



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

April 17, 2015

SOUTHWEST IRRIGATION DISTRICT
PO BOX 668
BURLEY ID 83318

PROOF DEFICIENCY LETTER & LAPSE NOTICE

RE: Permit Nos. 1-10566 & 45-14183

Dear Permit Holder(s):

The Department received your Statements of Completion for submitting proof of beneficial use ("proof"), filed for the above referenced water right permits. **You have not complied with condition no. 12 of permit no. 1-10566 or condition no. 14 of permit no. 45-14183.** The proof forms you submitted are considered incomplete or deficient until you have complied with this condition of the permits.

Condition nos. 12 and 14 of these permits:

"When submitting proof of beneficial use for this right, the right holder shall also submit a set of detailed maps and/or electronic shape file showing the land actually irrigated with water diverted pursuant to this right in each irrigation season during the authorized development period."

The required information was requested by the department through an email sent on February 18, 2015 to Brian Higgs in response to his February 4, 2015 email noting the proof correspondence was forwarded to him by the permit holder's attorney William A. Parsons. Mr. Parsons was also sent a copy of the response email. The proof forms were received on February 23, 2015 without the necessary information required by the condition.

On February 26, 2015, the Department replied to another email from Brian Higgs acknowledging receipt of the proof of beneficial use forms and associated fees. This email was also copied to Mr. Parsons and noted the required information was not submitted with the proof forms.

LAPSE NOTICE

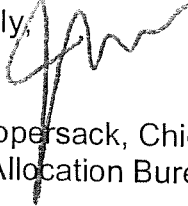
You are hereby notified that under the provision of Idaho Code § 42-218A, the above referenced permits have lapsed and are of no further force nor effect. The permits can only be reinstated if you submit acceptable proofs of beneficial use to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report.

The Department is returning both proof forms to you. You should receive a state of Idaho warrant in the mail within ten (10) business days under separate cover.

Enclosed are copies of both permits for your reference. Please note that measuring device and lockable controlling works conditions of the permits may only be waived by written consent of the watermaster for each permit.

Please contact Darla Block at (208) 287-4945, if you need additional assistance.

Sincerely,



Jeff Peppersack, Chief
Water Allocation Bureau

Enclosure(s)

cc: PARSONS SMITH & STONE C/O WILLIAM PARSONS
WATER DISTRICT #01 C/O LYLE SWANK
WATER DISTRICT #140 C/O BRIAN HIGGS

CERTIFICATION OF MAILING

I hereby certify that on Apr. 20, 2015
a ~~copy~~/an original of this document was
deposited in the United States mail, postage
prepaid addressed to the individual(s)
named above.



RECEIVED

FEB 23 2015

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY
Amt. of Fee \$: 606.60
Receipt No. 0899954
Receipt By: STH
Date Received: 2-23-15

The Idaho Department of Water Resources considers this form a statement by the permit holder(s) that development of a water right has been completed and that water has been applied to beneficial use to the extent described below. This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner. Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, please contact any Department office or visit the Department's website at: www.idwr.idaho.gov for an Assignment of Permit form. If you wish to relinquish your permit because you have not established the authorized use of the water and are not applying for an extension, please notify the Department in writing.

1. Permit No.: 45-14183 Telephone No.: 208-878-8382
2. Name of Permit Holder(s): South West Irrigation District
3. Mailing Address: PO Box 668 City: Burley
State: ID Zip: 83318 Email: WParsons@pmt.org
4. Source of Water: Wartick Water Snake River GROUND WATER (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____

5. Extent of use(s) completed (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 120,000 137,598 Other: _____

6. Total rate of diversion or storage volume for which proof is submitted: 60 cfs OR _____ acre-feet.
7. Compliance with a measuring device requirement, lockable controlling device requirement, and/or other conditions of permit: Refer to the approval conditions on your permit and respond accordingly. The Department will not issue a license if permit conditions are not met.

Measuring Device: Is a measuring device required? Yes ☒ No ☐
If yes, has the measuring device been installed? Yes ☒ No ☐

Lockable Controlling Device: Is a lockable device required to control the diversion? Yes ☒ No ☐
If yes, has the lockable device been installed? Yes ☐ No ☒

Other Conditions of Permit: Do the approval conditions on your permit require you to submit additional information in connection with your proof of beneficial use? If yes, list the conditions below and attach documents with the required information.

map Completed? Yes ☒ No ☐

8. Fee Enclosed: \$ _____ See fee schedule on back of the instructions for filing proof of beneficial use. Proofs filed without an appropriate fee, will be considered incomplete.
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Brian Aggs Telephone Number: 208-604-1280
Mailing Address: P 355 W 500 S City: Burley
State: ID Zip: 83318 Email: Brian@Waterwellconsultants.com

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to a beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Signature of permit holder: Walter Parsons Date: 2-18-15
(Include your title, if on behalf of company or organization)

Mail to: Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098