



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

December 08, 2009

Paul H Daines
105 Old Mill Rd
Montpelier, ID 83254

RE: Water Right Permit No. 11-07151

Dear Permit Holder(s):

The Department of Water Resources (Department) is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ **Point(s) of Diversion**

☐ **Place(s) of Use**

☐ **Other**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Please also note that the total irrigated acres shown on the Amendment is less than both the original permitted amount and the amount for which you submitted proof of beneficial use. It is my understanding that the current level of irrigation development may potentially exceed the amount of development recommended in this Amendment. The examiners recommendation is based on review of aerial photos and satellite imagery at or near the time proof was submitted in 1988. This imager review did not provide clear evidence of additional irrigation development. You may wish to consider providing addition evidence to the Department if you believe the Amendment does not reflect the full level of development as of 1988.

If you have any questions, please call me at (208) 287-4916, or Tim Luke at (208) 287-4959.

Sincerely,

Craig L. Saxton
Water Right Supervisor

Enclosure(s)