



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

June 28, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

EUGENE M SHEPHERD
JONI D SHEPHERD
PO BOX 398
HORSESHOE BEND, ID 83629

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 65-22885

Dear Permit Holder(s):

The department acknowledges receipt of the proof of beneficial use form ("proof") submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

During my review of your proof statement and water appropriation permit listed above, I found that according to condition no. 7 of this permit which states:

"Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion."

I recommend that this condition be complied with immediately and prior to the field examination. Enclosed is a copy of this permit for your information. If you feel this requirement is unnecessary you may request in writing to the Department that the requirement be waived. Additionally, you must contact the watermaster about his need for this requirement. If he agrees that the lockable device requirement is unnecessary, request that he/she provide the Department with written agreement that the requirement can be waived at this time. Upon receipt of your request and his acknowledgement the Department will issue an order waiving the requirement at this time.

In addition, I also noticed that you stated a rate of diversion greater than the maximum diversion rate permitted under this permit. On your proof statement, you stated that your total rate of diversion is 0.12 (cfs), however, this permit is limited to a maximum diversion rate of 0.11 cfs. You must limit your water use to the permitted amount. If needed, you may apply for another water right to cover additional water use. Application forms are available from any department office, or at the department's website at: www.idwr.idaho.gov

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have any questions concerning the field examination, please contact the Western Regional Office of the department in Boise, Idaho 208-334-2190.

Sincerely,

Dana Block
Technical Records Specialist

Enclosure(s)