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HEPWORTH, LEZAMIZ & JANIS, CHTD.
L A W O F F I C E S

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June 26, 2007

*Member CA Bar

Bob Shaffer, Watermaster
Water District #34
PO Box 53
Mackay ID 83251-0053

RE: Diversion from Congdon Springs

Dear Bob:

Thank you for visiting with me this morning. I am sorry I had to bother you while you were trying to attend to your wife's hospitalization issues. Again, my apologies and sincere hope that all is well.

As we discussed, I received a letter dated June 21, 2007 from Ernie Carlsen last night upon my return from Mackay, dealing with my sprinkler irrigation pump station on Congdon Springs. Chuck Brockway and I spoke with Mr. Carlsen on Monday and upon his recommendation we are today filing an emergency temporary transfer request that will be processed by Mike Holiday at the Idaho Falls IDWR office. Mr. Holiday indicated that he would provide a quick turnaround on the request and indicated that unless you or Jim Rindsleisch had a problem, that the request should be approved by the end of this week.

I spoke with both you and Jim about turning on the deep well and placing that water in Congdon Springs. Jim suggested leaving the sprinklers on while we sorted through the above issues which I have done. The only issue raised was that we need to make sure that the deep well output, plus the .8 cfs of water that I have in Congdon Springs equals or exceeds what the sprinkler pump station is drawing from Congdon Springs. You indicated that you had a weir that could measure the deep well output and that you would call me with your measurement once you have measured the same and compared it to the pumping station output. I will, therefore, leave both the deep well and the sprinkler station "on" so that you can measure both the input and output into Congdon Springs. Please let me know the results of your measurements and whether you have any questions or concerns regarding the above.

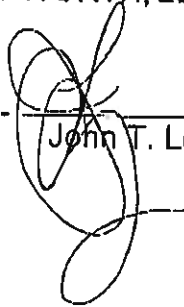
Bob Shaffer, Watermaster
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I will let you know as soon as I hear from Mike Holiday at IDWR regarding the approval of our emergency request for a temporary transfer.

Thank you for your continued courtesies.

Very truly yours,

HEPWORTH, LEZAMIZ & JANIS, CHTD.

By: 

John T. Lezamiz

JTL:ko

pc: Ernest Carlsen - via facsimile 208/525-7177

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