



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

August 29, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ALONZO LEAVELL
PO BOX 54
GOODING ID 83330

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK.
WATER RIGHT NO(S). 37-2683B AND 37-7349B.**

Dear Mr. Leavell:

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 agreement, together with the rental fee described below, the department also will sign the agreement and will 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.

The rental fee of **\$385.00** was calculated at \$11.00 per acre-foot times 35.0 acre-feet. Please send a check made payable to the Idaho Department of Water Resources together with the signed rental agreement. Also return the signed agreement and fee to my attention so I can complete the processing.

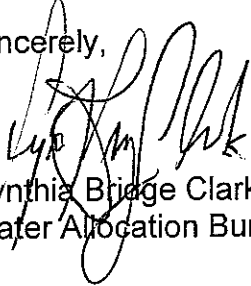
Please note the department was unable to approve rental of water right 37-7343 as requested due to information required for the acceptance of the right into the bank. However, the attached rental agreement authorizes diversion of water during the 2005 irrigation season from the rights referenced above. Due to the limited number of water rights available for rent in your area, additional information and review is required to approve rental of the referenced rights for more than one year.

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 water supply 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.

You may wish to file a new application for rent with documentation that the temporary change in the point of diversion would not result in increased depletions to any hydraulically-connected reach of the Snake River, or consider rental of additional water to provide mitigation for anticipated depletions.

If you have questions, please feel free to contact me.

Sincerely,



Cynthia Bridge Clark
Water Allocation Bureau

Encl: 1

c: Allen Merritt – IDWR Regional Office
Chuck Brockway – Brockway Engineering PLLC