



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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February 11, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

BRUCE G WARREN
LAURIE L WARREN
PO BOX 699
COUNCIL ID 83612

RE: Permit No. 67-07685

Dear Mr. or Mrs. Warren:

We are reviewing the above referenced permit so we can issue a license for the uses developed. In a review of our file we notice that you have not complied with a condition of approval of the permit. The condition we are referring to is on your permit as follows:

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

During the field examination no lockable device was found on your diversion and we must resolve this issue before a license can be issued. Pursuant to Section 42-219(6), Idaho Code, if the conditions of approval on a permit are not complied with, we may issue an order voiding the permit or issue a license for only a portion of the uses developed under the permit. You have a couple of options that you can take to resolve this problem. **You could either submit documentation that you have complied with this condition and our examiner was not informed of the compliance at the time of the exam; install the lockable device, as required on your permit; or request removal of this requirement from your permit.** If you request removal of the requirement you should also submit documentation that this request would be acceptable to the watermaster of Water District No. 67.

We will withhold further action on this permit for 30 days from the date of this letter in order to allow you time to respond. If we do not receive a response from you within this time period we will assume you are not interested in pursuing a water right license and will take action as suggested above.

If you have any questions in regard to this matter, please do not hesitate to contact me.

Sincerely,

Sandy Hemenway
Sr. Water Resource Agent