



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 23, 2015

M & B INVESTMENTS LLC
6549 S 5TH WEST
IDAHO FALLS ID 83404-7633

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 25-14379

Dear Permit Holder(s):

The department acknowledges receipt of the Proof of Beneficial Use ("proof") form, and license examination fee submitted for the above referenced permit along with a letter requesting that permit condition #6 be removed from the permit.

The Department forwarded you letter to James Cefalo, the watermaster of Water District #120, and he responded with the following:

"I do not support waiving the lockable controlling works requirement. I am surprised that the power panel is not configured in a way that would qualify as a lockable works. Most ground water diversions are curtailed by locking the power supply to the pump."

Condition(s) of this permit may not have been complied with according to the information you have provided on your proof form.

Condition no. 6 of this permit states:

"A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion."

Condition no. 12 of this permit states:

"The holder of this water right shall submit copies of the annual diversion records demonstrating that 17 shares of water from Rigby Canal and Irrigation Company, Inc. were delivered to the holder of this water right to mitigate impacts of diversions under this water right."

You must comply with conditions of the permit without delay and prior to the field examination. I have enclosed a copy of this permit for your information.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office or at the department's website at www.idwr.idaho.gov .

If you have any questions concerning the field examination, please contact the Eastern Region Office of the Department located in Idaho Falls at (208) 525-7161.

Sincerely,



Darla Block
Technical Records Specialist

Enclosure(s)

c: ROCKY MOUNTAIN ENVIRONMENTAL ASSOC
WATER DISTRICT #120