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June 26, 2007

Via Facsimile 208/525-7177 and Regular Mail

Ernest Carlsen
Water Resource Program Manager
Department of Water Resources
900 N. Skyline Drive, Suite A.
Idaho Falls ID 83402-1718

RECEIVED

JUN 27 2007

Department of Water Resources
Eastern Region

RE: Diversion from Congdon Springs

Dear Mr. Carlsen:

I received your June 21, 2007 letter, along with the enclosure addressed to Bob Shaffer last night about 10 PM when I returned to Twin Falls from Mackay. I had attempted to visit with Mr. Shaffer yesterday, but he was unavailable because of his wife's hospitalization. I was, however, able to visit with Jim Rindfleisch yesterday, as well as, with Bob Shaffer this morning.

As indicated in my letter to Bob Shaffer, which I faxed to you this morning, Bob is going to measure the output of my groundwater well into Congdon Springs, as well as the output of the pumping station from Congdon Springs to make sure that the station does not divert more water from Congdon Springs than the combined input from the groundwater well plus the .8 cfs water right I have in Congdon Springs. The pumping station, along with the groundwater well are, therefore, being left "on", pending either a call from you and/or Mr. Shaffer.

I attempted to call you today, as did Chuck Brockway, to discuss the above, but you were unfortunately not available until tomorrow. I would appreciate it if you would call me when you return, as I want to make certain that I am not in violation of your cease and desist letter and do not want to do anything that may cause the issuance of a Notice of Violation while we work through the above issues with Mr. Shaffer and Mr. Rindfleisch.

Reply to Twin Falls office

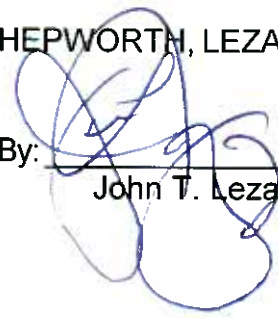
Ernest Carlsen
June 26, 2007
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I look forward to being able to discuss this with you further when you return to the office tomorrow.

Thank you.

Very truly yours,

HEPWORTH, LEZAMIZ & JANIS, CHTD.

By: 

John T. Lezamiz

JTL:ko

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