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WATER RESOURCES
WESTERN REGION

July 8, 2008

Steve Lester, Water Rights Supervisor
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: Permit No. 78-12245

We have been working in accordance with Permit to Appropriate Water, Conditions of Approval, dated July 27, 2006, which require us to install a water storage pond on our property along with a control valve and faucet valve at the point of diversion.

The pond is in service now. We have not yet been able to finish the work at the point of diversion, as the creek has been too high this year to install the diversion box in the creek. We anticipate being able to finish this work later this summer as the creek drops.

We are requesting, at this time, to be able to divert a small amount of water from the creek July-October to provide for maintenance of the storage pond while we work to finish the system. According to Joel and Margaret Chambliss, in a letter dated November 30, 2005, they would not be opposed to a 1-1/2 inch line diversion at the intake, with the water going for our use only. We agree to use a 1-1/2 inch line diversion and will not send water past our borders. Of course, if the water should drop low enough to threaten the supply of our neighbors, we would stop all diversion.

We are asking the cooperation of all parties involved. Thank you for your consideration of this request.

Sincerely,



Ray Stoltey

November, 30, 2005

copy

Ray Stoltey
HC 75 Box 3556
New Meadows, ID 83654

Dear Ray,

We are writing this letter to try to clear up a few things. First, you need to know that we (Joel & Margaret) are not the only parties protesting your water right application. Department of Water Resources is addressing all correspondence to us, but there are four additional parties protesting also.

Secondly, our protesting your water right application is not a personal matter nor is it anything against you. We are concerned that Little Elk Creek will not have sufficient water to supply our homes (4 homes) for in-house use. We have lived here for 16 years and know that in the summer months, (July, Aug., Sept., and most of Oct.) Little Elk Creek gets extremely low. During these months, the water flow is a trickle causing us to run out of water several times. It's not a good situation to get a drink and have no water, or flush the toilet and no water there. We are concerned!

Last, we do not have a problem with you getting water, although this would put an increased strain on the water supply. The problem we have is the 4 inch water line you have installed and the rumors of extending the water line to other neighbors. The 4 inch line is oversized for your lawn irrigation use.

* This situation could possibly be resolved if you restricted the 4 inch line to no greater than an 1 ½ inch line at the intake, the water is used exclusively for your irrigation needs, and the water line does not extend past your property boundary.

If you wish to discuss this matter further, please feel free to call.

Our regards,

Joel & Margaret Chamberlain
628-3391