



**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

April 28, 2005

DARLENE JEVNE  
23636 120<sup>TH</sup> SE  
KENT WA 98031

**Disposition of Petition for Reconsideration**

RE: Petition for Reconsideration of the Preliminary Order Voiding Permit 37-7844

Dear Ms. Jevne:

The Department of Water Resources (IDWR) has received your petition for reconsideration of the preliminary order voiding Permit No. 37-7844. In response to your petition, IDWR grants you 30 days to support the petition by providing the information described below.

IDWR is required to verify the beneficial use of water that was established in connection with your permit during the authorized development period, which ended when Clarence Lowell Mecham submitted his proof of beneficial use statement on June 25, 1985. The verification is typically accomplished by an on-site field examination. As the preliminary order pointed out, IDWR field examiners made several attempts in 1986, 1987, 1998, and 1999 to arrange to conduct a field examination. On each occasion, the field examiners were informed that water was not being diverted and put to beneficial use at that time. In 2005 a field examiner reported that your pump has been removed and water has not been diverted from the permitted source since at least 1997.

While IDWR has the responsibility to conduct the field examination to confirm the use of water established in connection with the permit, it is the permit holder's responsibility to make the diversion and distribution system available for inspection and to provide necessary information that may not be apparent to the field examiner. Because so much time has passed and your pump has been removed, IDWR cannot independently verify the elements of the water use – place of use, diversion rate, annual diversion volume, etc. – that may have been established by 1985. Resuming your water use, assuming that one was established during the development period for the permit, is not a solution because the new use may not be representative of the water use that was originally established. For that reason, to support your petition for reconsideration you will have to provide sufficient documentation to quantify the beneficial use of water was established by June of 1985.

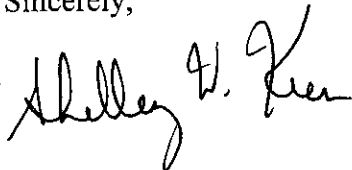
Darlene Jevne  
April 28, 2005  
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To reverse the preliminary order voiding your permit, IDWR needs sufficient documentation to show the extent of land irrigated during the authorized development period and the diversion capacity of your irrigation system during that time. Documentation can include aerial photography, power records, receipts, invoices for irrigation equipment and installation, affidavits from neighbors, crop reports, etc.

IDWR will evaluate your documentation when determining whether to grant or deny the petition for reconsideration. If you do not respond in writing within 30 days, your petition for reconsideration will be denied. If you need additional time, please make your request in writing.

If you have any questions, please call me at 208-327-7946, or email me at [skeen@idwr.state.id.us](mailto:skeen@idwr.state.id.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent part.

Shelley W. Keen  
Water Rights Supervisor