

Block, Darla

From: Kathleen M. Donovan [kmd@msbtlaw.com]
Sent: Wednesday, March 09, 2016 12:34 PM
To: Block, Darla
Subject: Permit No. 37-8916
Attachments: 03.08.16 - Ltr to D. Block.pdf; 03.08.16 - Ltr to IDWR.pdf

RECEIVED
MAR 09 2016
DEPT OF WATER RESOURCES

Darla:

I inadvertently didn't include the attached letter dated March 8, 2016 from Mr. Brockway with the attached March 8, 2016 letter to IDWR that was hand delivered yesterday. Let me know if you need anything further. Thanks.



Kat M. Donovan
Paralegal
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MAR 09 2016

DEPT OF WATER RESOURCES



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

March 8, 2016

Ms. Darla Block
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Request for Extension of Time Permit 37-22847

Dear Darla:

Your letter of March 2, 2016 relative to the absence of the \$50.00 fee for the extension form was received and I am somewhat embarrassed by the failure to include it.

As you suggested, the Application for Extension can be modified to reflect a 3 (three) year extension to run through the initial 5 year development period and then, if it is necessary, file for an extension for up to 5 (five) more years. I have modified the section on Permit holder(s) request for extension from 5 years to 3 years and initialed the change in the Request for Extension of Time.

The modified application for Extension is signed by Cherese McLain of Moore, Smith, Buxton, & Turcke who has Power of Attorney from Mr. Norris. The \$50 fee will be paid by Ms. McLain and we request that the permit be reinstated.

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., P.E.

Sincerely,



Charles E. Brockway, P.E., Ph.D.
Certified Water Rights Examiner

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Encls: Request for Extension of Time Permit 37-22847
Power of Attorney
\$50 Reinstatement Fee



ATTORNEYS AND COUNSELORS AT LAW

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BRUCE M. SMITH, *of Counsel*

[≈] Also admitted in Utah

[◊] Also admitted in South Dakota

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March 8, 2016

Darla Block
Idaho Department of Water Resources
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Request for Extension of Time Permit No. 37-22847

Dear Ms. Block:

Enclosed please find an original and one copy of a Request for Extension of Time in regard to the above referenced matter along with the filing fee in the amount of \$50.00. I have also enclosed the Power of Attorney for Mr. Norris. You will note that the Power of Attorney was to Bruce M. Smith but he has since retired and I have assumed his role as power of attorney for Mr. Norris. Please return the conformed copy of the Request for Extension of Time in the self addressed stamped envelope enclosed. Thank you for your assistance in this regard.

Sincerely,

Chere D. McLain
MSBT LAW

CDM:kd
Encl.

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MAR 09 2016

Form No. 204 Rev 12/12

DEPT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

\$50 fee

Received by _____

Receipt No. _____

Date _____

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code, in which to complete development of a water right and file proof of beneficial use of water. There is a **FILING FEE** of \$50.00 to be included with this form when filed with IDWR.

Permit no. 37-22847

Date proof is due March 1, 2016

Name(s) of permit holder(s) Tom R. Norris

Mailing address 2351 Clay Street Suite. 510

City San Francisco

State CA Zip 94115

Telephone no. (415) 722-6835

Email _____

Describe what work has been completed toward the development of this water right:

If no work has been completed, show "none".

Well is drilled and is providing water to an old house which will be removed when the new home is built. The new home will likely be built in the next five years.

Costing \$ 6000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Applicant is employed full time out of state and plans on retiring in the next few years. Financing of a new home is not possible at this time.

Permit holder(s) request an extension for 3 year(s).

Cheryl D. McGain
Signature (If other than permit holder, Power of Attorney must be supplied)

3-8-16
Date

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Department has reviewed the explanation for delay and concludes the reason(s) for delay meets the requirements for approval of the Request for Extension of Time as provided by Section(s) 42-204 and/or 42-218, Idaho Code.

☐ IT IS HEREBY ORDERED that the permit is REINSTATED with the priority date advanced to _____, 20____.

☐ IT IS HEREBY ORDERED that the above request for extension of time is APPROVED, and the time within which to submit proof of beneficial use is extended to _____, 20____.

Signed this _____ day of _____, 20____

Jeff Peppersack, Chief
Water Allocation Bureau

LIMITED POWER OF ATTORNEY

I, TOM R. NORRIS, M.D., designate and appoint BRUCE M. SMITH, of the City of Boise, County of Ada, State of Idaho, as my attorney-in-fact and agent (subsequently called "agent") to act in my name and for my benefit, before the Idaho Department of Water Resources. Mr. Smith shall have the authority to sign any and all documents pertaining to myself before the Idaho Department of Water Resources.

IN WITNESS WHEREOF, I have executed this Limited Power of Attorney this 23 day of September, 2013.

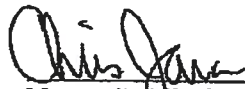

TOM R. NORRIS, M.D.

STATE OF CALIFORNIA)
) ss.
County of San Francisco)

On this 27 day of September, 2013, before me, the undersigned, a Notary Public in and for the state, personally appeared TOM R. NORRIS, M.D., known to me to be the person whose name is subscribed to the within Limited Power of Attorney and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate on the date first above written.




Notary Public for California
Residing at San Francisco, CA
My commission expires: 12/15/2015