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JAN 23 2003

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January 21, 2003

David R. Tuthill, Jr.
Adjudication Bureau Chief
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, ID 83706

Re: SRBA Consolidated Subcase No: 37-2499, *et al.*

Dear Dave:

Please accept this letter as an information request by the North Snake Ground Water District (NSGWD) to the Idaho Department of Water Resources (IDWR) for purposes of complying with the November 26, 2002, order issued by the SRBA Court entitled, "*Order Separating and Consolidating Common Issue from Subcases; A01 §§ 11 and 16, I.R.C.P. 42; Order for More Definite Statement; and Notice of Hearing on Whether to Designate as Basin-Wide Issue and Scheduling*" ("Order").

Referring to the objections filed by Faulkner Land & Livestock to the *Basin 37, Part I, Ground Water Director's Report*, the *Order* requests that NSGWD set forth "the scope of additional water rights, if any, to which the objection may be raised in the future." In an effort to comply with the *Order*, NSGWD set out the scope of its proposed general provision in its More Definite Statement filed with the Court on January 10, 2003, a copy of which is enclosed. The More Definite Statement makes clear that the general provision extends to all water rights decreed as "connected sources in the Snake River Basin . . . unless the water right and its source is . . . not connected to the Snake River upstream from Swan Falls Dam."

While the More Definite Statement accurately identifies the "general scope" of the additional water rights potentially subject to the proposed general provision, it does not identify those rights by specific basin or water right number. In an

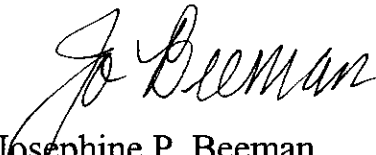
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effort to comply with the Court's *Order*, the NSGWD respectfully requests that IDWR query its database and prepare a report that identifies the water rights potentially subject to the general provision proposed by the NSGWD. Please let me know if IDWR will be able to have the report available on or before the February 18, 2003, initial hearing in this matter.

Thank you for your assistance.

Sincerely,

BEEMAN & ASSOCIATES, P.C.



Josephine P. Beeman

JPB:tjw
Enclosure
Z:/1780/2a/194/5510

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Attorneys for North Snake Ground Water District

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re: SRBA,	)	
	)	
Case No. 39576	)	Consolidated Subcase No. 37-2499 <i>et al.</i>
	)	(comprising subcases in Exhibit A)
	)	
	)	MORE DEFINITE STATEMENT

The North Snake Ground Water District (NSGWD) through its attorneys of record, Josephine P. Beeman and Dana H. Rose of the law firm of Beeman & Associates, P.C., submits a more definite statement containing the specific language proposed to be included as a general provision to preserve "Swan Falls" protections for claimants in the Snake River Basin Adjudication (SRBA). This More Definite Statement is being filed pursuant to the SRBA Court's November 26, 2002 Order entitled "*Order Separating and Consolidating Common Issue from Subcases; A01 §§ 11 and 16, I.R.C.P. 42; Order for More Definite Statement; and Notice of Hearing on Whether to Designate as Basin-Wide Issue and Scheduling.*"

MORE DEFINITE STATEMENT

[The following general provision would immediately follow the conjunctive management general provision for basins with water sources within the Snake River drainage upstream from the Swan Falls Dam.]

PARTIAL DECREE FOR CONNECTED
SOURCES IN BASIN _____ UPSTREAM
FROM THE SWAN FALLS DAM
(The Swan Falls General Provision)

In addition to the Partial Decree for Connected Sources in Basin _____, the administration of water rights within Basin _____ as connected sources in the Snake River Basin will include the October 25, 1984 Swan Falls Agreement, the October 25, 1984 Swan Falls Contract, Consent Judgments in *Idaho Power Co. v. State of Idaho*, Case No. 81375 (Fourth Judicial Dist. Feb. 16, 1990) and *Idaho Power Co. v. State of Idaho*, Case No. 62237 (Fourth Judicial Dist. Mar. 9, 1990), and the 1982 State Water Plan (as amended in 1985), unless the water right and its source is listed below as not connected to the Snake River upstream from Swan Falls Dam, located in Section 18, Township 2 South, Range 1 East, Boise Meridian (B.M.).

Water Right No.

Source

Should additional information be developed in this case, NSGWD respectfully requests that it be allowed to amend the above statement when justice so requires.

Dated this 10th day of January 2003.

BEEMAN & ASSOCIATES, P.C.
Attorneys for North Snake Ground Water District

By Josephine P. Beeman
Josephine P. Beeman

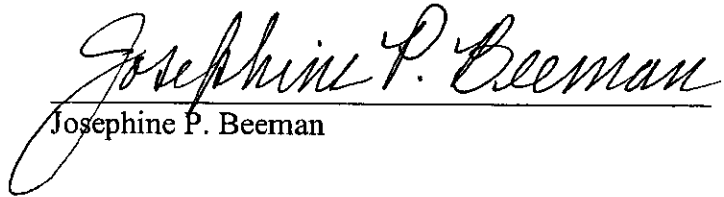
CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of January 2003, I caused to be served the foregoing **MORE DEFINITE STATEMENT** by U.S. Mail on:

IDWR Document Depository
P. O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

All claimants listed on the attached Exhibit A.



