



State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

October 26, 2005

EDWARD C MOSER  
253 S 2600 E  
PRESTON ID 83263

Via Fax: (208)852-1988

RE: LAPSED PERMIT NO. 13-7560

Dear Mr. Moser:

Enclosed as you requested is the Proof of Beneficial Use form, which must be filled out and filed with the department. A license examination fee must be included with the proof in order to reinstate your permit. I am enclosing instructions to assist you in filling out the form and a license examination fee schedule, which shows that for a 0.20 cfs diversion the fee is \$50.00. Additionally, because the permit has been lapsed for more than 60-days, you must supply the department information to show that the irrigation system was installed or used, and that the water was beneficially used as permitted, specifically during the development period, which was July 20, 1999 to December 1, 2000. I suggest you file a completed proof form with the examination fee as soon as possible. That will establish your new priority date. Then supply me with the evidence documents within the next 30-days.

I do want to research the file for any extensions of time, and filing of a proof for this water right permit. I will expect a call from you tomorrow morning. At that time, I can give you more information about the permit's activities at the time it was lapsed.

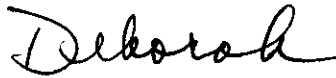
In order to reinstate the permit and ultimately license the right, I will need 2 pieces of evidence from you that can substantiate the actual beneficial use of this water for recreational storage. I can accept dated aerial maps of the land showing the storage pond, which is best to be substantiated by a government agency, an affidavit from someone that has first hand knowledge of your irrigation system and has witnessed it being used along with dates they witnessed these events. Additionally, receipts for pipes and/or a pump if they were purchased during the development period would be helpful, although they would not be enough proof to count as one of the evidence documents.

Upon receipt of the completed Proof of Beneficial Use and the examination fee the department can maintain the proof of beneficial use for **30 days** to provide you the opportunity to submit the required evidence. Please be aware that this permit is **lapsed** and is of no force nor effect unless it is reinstated.

Edward C. Moser  
October 26, 2005  
Page 2

If you have questions regarding this matter, please contact me at (208) 287-4942 or the Idaho Falls region at (208) 525-7161.

Sincerely,

A handwritten signature in black ink, appearing to read "Deborah".

Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau

Encl.

c: IDWR – Eastern Region