



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 24, 2008

May Rammell and Thompson
Peter M Wells Esq
PO Box 370
Pocatello ID 83204

RE: Andrew R Bybee – Claim to A Water Right 15-7305

Dear Mr. Wells:

Third times a charm? Sorry to do this to you, but I have some questions regarding the place of use. When I data entered the place of use into our system and went to update ArcMap, I ran the tax lot query to find Mr. Bybee's property. According to the tax lot (see enclosed map), this is the property that he owns. When I checked the Public Land Survey, this is the breakdown of acreage per ¼ ¼.

NWSW was 25 acres, which he shows 5 acres
SWSW was 39 acres, which he shows 40 acres
NESW was 19 acres, which he shows 20 acres
SESW was 26 acres, which he shows 35 acres

For a total of 109 acres. On his application it states he irrigates 100 acres. That is fine, but there is a definite discrepancy between the tax lot and what is on his application. My real concern is the NWSW and the SESW. Can you clarify this for us, if there needs to be a change in the place of use, please amend the claim, initial it and return it to me for further processing.

Also, the point of diversion shows that the water is being taken out of Pleasantview Warm Springs verses Goddard Warm Springs. Can you verify that also?

If you have any questions regarding this information, please feel free to contact me.

Respectfully Submitted,

Sharla Cox
Administrative Assistant

Enclosure