



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

July 1, 2020

Sunview Dairy #3  
PO Box 88  
Terreton, ID 83450

RE: Application 31-12442

Dear Applicant:

On April 13, 2018, you filed Application 31-12442, seeking a permit to divert ground water for domestic use at a home in Terreton. The proposed point of diversion is an existing ground water well owned by Mud Lake Water Users Inc. According to the application, a well use sharing agreement was to be completed with Mud Lake Water Users within two weeks after the application was filed.

The Department published notice of Application 31-12442 in the Jefferson Star on May 16 and 23, 2018. No protests were filed against the application. I have completed the final review of the application and am prepared to issue a permit. The permit cannot be issued, however, until you provide proof of legal access to the proposed point of diversion. On October 18, 2018, IDWR agent Jeff Nield sent you a letter asking for proof of legal access to the proposed point of diversion. The letter set a 30-day response deadline. You did not provide proof of access within the 30-day response period and still have not provided proof of access, over two years later.

Rather than void the application, I have decided to give you one more chance to provide evidence of legal access to the proposed point of diversion. Please provide a copy of an easement or a well sharing agreement on or before July 31, 2020. If you do not provide evidence of access by July 31, 2020, I will initiate the process to void Application 31-12442. I am sending a copy of this letter to Mud Lake Water Users and Jefferson County. It is my understanding that these will be the other parties to the proposed well sharing agreement. Please feel free to contact me with any questions.

Sincerely,

James Cefalo  
208-525-7161

Cc: MLWU Inc. c/o Rob Harris, PO Box 50130, Idaho Falls, ID 83405  
Jefferson County Attorney, 210 Courthouse Way, Suite 140, Rigby, ID 83442