



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 • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 3, 2019

JC Watson Company
Attn: Brad Watson
PO Box 300
Parma, Idaho 83660

RE: Water Appropriation Permit No. 63-33924

Dear Mr. Watson:

The Department of Water Resources (IDWR) is reviewing the above referenced permit so we can issue a license for the uses developed. On June 21, 2019, David Hoekema and I met you to conduct an examination to verify the water use developed under permit 63-33924. During this field examination, we noticed that you have not complied with the following condition of approval of the permit:

Prior to diversion of water under this right, the water right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.

Idaho Code § 42-219(8), states the following:

In the event that the department shall find that the applicant has not fully complied with the law and the conditions of permit, it may issue a license for that portion of the use which is in accordance with the permit, or may refuse issuance of a license and void the permit. Notice of such action shall be forwarded to the permit holder by certified mail. The applicant may contest such action by the department pursuant to section 42-1701A(3), Idaho Code.

As stated above, we cannot move forward with the licensing of your permit until we have confirmation that a measuring device and lockable controlling works are on the point of diversion or the Parma Pump diverting into the pond.

You have some options to resolve this problem. You can submit documentation that you have complied with this condition and we were not informed of the compliance at the time of the exam, you can install the required lockable device and submit documentation of the installation, or you can request a waiver of this condition. If you submit a waiver request, you should also submit documentation that this request would be acceptable to the watermaster of Water District No. 63. If you request a waiver of the requirement, IDWR will consider your request and notify you of the decision in writing.

IDWR will withhold further action on your permit for 30 days from the date of this letter in order to allow you time to respond. If IDWR does not receive a response from you within this time period, it will be assumed that you are not interested in pursuing a water right license, and action will be taken to void your permit. If you need additional time to respond, please contact me to discuss your options. For your reference, I have attached a copy of the "*Minimum Acceptable Standards for Open Channel and Closed Conduit Measuring Devices*" and the "*List of Approved Closed Conduit Flow Meters.*" I have also attached a computer generated copy of your water right permit with the condition in question highlighted.

If you have any questions in regard to this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Daniel A. Nelson", with a long, sweeping horizontal line extending to the right.

Daniel A. Nelson

Staff Hydrologist

Idaho Department of Water Resources

Telephone # (208) 287-4856

Fax (208) 287-6700 (C/O Dan Nelson)

Enclosures