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R. Smith
P.O. Box 38
Tetonia, ID 83452

RECEIVED

OCT 13 2004

DEPARTMENT OF
WATER RESOURCES

October 7, 2004

Erin Retelle, Water Resource Agent
State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Subject: Water Appropriation Permit 22-7304

Dear Erin:

I am in receipt of your letter dated September 21, 2004 to Galloway Hills Association, Inc. care of Debbie Adams regarding Permit 22-7304. Thank you for your communication. I am Richard Smith, full time resident of the Galloway Hills subdivision and President of the owners' association known as the Galloway Hills Association. Your letter was forwarded to me by Ms. Adams who is the Secretary/Treasurer of the Association.

Neither my files nor Ms. Adams files contain a copy of the Water Appropriation Permit 22-7304. Since the original subdivision of this property by the Galloway Property Group of Sun Valley, Idaho a number of years ago there has been absolutely no continuity in succession with the current Association membership or elected officers. It is unfortunate that this is the situation but this is the reason that none of us were aware of the need to install a measuring device at the point where the water from the pond is returned to North Leigh Creek.

This pond is important to our subdivision for fire protection purposes. Even though the pond may have been originally designated for recreational use, the residents rely on the water stored in the pond as a source of supply for fire suppression use should it be needed by the Teton County Fire Protection District. Had we been aware of the need to install the measuring device, we would have done so previously. We will contact Mr. Clay Fullmer, watermaster of Water District No. 01 and work with him regarding what type of measuring device would best meet everyone's needs. Thereafter, we will install such a device as soon as weather conditions allow. We apologize for not having been aware of the need to accomplish this installation sooner. If there is any problem with proceeding in this manner, please let us know.

While researching our files, we did turn up a copy of Water Right License No. 22-07305 issued March 26, 1991 by the Department of Water Resources. Note that its number is only 1 digit different from your Water Appropriation Permit 22-7304. The License refers to the same pond as your Permit. I do not know the relationship between a Water Appropriation Permit and a Water Right License and do not have a

copy of the Permit to compare it to the License document, which leaves me somewhat confused. Would you please forward to me a copy of the Water Appropriation Permit 22-7304 for our Association records.

Thank you for your understanding and assistance. If there is any further information which we need to exchange, please don't hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Richard Smith". The signature is written in black ink and is positioned below the word "Sincerely,".

Richard Smith
P.O. Box 38
Tetonia, ID 83452
ph. 208.456.2118
email rsmith@tetontel.com