

Burrell, Steve

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From: Burrell, Steve  
Sent: Wednesday, May 26, 2004 1:14 PM  
To: 'nsgwd@safelink.net'  
Cc: Luke, Tim  
Subject: Permit 37-8894 Bill Novinger, Dry Creek Partners

Angie,

Bill Novinger requested a clarification on the status of Dry Creek Farms Water Permit 37-8894 for groundwater diversion as it pertains to the requirements of HOUSE BILL NO. 848 that "the holders of certain ground water rights shall be deemed nonmember participants solely for mitigation purposes in a ground water district pursuant to the provisions of Section 42-5259, Idaho Code". The wells permitted by 37-8894<sup>3</sup> have not been constructed, and are not anticipated to be constructed this year, per Mr. Novinger. As such, Dry Creek Partners and Mr. Novinger should NOT be given notice this year (2004) to join as a district nonmember per HB 848. Depending on circumstances next year (2005), i.e. if he constructs and uses the wells, this situation could change, and should be reevaluated then.

I SPOKE WITH ANGIE YESTERDAY, CLARIFIED WR #  
Call if you have questions. Thanks. (AS ABOVE). SHE SAID SHE WOULD  
REMOVE NOVINGER'S GW RIGHT FROM  
THEIR LIST FOR THIS YEAR'S  
MITIGATION PARTICIPATION.

Steve Burrell, Engineer  
Water Distribution  
Idaho Dept Water Resources  
1301 N Orchard, Boise 83706  
208-327-5407  
208-327-7866 Fax

AB 6-2-2004