current rental rate of \$14.00 per acre-foot times a diversion volume of 342.9 acre-feet. Ten percent (10%) of the total rental fee is retained by the Department for administrative fees in accordance with Water Supply Bank rules, IDAPA 37.02.03.01. The remaining ninety percent (90%) is issued back to the lessor of the above referenced water right(s) in the form of a warrant. Since the lessor of the right is requesting that you only pay the administrative fee under this agreement, the Department requires that you submit only that portion of the total payment. Therefore, a rental fee of **\$480.06** must be paid in accordance with the rental agreement. Please send a check made payable to the Idaho Department of Water Resources together with the signed rental agreement. Return the signed agreement and fee to my attention within ten (10) days of receipt of this letter so I can complete the processing. An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if the payment is not received for a given year.

Please note that applications for rental of water must be reviewed in accordance with Section 42-1763, Idaho Code, 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.

Please review the conditions of water use described in the agreement and contact me if you have any questions at (208) 287-4943.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Marshall".

Aaron Marshall
Water Allocation Bureau

Enc: 1

c: John Westra – IDWR Western Regional Office
Bruce M. Smith – Moore Smith Buxton & Turke