

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37 M

P.O. Box T
Shoshone, Idaho 83352
(208) 886-2451

RECEIVED

MAY 30 2003

Department of Water Resources
Southern Region



LEE R. PETERSON
Watermaster

Mitch Arkoosh
714 3rd Ave. East
Gooding, Idaho 83330

May 28, 2003

COPY

Dear Mitch,

As a follow up of our conversation of Friday May 23, 2003, when Lynn Harmon and I met with you concerning the pipe out of the Sho Rock canal, at the Bonnie Arkoosh place. This pipe has to have a control gate and a meter, as required by IDWR.

Idaho Code 42-701 states in part:

"The appropriators or users of any public waters of the state of Idaho shall maintain to the satisfaction of the director of the department of water resources suitable headgates and controlling works at the point where their water is diverted. Each device shall be of such construction that it can be locked and kept closed by the watermaster or other officer in charge, and shall also be of such construction as to regulate the flow of water at the diversion point."

Failure to do so may result in the director of water resources instructing the watermaster to shut off and refuse to deliver at the point of diversion, the water owned by such appropriator or user until the user does construct and maintain such headgates, controlling works or measuring devices or remedy the defects which exist.

Today, I drove up to the old heagate on the north side of the river, where you used a machine to dam off the ditch that returns the water to the river. I talked to Mickey this morning about the old walk bridge just below the Sho Rock Diversion. This bridge needs to be replaced in order for my deputy and myself to access your headgate. The headgate also needs to be replaced. It is totally unusable and the dam in the ditch needs to be removed and a check structure installed. While visiting with Mickey we agreed to try and meet together as soon as possible to try to resolve these problems.

If you have any questions, feel free to contact me.

Sincerely,

A handwritten signature in cursive script, reading "Lee R. Peterson".

Lee R. Peterson
Watermaster

CC: Allen Merritt IDWR