

November, 30, 2005

*Letter in response
appl. for permit no. 78-12245
for Raymond Stoltey.*

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JAN 23 2006
WATER RESOURCES
EASTERN REGION

Ray Stoltey
HC 75 Box 3556
New Meadows, ID 83654

*Letter written in an
attempt to resolve protest
for application.*

Dear Ray,

We are writing this letter to try to clear up a few things. First, you need to know that we (Joel & Margaret) are not the only parties protesting your water right application. Department of Water Resources is addressing all correspondence to us, but there are four additional parties protesting also.

Secondly, our protesting your water right application is not a personal matter nor is it anything against you. We are concerned that Little Elk Creek will not have sufficient water to supply our homes (4 homes) for in-house use. We have lived here for 16 years and know that in the summer months, (July, Aug., Sept., and most of Oct.) Little Elk Creek gets extremely low. During these months, the water flow is a trickle causing us to run out of water several times. It's not a good situation to get a drink and have no water, or flush the toilet and no water there. We are concerned!

Last, we do not have a problem with you getting water, although this would put an increased strain on the water supply. The problem we have is the 4 inch water line you have installed and the rumors of extending the water line to other neighbors. The 4 inch line is oversized for your lawn irrigation use.

This situation could possibly be resolved if you restricted the 4 inch line to no greater than an 1 ½ inch line at the intake, the water is used exclusively for your irrigation needs, and the water line does not extend past your property boundary.

If you wish to discuss this matter further, please feel free to call.

Our regards,

December 28, 2005

Joel and Margaret Chambliss
HC 75 Box 3548
New Meadows, ID 83654

Dear Joel and Margaret,

As you know, we spend the winter months in Mexico. I flew back for just a week to spend Christmas with our children and grandchildren in the Nampa area. Ray stayed in Mexico with Konrad. Our daughter takes care of our mail while we are gone.

In our mail collection, I found a letter from you regarding our application for water rights, as well as one from the Idaho Department of Water Resources regarding a planned prehearing conference set for January 26th.

It is hard for me to believe that the situation has come this far. Surely you misunderstand our intentions! We only applied for the minimum amount of water - .5 af, I believe- in order to be able to keep a green area around the house. As you know, the USFS strongly advises this. We just want to live and let live. We have lived in our home for 6 years and have struggled with trying to use our well. It just can't keep up with the outside watering during the hot months. We certainly have no intention of taking away your water supply!

The WRB would like us to resolve this matter without the necessity for a hearing. So would I. There are three things we really don't understand: (1) Why didn't you come to us in the first place and find out what we were doing and tell us your concerns? (2) Why did you decide to file a formal complaint with the WRB with no personal knowledge of our plan? (3) Why did you decide to file your formal complaint (and your protest this year) at a time when you knew we were out of the country?

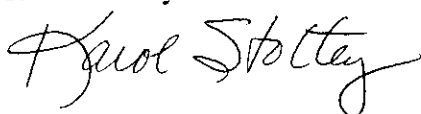
I can only conclude that you must have been responding to neighborhood gossip and conjecture - or maybe it is simply a misunderstanding - because I cannot believe that you would deny us the use of a minimum amount of water.

Regarding the size of the pipe: The size of the pipe we ran has nothing to do with the amount of water we intend to use. We had to run the pipe 1000 ft. through rough terrain, as it is strictly gravity flow irrigation. Too small a pipe would just get plugged with debris. We only want to run an inch or 2 of water in the pipe - and not even all the time! We installed shut off valves. We even have pipe in place to deal with the runoff!

I am returning to Mexico tomorrow, the 29th. I hope that you will reconsider your protest and a hearing will not be necessary. However, if we have to formally involve the WRB further, we request the prehearing conference be moved to late April so that we can attend. We intend to return to the mountain by mid-April. In the meantime, we can be contacted by e-mail at hillctrs@ctcweb.net.

Sincerely,
Karol Stoltey

copy: WRB



This letter sent by e-mail.

Dear Karol & Ray,

Jan. 16, 2006

Thank you for your letter. We are hoping this matter can be resolved also. We nor any of our neighbors want any problems, but we just want to protect our water rights and supply.

Your letter stated that you want us to reconsider the protest, but made no reference to changes. Reconsideration is possible, however you have some issues to deal with.

Your pipe that is installed for runoff or leftover water, is located approximately 50 ft. above our water intake. As we stated before, the water for our home and 4 other homes is used for in-house domestic purposes; we drink this water. We are concerned that when the water leaves the creek in your pipe, or whatever manner, it becomes contaminated. Therefore, your runoff water (contaminated water) could enter our intake. So we ask that your runoff pipe be relocated.

We would like to say again, your having water is not our protest. We believe you can restrict your intake and get the water supply you need. If the water supply in Little Elk Creek gets extremely low as to jeopardize our water, that you will discontinue using the irrigation or creek water. We can not be without water so you can irrigate your yard.

With all the new houses being built and rumors of many more in the planning, Little Elk Creek does not have a sufficient supply of water to provide the whole neighborhood. So again, we ask that the water line not be extended past your property boundary.

Yes, we want to live and let live also, but as you know, living requires having water. You have your drinking water and we believe ours may be in jeopardy. We believe your intentions are not to take away our water supply, but we know you are not aware of how extremely low Little Elk Creek becomes in the dry months.

We did receive a notice that the hearing has been rescheduled. We're hoping you will be willing to make changes and work together.

Our best regards,

cc: DWR