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EUGENE D. FREDERICKSEN – Retired

RECEIVED

JAN 15 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

January 14th, 2008

Steve Matthews
210 W. 450 N.
Jerome, Idaho 83338

Re: Water Right Transfer T73557

Dear Mr. Matthews,

Pursuant to earlier communication with the Idaho Department of Water Resources, it is now prepared to issue the approved transfer in the above-referenced matter.

Cindy Yenter, Water Master for District 130, requested two (2) slight modifications to the matters contained in my prior letter dated October 17th, 2007, and your subsequent appeal letter dated October 30th, 2007. The changes are as follows:

1. The fourth point of my October 17th, 2007, letter was as follows “Each of the magmeters will be password protected with availability for access to the Department of Water Resources and the North Snake Groundwater District”. Ms. Yenter has proposed the following substitute language to be included in the transfer document to conform with current department policy: “Prior to diversion and use of water under Transfer Approval 73557, the right holder shall install and maintain acceptable magmeter measuring device(s) with digital readout, including data logger(s) at the authorized point(s) of diversion, in accordance with department specifications. A lockable enclosure shall be provided around each data logger and Water District 130 shall install a padlock and have exclusive access to the data logger(s).” This change is requested in recognition of the practical circumstances of the Department where testing and reading meters are performed by different employees. Mr. Millenkamp is agreeable to this IDWR request.

2. The Second change is to the fifth point of my October 17th, 2007, letter. In actuality, the Idaho Department of Water Resources is the final recipient of the meter data, not the North Snake Groundwater District. Therefore, the Department proposes to change the language to: “All annual diversions shall be reported to IDWR through Water District 130. At the discretion of the WD 130 Water Master, annual diversions may be reported to WD 130 through the North Snake Groundwater District.” Mr. Millenkamp has also agreed to this revision.

I have copied Cindy Yenter at Water District 130 with this letter. Please confirm to Ms. Yenter as soon as possible, either by phone or in writing, that you agree with these revisions. Both the Department of Water Resources and my client are anxious to bring the processing of the transfer to a conclusion.

If you have any questions about this letter you may contact me or Cindy Yenter at 736-3033.

Very truly yours,

FREDERICKSEN WILLIAMS MESERVY & LOTHSPREICH, LLP

A handwritten signature in black ink, appearing to read 'R. Williams', with a stylized, cursive script.

ROBERT E. WILLIAMS

REW/mmb

C: Client
Cindy Yenter

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