



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

December 9, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

DONALD J WISS JR
77 WINDY RIVER RD
GARDEN VALLEY ID 83622

RE: Application for Extension of Time to Avoid Forfeiture of Rt. 65-23017

Dear Mr. Wiss:

We are in the process of reviewing the above referenced application and find we need additional information.

Under Item 9 of the form you stated that the last time the water under this right was beneficially used was September 30, 2005. Please submit some sort of documentation that shows the water was used at that time. We have aerial photography from 2004, 2006 and 2009 that does not show any irrigation occurring. If you have something that substantiates the use of the water it would be to your advantage to submit the information to our office. If you can't document the use of the water, you may want to withdraw the application, and request a refund of your filing fee, so we don't have to examine the information we have available of water usage on the property. This water right was decreed in the Snake River Basin Adjudication in 2000, and there were several years that water should have been used on the property in order to avoid forfeiture.

Your written response, or a request for more time to seek information, must be received within the next thirty (30) days. Without a timely reply, the Department will issue a preliminary order to reject or deny the application. The application fee will not be refunded for rejected/denied applications. Department forms and other information are available on the internet at www.idwr.idaho.gov. Please contact this office at 334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

KAY WALKER
Sr. Water Resource Agent