

Edl, Michele

From: Edl, Michele
Sent: Tuesday, July 15, 2008 5:44 PM
To: 'Maiani, Necia M'
Subject: RE: Water Right 95-9129

Necia,

First, I need to make sure you know that the permit reinstatement and the reasonably anticipated future needs (RAFN) condition are two separate processes for the Dept. They can't be done at the same time.

Second, the order for IDWR processing is to reinstate the permit, if possible, then to address RAFN.

Unfortunately, Permit 95-9129 has lapsed too long (more than 60 days) to be granted an extension. However, IDWR can reinstate it, with its senior priority date, based on beneficial use. I need to see some proof that beneficial use had occurred before March 1, 2008 which is the date that proof was due. I need something which shows a history of diversion from the well or supply system.

When did your client connect to the Sylte Development's water system? If it was before March 1, your client established beneficial use and their records would provide much of what I need to bring the permit back to life.

Michele Edl

From: Maiani, Necia M [mailto:nmaiani@welchcomer.com]
Sent: Monday, July 14, 2008 4:55 PM
To: Edl, Michele
Subject: Water Right 95-9129

Hello Michele:

We talked about a week and a half ago about the above referenced water right: reinstatement.

As we left it, I was to dig up the information proving the right had been beneficially used prior to the lapse date for the permit.

We have been in search of information (in the form of consumption meter data) from the original owner of the well, who had been using it for 10 or so existing connections.

We are trying to decide the best way to handle this proof:

1. Is there any possible way that the Dept would grant an extension for this permit, which would allow us to prove the entire 0.95 cfs?
2. Would it be more preferable for us to submit proof of beneficial use with attachment of proof of "reasonably anticipated future need" for the entire 0.95 cfs?

Under option 2, we do have a start to this analysis for the District's "reasonably anticipated future need," however we probably need 3 weeks to finalize the DRAFT.

Please contact me via e-mail or phone.

Sincerely,
 NM

8/28/2008

Necia Maiani, P.E.
Senior Project Manager

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