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JAN 10 2000

Department of Water Resources

January 7, 2000

Mr. Glen Saxton
Idaho Department of Water Resources
1301 North Orchard
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Permit No. 37-08563-Gail L. Reiter

Dear Mr. Saxton:

This letter is in response to our telephone discussion of September 16th and December 20th 1999 regarding the use of water under Mrs. Reiter's permit in aid of licensing. As I indicated in my letter of September 14th, 1999, the well and irrigation system is in and water has been used for irrigation. In response to your question relative to use of the water from the well for domestic purposes, I inquired of Mr. Harry Rinker who developed the subdivision and received the enclosed letter. He indicates that there has been use of water from the well for domestic purposes on Lot #2 during construction of homes and adjacent lots. I recall mobile homes on Lot #2 during my visits in connection with water rights exams on Mr. Rinker's Lot #6 property. On at least one of my visits, Gary Funderberg of your office accompanied me and he may recollect the temporary housing on Lot #2. In addition, Allen Merritt of your office has visited the Rinker property and may have some photographs, which incidentally show activity on Lot #2.

As I indicated in my letter of September 14, 1999, the Southern Region office has indicated that they would like to schedule a field exam on the above right. Prior to that visit, I would like to gain some idea of the applicability of the stubout rule or applicability of the temporary housing toward beneficial use satisfaction so that the irrigation portion of the permit may be approved. I still believe that it is only fair and reasonable to apply the same criteria to single family users as to multi-user systems, as long as due diligence has been shown and adequate progress has been made.

Please let me know if I can assist with additional information.

Sincerely,

Charles E. Brockway

CC: Henry Reiter & Gail Reiter
Enclosure: Letter from H. Rinker

CEB/kl

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506