

PINEHAVEN PLANNING BOARD

BOX 58

ISLAND PARK, IDAHO 83429

Idaho Department of Water Resources
Eastern Regional Office,
150 Shoup Suite # 15,
Idaho Falls, ID. 83401

22 Mar 1989

The Pinehaven Planning Board recently filed Notices of Claim on each water right within Pinehaven and North Pinehaven on the basis of Permits issued by your Office. A total of seventeen wells covered by fifteen permits were included in this action. The Board also filed for Proof of Beneficial Use on all the wells.

We have since found out that rights on one of these wells (Well # 7, Permit A21-07327) had already been claimed by T. J. Wadsworth, a property owner whose property is serviced by the well, under permit A 21- 7285. He had also filed for Proof of Beneficial Use on that well. This unilateral action resulted in two permits, two water right filings, and two proof of beneficial use filings on the same well.

The Board will resolve the question of water right ownership for this well with the permit holder. We feel that it would be better for all parties serviced by the well for the well to be included under aegis of the Pinehaven Planning Board, the legally recorded permanent governing body for Pinehaven and North Pinehaven, rather than under the ownership of an individual who could sell the property. This well belongs to the property owners serviced by the well and should not be transferred to another property owner.

The Pinehaven Planning Board paid to your Office the sum of \$ 111, \$ 61 for water rights filing and \$ 50 for proof of beneficial use for Pinehaven Well # 7, permit A21-07327. The property owner, T. J. Wadsworth, had previously paid for the same actions, under Permit A21-7285. Request that the amount of \$ 111 be refunded to the Board.

When the Board obtains agreement from T. J. Wadsworth that this well should be properly under the Pinehaven Planning Board, the Board will apply for transfer of the Water Rights from Mr. Wadsworth and will reimburse him for his expenses in filing for the rights and proof of beneficial use.

For the Planning Board,
Ben Widmann
Ben Widmann,
Mayor and Member of the Board.

REGISTERED

MAR 30 1989

Department of Water Resources
Eastern District Office

MICROFILMED

OCT 21 1992

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Ben Widmann
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Mayor and Member of the Board.

RECEIVED
MAR 23 1989

Department of Water Resources
Idaho Department of Water Resources Eastern District Office

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OCT 21 1992