



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 20, 2003

DICKSON L WHITNEY
PO BOX 1427
AFTON WY 83110

RE: Permit No. 24-07178

Dear Permit Holders:

We are reviewing the above referenced permit so we can issue a license for the uses developed. In a review of our file we notice that you have not complied with a condition of approval of the permit. The condition we are referring to is on your permit as follows:

Measuring devices of a type approved by the Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

Our field examiner found no measuring devices on your diversions or discharge and we must resolve this issue before a license can be issued. Pursuant to Section 42-219(6), Idaho Code, if the conditions of approval on a permit are not complied with, we may issue an order voiding the permit or issue a license for only a portion of the uses developed under the permit. You have a couple of options that you can take to resolve this problem. You could either submit documentation that you have complied with this condition and our examiner was not informed of the compliance at the time of the exam; install the measuring devices, as required on your permit; or request removal of this requirement from your permit. If you request removal of the requirement you should also submit documentation that this request would be acceptable to the watermaster of Water District No. 01.

We will withhold further action on this permit for 30 days from the date of this letter in order to allow you time to respond. If we do not receive a response from you within this time period we will assume you are not interested in pursuing a water right license and will take action as suggested above.

If you have any questions in regard to this matter, please do not hesitate to contact me at 208-327-7944.

Sincerely,


KAY WALKER
Sr. Water Resource Agent