



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

RECEIVED

DEC 02 1998

Department of Water Resources

November 30, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DON TABER
312 E 20 N
SHOSHONE ID 83352

RE: Neglect in Maintenance of Measuring Device at Diversion
NOTICE OF INTENT TO REFUSE DELIVERY OF WATER

Dear Wateruser:

Our office has been contacted by Lee Peterson, duly elected watermaster of Water District 37 & 37M, in an effort to resolve the issue of proper maintenance of a measuring device at your point of diversion. Lee has provided to our office a copy of a letter sent to you by the water district last year requesting something be done about your measuring device. (Please find a copy of last year's letter enclosed) We understand that to date you have failed to rectify the situation regarding your measuring device.

It is the desire of our office and the water district to resolve this matter over the next few months prior to the irrigation season of 1999. **PLEASE NOTE THAT IF YOUR MEASURING DEVICE IS NOT IN GOOD REPAIR AND FUNCTIONING PROPERLY BY THE BEGINNING OF THE IRRIGATION SEASON OF 1999 THE WATERMASTER WILL REFUSE TO DELIVER WATER TO YOUR HEADGATE AS AUTHORIZED BY LAW.** Please find enclosed for your reference a copy of Section 42-701, IDAHO CODE, which deals with measuring devices. Please specifically refer to the highlighted section (3).

If you have specific questions regarding what is needed to repair or maintain your measuring device please contact Lee Peterson at (208) 886-2451.

Sincerely,

Allen Merritt, PE
Southern Region Manager

cc: Tim Luke - IDWR
Lee Peterson - Water District 37 & 37M



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PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ELISE LUFKEN
PO BOX 8154
KETCHUM ID 83340

RE: Neglect in Maintenance of Measuring Device at Diversion
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PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 30, 1998

LARRY CAPPS
1619 E 1400 S
GOODING ID 83330

RE: Neglect in Maintenance of Measuring Device at Diversion
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PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SLIMAN LAND & LIVESTOCK
1642 B HWY 46
GOODING ID 83330

RE: Neglect in Maintenance of Measuring Device at Diversion
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PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID MORROW
C/O DON MORROW
1661 S MAIN
GOODING ID 83330

RE: Neglect in Maintenance of Measuring Device at Diversion
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GOVERNOR

KARL J. DREHER
DIRECTOR

November 30, 1998

M & M FARMS
1550 S 1819 E
GOODING ID 83330

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KARL J. DREHER
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BILL ARKOOSH
2368 E 1775 S
GOODING ID 83330

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KARL J. DREHER
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FRED JUDD
PO BOX 476
SUN VALLEY ID 83353

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JOHN FLOOD
BOX 317
PICABO ID 83348

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