



State of Idaho

DEPARTMENT OF WATER RESOURCES

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October 1, 2007

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

VIA EMAIL

David R. Pingree  
21921 Via Del Lago  
Trabuco Canyon, CA 92679

**RE: Measurement and Control for Water Right No. 71-10103**

Dear Mr. Pingree:

This letter is a follow up to my meeting with Mr. Russell Grange and Mrs. Sabey Grange during a visit to your property on September 26, 2007. Mr. Grange had asked that I meet with him to discuss improvements to the irrigation system relative to compliance with the control and measurement requirement for Water District No. 170.

Mr. and Mrs. Grange asked me to clarify the deadline by which the diversions must be brought into compliance with the measurement and control order and issue an extension of time if necessary. They indicated the improvements to the system and installation of control and measurement structures would likely not commence until after the start of the 2008 irrigation season. I explained to them that the order requires only that functioning measurement and control devices be in place *prior to diverting water* during the 2008 irrigation season. In other words, as long as water is not being diverted from these locations, there is no deadline for installing the devices. However, no water may be diverted from these locations after May 1, 2008 unless functioning measurement and control devices are in place.

Mr. Grange indicated that water would not be diverted until the improvements and devices are completed. Therefore, I do not anticipate the diversions will be out of compliance, so an extension of time for compliance is not necessary. However, as you finalize plans for the control and measurement devices, please remember to contact IDWR for review and approval prior to construction to ensure the devices will meet our standards and serve your purposes.

If you have any further questions, or if I can be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Nick Miller', is written over a large, stylized blue flourish.

Nick Miller  
Water Distribution Section

cc:

Mr. and Mrs. Grange – 1619 Shetland Court, Moscow, ID 83843 – Via Email