

## MEMORANDUM

TO: Water Right Permit File 2-10410  
FROM: Emily Skoro  
DATE: October 22, 2019  
SUBJECT: Review of Water Right Licensing for Permit 2-10410

The original application for permit was submitted by Stanley and Sylvia Capouch. The property was later sold to Patricia Russell. Ms. Russell submitted the Statement of Completion in June of this year. When I contacted Ms. Russell, she had sold the property to George and Margaret Wilson. The current permit is still under Ms. Russell's name.

### Patricia Russell Communication Summary

- 10/2/2019 – I called Ms. Russell to set up a field exam and left a message.
- 10/3/2019 – I emailed Ms. Russell to set up a field exam.
- 10/7/2019 - Ms. Russell responded to my email and let me know she sold the property and who the current owners contact information.
- 10/7/2019 – I emailed Ms. Russell to ask if she could fill out the Assignment of Permit form and return it back to the Department.
- 10/8/2019 - I tried to contact Ms. Russell again to ask about the installed system and received no response.
- 10/17/2019 - I sent an Intent to Void letter to Ms. Russell and copied George Wilson.
- 11/18/2019- I did not receive any communication from Ms. Russell, therefore, the permit will be voided.

### George Wilson Communication Summary

- 10/7/2019 - I emailed Mr. Wilson about setting up a field exam.
- 10/7/2019 – Mr. Wilson emailed back that he is not aware of a water system on his property that brings water from the Snake River.
- 10/17/2019 - I copied Mr. Wilson on the Intent to Void letter I sent to Ms. Russell. Mr. Wilson emailed me back on 10/17/2019 and requested that we call him to discuss the water permit.
- 10/17/2019 – Dan Nelson and I called Mr. Wilson to discuss the system and a new application for permit on his property. He did not answer the phone so we left a message.

Based on this communication summary, the permit should be voided because the requirements set forth in the permit were not fulfilled and a field examination could not be completed.

## Skoro, Emily

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**From:** Skoro, Emily  
**Sent:** Tuesday, October 8, 2019 11:17 AM  
**To:** 'cowpatty4u@aol.com'  
**Subject:** Water Permit 2-10410 Question

Patty,

Hi! Did you install an irrigation system on the property? Mr. Wilson stated that they do not have an irrigation system using Snake River water.

Thanks,

### **Emily Skoro, PE**

Staff Engineer  
Idaho Department of Water Resources  
Phone 208.287.4906  
Fax 208.287.6700  
[Emily.Skoro@idwr.idaho.gov](mailto:Emily.Skoro@idwr.idaho.gov)

## Skoro, Emily

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**From:** Skoro, Emily  
**Sent:** Monday, October 7, 2019 11:34 AM  
**To:** Nelson, Dan  
**Subject:** FW: Water Permit 2-10410

Dan,  
Please read George's response below.  
Thanks,  
Emily

**From:** George Wilson [mailto:george@idaholand4u.com]  
**Sent:** Monday, October 7, 2019 11:32 AM  
**To:** Skoro, Emily <Emily.Skoro@idwr.idaho.gov>  
**Subject:** Re: Water Permit 2-10410

On 10/7/2019 10:09 AM, Skoro, Emily wrote:

Mr. and Mrs. Wilson,  
Hi! My name is Emily Skoro and I work for the Idaho Department of Water Resources. I would like to schedule a field exam for water permit 2-10410. As part of the permit licensing process, a field exam must be completed. It must be completed to verify the water system was installed per the permit and to verify the water use. As of today, I am available to perform the field exam on the following dates:

- Friday, October 11 at 10 am
- Tuesday, October 15 at 10 am
- Thursday, October 17 at 10 am
- Tuesday, October 29 at 10 am

Do any of these dates and times work with your schedule? What address should we meet at? Your system will have to be running at maximum capacity so we can take the necessary measurements. Can you please describe what type of delivery system you have?

