



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 10, 2018

SEVERANCE SAND & GRAVEL, INC
C/O LYNN OR CARI SEVERANCE
PO BOX 644
GARDEN VALLEY ID 83622

Notice of Intent to Void Permit

RE: Water Appropriation Permit No. 65-23168

Dear Mr. and Mrs. Severance:

The Department of Water Resources (IDWR) is reviewing the above referenced permit, so we can issue a license for the uses developed. On June 15, 2018, Mary Condon and Dan Nelson performed a field exam to verify the water use developed under permit 65-23168, and again on July 17, 2018 to record flow measurements. During this exam, we spoke with you that you have not complied with the following condition of approval of the permit:

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the Watermaster suitable control of the diversion(s).

Idaho Code § 42-219(8) states the following:

In the event that the department shall find that the applicant has not fully complied with the law and the conditions of permit, it may issue a license for that portion of the use which is in accordance with the permit, or may refuse issuance of a license and void the permit. Notice of such action shall be forwarded to the permit holder by certified mail. The applicant may contest such action by the department pursuant to section 42-1701A(3), Idaho Code.

As shown above, you must resolve this issue or we will be required to void the permit. In order to resolve this issue, you must either install a measuring device OR submit a request to have this condition waived. If you choose to request a waiver of this condition, we strongly suggest that you consult your watermaster to ensure waiver would be in the water district's best interests. The watermaster responsible for the regulation of your diversion is Ron Shurtleff, Telephone number (208) 6424465 and email waterdist65@srvinet.com. The watermaster cannot approve or deny a waiver request, but the Department is unlikely to approve such a request without the watermaster determination that a measurement device is not required.

We have made attempts to allow you to provide proof that this condition has been met, and have not received confirmation and photos of the installation. These contacts were made in person on June 15, 2018 and July 17, 2018, and by phone conversation with Cari Severance on approximately August 16, 2018. Unfortunately, we cannot continue holding this permit any longer. This issue must be resolved or we will need to move forward with voiding the permit.

SEPTEMBER 10, 2018
SEVERANCE SAND & GRAVEL, INC
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If I do not receive the requested information from you within **thirty (30)** days, I will take action to void your permit under the provision of Section 42-219(8) of the Idaho Code. If you are no longer interested in your permit, you can shorten the voiding process by signing and returning the enclosed relinquishment form. If you have any questions, please contact me.

Sincerely,



Mary Condon
Water Supply Bank Specialist
Idaho Department of Water Resources
Telephone # (208) 287-4936
Fax (208) 287-6700 (C/O Mary Condon)
Email mary.condon@idwr.idaho.gov