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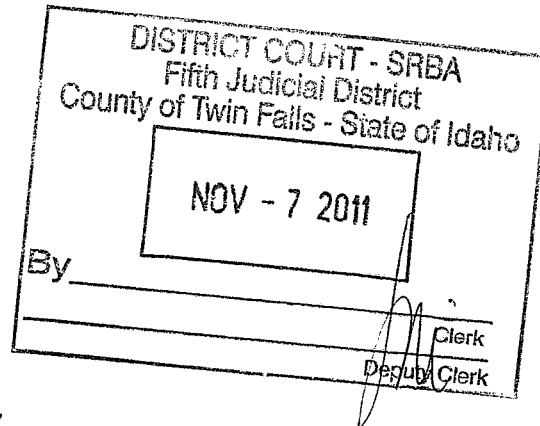
NOV - 8 2011

Department of Water Resources

November 2, 2011

From: Danny T Peterson
P O Box 192
Hagerman, Idaho 83332
208-539-3579

To: Idaho Water Adjudications
P O Box 2707
Twin Falls, Idaho 83303-2707



RE: Three Springs Partial Decree 36-29B
Motion to set aside Partial Decree

The POD is decreed in 7S 13E 24 (which is the place of use) instead of 7S 13E 30 where the Three Springs source is actually located.

Computer input brought the error to the attention of IDWR who alerted us.

I would plead the Court to correct this oversight.

Sincerely,

A handwritten signature in cursive script, appearing to read "Danny T Peterson".

Danny T Peterson

Webmail

pferwin@q.com

± Font Size ±

Three / Weatherby springs water right correlation**From :** Cindy Yenter <Cindy.Yenter@idwr.idaho.gov>

Tue, Jun 07, 2011 05:36 PM

Subject : Three / Weatherby springs water right correlation**To :** wd36a@northrim.net, ERWIN FRANK PEGGY Owner <pferwin@q.com>

Linda – I'm not sure I ever got back with you on this one – I did get all these water rights straightened out, I think. Have you had time to review the rights associated with each WMIS pod?

410066 – Three springs pipeline

1000588 – Weatherby Springs

410067 – Jones Hatchery

410005 – Bar S Ditch

101173 – Jones irrigation pumps

410069 – Hoagland Tunnel

There is only one exception: 36-29B from Three springs, in the name of Peterson, has the point of diversion decreed in the wrong section. The POD is decreed in 7S 13E 24 (which is the place of use) instead of 7S 13E 30 where the Three Springs source is actually located. I do not know how this happened, but at this point the owner will have to file a transfer to have the pod corrected. And, because the water right shows it differently I cannot physically associate this water right with the Three Springs pod, meaning it won't show up in WMIS.

→ Action to set aside Partial Decree

I don't see a big issue with continuing to deliver the right for the time being, as the source clearly identifies Three Springs and we know it is not being diverted elsewhere, but the owner is going to have to file a transfer or technically the water right is out of compliance. Maybe Frank can mention this to them...? they can call me.

Cindy