



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

June 21, 2010

MAGIC IRRIGATORS INC
716B E 4900 N
BUHL ID 83316

RE: Permit Nos. 47-8059 and 47-8060

Dear Applicant:

I am reviewing the above referenced permits so we can issue licenses for the use developed. In a review of our file I notice I do not have sufficient information that you have complied with a condition of the permit approval. The condition I am referring to is on your permit as follows:

- A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this permit.

The field exam conducted in 1998 does not specifically mention the presence of a measuring device or a lockable controlling works. We must resolve this issue before a license can be issued. Pursuant to Section 42-219(6), Idaho Code, if the conditions of approval on a permit are not complied with, we may issue an order voiding the permit or issue a license for only a portion of the uses developed under the permit. You have a couple of options that you can take to resolve this problem. You can submit documentation that you have complied with this condition and our examiner was not informed of the compliance at the time of the exam; install the lockable device as required on your permit; or request removal of this requirement from your permit. If you request removal of the requirement you should also submit documentation that this request would be acceptable to the watermaster of Water District No. 47G.

We will withhold further action on this permit for 30 days from the date of this letter in order to allow you time to respond. If we do not receive a response from you within this time period we will assume you are not interested in pursuing a water right license and will take action as suggested above.

If you have any questions in regard to this matter, please do not hesitate to contact me.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent