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L A W O F F I C E S

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Department of Water Resources
Eastern Region

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March 23, 2017

James Cefalo
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

**RE: Response to Letter Dated February 3, 2017 Regarding Application for Transfer
81026 (Water Right 13-7940).**

Dear James:

As you know, I represent Earl and Mary Roberts, who asked that I respond to your letter dated February 3, 2017. The Robertses have consulted recently with Lyle Porter and others on what they believe will be an appropriate measure to address issues associated with the spring that is located within the legally described property of the James and Kathy Allen Revocable Trust. I am in the process of preparing a proposed agreement with the trust that will outline the responsibility for certain actions to be taken, which will also result in granting legal access to the spring. I have a letter from the Robertses outlining a proposal, which I will then put in the agreement to propose to the trust through their attorney, Randy Budge. I intend to have that completed early next week, and have it provided to Mr. Budge for his review by the end of the month.

If you have any questions or concerns, please let me know. Because of the snow present in the Bear River Basin which prevented access to the spring, and other bases for delay, we request additional time to provide evidence to the Department evidencing our right to access the spring. We appreciate your patience and consideration of our request.

Best Regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures