



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 14, 2014

ERWIN BARTLETT
3012 OVERLAND AVE
BURLEY ID 83318

Re: Notice of removal of water right no. 45-7653 from the list of water rights subject to curtailment listed in the Rangen Curtailment Order dated January 29, 2014

Dear Mr. Bartlett:

This letter is being provided as notice that water right no. 45-7653 held by you will not be subject to curtailment pursuant to the *Final Order Regarding Rangen, Inc.'s Petition for Delivery Call; Curtailing Ground Water Rights Junior to July 13, 1962* ("Rangen Curtailment Order") issued on January 29, 2014.

On May 9, 2014, the Idaho Department of Water Resources ("Department") served the *Notice of Potential Curtailment of Ground Water Use in Water District 140 for Non-Participation in a Mitigation Plan*. You were served with this notice as your water right was included in the list of water rights subject to the Rangen Curtailment Order.

You recently brought this matter to the attention of the Department and requested further investigation of whether the water right should be subject to the Rangen Curtailment Order. The Department has reviewed water right 45-7653 and determined that your water right meets the definition requirements of Idaho Code § 42-111(1)(b). Ground water rights meeting this definition are not subject to curtailment in accordance with the Rangen Curtailment Order.

The Department has removed your water right from its mailing lists associated with the Rangen Curtailment Order. If you should receive any further correspondence from the Department regarding this curtailment, please disregard it and contact the Department's State office or your regional office to notify us of the improper service.

Please contact me if you have any questions or comments concerning this matter.

Sincerely,

A handwritten signature in black ink that reads "Timothy J. Luke".

Tim Luke
Chief, Water Compliance Bureau

Cc: Brian Higgs, Water District 140 Watermaster