If your system has already been blown out for the season, we can complete the field exam in the spring if necessary.

Thanks,

**Emily Skoro, PE**

Staff Engineer  
Idaho Department of Water Resources  
Phone 208.287.4906  
Fax 208.287.6700  
[Emily.Skoro@idwr.idaho.gov](mailto:Emily.Skoro@idwr.idaho.gov)

To my knowledge we have no irrigation system to the river at this time. we just bought and they water trees and small lawn off well .. Please call me at 208 8964851 , we are going to check out ways to get our water righrs to the river..

George wilson

## Skoro, Emily

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**From:** Skoro, Emily  
**Sent:** Monday, October 7, 2019 10:06 AM  
**To:** 'cowpatty4u@aol.com'  
**Cc:** george@idaholand4u.com  
**Subject:** RE: Field Exam for Water Permit 2-10410  
**Attachments:** assignment-of-permit.pdf

Patty,

Thanks for the information. I will need you to fill out the assignment of permit form to officially assign the permit to George and Margaret. Could you please return this form to me by Friday?

Thanks,

### Emily Skoro, PE

Staff Engineer  
Idaho Department of Water Resources  
Phone 208.287.4906  
Fax 208.287.6700  
[Emily.Skoro@idwr.idaho.gov](mailto:Emily.Skoro@idwr.idaho.gov)

**From:** cowpatty4u@aol.com [mailto:cowpatty4u@aol.com]  
**Sent:** Monday, October 7, 2019 8:15 AM  
**To:** Skoro, Emily <Emily.Skoro@idwr.idaho.gov>  
**Cc:** george@idaholand4u.com  
**Subject:** Re: Field Exam for Water Permit 2-10410

Good Morning Emily,  
Sorry for the delayed response, but I have been out of town.  
I have sold the property to George and Margaret Wilson (who I have cc'd on this response), please contact him by calling 208-896-4851 or 208-896-5312.  
Thank You!  
Patty

-----Original Message-----

**From:** Skoro, Emily <[Emily.Skoro@idwr.idaho.gov](mailto:Emily.Skoro@idwr.idaho.gov)>  
**To:** [cowpatty4u@aol.com](mailto:cowpatty4u@aol.com) <[cowpatty4u@aol.com](mailto:cowpatty4u@aol.com)>  
**Sent:** Thu, Oct 3, 2019 1:47 pm  
**Subject:** Field Exam for Water Permit 2-10410

Ms. Russell,

Hi! My name is Emily Skoro and I work for the Idaho Department of Water Resources. I called you earlier this week and left a message. I would like to schedule a field exam for water permit 2-10410. As part of the permit licensing process, a field exam must be completed. It must be completed to verify the water system was installed per the permit and to verify the water use. As of today, I am available to perform the field exam on the following dates:

- Friday, October 11 at 10 am
- Tuesday, October 15 at 10 am
- Thursday, October 17 at 10 am
- Tuesday, October 29 at 10 am

Do any of these dates and times work in your schedule? What address should we meet at? Your system will have to be running at maximum capacity so we can take the necessary measurements. Can you please describe what type of delivery system you have?

If your system has already been blown out for the season, we can complete the field exam in the spring if necessary.

Thanks,

**Emily Skoro, PE**  
Staff Engineer  
Idaho Department of Water Resources  
Phone 208.287.4906  
Fax 208.287.6700  
[Emily.Skoro@idwr.idaho.gov](mailto:Emily.Skoro@idwr.idaho.gov)

**From:** Skoro, Emily  
**To:** ["cowpatty4u@aol.com"](mailto:cowpatty4u@aol.com); ["george@idaholand4u.com"](mailto:george@idaholand4u.com)  
**Cc:** [Nelson, Dan](#)  
**Subject:** Water Permit 2-10410 - Intent to Void Letter  
**Date:** Thursday, October 17, 2019 12:14:00 PM  
**Attachments:** [2-10410 Letter.pdf](#)  
[application-for-permit.pdf](#)  
[application-for-permit-instructions.pdf](#)  
[assignment-of-permit.pdf](#)  
[relinquishment-of-permit \(1\).pdf](#)

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Ms. Russell,

I am sending you an Intent to Void letter at this time because it appears that a water system was not installed. You will also be receiving a copy of this letter in the mail as well.

