

RECEIVED

SEP 04 2015

Ravalli County Commissioners

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September 3, 2015

Lee Foss  
365 Gold Creek Loop  
Hamilton, Mt 59840

Dear Lee,

As you know from our prior conversations, we have a problem with your draining your waste irrigation water onto our property through a culvert under Gold Creek Loop Road. We were not consulted by the County when that culvert was installed, and we certainly did not give our permission for you or anyone else to use the culvert to drain waste irrigation water from your side of the road to ours.

We're sure you realize that the northeast corner of your field is particularly low right in front of the culvert and waste water gathers there with no place to go except through the culvert and over to us. There the water runs across the corner of our field and empties into Gold Creek. Without having time to dry, the ground has become a bog which is not suitable for pasturing, haying or other agricultural use. In fact, even riding an ATV or using a tractor in that area risks getting stuck and making matters worse.

We have discussed this matter with Dusty McKern, Operations Manager of the Ravalli County Road and Bridge Department. He is not aware of any County records that state the culvert was installed to facilitate the flow of your waste irrigation water onto our property and we are confident that there was no such intended purpose for that culvert.

We continue to attempt to mitigate the damage your technical trespass is doing and has done to our property. The latest effort was to put sandbags on both sides of the culvert. Though not entirely stopping the flow of water, we believe this will help dry out the property on our side of the road making further reclamation possible. Meanwhile, we continue to believe that your waste water can and should be drained into a "Drainage Ditch" that has been used for that purpose since before 1934.

Therefore, we ask that you take the steps necessary to curtail the discharge of your waste water onto our property. We are confident such action need not compromise the use of your property in any way and will be happy to discuss remedial action with you at your convenience.

Thank you.

Sincerely,

  
Dan & Cheryl Rothlisberger

Cf:

Dusty McKern, Operations Manager, Ravalli County Road & Bridge Dept.

✓ Ravalli County Commissioner Greg Chilcott

MEMORANDUM

September 3, 2010

Mr. [Name]

1000 Gold Creek Road  
Ravalli County, Montana

Dear Sir:

As you know from our prior conversations, we have a problem with your drinking water. We have been notified through a survey of the Gold Creek Road. We were not contacted by you until after the water was installed, and we certainly did not give our permission for you to have the contract to drain water from your side of the road to ours.

We are sure you are aware that the northern corner of your field is bordered by a fence. We have been notified that there was a problem with the fence. We have been notified that the fence was damaged. We have been notified that the fence was damaged. We have been notified that the fence was damaged. We have been notified that the fence was damaged.

We have discussed this matter with Daily & Daily, the local water utility. We have been notified that the fence was damaged. We have been notified that the fence was damaged. We have been notified that the fence was damaged. We have been notified that the fence was damaged.

We continue to attempt to mitigate the damage to your technical proposal. We have been notified that the fence was damaged. We have been notified that the fence was damaged. We have been notified that the fence was damaged. We have been notified that the fence was damaged.

Therefore, we ask that you take the steps necessary to correct the damage to your water system. We will be happy to discuss remedial action with you at your convenience.

Thank you,

Sincerely,

Greg & Cheryl Reinhardt

Greg & Cheryl Reinhardt  
Daily & Daily, Inc.  
1000 Gold Creek Road  
Ravalli County, Montana