



State of Idaho

DEPARTMENT OF WATER RESOURCES

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WD

JUNE 3, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MALINDA TRACY
3 PRAIRIE RD
SALMON ID 83467

RECEIVED
JUN 05 2009
DEPARTMENT OF
WATER RESOURCES

RE: WATER RIGHT NOS. 74-15868, 7415870, 74-15872

Ms. Tracy:

This letter is in regards to your conversation with Tim Luke on May 28, 2009. The validity of the above water right numbers were discussed as well as other issues regarding waste water and the diversion of surface water from the Stokes ditch that runs through your property.

Upon reviewing the Supplemental Directors Report dated October 27, 2008, of which you received a copy, the above water rights which are splits of water rights 74-179C, 74-180B, and 74-4006 were not recommended and therefore are not valid water rights. Based on that Supplemental Directors Report and another search of IDWR records you do not hold valid water rights to divert from the Stokes ditch. If you dispute these findings I suggest you contact an attorney and/or possibly file an objection with the SRBA court to challenge the Supplemental Directors Report. If you wish to divert the waste water that was discussed in your May 28, 2009 conversation with Mr. Luke, you will need to file an application for that waste water prior to diverting it.

You may request a refund of your Change of Ownership fees by submitting a written request and referencing receipt E034195. That request should be sent to our Eastern Region office at 900 N Skyline Ste A, Idaho Falls, ID 83402.

If you have further questions regarding this matter feel free to contact me at the above number or Tim Luke in our State Office at (208) 287-4959.

Cordially,

Bob Foster

Bob Foster
Sr. Water Rights Agent

Cc: IDWR SO: Tim Luke
WD-74C: Jerry Elzinga