

Gibson, Deborah

From: Roxanne Brown [RBrown@spfwater.com]
Sent: Wednesday, September 26, 2007 10:47 AM
To: fussm@cityofnamapa.us; Christopher H Meyer
Cc: Stuart Hurley; Gibson, Deborah
Subject: FW: lapsed permit

Gentlemen,

As we were reviewing water rights currently held by the City of Nampa, we became aware of Permit No. 63-31430. The Permit is associated with the Northside well operated by the City and serving Northside Estates Subdivision. David Hunemiller filed for the permit on behalf of Brown Construction and I assume the City has a contractual agreement with the homeowners to operate the well.

The permit lapsed in 2004 because Proof of Beneficial Use was not submitted as required (see message from Debbie Gibson below). I spoke to Debbie this morning and she has agreed to hold the file on her desk to allow the City to sort this out (the physical file was scheduled to be filmed and destroyed this week). She also indicated she had spoken to Mr. Hunemiller and although he had indicated his desire to work with IDWR, nothing has been submitted.

The City needs to determine whether or not they operate the Northside well for an entity (perhaps a homeowner's association?) or believe they own the water right (permit). Perhaps Hunemiller should have assigned the Permit to the City? Again, I assume the City has a contractual agreement with the homeowners to operate the well. The contract may specify ownership of the water right, once it is developed.

I believe the first step is to find and review the contract or document detailing the City's operation of the Northside well and start compiling the information IDWR will need to proceed. I'm available today, but will be unavailable for the next two weeks. In my absence, questions concerning this process should be addressed to Scott King in our office.

Michael, please call me today if you have questions.

Roxanne Brown
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From: Gibson, Deborah [mailto:Deborah.Gibson@idwr.idaho.gov]
Sent: Tuesday, September 25, 2007 5:02 PM
To: Roxanne Brown
Subject: RE: lapsed permit

Roxanne,

Yes, no proof was filed. It was due May 1, 2004. This file is on my desk for review prior to destruction. If you know anyone that can file proof on it, they should file immediately. They'll also need to provide us with two pieces of evidence of completion of the system and application of the beneficial use for reinstatement, because it is past the 60-days from the Lapse Notice.

9/26/2007

Debbie

Deborah Gibson
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-----Original Message-----

From: Roxanne Brown [<mailto:RBrown@spfwater.com>]
Sent: Sunday, September 23, 2007 1:20 PM
To: Gibson, Deborah
Subject: lapsed permit

Hi Debbie!

Can you tell me why permit 63-31430 has lapsed (I'm assuming for lack of proof, but I want to confirm).

Thanks!

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