



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

June 3, 2019

RAY AND SUSAN MONTIERTH  
825 HEARTLAND DR  
NAMPA ID 83686

Re: Application for Permit No. 63-34374 Rule 40 Additional Information Request

Dear Applicant:

The Idaho Department of Water Resources ("IDWR") is processing Application for Permit No. 63-34374. IDWR requests additional information required by the Water Appropriation Rules<sup>1</sup>. This requirement includes the following items discussed in Water Appropriation Rule 40, Rule Subsections 040.05c through 040.05g (copy enclosed):

1. effect on existing water rights
2. sufficiency of water supply
3. good faith, delay or speculative purposes
4. financial resources
5. local public interest

Your application is currently protested and continues to move through the pre-hearing process. Because your diversion is greater than 5 cfs and 200 acres, large diversion information will still be required. For your application for permit, only the following items need to be addressed: effect on existing water rights and sufficiency of water supply.

Please submit the requested information for application processing to continue. **Your written response is required within the next thirty (30) days.** You may seek additional time to provide the information if necessary. The application will be voided without a timely written reply.

IDWR rules, forms and other information are available on the Internet at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

Patrick Kelly  
Water Rights Supervisor

Enclosure: IDAPA 37.03.08.040.05.c-g  
cc: Lavar Thornton; Protestant  
Suez Water Idaho; Protestant  
Kurt Newbry; Representative, SPF Water Engineering

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<sup>1</sup> IDAPA 37.03.08 – Water Appropriation Rules