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R. JAMES ARCHIBALD

BLAIR GROVER

June 3, 2002

COPY

Ronald Carlson
Idaho Department of Water Resources
900 N. Skyline, Suite A
Idaho Falls, ID 83401

Re: Kyle Bybee

Dear Ron:

This letter is to confirm our discussion of May 30, 2002, with regard to the Kyle Bybee claim of 3/5 of the flow of Elkhorn and Hawley Springs (Bybees are successors in interest to C.W. Hawley who received 3/5 of those flows up to 210 inches in the Rexburg decree). Based on that and the Henry Eagle letter to Walt Bybee dated July 29, 1959, you have indicated you would deliver 1 cfs of Hawley Springs Water to the Sunnysdell Irrigation District during the season.

The Bybees plan to advise the Sunnysdell so both parties will be relying on that 1 cfs.

If there is any misunderstanding, please let me know. Thanks.

Sincerely,

GROVER & ARCHIBALD

BLAIR GROVER

BG:jn
cc:client