



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

May 13, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

SIDNEY E SMITH III
KRISTINE A SMITH
3792 W HOUSELAND CT
EAGLE ID 83616

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 65-13962

Dear Permit Holder:

The department acknowledges receipt of the Proof of Beneficial Use form ("proof") and the Assignment of Permit form submitted for the above referenced permit. The department has updated its records to reflect the change in ownership and has enclosed a computer generated report for your reference. Because an acceptable proof was submitted after the proof deadline of March 01, 2009, an order was issued that reinstates the permit and advances the priority date to September 17, 1999, according to Section 42-218a(2), Idaho Code. Enclosed is a copy of the Reinstatement Order and the proof you submitted.

The Department of Water Resources has issued the enclosed Reinstatement Order as a preliminary order, pursuant to Section 67-5243, Idaho Code. **It can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief described in the enclosed information sheet.**

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made meets the permitted beneficial use. The field examination is required to verify the extent of the development of the permit. The final step in this process is to issue the permit holder a license for the water right.

Condition No. 5 and No. 8 of your water right permit requires that you install a measuring device and lockable controlling works on your diversion works reservoir to provide the watermaster suitable control of the diversion. Enclosed is a copy of your permit for reference. Your proof submittal indicates no lockable device was installed. Please be aware that your failure to have the device installed and operable at the time the department conducts the field examination may jeopardize the validity of the permit. If acceptable to the watermaster you may request, in writing, a waiver of the condition by the department describing the reasons for the request.

If you have questions about the field examination, please contact the **Western** Regional Office of the department in Boise, Idaho at (208) 334-2190.

Sincerely,

A handwritten signature in cursive script, appearing to read "Darla Block". The signature is written in dark ink and is positioned above the printed name.

Darla Block
Technical Records Specialist

Enclosures