



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 8, 1998

ATTN RAY RIGBY
RIGBY THATCHER ET AL
PO BOX 250
REXBURG ID 83440

Re: City of Rexburg

Dear Ray:

Enclosed is a copy of my letter dated September 22, 1997. In this letter I tried to explain how I feel the City of Rexburg could file and document their water rights in the SRBA and through the permit process.

The only changes or additions I see in the actions that need to be taken are:

Paragraph 3- The city will need to formally request that we advertise the Applications referenced in Paragraph 3.

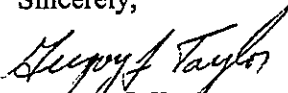
Paragraph 5- The city will need to formally request that we reinstate Application No. 22-07650.

Paragraph 6- Because the Davis Well is not owned by the city, no action is warranted. The Smith Park Well is used only for pressure enhancement so an App. for Transfer can be filed in the near future to add the well as a point of diversion on the right it enhances.

In reference to your letter dated April 6, 1998. I will attach this letter to the claims when they are filed and the letter can be used to help document the historical use of the water rights claimed. Unfortunately no claims have been filed by the city at this time. Although the department will help as much as possible in assisting the city in filing the claims, the city needs to file them (with the appropriate filing fees) on how they feel they have been historically used. The Court can then render a decision on how the rights will be decreed.

Please do not hesitate to contact this office if you have any question regarding this matter.

Sincerely,


Gregory J. Taylor
Sr. Water Agent