

Keen, Shelley

From: TomMeSum@aol.com
Sent: Friday, December 14, 2007 4:48 PM
To: Keen, Shelley
Subject: (no subject)

Re: Water Licenses 23-2071 and 23-11333

On or about March 10, 2005, I met with attorney Jerry Rigby and IDWR personnel, adjudicator Ernest Carlson et al with attorney Candice McHugh on the speaker phone. The meeting related to the adjudication of license 23-2071 with priority date of April 3, 1964. Attorney McHugh informed us that the 1989 transfer of this water right from Pine Creek down stream to Antelope Creek allowed IDWR to acknowledge the current existence and validity of license 23-2071. However, Mr. Carlson informed her that District's records did not contain any documentation noting the payment of the transfer. Therefore, for the purposes of independently validating the license, non payment made the transfer null and void and McHugh concurred.

While reviewing my father's files I located the receipt for the 1989 transfer. The document dated February 6, 1989 is marked "application for transfer/ #23-2071" check 478 in the amount of \$50.00 and signed Thompson. (Document attached)

Shortly after the March meeting, IDWR Director, Ronald D. Carlson traveled to Pine Creek and confirmed the current and prior utilization of the license 23-2071. He met with IDWR employees involved in the adjudication. Thereafter he advised me to work with IDWR employee, Keith Wilson to transfer the water right from Antelope Creek, where the stream no longer flowed, back to Pine Creek. In so doing it was determined that this water right had been terminated. He then instructed me to work with Mr. Wilson and reapply for a water right on Pine Creek, which resulted in the current license 23-11333.

In view of the above information and the location of the receipt validating the license it is requested that license 23-11333 as nearly as possible be brought into conformity with license 23-2071 including priority date of April 3, 1964.

I sincerely await your kind response to this request.

Thomas J. Summers, Jr.
5055 Jupiter Hills Dr.
Idaho Falls, Idaho 83401

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12/17/2007

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 6005694

Date: 02/06/89
Time: 14:00:06

Received

From: SUMMERS, THOMAS J

Type of Payment	Program Acct Class	Amount
APPLICATION FOR TRANSFER/#23-2071	0630199 1238 6390	\$50.00
	Total	\$50.00

CHECK 478

Idaho Department of Water Resources

Region: EASTERN

Signature: Thompson