

COPY

Route 1, Box 61
Horseshoe Bend, ID 83629
Phone or fax (208) 793-2768

September 1, 1994

Mr. Hank Bernsten
1553 Sunset Drive
Emmett, ID 83617

CERTIFIED MAIL - RRR

Request for delivery of #6.7 irrigation water

Dear Hank:

For a number of years I have observed the quantity of water flowing out of the overflow pipe at our joint #4.15 diversion box. I have seen on occasion, regardless of the time of day or night, when there has not been a substantial overflow well in excess of the #5 priority's capacity for diversion downstream.

In light of the Department's rulings on other issues discussed in my August 29, 1994 letter to you, I shall, my #6.7 priority irrigation rights numbers 65-10950 and 65-10951 are next in line in order of priority. Therefore I am lawfully entitled to receive up to the minimum amount of that surplus and I herewith repeat my request for the prompt delivery of up to two (2) cfs (194 cfs) of irrigation water into my pipeline.

If you do not make said delivery into my pipeline within 24 hours after receipt of this letter, please advise me promptly with a written letter to me explaining why my request for delivery of water has not been complied with.

Sincerely,

George Dovel

CI T - IDWR Western Region, IDWR State Office, Richard Fismann