Josephine P. Beeman

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EXHIBIT A

37-2444	37-4052	37-7279	37-7545	37-8061	37-11376
37-2499	37-4078	37-7313	37-7547	37-8065	37-12380
37-2513	37-4080	37-7314	37-7551	37-8093	37-12434
37-2514	37-4084	37-7315A	37-7570	37-8108	37-12535
37-2515A	37-4085	37-7315B	37-7572	37-8112	37-12773
37-2515B	37-4087	37-7316	37-7575	37-8138	37-12787A
37-2515C	37-4111	37-7331	37-7576	37-8145	37-12790
37-2517	37-4173	37-7337	37-7581	37-8212	37-12831
37-2519	37-4229	37-7338	37-7591	37-8289	37-12832
37-2526A	37-4263	37-7343	37-7593A	37-8690	37-12833
37-2526B	37-4273	37-7357	37-7593B	37-10019	37-12908
37-2527A	37-4274	37-7363	37-7597	37-10053	37-12909
37-2527B	37-4305	37-7370	37-7600	37-10055	37-12910
37-2531A	37-4306	37-7376	37-7602	37-10087	37-13385
37-2532A	37-4309	37-7379	37-7617A	37-10088	37-13386
37-2532B	37-4317	37-7380A	37-7617B	37-10117	37-17396
37-2549	37-4328	37-7380C	37-7620	37-10119	37-19816
37-2550	37-4344	37-7380D	37-7621D	37-10121	37-19847
37-2558	37-4373	37-7381	37-7621E	37-10129	37-19848
37-2564	37-4374	37-7385A	37-7621F	37-10142	37-20270
37-2592C	37-4390	37-7385B	37-7621G	37-10158	37-20271
37-2592D	37-4391	37-7388	37-7629	37-10161	37-20492
37-2592E	37-4401	37-7394	37-7634	37-10172	37-20589
37-2592F	37-4419	37-7412	37-7639A	37-10198	37-20590
37-2605	37-7001	37-7415A	37-7639B	37-10211	37-20608
37-2622	37-7003	37-7415B	37-7649	37-10216	37-20613
37-2626	37-7005	37-7419B	37-7650	37-10217	37-20614
37-2644A	37-7009	37-7419C	37-7662	37-10223	37-20712
37-2645	37-7012	37-7419D	37-7670	37-10237	37-20713
37-2647	37-7051	37-7420A	37-7677	37-10238	37-20714
37-2654	37-7072	37-7420B	37-7679	37-10244	37-20715
37-2657A	37-7078	37-7421	37-7694	37-10254	37-20716
37-2657B	37-7081	37-7432	37-7695	37-10271	37-20720
37-2660	37-7089	37-7435A	37-7699	37-10315	37-20721
37-2663	37-7092	37-7435B	37-7700	37-10317	37-20724
37-2666	37-7149	37-7438	37-7716	37-10363	37-20725
37-2667	37-7157	37-7440A	37-7726	37-10446	37-20729
37-2669	37-7160	37-7440B	37-7755	37-10450	37-20731
37-2670	37-7189	37-7447A	37-7757	37-10477	37-20732
37-2675	37-7191	37-7447B	37-7761A	37-10555	37-20738
37-2676	37-7194	37-7453	37-7761B	37-10597	37-2074
37-2679	37-7197	37-7454	37-7766	37-10604	
37-2680A	37-7198B	37-7457	37-7768	37-10609	
37-2680B	37-7198C	37-7458A	37-7770	37-10621	
37-2687A	37-7198D	37-7458B	37-7772	37-10632	
37-2687B	37-7199	37-7469	37-7805	37-10646	
37-2697	37-7205	37-7470	37-7814	37-10681	
37-2704	37-7213	37-7473	37-7816	37-10689	
37-2719	37-7214	37-7475	37-7837	37-10809	
37-2724	37-7221	37-7476	37-7877A	37-10896	
37-2729	37-7231	37-7480	37-7942	37-10903	
37-2733	37-7232	37-7484	37-7949	37-10907	
37-2740	37-7242	37-7488	37-7952	37-10910	
37-2753	37-7247	37-7491	37-8005B	37-10953	
37-2760	37-7252A	37-7498	37-8005C	37-11006	
37-2761A	37-7252B	37-7504	37-8005D	37-11054	
37-2761B	37-7255	37-7517	37-8007	37-11190	
37-2804A	37-7259	37-7531	37-8010	37-11199	
37-2804B	37-7260	37-7533A	37-8054	37-11202	
37-4039	37-7264	37-7533B	37-8055	37-11203	
37-4051	37-7278	37-7538	37-8060	37-11221	