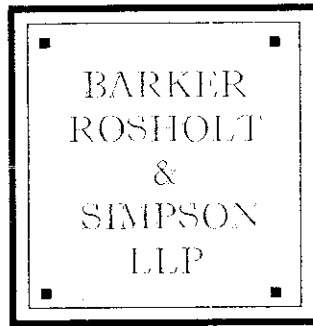


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August 8, 2006

SENT VIA FAX & FIRST CLASS MAIL

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RE: Transfer No. 69553 – Request for an Extension

Dear Allen:

Transfer No. 69553, in the names of Lavel D. Stoker, Wendy W. Stoker, Brent Stoker and Marla J. Stoker (“Stokers”), was approved by the Department on August 1, 2002. The original deadline to complete the new point of diversion was July 28, 2003 and was extended by the Department to August 1, 2006. However, due to circumstances beyond the control of the Stokers, the well has not been drilled. Accordingly, the Stokers request an extension of the deadline.

Even though the well was not drilled before the August 1, 2006 deadline, the Stokers have completed a substantial amount of work in getting their land ready. In the spring of this year, the Stokers installed power to the well site and installed pipe to carry water to their fields from the well site. However, after repeated requests to the well driller, the well still has not been drilled. In fact, the well driller has even left some of his equipment at the well site. In light of the well driller’s delays, Lavel Stoker anticipated that he may need to file for an extension but mistakenly believed he had until the end of August. His plan was to delay any request for an extension as long as possible in hopes that the well driller would finally arrive and complete the work. Unfortunately, the well driller has not.

Furthermore, in an August 3, 2006, letter, counsel for Robert and Shane Darrington expressed concerns regarding the above referenced transfer. However, many of these concerns are due to either a misunderstanding of the nature of the transfer or to circumstances that no

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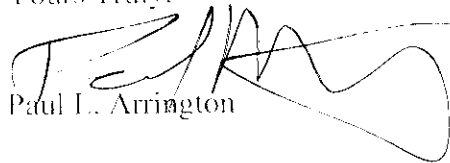
**DEPT. OF WATER RESOURCES
SOUTHERN REGION**

Mr. Allen Merritt
August 8, 2006
Page 2

longer exist. Transfer No. 69553 allowed for a change in a point of diversion by ***replacing an existing well*** under water right 45-7045 located in Section 14, T11S, R24E, with a new well located in Section 15, T11S, R24E. Accordingly, once the Section 15 well is completed, the Section 14 well will be abandoned. Additionally, while it was originally intended that water from the new point of diversion would be diverted through the Burley Irrigation District J Canal, this is no longer the plan. The Stokers have installed pipelines which will carry the water from the Section 15 well to their fields.

For the foregoing reasons, the Stokers request an extension in the deadline to complete the Section 15 well. Please call if you have any questions.

Yours Truly,



Paul L. Arrington

PLA:jrn

cc: Roger Ling (Fax: 208-436-6804)