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DEPARTMENT OF
WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 W Center Street, Soda Springs, Idaho 83276-1575

Phone: (208) 547-3993 FAX: (208) 547-3939 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 10, 2007

Mr & Mrs. John Franson
1349 Homestead Lane
Soda Springs, ID 83276

REF: Permit 11-7342

Subject: Voided permit

Dear Mr. & Mrs. Franson:

I recently contacted you in regards to an assignment of permit and a required field examination for the above referenced permit number. This original permit was applied for in 1983 for domestic, stockwater and irrigation with proof of beneficial use due (Idaho Code 42-217) in 1989. The land under this permit was placed into the Conservation Reserve Program (CRP) in 1987 before proof of beneficial use was made. According to your assignment of permit you purchased the ground in 2003 and built your home in 2005.

Therefore, since proof of beneficial use was not made in a timely manner on this permit it's being recommended as **VOIDED** and you must make a new application for permit to cover your domestic development.

This permit was not perfected into a water right because beneficial use was not established and therefore doesn't qualify for protection when the land was placed into CRP. A permit is not considered to be a water right unless the water is being beneficially used and the proof due was made in a timely manner.

Under Idaho Code 42-201 your water use **REQUIRES** a water right. Please visit our website at www.idwr.idaho.gov and download form 202 12/99 with the instructions and filing fees. Your priority date will be based on the date you file the new application for permit with the Department. So I would suggest doing it as soon as possible.

This part of the state is closed to any new appropriation of water other than domestic in home use only. Therefore, you **will not** be able to irrigating anything outside your home under the new permit. If you continue you will be subject to fines.

If you have any questions, please feel free to contact me at 547-3993 or visit our website to learn more about water rights at www.idwr.idaho.gov.

Respectfully,

Cindy E. Bird
Senior Water Resource Agent