



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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November 3, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

Notice of Intent to Void Permit

RE: Water Appropriation Permits 61-7498 and 61-7499

Dear Permit Holders:

On July 6, 1984, The Idaho Department of Water Resources (IDWR) issued permits 61-7498 and 61-7499 that authorized you to store water from an unnamed stream for stockwater and wildlife uses in the amount of 1.2 acre feet each. Permit 61-7498 authorized the development in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, Township 4S, Range 7E, B.M., Elmore County. Permit 61-7499 authorized the development in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 4S, Range 7E, B.M., Elmore County.

On July 8, 1983, IDWR received two Proof of Beneficial Use statements indicating you had completed your development and put the water to beneficial use under both permits. However, on June 20, 1986 an IDWR field examiner inspected your development and reported that she could find no evidence that water had been used in addition to existing licensed water rights 61-7128 and 61-7129. Rights 61-7128 and 61-7129 authorize storage for wildlife, stockwater, and recreation uses in the amount of 80 acre feet each. Right 61-7128 is located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, Township 4S, Range 7E, B.M., Elmore County and right 61-7129 is located within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 4S, Range 7E, B.M., Elmore County. The field examiner found that permit 61-7498 is already covered by right 61-7128 and permit 61-7499 is covered by right 61-7129. Therefore, she could not verify that a beneficial use of water has been developed in accordance with your permit.

Review of your rights indicates that rights 61-7128 and 61-7129 have not been claimed in the Snake River Basin Adjudication (SRBA). Because the rights were established prior to November 19, 1987, the commencement of the SRBA, a Notice of Claim is required. The Director has already reported recommendations for water right claims in Basin 61 to the SRBA court. Therefore, if you are still interested in rights 61-7128 and 61-7129, you will need to petition the SRBA court to file a late notice of claim. I have enclosed a form for your use. If you no longer are interested in the uses under rights 61-7128 and 61-7129 no action is required in the SRBA.

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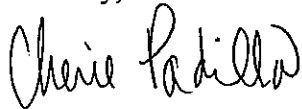
Notice of Intent to Void Permit

Because the field examiner did not find beneficial use pursuant to permits 61-7498 and 61-7499, IDWR would like to dispose of those permits. Please complete the enclosed relinquishment to expedite the voiding process.

If you believe water right licenses should be issued to you under 61-7498 and 61-7499, please supply information to demonstrate that you established a beneficial use of water by July 8, 1983, and is accordance with the permits. Also, you will need to demonstrate that the beneficial use developed under the permits is in excess to that use already licensed under existing rights 61-7498 and 61-7499. If the requested information or a completed relinquishment form is not received within thirty days, IDWR will take action to void your permits under the provision of Section 42-219(8) of the Idaho Code.

If you have any questions, please contact me at 208-287-4944.

Sincerely,

A handwritten signature in cursive script, reading "Cherie Padilla".

Cherie Padilla, Sr. Water Resource Agent
Water Allocation Bureau

Enclosures