



State of Idaho

DEPARTMENT OF WATER RESOURCES

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August 30, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

KEVIN OVERALL
114 N GARDEN CT
LEWISTON ID 83501

RE: Water Right No. 85-15442

Notice of Pending Order to Void Permit

Dear Mr. Overall:

On July 16, 2007, the Department of Water Resources (IDWR) received the Proof of Beneficial Use statement submitted by Kevin Overall for Permit 85-15442, which authorized the diversion of water from springs and an unnamed stream for domestic use (irrigation not to exceed ½ acres of tree irrigation), Section 26, Township 37 North, Range 03 West, B.M., in Nez Perce 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 spoke with you on May 3, 2012 to schedule a field examination, and you requested that I contact you later in the summer. I have tried contacting you by phone a couple of times, but to date have 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 could meet you at 3:30pm. If you are not available, you could have someone present who is knowledgeable of the system, or contact me with explicit direction as to the location of the springs and unnamed stream so I can conduct the field exam. 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 Agent