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DEC 12 2001

WALKER LAW OFFICE

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Department of Water Resources
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WATER RESOURCES
WESTERN REGION

December 11, 2001

Idaho Department of Water Resources
Gary Spackman
1301 N. Orchard
Boise, ID 83706

District 67 Water Master
Bosco Bosler
General Delivery
Midvale, ID 83645

RE: Middle Valley Ditch Company

Dear Gentlemen,

Please be advised that I represent Weiser Irrigation District whose water rights were adjudicated in the Muir vs. Allison adjudication proceedings. Claims have also been filed and proposed in the SRBA proceedings.

On several occasions in the past, complaints have been registered with the department and/or with the Water Master of this area claiming that Middle Valley Ditch Company has been blocking off the river and diverting water from the Weiser River to their landowners. Middle Valley has storage water for late in the season from Lost Valley Reservoir and as the river flow reduces they turn water out of Lost Valley.

I believe I am correct in stating that Weiser Irrigation District has earlier water rights. Therefore as the natural flow of the river reduces all water should be turned down river to Weiser Irrigation District with the exception of Middle Valley's input from Lost Valley Reservoir.

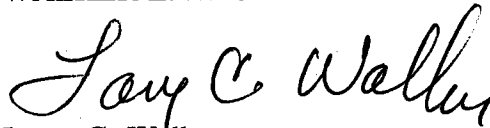
This last irrigation season, Lost Valley Reservoir went dry on September 19th 2001. Thereafter, Middle Valley continued to block the river off and divert all stream flow to their water users. Even though complaints were made to the Water Master, no action was taken to resolve this problem.

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This activity results in Middle Valley taking the water which is adjudicated to the Weiser Irrigation District. Please advise what can be done in the future to correct this problem and ensure that the water rights are properly honored. I would appreciate hearing from you as soon as possible on this matter.

Sincerely,

WALKER LAW OFFICE

A handwritten signature in cursive script that reads "Larry C. Walker". The signature is written in black ink and is positioned above the printed name.

Larry C. Walker