



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 27, 2015

CHARLES MADENFORD TRUST
C/O GARY MADENFORD
3605 N POLLARD LN
STAR ID 83669

Notice of Intent to Void Permit

RE: Water Appropriation Permit 63-33707

Dear Permit Holder:

On October 19, 2012 IDWR received an application for permit to divert 0.25 cfs from groundwater for diversion to storage, and 26 acre-feet for aesthetic storage, recreation storage and wildlife storage in Section 33, Township 5 North, Range 1 West. Proof of Beneficial Use was received with the Application for Permit indicating you had completed your development and put the water to beneficial use. However, on February 20, 2015 a field exam found no evidence that water had actually been used for the purposes described in your permit during the development stage. Therefore, I can not verify that a beneficial use of water has been developed in accordance with your permit.

The final step in the water appropriation process is the issuance of a Water Right License. By issuing a license, IDWR recognizes that you have met the requirements for establishing a water right. If you have not developed an actual beneficial use of water within the development period authorized by your permit, however, no water right has been established, and no license can be issued. Once the development period authorized by your permit expires, your permit cannot be retained to cover future development of the resource.

If you believe a water right license should be issued to you, please supply information to demonstrate that you established a beneficial use of water by May 29, 2013, in accordance with 63-33707. If I do not receive the requested information from you within thirty days, I will take action to void your permit under the provision of Section 42-219(6) of the Idaho Code.

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If you agree that no beneficial use of water occurred under permit 63-33707, you can shorten the voiding process by completing the enclosed relinquishment form and returning it to IDWR.

If you have any questions, please contact me at 208-287-4933.

Respectfully,

Patrick Kelly
Water Resource Agent
Idaho Department of Water Resources
322 E. Front St.
Boise, Idaho 83702
d: 208.287.4933
f: 208.287.6700
patrick.kelly@idwr.idaho.gov

Enclosure: Relinquishment of Permit Form