



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

April 6, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

FRANK GILLETTE
756 HWY 81
BURLEY ID 83318

Notice of Pending Order to Void Permit

RE: Permit No. 45-7659

Dear Mr. Gillette:

On August 5, 1999, a field examiner of Idaho Department of Water Resources (IDWR) conducted a field examination for the permit listed above. The next step in the appropriation process is to issue a water right license based on the field examiners findings. By issuing a license, IDWR confirms the extent of development that has been established in compliance with the terms of the permit. A condition of the permit states that:

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this permit.

During the field examination it appears that no measuring device was found. In order to issue a license, you must either submit documentation that the field examiner was not informed of the measuring devices at the time of the field exam and that this condition has been complied with or install the measuring devices as required on your permit as soon as possible.

Pursuant to Section 42-219(6), Idaho Code, if the conditions of approval on a permit are not complied with, we may issue an order voiding the permit.

IDWR will hold further action on this permit for 30 days from the date of this letter in order to allow you time to respond. If a response is not received in the allowed time, we will assume that you are not interested in pursuing a water right license and will take action to void the permit.

If you have any questions regarding this matter you may contact me at 208/287-4944. Thank you for your attention to this matter.

Sincerely,

Cherie Padilla, Sr. Water Resource Agent
Water Allocation Bureau