

See letter
to
Smith

MOORE SMITH BUXTON & TURCKE, CHARTERED

ATTORNEYS AT LAW

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FACSIMILE COVER SHEET

DATE: October 6, 2006 RECIPIENT'S FAX: 525-7177

TO: Allen Merritt CLIENT: _____

RE: Attached letter

FROM: Bruce M. Smith/Debbie

NUMBER OF PAGES INCLUDING THIS COVER SHEET: _____

- ☐ ORIGINAL WILL NOT BE SENT
- ☐ ORIGINAL WILL BE SENT BY FIRST CLASS MAIL
- ☐ ORIGINAL WILL BE SENT BY FEDERAL EXPRESS

ADDITIONAL COMMENTS:

Allen—can you explain to me what this letter is referring to. My client owns the ranch and the Luthers do not have any right to transfer my client's water rights but at this point I'm trying to figure out what this is about. Thanks Bruce

*****IMPORTANT MESSAGE*****

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OCT 6 - 2006

MSB & T, CTD.



TELEPHONE: (208) 324-2303
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E-MAIL: FWMATTYS@CABLEONE.NET

October 3, 2006

Idaho Department of Water Resources
1000 West
Bozeman Street, Suite 200
Bozeman, ID 83301-3380

Re: Transfers No. 72-7577, 72-7578, 72-7579, 75-7580 in the name of
Mark and/or Joanne Lupher

Mr. Allen:

To follow up your request relayed to me through Jason Lee Helms, at Brockway Engineering, please find enclosed a copy of the Order of the Seventh Judicial District Court dismissing the state court actions regarding aspects of the lease between my clients, the Luphers, who are the tenants, and the current property owners. This means that there are no longer current issues in litigation regarding the status of the lease agreement under which my clients are currently operating.

Very truly yours,

FREDERICKSEN WILLIAMS MESERVY & LOTHSPICH, LLP

ROBERT E. WILLIAMS

EW/ch
Client
Bruce Smith
\\data\Lupher\IDWR 10-3-06.doc

Received Time Oct. 6. 6:38PM

Drawings

Appendix A