

John D. Prudden
208/788-9636

Fax

To: Steve Lester, IDWR

From: John D. Prudden

Fax: ~~208-934-2348~~ 888-718-9523

Pages: Two including cover page

Phone: 208-788-9636

Date: 6/13/2009

Re:

CC:

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

• **Comments:**

Steve,

Following is a letter from us requesting IDWR's verification of place of use for a water right. Please FAX your verification letter to 208-788-2444, as well as mailing it.

888-718-9523

Thank you.

JOHN & KRISTY PRUDDEN
109 GREENHORN ROAD
HAILEY, ID 83333
208 788-9636

June 12, 2009

Steve Lester
IDWR Western Regional Office
2735 Airport Way
Boise, ID 83705

Re: Place of use for water right 51-9 and combined water rights.

Dear Steve,

This letter is in reference to our telephone conversation on Friday, June 12th, during which you informed us that shareholders of Hot Springs Ditch Company could irrigate anywhere within the ditch company boundaries described both in map and table form under Places of use on your website. The following paragraph is a review of our understanding of the facts as they relate to water use of the Hot Springs Ditch Company.

We own 703 acres of land near Bruneau, which is located partially in T7S, R6E, S8. We desire to restore pasture grass production to approximately 35 acres in the NE quarter of this section 8. All of the 35 acres are within the boundaries of the water rights holder, Hot Springs Ditch Company, and our use including this addition will not exceed our shareholder right. The ditch company has informed us that this area is not a designated place of water use. Apparently they are confused about information gathered before adjudication that specified only five acres for the NE quarter of section 8. Your information indicates that the final decree regarding place of use is very specific and that we are correct in that our new pasture is a viable place of use. In addition, you informed us that the final water right decree instructed IDWR to remove the place of use description by township, range and section from the ditch company's claims. Thus the decree, after adjudication, describes place of use as:"use of this right with the rights listed below is limited to the irrigation of a combined total of 894 acres within the boundaries of the Hot Springs Ditch Company in a single irrigation season"....

Accordingly, we are asking for your concurrence with the above stating that the Hot Springs Ditch Company water available to us may be used anywhere on our property, including the NE quarter of T7S, R6E, S8, so long as the place of use is within the ditch company's boundary.

Thank you for speaking with us and for your help in resolving this matter. Your written verification of the facts we discussed would be greatly appreciated.

Cordially,

John & Kristy Prudden

