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DEC 29 2004
IDWR/North

December 28, 2004
771 E. Buckles Road
Hayden, ID 83835

RECEIVED
JAN 21 2005
Department of Water Resources

Robert G. Haynes, P. E.
Idaho Dept. of Water Resources
1910 Northwest Boulevard, Suite 210
Coeur d'Alene, ID 83814

Dear Mr. Haynes:

This is a formal request for the Idaho Department of Water Resources to revoke pond permit #95-9058 issued to my neighbor, Russ Welburn. Mr. Welburn's property is southeast of mine and the dam he has built to fill his pond has caused water to back up over 3-5 acres of my property, rendering it useless for agriculture or grazing. I was unable to have a crop of grass hay this year and the roots are rotting from being flooded, so I will not have a crop again next year.

I have approached Mr. Welburn about modifying his pond to solve the flooding of my property but his efforts have not resolved the problem. The overflow culvert in his dike does not adequately handle the water right now and we have not had snow melt. The dike must be removed to remedy the problem. I am requesting the Idaho Department of Water Resources inspect the site and evaluate the situation.

This is a time sensitive situation as Mr. Welburn has submitted a request to the the Kootenai County Building and Planning Department for preliminary subdivision approval for this property. This hearing is scheduled for Thursday, January 13, 2005. The site description is a portion of the northeast quarter of the southeast quarter of Section 12, Township 51 North, Range 4 West Boise Meridian, Kootenai County, parcel number 51N04W-12-7200. This pond and waterway is a feature of the subdivision and its impact on neighboring properties must be considered before approval is given. I am sending a copy of this letter to the Building and Planning Department.

I look forward to hearing that the permit has been revoked and a site inspection will occur. I can be reached at 772-4662.

Sincerely,



Rod Holte

cc: Kootenai County Building and Planning Department