Per the licensing process, the Department will plan to void this permit in 30 days. If you would like to void the permit yourself, I attached a Relinquishment of Permit form for your convenience. If you would like to assign the permit owner to the new property owner, please will fill out the Assignment of Permit form and send it back to me.

I included the current property owners in this email to keep them updated on the status of the permit. If the new owners would like to file a new application for permit to develop a system using Snake River water, I also attached the instructions to complete an application for permit and a copy of the application for permit.

Thanks,

**Emily Skoro, PE**

Staff Engineer  
Idaho Department of Water Resources  
Phone 208.287.4906  
Fax 208.287.6700  
[Emily.Skoro@idwr.idaho.gov](mailto:Emily.Skoro@idwr.idaho.gov)



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: [idwr.idaho.gov](http://idwr.idaho.gov) • Email: [idwrinfo@idwr.idaho.gov](mailto:idwrinfo@idwr.idaho.gov)

**BRAD LITTLE**  
Governor

**GARY SPACKMAN**  
Director

October 17, 2019

PATRICIA RUSSELL  
PO BOX 669  
MARSING, ID 83639

RE: Water Appropriation Permit No. 2-10410

Dear Ms. Russell:

The Department of Water Resources (IDWR) is reviewing the above-referenced permit because you submitted the Statement of Completion on June 27, 2019.

On October 2, 2019, I called the phone number provided on the Statement of Completion form to set up a field exam and left a message. On October 3, 2019, I sent you an email to set up the field exam. You responded to my email on October 7, 2019, and let me know that you sold the property and who the new owners are. I am sending a copy of this letter to the new owners as a courtesy, so they are informed of the actions that need to be taken.

On October 7, 2019, I sent an email asking you to fill out the Assignment of Permit form to assign the permit to the new property owner. I have not gotten a response from you regarding this request. A water right permit is considered personal property, and it is not automatically conveyed to the new owners. Until I receive an assignment of permit, all actions taken on this permit must be done by you, and all correspondence must be sent to you. On this day, I also emailed the new property owners about setting up a field exam to review the system. The new property owners informed me that to their knowledge they do not have an irrigation system with water from the river on their property.

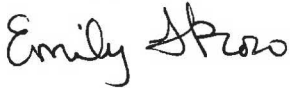
On October 8, 2019, I tried to contact you again to discuss what system was installed on the property. Since I have received no response to the items previously mentioned, the Department cannot move forward with the permit licensing process. Per my conversations with the current owners of the property, it also appears as though the water system from the Snake River has never been developed.

Pursuant to Idaho Code § 42-219(8), if the conditions of approval on a permit are not complied with, IDWR may issue an order voiding the permit or issue a license for only that portion of the authorized use developed in



accordance with the permit. Since the proposed water system does not appear to have been developed, we cannot move forward with the licensing process. If you believe a water right license should be issued, please supply information to demonstrate that the system was fully developed and utilized during your development period. If I do not receive the requested information from you within thirty (30) days, I will take action to void your permit under the provision of Section 42-219(8) of the Idaho Code. If you are no longer interested in your permit, you can shorten the voiding process by signing and returning the enclosed relinquishment form. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Emily Skoro". The signature is written in a cursive, flowing style.

Emily Skoro  
Staff Engineer  
Idaho Department of Water Resources  
Telephone # (208) 287-4906  
Email [Emily.skoro@idwr.idaho.gov](mailto:Emily.skoro@idwr.idaho.gov)