



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

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DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

November 1, 2004

Bob Duke  
Water District 34 Watermaster  
PO Box 53  
Mackay, ID 83251

Re: Antelope Creek Issues; Request to Remove Watermaster

Dear Bob,

Attached to this correspondence are three separate letters from Randy McAfee addressed to the Director of the Idaho Department of Water Resources (IDWR) regarding water related issues on Antelope Creek. One of these letters requests your removal as watermaster. It appears these letters were not copied to you.

Section 42-605(9), Idaho Code provides that the Director of IDWR may remove a watermaster whenever such watermaster fails to perform the watermaster's duty, upon a complaint made to the Director in writing by at least one valid water right holder within the water district, and upon both an investigation and hearing by the Director. IDWR is obligated to investigate this matter in accordance with the law.

You may have already attempted to address some of the issues raised by Mr. McAfee's letters. Nonetheless, as part of this investigation, IDWR asks that you respond in writing to the allegations and issues identified in the three attached letters from Mr. McAfee. IDWR asks that you respond to these letters in writing on or before December 1, 2004.

Please contact Gary Spackman or me at the office listed above if you have questions regarding this matter.

Respectfully,

Tim Luke  
Water Distribution Section

cc: Gary Spackman, IDWR  
IDWR Eastern Region  
Randy McAfee