

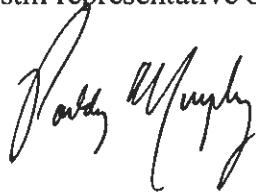
7/31/08

Attention: Nate Arabe
Idaho Department of Water Resources
900 N. Skyline
Suite A
Idaho Falls, ID 83402

Dear Mr. Arabe:

As per our conversation about the point of diversion for the water rights held by Russell and Sue Kozacek (75-4126) and Stuart Felton (75-10603), I have enclosed a map from a Forest Service Special Use Permit from 9/17/62 which shows the proposed ditch reconstruction. On the map, the property with the live spring, HES #95 Harold Hanson, is the property that I own and the southern and western boundaries are illustrated. As illustrated in my objection, I believe that the point of diversion for these water rights is located on the Forest Service Property in the immediate vicinity downstream of the wooden bridge which crosses the live spring. It seems evident that above this point on the Forest Service property, my property, and property owned by Daryl Hull, that the spring channel is unaltered. I believe this to be true, as this spring channel is very stable and sinuous and shows no signs of channelization or ditch work. The Forest Service map seems accurate and still representative of the current irrigation practices.

Sincerely,



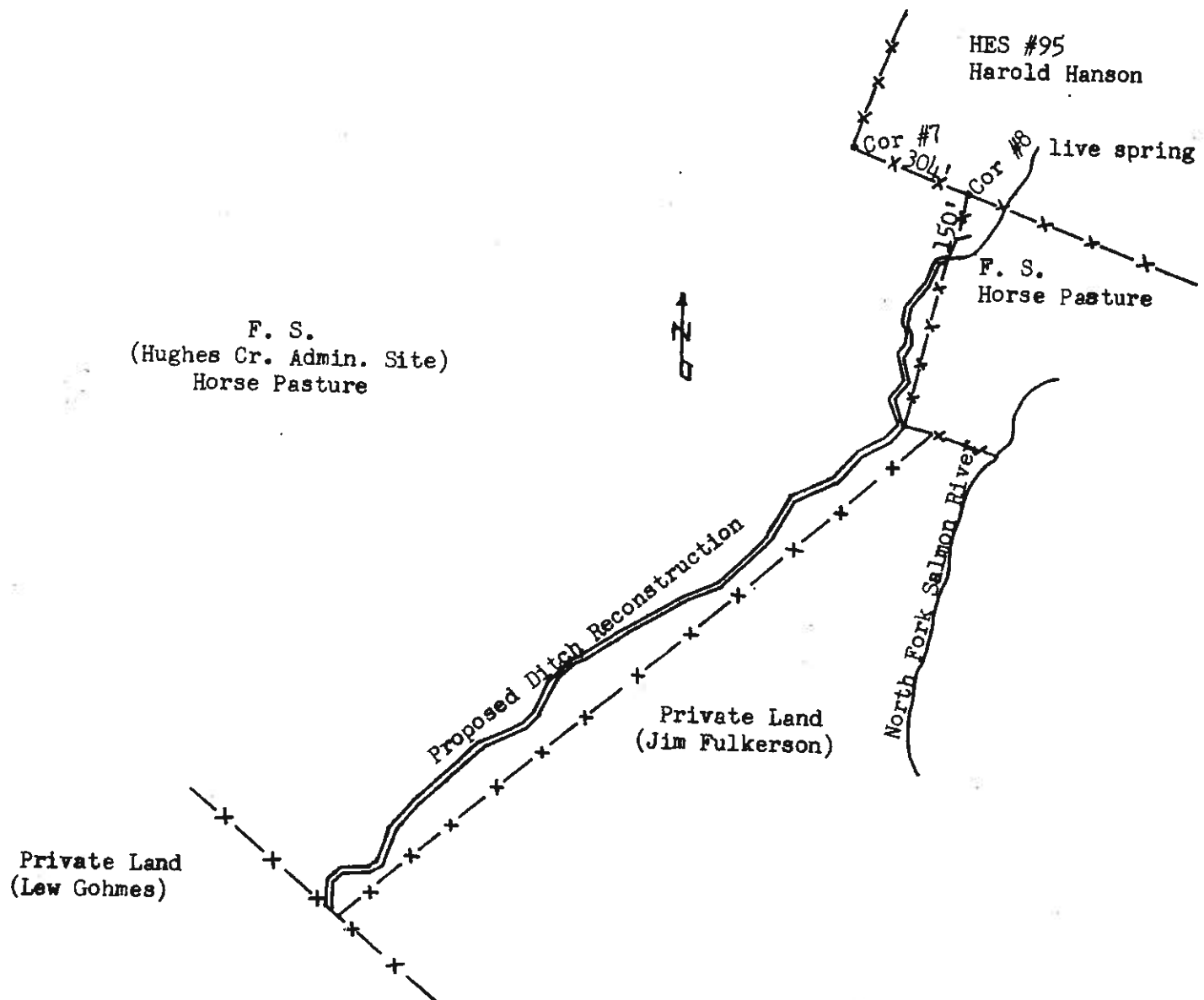
Patrick Murphy

14 Blaze Tree Trail
North Fork, ID 83466

RECEIVED
AUG 01 2008
Department of Water Resources
Eastern Region

2710

Special Use Permit - G. es, Lew R., Ditch (Proposed)



Legend
Scale 1 inch - 400 ft.
Proposed Ditch - ==
Fence - x-x-x-x
Length of Ditch on FS - 2502 Ft.
Width - 14 Ft.
Area -.8 Acre
Location - T25N; R21E; NW $\frac{1}{4}$ sec. 22,
NE $\frac{1}{4}$ sec. 21

Date of Survey - 9/17/62 by REL - A