



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 11, 2006

L J Morrison
CAPT, US Navy (retired)
14902 Devonshire Woods Place
Tampa, FL 33624

RE: Transfer 72003 Water rights 13-754, 13-755 & 13-756

Dear Dr. Morrison:

In September 20, 2005, I e-mailed you informing you that it appeared that you had misunderstood the status of transfer 72003. This was evident in your second paragraph where you indicated: **"The 'notification of transfer' / advertisement period has been met. There has been no opposition to the requested transfer."** The transfer has not been advertised as of the date of this letter so approval of the transfer is not finalized.

The transfer has been held so that you could resolve the delivery issue first. In resolving the issue of delivery: **"...re-opening the ditch or we extend the pipe a few additional feet to our fence line ..."** This would appear to be the point of diversion listed on the proposed transfer (SWSW Sec 15, T11S, R41E). However, **"...or we take the water from Trout Creek (as the neighbor suggests) ..."** indicates another point of diversion. If the transfer is approved as proposed for the SWSW Sec 15, T11S, R41E, and then in the resolution of the delivery issue you are required to change it to Trout Creek a second transfer would have to be filed.

It would be in your best interest to first resolve the delivery issue, then change the point of diversion on the transfer if necessary, then the transfer could be advertised, and if no protest potentially approved. This would eliminate any need for a second transfer.

It was also noted from the following statement that you were not aware that once a transfer is approved you will have one year to complete the project: **"...will be resolved ...hopefully in the coming months, but certainly within the five year period..."**

I had hoped that the e-mail would clarify the status of the proposed transfer.

It would be appreciated if you would contact me to let me know what is happening in your progress in resolving this issue. I will gladly continue assisting you until these issues have been resolved and the transfer process completed.

I would appreciate your prompt response on or before February 13, 2006.

Thank you,

Keith C. Wilson
Senior Resource Agent

P.S. I am also sending you this letter by e-mail and I will also e-mail a copy to your sister.