

EMAIL SENT TO DAVE WIMER
(DAVE AND SHANNON@CONNECTWIRELESS
US)

IN JULY/2008 msw

Dave~

I received your voice mail; sorry it has taken me a while to get back to you it has been a busy day. I am in the field again next week and will not be able to get to the licensing of your water right until later this summer. I did however confirm the best course of action for you.

As we discussed your water right is for 0.15 CFS and 1.5 ac-ft. I measured a flow rate of 0.62 CFS and a volume of at least 2.5 ac-ft, but it is probably more like 3-3.5 ac-ft. I will go ahead and finalize your license for the full amounts. However, that will leave you currently using more water in flow and volume that you are licensed for, and therefore legally allowed to use. You have two options. The first is to decrease your diversion works capacity to minimize the flow to 0.15 CFS, and to partially fill in the pond to decrease the volume to 1.5 ac-ft to be in conformance with your current license. Option two, and the one I recommend, is to file for a second water right to cover the difference between what your first license allows and what you are actually using. I have confirmed that there are no moratoriums in your area so there is nothing on IDWR's end that will prevent you from obtaining a second water right. To file for another water right just fill out the application and proceed through the process as you did with the first one. If you or Debbie Tomlinson have any further questions please let me know.

I will not send you a notice of violation or any additional correspondence other than this email. You have indicated to me that you want the system to be legal and I assume that you will pursue a second permit to make it so. As far as I'm concerned the matter is closed unless I can be of further assistance.

Thank you for your time and support and I hope you enjoy your vacation.

Mathew Weaver, PE
Water Allocation Bureau
Idaho Department of Water Resources
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