

Memorandum

To: The file for water right permit no. 57-7593D,
in the name of Ron and/or Sandy Kitchell

From: Deborah Gibson 

Date: January 27, 2006

Re: **Review of Evidence of beneficial use for reinstatement of lapsed permit.**

I received and reviewed the proof of beneficial use and evidence of beneficial use provided to the department by Darin and Hannah Reinertson (Reinertsons) for purposes of reinstatement of the lapsed permit no. 57-7593D. The Reinertsons purchased the property previously owned by Ron and Sandy Kitchell (Kitchells) after foreclosure actions by a bank. The Reinertsons are unable to request an Assignment of Permit from the Kitchells, therefore, the permit holders of record will remain the Kitchells. However, upon issuance of the license in the names of Ron and/or Sandy Kitchell, the Reinertsons will file with the department a Notice of Change of Ownership.

Additionally, during my review of the evidence provided by the Reinertsons, I questioned the statement in their letter that "[t]he Kitchells built our house in 1998 (date on electrical box)." Because the home appeared to be a manufactured home, I questioned if this date was accurate. Therefore, I contacted the Owyhee County Assessors Office to verify when the Kitchells' property taxes reflected that a home was on the property. It was confirmed that the home was referenced in the property taxes for 1999. This established the beneficial use of the domestic use of the permit during the time the permit was active, prior to lapsing. The permit was reinstated based on this information and the information provided by the Reinertsons.