

**TOM TRAIL**  
DISTRICT 6-A  
LATAH COUNTY

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## House of Representatives State of Idaho

March 9, 2008

To: David Tuthill, Director  
Dept. of Idaho Water Resources

From: Rep. Tom Trail

A handwritten signature in cursive script, appearing to read "Rep. Tom Trail".

Subj: Potential Sale of Moscow Water to the Hawkins Development

It is my understanding that the City of Moscow has filed an application with your Department to sell water to the Hawkins Development in Whitman County, Washington.

My understanding is that it is legal to sell water under certain provisions of the Idaho Constitution and our statutes relating to water sales. I also understand the importance of the Commerce Clause and the provisions of IC 42-401.

As you know there has been a great debate among the citizens of Moscow about the potential sale. I'd like to have you update me about the possible time the application may be considered for a decision from the Department, and all of the factors that you will consider in making the decision (plus the factors supported by Idaho Statutes with specific Code reference)

Thank you for your cooperation.