



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

May 17, 2009

FIRST UNITED METHODIST CHURCH
AKA COMMUNITY UNITED METHODIST CHURCH
1470 W HANLEY AVE
COEUR D ALENE ID 83815

PROOF DEFICIENCY LETTER

RE: Lapsed Permit No. 95-8894

Dear Interested Party:

On April 29, 2009, the Department received a Statement of Completion for filing proof of beneficial use ("proof") and \$50.00 for the license examination fee for the above referenced lapsed permit. According to the Department's records, this permit lapsed because the appropriate proof statement was not received on or before the January 1, 1998 proof deadline. Because your proof statement was received by the Department after the 60-day deadline, this letter is to provide you with information of what the Department requires for reinstatement of the permit.

The information the Department requires is explained in to Section 42-218a(2), *Idaho Code*, which reads:

That upon receipt of proof of beneficial use after sixty (60) days after such notice of lapsing, the director shall require sufficient evidence to be submitted by the permit holder to clearly establish the extent of beneficial use made during the time authorized by the permit and any extension of time previously approved. Upon finding that beneficial use had occurred during the authorized period and upon a showing of reasonable cause for filing a late proof of beneficial use, the director may reinstate the permit with the priority date advanced to the day that proof of beneficial use was received;

Further, the Department requires two acceptable documents that provide evidence of beneficial use during the time the permit was active (January 3, 1995 to January 1, 1998), and a letter explaining the reason for delay of filing proof. Some suggestions of what the Department will accept are; "as built" engineer certified plans of the water system, DEQ documents that evidence the construction and completion stages of the development according to their public water system requirements, well construction log(s), and pumping records receipts for work completed, dated area photos showing irrigation on the land.

Be aware that this permit has lapsed and is of no force nor effect unless it is reinstated. Therefore, the department will hold the proof statement you have submitted for **30-days** of the date of this letter to provide you the opportunity to submit evidence of the construction and use of the water during the development period described above. If you need more time, please notify me. If the evidence is not submitted within this time period, I will return the proof form and



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the filing fee to you and the permit will remain lapsed. If you cannot provide the Department with the documentation it requires, you may need to reapply for a new water right permit.

If you have any questions regarding this matter, please contact me at (208) 287-4945.

Sincerely,

A handwritten signature in black ink that reads "Darla Block". The signature is fluid and cursive, with the first name "Darla" and last name "Block" clearly distinguishable.

Darla Block
Technical Records Specialist
Water Allocation Bureau

Enclosures