

AUG 23 2004

Department of Water Resources

Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
David Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson
Alyn L. Sweeney

William F. Ringert, of Counsel
Samuel Kaufman (1921-1986)

August 20, 2004

State of Idaho
Department of Water Resources
ATTN: Sally
1301 North Orchard Street
Boise, Idaho 83720-0098

Re: Evidence of Priority Date for Birch Creek Trout/Earl M. Hardy (37-4366)

Dear Sally:

This regards the August 27, 2004 deadline to provide evidence of priority for the above-referenced water right. The purpose of this letter is to inform you that we will need additional time to complete our investigation and record search regarding historic beneficial use of the water right.

Please advise with any questions, comments or concerns. Thank you for your cooperation in this matter.

Yours very truly,



Daniel V. Steenson

cc: client