

August 4, 2008

Department of Water Resources
Eastern Region
900 North Skyline Drive Site A
Idaho Falls, ID. 83402

RECEIVED
AUG 08 2008
Department of Water Resources
Eastern Region

CERTIFIED MAIL

Attention : David R. Tuthill, Jr.

Re: 15-7305
Andrew R. Bybee

Dear Mr. Tuthill:

As owners of the property on which the Pleasant View Warm Springs starts . We strongly oppose Mr. Bybee taking additional water from this source for the following reasons:

1. Mr. Bybee has never been given permission by us to apply for a permit for Water Rights on the Springs.
2. Mr. Bybee claims he already has rights to this water and is pumping from there. As this source varies in flow and there is not a measuring device in the Springs how can he determine the amount of this resource he is using.
3. The Springs are home to several species of fish, Smallmouth Bass, Rainbow Trout and Carp. Also, Blue Herons, Wild as well as tame Geese. Wild Ducks, Owls, Birds in season and on occasion Pelicans.
4. In 2005 we applied for a permit to pump from the springs. On May 1, 2006 we were granted this request. On May 5, 2006 Samaria Water and Irrigation Company filed a protest and on May 7, 2006 our permission was denied. Please refer to your documentations with regard to Permit 15 - 7272.

Enclosed please find our check in the amount of \$25.00 and a color coded map of our property.

Sincerely,

JOEANN JENKINS TRUST

JoeAnn Jenkins, Trustee

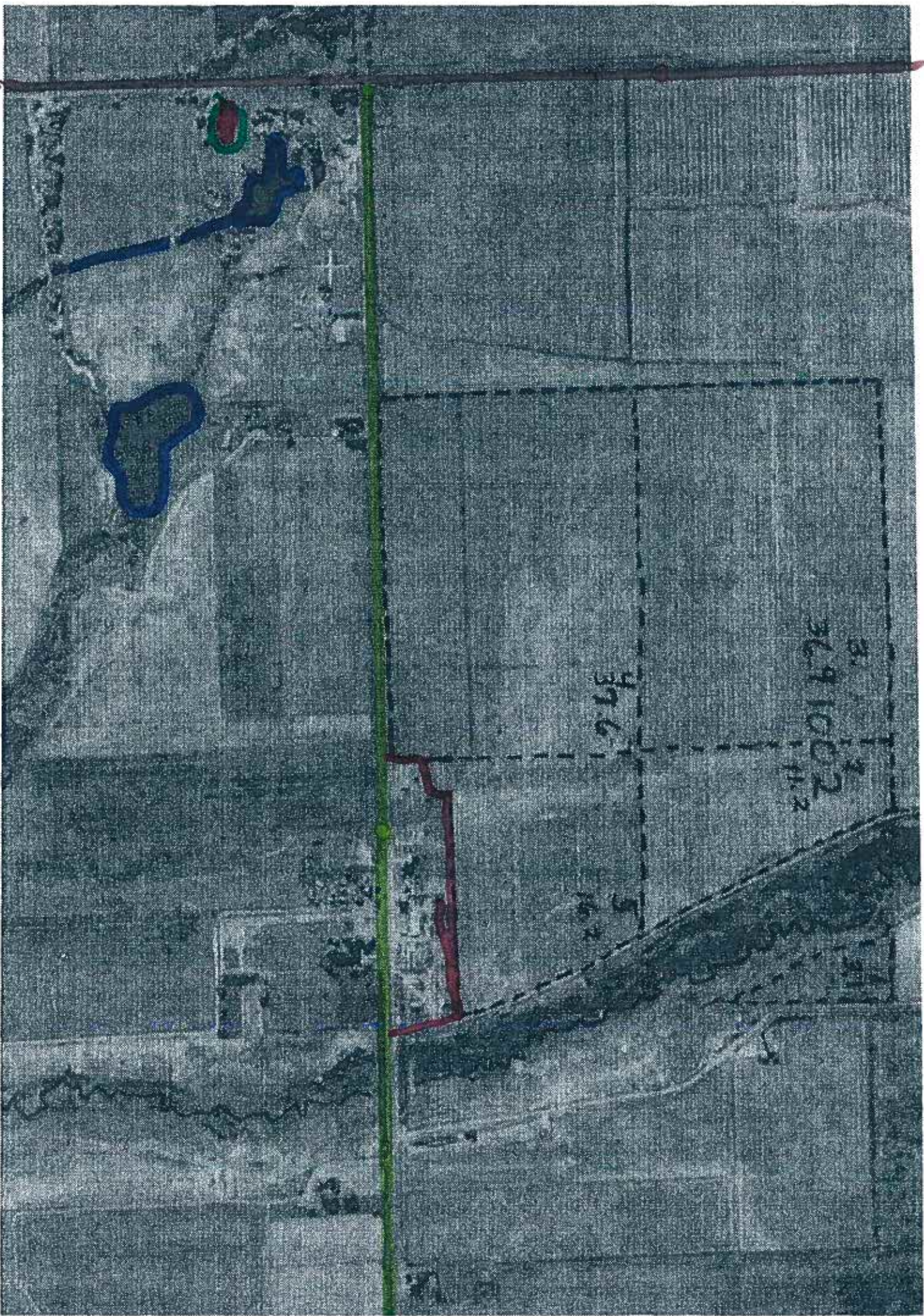
JoeAnn Jenkins, Trustee
P.O. Box 21
2121 South 5400 West
Malad City, Idaho 83252

Encl:
Check
Color Coded Map

1. Pleasant View Warm Springs [redacted]
2. Our home at 2121 South 5400 West [redacted]
3. Mr. Bybee' home at 4825 West Hy 38 [redacted]
4. Idaho State Road 38 to Holbrook and Stone Idaho [redacted]
5. County Road 5400 West [redacted]

Receipt
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