



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

October 15, 2012

JAMES WHITTAKER
PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE ID 83464

RE: Water Appropriation Permit 74-15613

Dear Mr. and Ms. Whittaker,

The Department of Water Resources (IDWR) timely received your September 8, 2012, letter along with the information Mr. Keen requested on August 14, 2012. The data you submitted supports that water was used for irrigation in connection with the permit during June and July of 2011 which is within the authorized development period.

In order for the department to justify scheduling an examination of the water use developed in connection with the permit, Mr. Keen's letter also addressed the need for evidence of compliance with condition of approval #5 of the permit:

Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring device, including data logger, at the authorized point(s) of diversion, in accordance with Department specifications.

Your letter indicated that you have been working toward compliance with the condition, but had requested additional information related to suitable data loggers. Jaxon Higgs of Water Well Consultants contacted our office on your behalf and spoke with Nick Miller regarding compliance with the data logger requirement. Mr. Higgs informed Nick Miller that he now has adequate information to comply with the data logger requirement and plans to purchase the electronic equipment and ensure that a measuring device equipped with a stilling well is in place by early November, 2012.

Compliance with condition of approval #5 requiring installation of a data logger is required to confirm beneficial use and ultimately issue a water right license. The deadline to provide evidence that you have installed the required data logger will be extended to **November 16, 2012**. If you

have not provided the requested information by November 16, 2012, the department will not schedule and examination of your water use. The likely outcome will be voiding the permit.

If you have any questions, please call me at (208) 287-4916.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with the first name "Craig" being the most prominent part.

Craig L. Saxton
Water Rights Supervisor

Cc: Nick Miller, IDWR