

November 21, 2005

THOMAS T TIERNEY
2412 MESA DR
NEWPORT BEACH CA 92660

Re: Permit no. 71-7169

Dear Wateruser:

The records of the Idaho Department of Water Resources (the Department) show that you are the holder of permit to appropriate water no. 71-7169 describing a point of diversion in the Salmon River Basin. In October 1999, a moratorium order issued by the Director of the Department suspended development of water authorized by your permit. Recently, the Director of the Department issued an order rescinding the moratorium, and allowing continued development and beneficial use of water authorized by existing permits.

Enclosed are two orders related to rescission of the moratorium. The first order, titled *Order Rescinding Salmon-Clearwater Moratorium and Wilderness Moratorium*, allows resumption of the permitted development of beneficial use of water that was suspended when the moratorium was ordered. The second order, titled *Preliminary Order Establishing Due Dates for Proof of Beneficial Use*, determines the proof of beneficial use date for each individual permit that was affected by the moratorium order. The proof due date for your permit (71-7169) is **7/1/2007**. The method for calculating the new proof due date is explained in the two orders, and can be calculated by referring to Attachment A affixed to the *Preliminary Order Establishing Due Dates for Proof of Beneficial Use*.

Approximately sixty (60) days before the date proof of beneficial use is due, you will receive notice from the Department that you must have completed the use of water authorized and that you must file the proof of beneficial use form. Alternatively, you may seek an extension of time to file proof of beneficial use. If you have not previously received an extension of time to file proof of beneficial use, the law allows the Department to approve one extension of time for good cause. Requests for additional extensions must be satisfy narrow criteria to be approved.

A document titled "Statement of Available Procedures and Applicable Time Limits" is attached to the *Preliminary Order Establishing Due Dates for Proof of Beneficial Use*. The document explains procedures you must follow if you want to request a hearing for, or challenge the preliminary order.

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A document titled "Explanatory Information to Accompany a Final Order" is attached to the *Order Rescinding Salmon-Clearwater Moratorium and Wilderness Moratorium*. The document explains procedures you must follow if you want to request a hearing for, or challenge the final order of the Director of the Department.

If you have questions, please call Deborah Gibson at (208) 287-4942.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Spackman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gary Spackman, Chief
Water Allocations Bureau

Enclosures