

COPY



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

January 3, 2003

VIA U.S. MAIL AND FACSIMILE
(208) 736-2121

Honorable Terrence A. Dolan
253 3rd Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Re: Subcase Nos. 35-07602B, 35-07717, & 35-12922.

Dear Special Master Dolan:

The Notice Setting Status Conference entered on December 19, 2002, sets the date of January 9, 2003, at 10 a.m. for a status conference for the above subcases. Since I also have initial hearings in Shoshone before Special Master Bilyeu at that same time, I have an irreconcilable time conflict. However, after a review of the three above sub-cases, I have concluded that the participation by the State of Idaho is unnecessary. Each of these cases involved the objections by the Twin Falls Canal Company and the Northside Canal Company, and the district court has dismissed the objections in Subcase No. 35-07200. Since the State of Idaho is a party to the above three subcases only because it filed responses to those objections, the participation by the State of Idaho in the proceedings on January 9, 2003, appears to be unnecessary. If you would still desire our participation, please have one of your deputy clerks so advise me by phone, and I will arrange for another deputy attorney general to participate by telephone.

Sincerely,

A handwritten signature in dark ink, appearing to read "David J. Barber".

DAVID J. BARBER
Deputy Attorney General
Natural Resources Division

DJB/pb
L3003NBA

cc: Persons on the attached list.

LIST OF PERSONS WHO RECEIVED THE LETTER

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