



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

January 7, 2005

REX LANHAM
2630 HWY 21
BOISE ID 83716

RE: Water Appropriation Permit 65-22377

Dear Applicant:

IDWR is reviewing Permit 65-22377 to determine if a water right license can be issued at this time. During the review of your permit, it was noted that the permit requires you to install and maintain a lockable controlling works and measuring device at the point of diversion.

The field examiner who visited the site on October 1 of 2002 reports the lockable controlling works and measuring device were not installed. Pursuant to Section 42-219(6), *Idaho Code*, if the conditions of approval on a permit are not complied with, IDWR 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 few routes you can take to resolve this problem. You may 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 lockable controlling works and measuring device, 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. 65, who is responsible for the delivery of surface water by priority in your area.

Also, the examiner who verified your water use reported that the place of use of the permit has been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, *Idaho Code*. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed. Once the lockable controlling works and measuring device condition issue is resolved, we will work to amend the permit.

If I have not received a response from you within 30 days, I will assume you are not interested in pursuing a water right license and will take action as suggested above.

If you have any questions, please call me at (208) 287-4949, or email me at erin.retelle@idwr.idaho.gov.

Sincerely,

Erin Retelle
Water Resource Agent