

Edl, Michele

From: Edl, Michele
Sent: Tuesday, March 25, 2008 3:59 PM
To: 'littlemac@cableone.net'
Subject: FW: 47-7991.pdf
Attachments: 47-7991.pdf

Tom,
Based on my previous experience with you and with the Cedar Draw project, I believe that you will be the one that deals with this issue.

This email is to give you a heads up to a determination that the Department has made on a second Crystal Springs Hydroelectric permit (#47-7991).

The original letter will be sent out to you in tomorrow's mail. I have not yet included the permit holder, Mr. Dell Keehn in this information string.

Please let me know if I need to redirect either the letter or this email.

Thanks.

Michele Edl
Associate Engineer
IDWR
322 East Front St
Boise ID 83720-0098
208-287-4946

From: Rushing, Emalee
Sent: Tuesday, March 25, 2008 3:23 PM
To: Edl, Michele
Subject: 47-7991.pdf

3/25/2008



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

March 25, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

TOM MCCAULEY
CRYSTAL SPRINGS HYDROELECTRIC LP
PO BOX 175
BUHL ID 83316

RE: Water Right Permit No. 47-07991

Notice of Pending Order to Void Permit

Dear Permit Holder(s):

On February 3, 1987, the Department of Water Resources (IDWR) received a letter from J.U.B. Engineers, Inc. that they had been retained by Crystal Springs Hydroelectric LP to conduct the field exam verifying water use for 47-7991 and that the exam had been completed on October 7, 1986.

On February 4, 1987, the Department received the Proof of Beneficial Use statement you submitted for Permit 47-07991, which authorized you to establish a right to divert 0.40 cfs of water in the SW¼ of the NE¼ of Section 23, Township 9 South, Range 15 East, for power purposes. The examiner reported that although the 4th unit was in place, it was not in operation. He was, therefore, unable to verify that you had diverted water and applied it to a beneficial use as authorized by your permit.

The final step in the water appropriation process is the issuance of a Water Right License. By issuing a license, IDWR recognizes that you have met the requirements for establishing a water right. A license can be issued only for development that occurred prior to the date that the Proof of Beneficial Use statement was filed. No water right has been established, and no license can be issued, if you have not diverted water and applied it to a beneficial use within the time period authorized by your permit. After a Proof of Beneficial Use statement has been submitted, a permit cannot be retained to cover future development of the resource.

Unless you supply information within thirty days to demonstrate that you have developed a beneficial use of water in accordance with Permit 47-7991, I will take action to void your permit. If you are no longer interested in your permit, you can shorten the voiding process by signing and returning the enclosed relinquishment form.

If you have any questions, please contact me at 208-287-4946.

Respectfully,

Michele Edl
Associate Engineer

Enclosure