

EISMANN LAW OFFICES

Telephone (208) 467-3100
Facsimile (208) 466-4498

3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416

RICHARD B. EISMANN
DEBRA L. EISMANN

April 7, 1994

DELIVERED BY FACSIMILE

GARY SPACKMAN, HEARING OFFICER
STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD
STATEHOUSE MAIL
BOISE, IDAHO 83720

Re: Application for Transfer of Water Right Nos. 65-03103,
65-10773, 65-10746 and 65-12751/Double Diamond, Inc.

Dear Mr. Spackman:

It is my understanding that Mr. Rumsey now wants to replace the pipe crossing Jackass Creek because there are some leaks in the pipe. The leaks in the pipe are small pin-hole leaks which have been there for years, and in the past, those have been handled by Double Diamond using duct tape to attempt to stop up the holes.

Mr. Dovel has no objection to Mr. Rumsey's using duct tape as he has in the past, but a replacement of the pipe will obviously replace old, rusted and corroded pipe with new pipe, thereby influencing the water delivery through that section of the pipe.

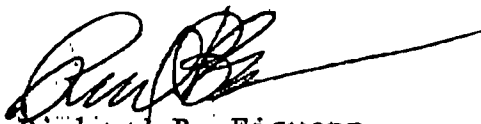
Therefore, would you please see that the tests are conducted by April 15, 1994, which is the deadline agreed upon by all parties at the last hearing, and that such tests are conducted as originally agreed without replacement of any sections of pipe, but of course, permitting Mr. Rumsey to plug holes with duct tape as he historically has done.

Also, if the measurements of the Double Diamond irrigation system are going to be conducted with the booster pump operating and without the booster pump operating, then to resolve the issue, Mr. Rumsey should produce copies of all the Idaho Power Company billings on the booster pump from the year 1986 through 1993.

Gary Spackman, Hearing Officer
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Thank you for your attention to this matter.

Very truly yours,



Richard B. Eismann

RBE/vn/8

CLT: George Dovel
Jack C. Riddlemoser