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OCT 21 2004

DEPARTMENT OF
WATER RESOURCES

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July 6, 2004

Mr. Robert A. Lee
HCR11, Box 95
Kamiah, ID 83536

84-12143

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IDWR/North

Dear Mr. Lee:

Please be advised that I represent Mr. and Mrs. Joe Vickroy. They advise that you have impounded water without any right, license or permit and have interfered with their water rights.

Mr. Vickroy further advises that he has repeatedly tried to work out some satisfactory arrangements with you, in order to resolve this problem, but nothing has ever materialized.

This water is the only water he has available for his garden, orchard, animals and fire suppression.

Accordingly, this letter is to demand that you immediately release the overflow water from those springs upon your property to be used upon Mr. and Mrs. Joe Vickroy's property in accordance with his water rights.

If you do not immediately comply, we will seek to enjoin interference with the Vickroy's water rights and any other remedies and rights available.

You should be informed that it is a misdemeanor to interfere with another person's water rights; I specifically refer you to Idaho Code Section 18-4306.

Please respond to this letter within five (5) days from receipt thereof, so I will know how to proceed.

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You should also be advised that if I do not hear from you within 5 days, I will advise Mr. and Mrs. Vickroy to exercise all of their rights, including filing a suit and seeking to recover costs disbursements, filing fees and attorney fees. You should also be advised that attorney fees could be awarded according to the Idaho Code, Sections 12-120 and 12-121.

Further, your lack of cooperation with the Idaho Department of Water Resources and with the Vickroy's is proof of your actions being deliberate, intentional and with malice.

Thank you for your prompt attention to this matter.

Very truly yours,



Michael P. Wasko

MPW/kw

CC: Mr. & Mrs. Joe Vickroy
Bob Haynes (Dept. of Water Resources)

Please call me at 208 937-2409.