



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

December 2, 2009

STEPHEN & PATRICIA KNOWLTON
1700 JOHNSON CREEK RD
CASCADE ID 83611

Re: Application for Permit No. 77-14234

Dear Applicants:

You filed the above referenced application for a new water right some time ago. Due to unavoidable delays, staff changes, budget impacts and so forth, the Idaho Department of Water Resources (IDWR) has not completed processing of your application. I apologize for the delays and hope we can correct that very soon.

First, do you still want to proceed with the application? Second, IDWR needs additional information to complete its processing and issue a decision regarding your application.

IDWR sent you a letter dated March 29, 2007 seeking more information. The information is needed to meet the State of Idaho obligations under a water agreement involving many parties. The agreement established ground rules for approval of new water rights as discussed in the 2007 letter sent to you. That letter included an attachment discussing Water Appropriation Rule 40 information needed for your application.

The Idaho Department of Fish & Game and the Idaho Department of Environmental Quality provided letters to support your application as required by Rule 40. However, IDWR did not receive a response from you. Please see the enclosed attachment in this regard. Most of the Rule 40 items are already satisfied by the information in your application or by other IDWR records.

The circled items in the attachment need your written response as specified by the following three points.

1) Water Availability, Rule 40 item dii – "Umpqua Creek" (local name for unnamed stream) is also used for an older water right by the Millers as noted in your application. What information can you provide to show additional water is available from this source for your proposed use? This does not have to be technical data. For example, you could summarize your personal familiarity with this source to support your application. Similar information is not needed for the other source in your application.

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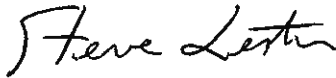
2) Impact on Other Water Rights, Rule 40 item ciii – If Umpqua Creek does not have enough additional flow to satisfy the Miller right and your proposed use simultaneously, what will you do to avoid injury to your neighbor's water right? For example, perhaps you and Miller plan to share the limited supply with a rotation plan. Item ciii is not applicable if your response for item dii indicates there is an adequate supply for both users.

3) Financial Resources, Rule 40 item f – Please provide information to show you have the financial resources to complete the project. Note the simple reply to be used if the cost will not exceed \$5000.

Please provide the requested information within the next sixty (60) days. Alternately, you can request up to six (6) months for more time in which to provide the Rule 40 information. Applications are typically voided without a timely written response.

Assuming a suitable reply from you, the application will be re-advertised in the "Star-News" due to errors in the original legal notice in late 2007. Again, I regret the delay for your application. Please contact me at 208-334-2190 if you have any questions or if I can do anything else to help you with this. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Water Rights Supervisor

Enclosure