

RECEIVED

OCT 19 2020

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RELINQUISHMENT OF PERMIT

I, Jim Standley, hereby relinquish to the State of Idaho,
all my right, title and interest in and to Permit to Appropriate the Public Waters of the
State of Idaho, No. 65-23305.

Signed this 16th day of October, 20 20.

Jim Standley
Permit Holder(s)

President, Lake Reservoir Company



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W Airport Way • Boise ID 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348

Website: idwr.idaho.gov • Email: westerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 20, 2020

COPY

ATTN: JIM STANDLEY
LAKE RESERVOIR CO
102 N MAIN ST
PAYETTE, ID 83661

RE: Relinquishment of Permit 65-23305

Dear Permit Holders:

The Department has received and processed your notice of relinquishment for the water appropriation permit referenced above. The permit has been relinquished and is no longer in effect.

If you have any questions regarding this matter, please contact the Department.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Justin Shearer', is written over a horizontal line.

Justin Shearer
Water Resource Agent, Sr.
Western Regional Office
208-334-2190

Shearer, Justin

From: Ron Shurtleff <waterdist65@srvinet.com>
Sent: Friday, October 16, 2020 3:59 PM
To: Shearer, Justin
Subject: RE: Measuring Device Condition for Blackwell Lake
Attachments: RelinquishNotice 65-23305.pdf

Justin,

Here is the notice you are waiting for from the Lake Reservoir Company, thanks for your patience. And thanks for all the work you went through to try to make it work.

Best regards,
Ron

From: Shearer, Justin [mailto:Justin.Shearer@idwr.idaho.gov]
Sent: Wednesday, October 7, 2020 4:40 PM
To: Ron Shurtleff
Subject: RE: Measuring Device Condition for Blackwell Lake

Good evening Ron,

I just wanted to follow up on the status of the Relinquishment of permit 65-23305 for Lake Reservoir Co. Should I begin the voiding process, or should I anticipate a relinquishment of this permit coming soon? Please let me know at your earliest convenience, as I would like to make a conclusion on this permit as soon as possible.

Thanks and regards,

Justin Shearer
Water Resource Agent, Sr.
(208)-334-2190

From: Ron Shurtleff [mailto:waterdist65@srvinet.com]
Sent: Friday, September 18, 2020 9:37 AM
To: Shearer, Justin <Justin.Shearer@idwr.idaho.gov>
Subject: RE: Measuring Device Condition for Blackwell Lake

Justin,

I will inform the Lake Reservoir folks of everything that you have gone through. I expect they will instruct me to sign the relinquish form since there has been no effort to enhance the storage capacity at Blackwell.

I will need a little time to talk with everyone.

Thanks,

Ron

From: Shearer, Justin [<mailto:Justin.Shearer@idwr.idaho.gov>]
Sent: Wednesday, September 16, 2020 3:53 PM
To: Ron Shurtleff
Subject: RE: Measuring Device Condition for Blackwell Lake

Good afternoon Ron,

Let me preface with an apology for going back and forth on the determination of this permit. After final review of the permit, I have determined that "no additional increment of beneficial use" was developed under this permit. This is partly due to the discovery of a memo from 2/11/2010 (attached) outlining that application for permit 65-23305's intent was to account for additional storage capacity totaling the amount of this permit plus the amount already decreed by WR's 65-2923C and 65-2923E for a total of 340 af. However, as you and I have already previously discussed, I found no evidence that the capacity of Blackwell Lake is equivalent to 340 af, nor is there any documentation of how this number was calculated on behalf of Lake Reservoir Co., but rather 178 af, which existing rights already account for. Calculated reservoir capacity is equal to 37 ac surface area x avg depth 4.8 ft = 178 AF. Additionally, with the dam height only being 6 ft, it is unlikely that the average depth of the reservoir is greater than an estimated 4.8 ft with all factors being considered.

Because there is no evidence to suggest that the capacity of the reservoir is greater than 178 af, and that the intent of the permit was to account for additional storage capacity and not refill, I am at this time unable to make a licensing recommendation.

If you have any questions or concerns please feel free to contact me. If you would like to help expedite the voiding process for this permit, it would be greatly appreciated if you could please fill out and sign the attached Relinquishment of Permit form. Otherwise, if I do not hear back from you I will be issuing a 'Notice of Intent to Void' for this permit.

Thanks and regards,

Justin Shearer
Water Resource Agent, Sr.
(208)-334-2190

From: Ron Shurtleff [<mailto:waterdist65@srvinet.com>]
Sent: Thursday, September 3, 2020 4:34 PM
To: Shearer, Justin <Justin.Shearer@idwr.idaho.gov>
Subject: RE: Measuring Device Condition for Blackwell Lake

Justin,

Thanks for the reminder, I knew there was something I should be doing. Sorry for the delay,

Best regards,
Ron Shurtleff

From: Shearer, Justin [<mailto:Justin.Shearer@idwr.idaho.gov>]
Sent: Thursday, September 3, 2020 2:51 PM
To: Ron Shurtleff
Subject: Measuring Device Condition for Blackwell Lake

Good afternoon Ron,

I just wanted to reach out to remind you that I have the license approval drafted for water permit 63-23305 for Irrigation storage on Blackwell Lake. I just need a statement from you as the watermaster saying that the controlling works is constructed in a manner that provides the watermaster suitable control of the release of water from Blackwell Lake. If you could please provide a statement at your earliest convenience I can provide a license recommendation for this permit.

Feel free to contact me with any questions you might have.

Thanks and regards,

Justin Shearer
Water Resource Agent, Sr.
(208)-334-2190