



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

January 28, 2005

David L. Whitworth
P.O. Box 183
Inkom, ID 83245

RE: Subcase Nos. 29-12514 & 29-12515

Dear Mr. Whitworth:

The purpose of this letter is to follow up to our discussions and my letter of August 25, 2004. In my letter, I requested the following information to further evaluate your irrigation claims:

1. What types of crops are you growing on the property?
2. Are there any other rights that were on this ground? If so, what were those water right numbers and have you made an SRBA Claim for them?
3. Is this land taxed as irrigation lands or dry land? We would want to get information from the county to verify that it is irrigated land.

In addition to the information requested in my letter of August 25, 2004, please provide a map or some other type of documentation that illustrates how the water from Walker Creek is used to irrigate the place of use that you are claiming.

As you know, trial in this matter is set for April 5, 2005. If you could provide the information requested above at your earliest opportunity, we may be able to resolve your objections to your water rights without going to trial.

If you should have any questions, please don't hesitate to contact me at (208) 287-4810.

Sincerely yours,

A handwritten signature in cursive script, reading "Candice M. Mchugh".

CANDICE M. MCHUGH
Deputy Attorney General
Idaho Department of Water Resources

cc: Cindy Bird
Ernie Carlsen