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DEPARTMENT OF
WATER RESOURCES

Beci Erwin
187 Sluder Drive, LLC
P.O. Box 143
Richfield, ID 83349
(208)-309-2467
shanbec@aol.com

July 24, 2012

Craig L. Saxton
Water Rights Supervisor
craig.saxton@idwr.idaho.gov
208.287.4916

Craig,

Thank you for contacting me regarding water permit 37-8451 and for your help last week. I have answered your questions as best I could. I have also enclosed the following:

1. A copy of the map with the locations of well, hydrants and which buildings have water.
2. Two checks (one for \$25 for the ownership change and one for \$75 for the 0.08 CFS permit fee)
3. The "Notice of Change in Water Right Ownership" Form
4. A copy of the Warranty Deed dated January 9th, 2001 conveying the property from Charles and Lois Maestas Living Trust to Shannon and Rebecca Erwin.
5. Letter of Testamentary and Oath appointing myself as personal representative of Shannon Erwin's Estate.
6. A copy of the Warranty Deed dated January 5th, 2010 conveying the property from the Estate of Shannon T. Erwin and Rebecca Erwin to 187 Sluder Drive, LLC.

-Can you confirm that this is the location where water is used? (the place of use – structures that water is plumbed to – water hydrant locations) **There is water plumbed into two of the buildings, I have arrows pointing to them. There are two water hydrants and I have placed an X to show their locations.**

-Can you please use this map to show me the location of the well? You could either print off the map and draw it in and send it or e-mail it back to me. Or you could use another map like Google maps or Bing maps to located the well location. Or if you had a GPS you could send me the lat/long of the well location. **I have circled the well house.**

When I spoke with you, you were able to answer several questions, but I thought I might repeat a couple just to summarize.

-You verified that there is a well on your property which is a separate well than the well use on the property to the north of you. If this is incorrect, please let me know. **This is correct.**

-You told me that the water isn't used for a Concrete Business anymore, rather it is used for an excavation business. **Yes**

-You told me that the office/shed, and workshop is plumbed into the ground water system (well). **Arrows point to the two buildings.**

-What does the well supply water for?

-You confirmed that it supplied water for an office/residence and used to irrigate the lawn around that structure? If this is incorrect, please let me know. **That is correct.**

-I think you said it was plumbed into a workshop.

-Is there more than one workshop? How many shops?

-How many and what type of buildings is the well water supplied to? Only one shop has water plumbed to it and the shop is used for equipment repair and storage.

- 1) You also mentioned that the water could be used for filling water trucks for dust abatement.

How many trucks do you fill in a day?

How many times is a truck filled a day?

On average, how many days a week are the water trucks being used and filled?

On average, how many weeks a year are the water trucks being used and filled?

On average a water truck is filled 5 times per week from Mid-May to October 1st. We also use the water daily to pressure wash equipment and trucks.

- 2) How many days a week is the business operated?

How many hours a day is the business operated?

Use in shops? (how many shops)

How many people work on site at the business a day?

The business operates 5-6 days per week, 8-10 hours per day. There is one shop and one office/residence, the third building is for storage. We have from 3 to 20 employees on site.

The application for permit indicates that the well was drilled about 1975 and is an 8 inch diameter well, 119' deep, equipped with a 3.5 HP submersible pump.

To your knowledge, is this accurate?

Has the system changed? If it did, how?

What is the HP of the pump in the well?

Was a new well drilled?

Is the well plumbed into any storage tanks?

Do you have any idea of the diversion rate capacity of the well?

We have occupied this property since 1996 and we have not had any work done to the well or pump, nor could I find any documentation pertaining to the well or pump. We have not drilled a new well. Sorry, not much help on that one.

At the beginning of this e-mail, I mentioned that Mr. Maestas only indicated that he used 0.04 cfs despite that the permit authorized 0.08 cfs. The Departments Beneficial use field exam Rule 050.01.c (IDAPA 37.03.02.050.01.c) limits the amount the Department can license to that covered by the examination fee. In other words, if you divert more than 0.04 cfs, the Department can't recognize more than 0.04 cfs unless the required filing fees are paid. The fee for 0.08 cfs is a \$50 filing fee and \$25 late fee (\$75 total). If you do not feel that you use more than 0.04 cfs, then there are no additional fees required related to this matter. **I have enclosed a check for \$75 for the 0.08 cfs.**

That said, there is also the issue of ownership. Upon gathering the information needed to issue a license, the Department can only issue the license in the name of the permit holder of record – Charles Maestas. To change the name on the water right, you will need to submit a Notice of Change in Water Right ownership:

http://www.idwr.idaho.gov/RulesStatutesForms/WaterRights/PDFs/NOTICE_OF_CHANGE_OF_WATER_RIGHT_OWNERSHIP.pdf

There is a \$25 filing fee associated with this form. Sorry. **I have enclosed the document and a check for \$25.**

I hope this information helps. If you have any more questions or need any more documentation from me please call or email. I look forward to hearing from you and would like to again thank you for your assistance.

Sincerely,

Beci Erwin



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