

Bertie Stearns
Hc 75 Box
Mooskia Id 83403
Permit # 81-7098

RECEIVED
JAN 23 2004
FEDERAL FOREST SERVICE
LAND MANAGEMENT
ENTER RESOURCES

Dear Shelley Keen

When I bought this property from James Morrison the irrigation water was being used. We have been using a special use permit from the forest service. We thought this was all we needed.

We have inclosed a fifty dollar check, a form, and some papers as proof of beneficial use. I hope this is enough information. (if not) please call me - 208 426 0847.

Sincerely,

Bertie Stearns

I was not aware of any lapsed permit on our irrigation water.



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 9, 2004

BERTIE STARNES
HCR 75 BOX 105
KOOSKIA ID 83539

RE: Reinstatement of Permit 81-7098

Dear Ms. Starnes:

Thank you for calling today to inquire about your water rights. As we discussed, it appears that Water Right 81-7122 covers the use that was originally permitted as 81-7078 in the name of James Morrison. I have attached a printout of the information for Water Right 81-7122 and a copy of some information from the file for 81-7078 so that you can compare them and be sure.

In addition, I understand that you want to pursue the reinstatement of lapsed Permit 81-7098, which authorized James Morrison to divert water from Little Smith Creek for irrigation. The lapsed permit is of no further force or effect and can be reinstated only if you submit the following items to the Department of Water Resources.

- A completed Proof of Beneficial Use statement. I have enclosed a form and instructions for you.
- The appropriate license examination fee.
- Two pieces of evidence to show that water was actually applied to a beneficial use during the authorized permit development period. The development period for permit 81-7098 ended on May 1, 1986. You can submit power records, receipts for irrigation equipment, affidavits, or any other information to verify use during the authorized development period.
- A statement of "reasonable cause" why the Proof of Beneficial Use statement was not submitted on time.
- Documentation showing that it was James Morrison's intent to convey the permit with the land when he sold it.

If you have any questions, please contact me at 208-287-4947.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

Enclosures

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DEPARTMENT OF
WATER RESOURCES