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DEPARTMENT OF
WATER RESOURCES

February 14, 2007

David R. Tuthill Jr.
Interim Director
Idaho Department of Water Resources
322 E. Front St.
Boise Idaho 8372-0098

Dear Mr. Tuthill,

This letter is about water right 61- 12069.

It is my belief that the requirements of water right no 61-12069 as modified by Transfer no 72403 conditions of approval have not been met in the time frame required by the approval

Item one, of this approval, requires all changes be accomplished within one year of the date of the approval. The date of this approval was January 5, 2006

In addition item two requires beneficial use of the water can be shown. No beneficial use of the water has occurred

Thank you for your attention to this matter



Leonard Hutterman
11900 E Hwy 20
Mountain Home Idaho 83647