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DEPARTMENT OF
WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 16 2005

CERTIFIED MAIL

Mr. Rodney Boehme
Secretary, Water District 11-F
2277 Wood Canyon Road
Geneva, ID 83238

Re: Water District 11-F

Dear Mr. Boehme

For the past couple of weeks I have attempted to contact the Watermaster of the Thomas Fork, Water District 11-F, Mr. Sherwin Mangum for the purpose to converse with him about a serious concern of a water right issue in your area. I recently sent a letter asking him to update our files and have yet to receive a response, telephonically or otherwise. I write to you as secretary hoping that either you or Mr. Mangum will respond forthwith since the new irrigation season will be swiftly upon us. My concern is as follows.

I have been made aware that a Mr. Randy Moulding operating under the name of the Bar-M Land and Livestock of Idaho, L.L.C. (Bar-M Ranch) purchased ranching property formerly owned by Paul and Lynne Etcheverry on April 22, 2002. I don't have the exact amount of land that was purchased but I am aware that it was about 4,000 acres. Along with the acreage was the purchase, in whole or in part, of water rights 11-107, 11-110A, 11-110B, 11-111, 11-112, 11-102, 11-121 and 11-1042.

My research of the Department's data base of water rights show that of those registered with the state with the source as the Thomas Fork, two of the listed rights above (11-102 and 11-1042) share the earliest priority date of May 15, 1880 and are decreed water rights.

Mr. Moulding and his representative, Mr. Steve Vuyovich, (Attorney) have communicated to me that since the Bar-M purchase of the Etcheverry Ranch, that little if any water has been delivered to his ranch on the basis that his water right record was not updated to reflect the change of ownership to the Bar-M Ranch but furthermore water would NOT be delivered in the future until the ownership change(s) were completed.

Since the first communication from Mr. Vuyovich until this writing, I have attempted on several occasions to contact Mr. Mangum, by telephone in order that we may discuss this serious matter. I have not yet contacted him. In the mean time, Mr. Moulding has worked diligently to update his water right records and is about to make his filing with the state to formerly update the changes to his water rights. In reviewing this

matter, it brings up other questions. If Mr. Moulding was denied his water right on the basis of "outdated ownership records," how are the other water right holders on the Thomas Fork treated since most of their records appear to be equally "outdated?"



I look forward to your immediate response and hear your views on this matter. You may reach me at (208) 525-7161.

Sincerely,

W. Roger Warner
Water Right Supervisor – Eastern Region

Cc: Tim Luke, IDWR-Boise.
Randy Moulding, Bar-M Ranch.
Steve Vuyovich, Holm Roberts & Owen, LLP.
Sherwin Mangum, Watermaster, 11-F. **CERTIFIED**