

March 19, 2008

Doreen Williams Trust
13638 S.E. Market St.
Portland, Oregon 97233

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IDWR/North

REF: Application Permit #98-7859

Dear Doreen and Patrick:

Thank you for sending me a copy of the letter to the State of Idaho Department of Water Resources.

I wanted to take this opportunity to try to clarify some items relative to our water application.

Marie and I have arranged an agreement with several of those who have protested our water rights request. That agreement does stipulate to a minimum flow for Round Prairie. We wanted to make sure you understood that the Department visited our property and determined what the water flow was last year on or about the first of August. This is usually the lowest flow time of year. At that time water was not flowing into our lake and they determined Round Prairie was flowing at an approximate flow of 1.5 cubic feet per second.

In that the flow in Round Prairie actually has stopped many times during the last 30 years that we have had a home here we agreed that we would not take any water if it got to 1.5 CFS. We will be taking water when the stream is high and not taking water when it is low. This actually increases the water in the water table under both our properties and allows water to seep back into Round Prairie and flow back to the Creek during low water times.

There are two items we would ask that you consider. The overflow pipe we installed is for the same purpose as was the old overflow. Our reason for changing it was so it would no longer wash out the road to your house and the wood bridge that it flowed under and to prevent fish from escaping by that overflow, which is what fish and game asked of us many years ago.

The second item to please consider is that the overflow is at a height that is higher than Round Prairie at the point of diversion. It will only flow out the overflow if the stream is flooding. In that case it is coming over our driveway as it has many times. We are not trying to divert the stream to flow out the culvert. We are trying to protect from flooding and loosing fish.

You mentioned in your letter that you were concerned that if you agreed, your rights or a portion of them would be lost forever. I wanted to point out that I believe your water rights have priority over any new rights. I am not an attorney and would suggest that perhaps you could check on that with the Department or a water rights attorney to confirm that fact.

You also inquired about water monitoring. I don't believe any of the water rights on Round Prairie including yours are monitored at this time. Also none of them have a requirement to curtail those rights if the stream drops too low. Marie and I would be the only user of water rights that could lose their rights if volumes got too low. We do not mind that restriction on the permits we are asking for even those no other users on the stream are asked to do the same. We don't mind that restriction because

we do care about the stream especially since we believe we have more frontage on Round Prairie than any other property owner.

We certainly understand your desire to have your water rights protected and we believe they are being protected. We don't believe anything we have asked for would reduce flows in Round Prairie during low water times in fact we believe that the ponding of water during high flow times will actually help the late summer flow as we saw happen last year.

It is our sincere hope that our offer to have limitations set on our use and perhaps you better understanding our intentions would help you to consider removing your protest as others who we have discussed this with have seen fit to do.

Thank you for your consideration and if you have any questions please don't hesitate to call.

Sincerely,
Villegli Family Irrevocable Trust


By Richard A. Villegli, Trustee

C/ Tim Wilson
Robert G. Haynes ✓

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