

Keen, Shelley

From: Keen, Shelley
Sent: Monday, April 04, 2011 8:43 AM
To: 'Mark Perry'
Subject: RE: Micro hydro permit process

Mark,

There does not appear to be anything in the record for Water Right 96-8419 suggesting forfeiture is an issue. Unlike the water resource agencies in some other nearby states, the Idaho Dept. of Water Resources does not seek out and do away with water rights that may have been forfeited. Idaho Code Section 42-222 does say that a water right can be forfeited through five years of non-use. However, long periods of non-use often go unnoticed by IDWR. Forfeiture is usually only an issue if the right owner attempts to change the water right or enroll it in the Water Supply Bank, the owner must file a claim in a basin-wide adjudication, or another water user or prospective user from the same water source asks IDWR to look into forfeiture of a particular right.

For water users contemplating a long period of non-use and wanting to protect their water rights from forfeiture, we have a couple of options. The most popular is to lease the water right to the Water Supply Bank, which then makes the water right available for others to rent. The second option is an Application for Extension of Time to Avoid Forfeiture, which can provide up to five extra years of forfeiture protection. Please let me know if you're interested in either of those programs.

Sincerely,

Shelley Keen
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4947
shelley.keen@idwr.idaho.gov

From: Mark Perry [<mailto:mpnlc@yahoo.com>]
Sent: Monday, April 04, 2011 7:58 AM
To: Keen, Shelley
Subject: Re: Micro hydro permit process

Hello Shelley,

I received the change of ownership documents. In the document, it mentions that the validity of the right was not confirmed. How do I know that the water right has not been forfeited? Neither the realtor nor the title company mentioned that the water right had been forfeited.

Thanks.

Mark

From: "Keen, Shelley" <Shelley.Keen@idwr.idaho.gov>
To: Mark Perry <mpnlc@yahoo.com>
Sent: Mon, March 21, 2011 10:17:58 AM
Subject: RE: Micro hydro permit process

Mark,

I've attached the form used to report a change in ownership of a water right. The instructions should be attached. Please call or email if you have questions about the form.

Also, if you are still interested in a micro-hydro, you will need a separate water right. License 96-8419 is for domestic use only.

Shelley Keen
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4947
shelley.keen@idwr.idaho.gov

From: Mark Perry [<mailto:mpnlc@yahoo.com>]
Sent: Monday, March 21, 2011 10:05 AM
To: Keen, Shelley
Subject: Re: Micro hydro permit process

Hello Shelly,

I have bought a piece of property outside Sandpoint. It has a spring/creek that has established water rights. I have attached a copy of the water rights that I received from the Realtor.

What do I need to do to transfer the water rights to my name?

Thank you.

Mark Perry

From: "Keen, Shelley" <Shelley.Keen@idwr.idaho.gov>
To: mpnlc@yahoo.com
Sent: Wed, September 29, 2010 11:53:51 AM
Subject: FW: Micro hydro permit process

Mr. Perry,

I've attached a water right application form, instructions, and an affidavit needed in support of the application. In brief, once the application is submitted IDWR conducts a technical/legal review and advertises the application. If the application passes the review and is not protested, IDWR issues a permit to develop a water right. The permit requires the development to be accomplished within a set period, usually five years. At the end of that period, the permit holder is required to submit a statement of completion with proof of beneficial use. A field examination is part of the proof of beneficial use process. The final step is issuance of a water right license confirming the establishment of a water right.

If the application is protested, there is a formal process for resolving the protest to determine if a permit can be issued.

Please call or email if you have additional questions.

Sincerely,

Shelley Keen
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4947
shelley.keen@idwr.idaho.gov

From: Conrad, Kelly
Sent: Wednesday, September 29, 2010 10:46 AM
To: Keen, Shelley
Subject: FW: Micro hydro permit process

Shelley,

Can you or someone in your group respond to the inquiry below?

Thank you!

Kelly

From: Mark Perry [<mailto:mpnlc@yahoo.com>]
Sent: Wednesday, September 29, 2010 6:52 AM
To: IDWRInfo
Subject: Micro hydro permit process

Hello,

I am looking at purchasing land in northern Idaho with the possibility of putting in a micro hydro power system for personal use.

Who do I need to contact to get information on the permit process?

Thank you.

Mark Perry