



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

JAMES E. RISCH
Governor

KARL J. DREHER
Director

20 June 2006

Mr. Earl Mecham,
Snake River View Estates, LLC
PO Box 641
Soda Springs, Idaho 83276

RE: Water Right Permit 35-9085

Dear Mr. Mecham,

There are several issues regarding Water Right Permit 35-9085 that may not be understood.

Only that portion of Snake River View Estates that was complete on December 1, 2005 can be considered in the reinstatement of permit 35-9085 and the field exam to determine the extent of Water Right 35-9085. Development after December 1, 2005 must be covered by a new Water Right application for Permit. This application will be processed by the department and advertised in the local paper for public notification before it can be approved by the Department.

Please provide the Department with documentation of the extent of the development on December 1, 2005.

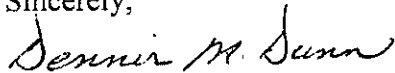
When the original application for permit was made, the amount of water applied for was 0.34 cfs (157 gpm) for in home use. The application by Snake River View Estates, LLC did not include irrigation. The total rate that Snake River View Estates may divert is 0.34 cfs at any time unless it is to fight fire. Snake River Estates, LLC indicated that they owned canal shares and all irrigation of the individual lots and common areas would be through the canal. Condition 3 of the permit requires the full use of all canal shares before the wells may be used to irrigate one half acre around each home. If the canal shares are not fully used by the homeowners association or any homeowner, or are sold, then the well water may not be used for any irrigation around the homes within the subdivision or the individual's home. The irrigation season is from April 1 to October 31.

Condition 6 of the permit states that the wells may not be used to irrigate any common areas or lots on which homes have not been built. This condition precludes the watering of the berms and trees along the highway or within the subdivision from the wells. The expectation is that these areas will be continued to be irrigated from the surface water source.

In summary Snake River View Estates, LLC may only divert 0.34 cfs regardless of the capacity of the wells. Irrigation of any berms, common areas and the trees planted on them from the wells is not permitted. All surface water irrigation shares must be fully exploited before the irrigation of one half acre around each home may take place. A new application for permit is required for all development after December 1, 2006.

If you have any questions please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Dennis M. Dunn".

Dennis M. Dunn

Sr. Water Resource Agent, IDWR

Cc: Angela Schaer Atty.

Roger Warner IDWR

Jared Bragg P.E.

John Lindsay HOA

Chuck Ketterman DEQ

Enc: Water Right Permit 35-9085