



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

June 16, 2010

TOM BLESSINGER
2053 COVE RD
WEISER ID 83672

RE: Water Right No. 65-23166, in the name of Dennis Gansberger and Dale Gansberger

Dear Mr. Blessinger:

The department acknowledges receipt of your statement of Resumption of Beneficial Use submitted in connection with the above referenced water right. However, the information you provided requires additional clarification. Enclosed is the original resumption form for you to make changes and to file again with the department, a copy of water right report no. 65-23166, and a copy of the application for extension of time to avoid forfeiture of a water right. Please respond to the following questions:

1. You state that you diverted 0.50 cfs. Water right 65-23166 authorizes a maximum diversion rate of 0.17 cubic feet per second (cfs). I suggest that you change your statement to reflect an amount equal to or less than maximum diversion rate.
2. You state that resumption of use was 1978. On the application to avoid forfeiture, Mr. Gansberger indicated the last date water was put to beneficial use was the fall of 2002. This resumption of use form is a confirmation of resumption of actual beneficial use of the water right after 2002. Please indicate the date you put the water to beneficial use.

Additionally, 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. Your authority for filing the Resumption of Use statement is unclear. If you are the new owner of the property, you need to submit the notice of change in water right ownership, a copy of the deed which conveyed the property to you and the appropriate filing fee. It does appear that a split of this water right is required and the fee to split a water right is \$100.00.

Please make the corrections noted above and return the resumption of use form along with the completed notice of change in water right ownership within 30 days. Failure to resume use of the water and to notify the department of the resumed use would be cause for the water to revert back to the state and again be subject to appropriation.

Please feel free to call me if you have any questions.

Sincerely,

Emalee Rushing
Office Services Supervisor

Enclosures

COPY

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JUN 01 2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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WATER RESOURCES

RESUMPTION OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the water right holder(s) has/have resumed the use of water for the water right identified below. This form **must** be returned to the department or the water right will revert to the state of Idaho.

Water Right Number(s) # 65-23166 (WR # 653045A)

Name of Water Right Holder(s) TOM BLESSINGER

Mailing Address 2053 Cove Rd Weiser IDA 83672

Telephone Number (208) 602-0124

Source of Water (Groundwater/Surface) Dyes Gulch Creek

Extent of Use: Domestic _____ (number of households)

Stockwater 100 (cattle) (number and type of stock)

Irrigation 8 (number of acres irrigated)

Other/Remarks _____

Total rate and/or volume of use 0.50 cfs _____ acre feet

Show the date water use was resumed under this water right 1978

Person to contact to accompany the Department representative if a field examination is conducted:

Name TOM BLESSINGER Telephone No. 208 602 0124

Address 2053 COVE RD WEISER 83672

The above information is my true statement of the extent to which diversion and use of the above-described water right has been resumed.

Date May 20-2010 Signature Tom A. Blessinger