

Law Offices

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June 7, 2005

Idaho Department of Water Resources  
Attn: Roger Warner  
900 North Skyline, Ste. A  
Idaho Falls, Idaho 83402

RECEIVED  
JUN 08 2005  
Department of Water Resources  
Eastern Region

**Re: James Dowton Pond Issue**

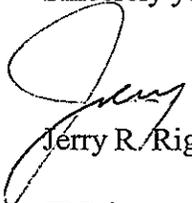
Dear Roger:

As per your request, enclosed please find a response by NRCS supporting our position that the pond is actually in a reach gain part of the river and for that reason, there is no loss to the aquifer by the pond itself.

If you have any questions about this or should you need any additional confirmation regarding this issue, please do not hesitate to give me a call. I am having my secretary type up the Application for Transfer which I will be filing next week. I will be out of the office to Arizona until Monday morning.

Again, thanks for all your help.

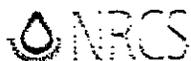
Sincerely yours,



Jerry R. Rigby

JRR:jt  
Enclosure  
F:\WP6\SB\DOWTONJ.LT8

## United States Department of Agriculture



Natural Resources Conservation Service  
P.O. Box 305 – 1258 Pleasant Avenue  
Challis, Idaho 83226

PH: (208)879-4428  
FAX: (208)879-5903

June 6, 2005

Jerry Rigby  
Fax # (208)356-0768

RE: Jimmie Dowton Pond

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JUN 08 2005

Department of Water Resources  
Eastern Region

On May 24, 2005 I visited the site. I surveyed the water line and measured for sizing of the ponded area, as noted in the prior fax from Jimmie.

Also the area to the south east was quite wet and water was flowing into the ponded area from what appeared to be a spring, noted as John Short Springs on the topographic map. The amount of water fluctuates depending upon the time of year.

Sincerely,

Joleen K. McCandless, SCT  
Natural Resources Conservation Service  
P.O. Box 305  
Challis ID 83226

PH: (208)879-4428  
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June 7, 2005

Jerry Rigby  
Fax: (208)356-0768

RE: Jimmie Downton Pond

This is a follow-up of the letter I sent yesterday.

Jimmie called and said the John Short Springs does not feed this area as I had indicated. There are a number of springs surfacing throughout the area that contribute to this flow of water.

If you have any questions please call.

Thank you

Sincerely,

Joleen K. McCandless, SCT  
Natural Resources Conservation Service  
Challis F.O.

RECEIVED  
JUN 08 2005

Department of Water Resources  
Eastern Region

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

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