

Memo

Date: June 25, 2012

To: Chad F. Hersley

From: Craig L. Saxton

Re: In house licensing review 37-8451

I agree with your analysis that it does appear that water has been put to beneficial use in a nature consistent with this permit. However, it looks like there could be an overlap with water right 37-8312 which is in the name of Sluder also. This was licensed in 1992 for commercial use from a well.

- Is the well for Right 37-8213 and permit 37-8451 are the same well?
- Is right 37-8213 and permit 37-8451 used for the same POU?

Some evidence indicates that right 37-8213 and permit 37-8451 use wells on a different properties. The reason I say this is that the application for permit 37-8451 was filed by Charles Maestas on October 31, 1988.

Claim 37-8213 was filed by Joan and C.D. Sluder on October 18, 1988. So the claim and the application for permit were filed 13 day's apart in different names. In addition, despite that both right 37-8312 and permit 37-8451 list commercial as a purpose of use, the descriptions of that use are different (37-8312 is for gravel washing and 37-8451 is for use in the house and office. This leads me to believe that they were for two different properties at least. Maybe two different wells. *perso. Com. w/ Becky Erwin*

That said, the well log in the backfile of 37-8213 is the same well log that you have identified in your initial review of 37-8451. It could be that one well was used for both rights.

I think probably the next thing to do is try to contact the owner of the parcel that 37-8213 is not applical to. The taxlot data shows the name of the parcel as:

**187 SLUDER DRIVE LLC
PO BOX 143
RICHFIELD ID 83349**

The secretary of state website shows the mailing address as:

**187 SLUDER DRIVE LLC
PO BOX 7156
BOISE ID 83707**

But the Secretary of State website, it shows the registered agent as:

AMBER R MYRICK
3101 W MAIN STE 200
BOISE, ID 83702

344-8600

This is going to be one where we have to track people down. Let's send a letter to the Richfield ID address and I would CC it to the PO Box 7156 address for 187 Sludder Drive LLC.

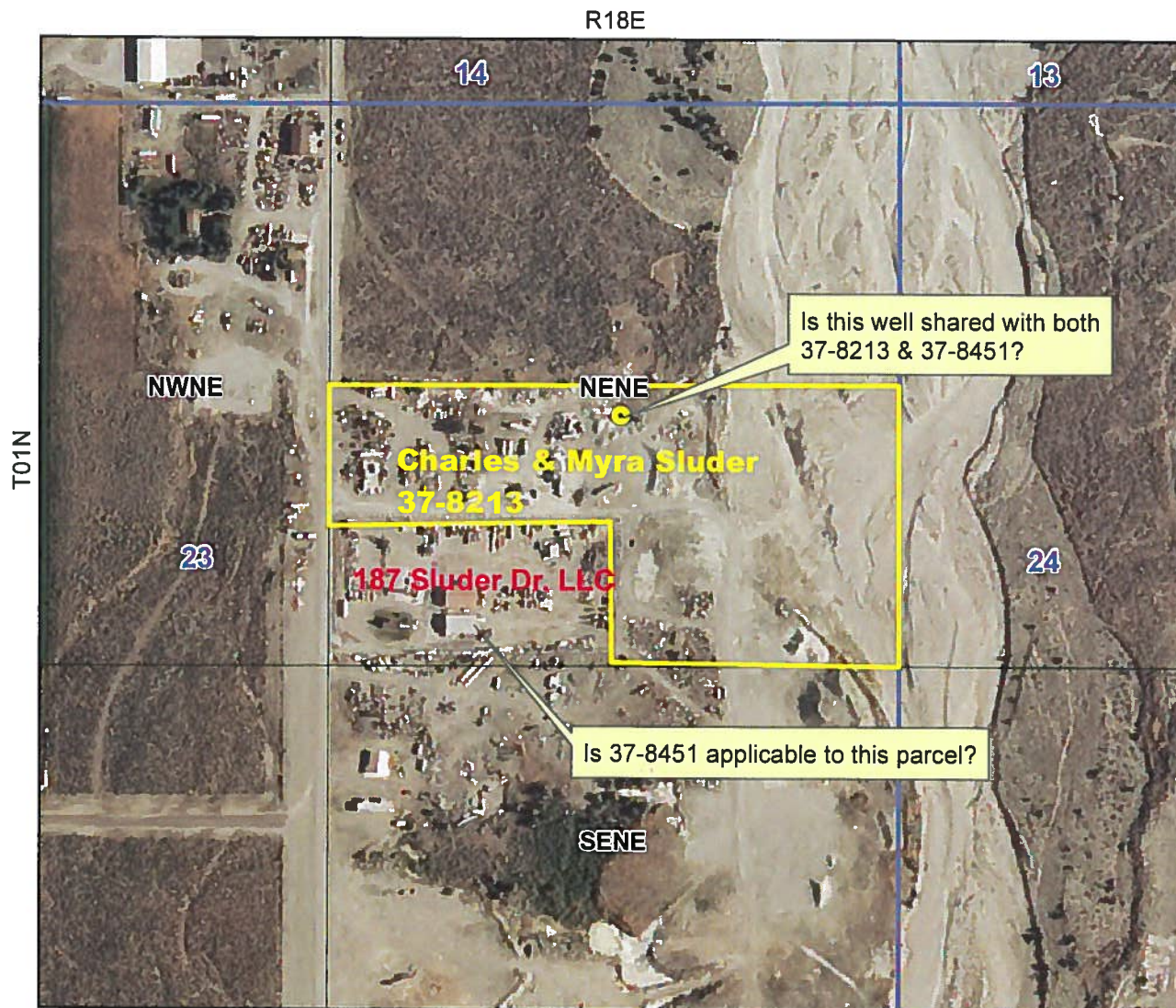
The letter will say that we are looking to review the permit for licensure and it appears that this might be applicable to their property. Please contact and fill us in.

State of Idaho
Department of Water Resources

Attachment To Water Right License

37-8213

This map depicts the COMMERCIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.05 0.1 0.2 Miles

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

