



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 10, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

HOWARD RUDE
6426 MAPLE WOOD AVE
POST FALLS, ID 83854

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 95-11766

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. During my review of your proof and water right permit, I found that condition no. 3 of this permit may not have been complied with.

Condition no. 3 of this permit states:

"Prior to diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game."

If this condition has not been met, I recommend this condition be complied with immediately and prior to the field examination.

I also noticed that you stated a rate of diversion greater than the maximum diversion rate allowed under this permit. On your proof statement you stated that your total rate of diversion is 0.30 cfs, however, this permit is limited to a maximum diversion rate of 0.10 cfs. You must limit your water use to the amount permitted. 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.

Based on the maximum diversion rate of 0.10 cfs allowed under this permit, the license examination fee for this water right is \$50.00. Therefore, I will initiate the process to refund the extra \$150.00 you submitted. You should receive a State of Idaho check for \$150.00 within ten (10) business days under separate cover.

Enclosed are a copy of your proof statement, and a copy of this permit for your reference.

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.

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, or at the department's website at: www.idwr.idaho.gov

If you have any questions concerning the field examination, please contact the Northern Regional Office of the department in Coeur d'Alene, Idaho at (208) 762-2800.

Sincerely,

Darla Block, Technical Records Specialist

Enclosures