

Portneuf-Marsh Valley Canal Company, Ltd.

DOWNEY, IDAHO

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MAY 03 1995

Department of Water Resources

April 26, 1995

Idaho Dept of Water Resources
Mr. Keith Higginson-Director
1301 N Orchard St
P.O. Box 83720
Boise, ID 83720-0098

Dear Mr. Higginson:

First, let me take this opportunity to congratulate you on your upcoming retirement. It seems this time in our lives comes upon us before we realize it.

In reply to your letter concerning the development of the stage-storage relationship, there seems to be some confusion and miscommunication between the Soil Conservation Service (SCS) and the Idaho Dept of Water Resources. In recent conversations with the SCS Field office staff in Pocatello, it appears they are quite confident in the accuracy of the completed survey. I have also talked with Tim Luke of the IDWR and apparently the Dept is unwilling to accept the survey as it is now. It would appear the Canal Co. is caught between two professional agencies, one Federal, the other State, both of whom I am sure have competent staff in engineering and hydrology.

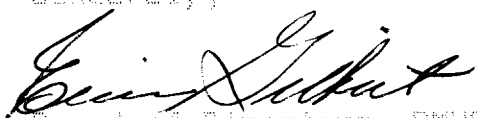
In a recent conversation with SCS, they have agreed to commit staff to the sight this Fall to help bring this matter to a satisfactory solution. We would appreciate some of the same cooperativeness from your Dept. The Canal Co. would also be willing to commit personnel to help settle this problem. Let us assure you, no one would like this matter resolved and completed more than the Canal Co.

As for the "unresolved questions" about natural flow quantities which should be delivered to natural water right holders, we have discussed the present method of measuring the inflow and the discharge amounts with a private engineer and with the River Water Master, and all agree there is little room for improvement. We think it would be helpful in solving some of the misunderstandings with yourselves and the water users if all parties concerned were to get together this Summer or Fall and tour the reservoir area.

We agree that when the survey is completed the data gathered will be useful in the operation of the Dam and for flood routing. It should also settle once and for all the question of total capacity of the reservoir.

In conclusion, we hope all parties can work together for a successful and early completion of this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ervin Gilbert", written in a cursive style.

Board of Directors, FMVC Co.
Ervin Gilbert, President

cc Ron Davidson, SCS
cc File