

Keen, Shelley

To: Maiani, Necia M
Subject: RE: Transfer 70394

Necia:

Forfeiture requires that the water right go unused for a period of five consecutive years. Therefore, it is sufficient to document that the rights were used at any time during the prior five-year period. Records from 2000 through 2003 should be just fine for that purpose. Providing data from 1995 and from 2000 would show that there has been no recent five-year period of non-use.

Shelley Keen
Water Right Permits Section
Idaho Dept. of Water Resources
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skeen@idwr.state.id.us

-----Original Message-----

From: Maiani, Necia M [mailto:nanderson@welchcomer.com]
Sent: Tuesday, December 30, 2003 9:30 AM
To: 'skeen@idwr.state.id.us'
Subject: Transfer 70394

Shelley:

I am completing our response to your letter dated December 9, regarding NKWD's transfer 70394. I had a question regarding the proof of use within the last 5 years. Although, all wells in question have been in continuous use through the last 5 years, I am not sure that the District has a good record of proof for the years 1998 and 1999. Will the records for 2000 through 2003 be sufficient? We also have records from 1992 through 1995 if that will help?

Thanks,
Necia Maiani, EIT
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