



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

RECEIVED

KARL J. DREHER
Director

March 27, 2003

Rodney D. Johnson
8108 Fort Wilson Dr
Payette, ID 83661

MAR 27 2003

WATER RESOURCES
WESTERN REGION

**RE: APPLICATION TO LEASE WATER RIGHT NO. 78-12131 TO THE WATER
SUPPLY BANK**

Dear Mr. Johnson:

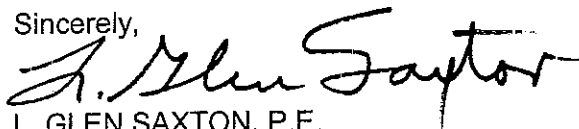
The department has received and reviewed the Application to Sell or Lease a Water Right to the Water Supply Bank ("bank") that you submitted to the Department on March 20, 2003. I understand that the primary reason for placing the right in the bank for 2003 is to stay allegations of forfeiture of the water right due to non-use and to provide some time to the parties who use Campbell Swamp to potentially work out a solution to water disputes among users of water in the swamp.

Although several parameters of the claimed water right are not presently available or known, the Department is willing to take the right into the bank under the terms described below in this letter.

1. The right won't be rented from the bank due to presently unknown information such as the amount of past use of the right and since certain information such as the authorized rate of diversion is not known. Hence there will not be a payment to the owner of the water right while it is in the bank.
2. The owner of the right may not use the right while it is in the bank.
3. The right will remain in the bank until the Board releases it or until the lease term expires on December 31, 2003, although the owner of the right may request that the Board retain the right for a longer period.
4. While a right is in the bank, the accumulation of forfeiture through non-use of the water right is stayed.
5. Acceptance of the right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

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

Sincerely,


L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: ✓ Steve Lester - IDWR - W. Region
78-12131