



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

August 30, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

HARTY OR MARJORIE SCHMAEHL
PO BOX 1492
KAMIAH ID 83536 - 1492

RE: Water Right No. 85-15636

Notice of Pending Order to Void Permit

Dear Mr. or Mrs. Schmaehl:

On July 1, 2012, the Department of Water Resources (IDWR) received the Proof of Beneficial Use statement submitted by Harty Schmaehl for Permit 85-15636, which authorized the diversion of water from groundwater for irrigation and commercial in Section 35, Township 34 North, Range 03 East, B.M., in Lewis County.

The final step in the water appropriation process is the issuance of a Water Right License. By issuing a license, IDWR recognizes that all the requirements for establishing a water right were met. No water right license can be issued, however, if the development authorized by the permit did not occur within the authorized time period. For that reason, before issuing a license IDWR must conduct an examination to verify the development. I have attempted to contact you to schedule a time for conducting an examination on different occasions. On May 7, 2012, I spoke with Mr. Schmaehl who requested that I call back at a later time and schedule a field examination. On May 30, 2012, while I was conducting field examinations in the area, I called and left a message. On August 27, 2012, I left a message with Mrs. Schmaehl for Mr. Schmaehl to call and schedule a time to conduct the required examination, but there is no record that you responded to the requests.

If you believe a water right was developed in accordance with the permit, please contact me to make arrangements for a field examination to be conducted on your property. I will be in your area again on October 2, 2012, and can conduct a field examination at 12:00 noon, if that works for you. If that does not work for you, is there someone who is familiar with the system who can meet with me? If I do not hear from you within (30)-thirty days, I will assume you no longer have any interest in establishing a water right, and I will take action to **void** the permit.

Please contact me by telephone at (208)287-4920, or via email: sandy.hemenway@idwr.idaho.gov

Respectfully,

Sandy Hemenway
Sr. Water Resource