

Barg, Jonie

From: Kim [farmerhobbs@q.com]
Sent: Friday, March 27, 2015 12:16 PM
To: Barg, Jonie
Subject: Fwd: Hobbs retention of Water Rights after State purchase of Parcel 7 of Project STP-1490(106) - US-91 Utah Line to Preston

Follow Up Flag: Follow up
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Sent from my iPhone

Begin forwarded message:

From: CenturyLink Customer <kandshobbs@q.com>
Date: March 27, 2015 at 11:49:59 AM MDT
To: farmerhobbs@q.com
Subject: Fwd: Hobbs retention of Water Rights after State purchase of Parcel 7 of Project STP-1490(106) - US-91 Utah Line to Preston

From: "Chuck Heisler" <Chuck.Heisler@itd.idaho.gov>
To: kandshobbs@q.com
Cc: "Ed Bala" <Ed.Bala@itd.idaho.gov>, "Brian Poole" <Brian.Poole@itd.idaho.gov>
Sent: Friday, March 27, 2015 11:44:56 AM
Subject: Hobbs retention of Water Rights after State purchase of Parcel 7 of Project STP-1490(106) - US-91 Utah Line to Preston

Hello Mr. Hobbs,

In reference to your question in regard to your water rights on the property we purchased from you in late 2003 just north of Franklin, known to us as Parcel 7 of Project Number STP-1490(106):

1. I have reviewed the documentation including the appraisal, deeds, right-of-way contract, diary and correspondence.
2. It seems clear to me from this review that it was the States intention to pay you and your family the cost of a replacement well at the rate of 1.27 CFS to be drilled another parcel that you would retain.
3. The State also compensated you to indemnify us in the case that such an equal well was not found.
4. There is no mention of the State acquiring the water rights to this well. It is clear that the State intended you to continue to be able to draw the stated rate of 1.27 CFS from the new well and that the State would not be entitled to any of the water from the new well.

The State has no claim that I can find, nor does it seem that it was the States intention, to the water that you take from your new well that we paid you to drill in another location to replace the water that was

originally provided by your old well. We attained only the land underlying (or overlaying) the well area where your old well was located for the States wetland mitigation area.

I hope this is clear. If you or anyone have any further questions, please feel free to call me at your convenience.

Sincerely,

Chuck Heisler Jr
Right of Way Agent, Senior
Idaho Transportation Department
5151 S. 5th
Pocatello, Idaho 83205
(208) 239-3355