



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 16, 2010

MARIE E STRICKLAN
PO BOX 174
CARMEN, ID 83462

RE: Water Right No. 72-7392

Dear Mrs. Stricklan:

It was a pleasure to speak with you last week. First, let me say that I am sorry to hear that Mr. Stricklan has passed. His passing makes finalizing this water right a little more complicated and he won't see the end result.

Death leaves a heartache no one can heal, love leaves a memory no one can steal.

As I promised in our phone conversation, I am writing this letter to summarize for you the status of Permit 72-7392 and to inform you of the next steps in the process.

Permit 72-7392 was issued to William A Stricklan for the diversion of 1.0 cfs of water for mining use, from Adair Creek. William A. Stricklan submitted proof of beneficial use for Permit 72-7392 in 1992, and IDWR personnel conducted a field examination in 1996. I have been asked to review the file and the field examiner's report for 72-7392 and to determine if a license can be issued.

One of the conditions of approval on the permit said:

"A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diversion works."

The field examiner reported that he found no measuring devices. The IDWR cannot issue a license if the permit conditions have not been met.

There are at least two options for addressing the measuring device requirement. One option is to submit documentation demonstrating that you have complied with the approval condition by installing the measuring devices after the field examination was conducted. A second option is to send IDWR a written request for removal of the measuring device requirement.

I have discussed this permit and the field examiner's report with Nick Miller, the watermaster in Water District 170. He has no objection to the removal of the measuring

device requirement. However, the permit holder or an authorized representative must request to have the measuring device requirement removed. Permit 72-7392 is held by William A. Stricklan only. Your name does not appear on the permit. So in addition to a written request for removal of the requirement, you will need to provide other information. The IDWR will need a copy of your husband's death certificate, and some documentation which shows you have authority over your husband's property.

Within 30 days of the date of this letter, please provide the IDWR:

- 1) Documentation of your authority over your husband's property.
- 2) A written request for removal of the measuring device requirement.

If IDWR does not receive a response from you within 30 days, the agency will assume you have no interest in this permit, and an order voiding the permit will be prepared.

If you have any questions, please call me at 208-287-4946, or email me at michele.edl@idwr.idaho.gov.

Respectfully,



Michele Edl
Associate Engineer

cc: Nick Miller