



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 25, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Charles E. Brockway
2016 North Washington St.
Suite 4
Twin Falls, ID 83301

SCANNED
DEC 01 2003

RE: PERMIT NO. 37-08563 - GAIL L. REITER

Dear Mr. Brockway:

I have reviewed your letter dated January 7, 2000, in which you inquire about the department's view of past use of water under terms of Permit No. 37-08563 on property owned by Gail L. Reiter ("permit holder"). From the information you have provided, it appears that the permit holder likely has established the domestic use on the lot through use of mobile homes on the property as well as the irrigation use. It doesn't appear, in this case, that the stub-in rule is applicable, since water has been diverted and used for the two permitted uses.

By copy of this letter to the department's southern regional office, I am notifying that office that they can schedule and conduct the examination for beneficial use. I am also forwarding with this letter, a copy of Harry S. Rinker's letter dated January 6, 2000, concerning past domestic use of water on the property as information to consider when conducting the field examination.

If you have questions, please feel free to contact the department.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Glen Saxton'.

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

Encl: 1

c: Regional Office