



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

MEMO

To: File 95-8116, 95-8118  
From: Linda Werner *L.W.*  
Date: January 3, 2019  
Subject: Notice of Error Reply Response

Water right numbers 95-8116 and 95-8118 divert water from approximately 8 springs, where it's eventually piped to Skalan Creek and diverted from a storage pond on the creek to irrigate 13 acres.

Conrad Romberg, new property owner, filed a Notice of Error reply indicating that they may be making significant changes to the water right usage, i.e. using one spring rather than all 8, decreasing irrigated acreage and possibly abandoning the use of the storage pond. Mark Gessner, agent for Mr. Romberg who resides on the property, was in my office on Tuesday, December 11, 2018, to discuss the water usage and at that time they were not aware of the pond. However, between that time and our phone call today, he had done some investigating and found more evidence of diversion works.

I contacted Mark Gessner today to advise him that we were going to recommend the claims as they were licensed based on the date of the claim filing (2009) and purchase date of the property being 2015, and because, as of this date, no changes have occurred to the water right usage.

Mr. Gessner agreed that it would be best to recommend the claims as licensed, and that he would advise Mr. Romberg of our phone call. I advised them to contact us if they make any future changes.