

January 1, 2009

Ms. Sharla Cox
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402

Re: Application for 75-14461 and 75-14462

Dear Sharla,

This letter is in response to our telephone conversation of December 31, 2008.

I am requesting a date for a conference as are continuing with the applications referenced above..

We are in Arizona for the winter and will not be back in Idaho until early April. An April or May conference would be most beneficial to us.

Thank you,

Bill Maxwell (for Gertrude Maxwell)



Attachment: Answers to protests

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Answers to protests: Application #75-14461 and 75-14462

#14461 - Arden Arrington (protestant) states that the land to be irrigated is outside of the watershed. He also states that I cannot show beneficial use.

Explanation - This land is a hayfield that was irrigated from the 1940's until 1984 when the ditch out of Wallace Creek was destroyed by a landslide. Original water right #75-83 and 75-84. As for beneficial use, I will be irrigating cattle pasture.

#14461 - Larry Shiley (protestant) claims my irrigation will reduce the water pressure in the main line.

Explanation - The 4" mainline in question has been connected to our 6" mainline. Since I will be using only a 1" line to my five sprinklers, there will be no effect on the pressure on his line.

#14462 - Arden Arrington (protestant) states that no water from Wallace Creek should be carried in an upstream ditch and diverted into Tendoy Creek.

Explanation - We will not be using water out of Wallace Creek. We will only be using the water from the springs that originate in Tendoy Gulch. Tendoy Gulch is on Gertrude Maxwell's private property with no effect on Arden Arrington's irrigation.

*Thank you
Bill Maxwell*

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