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(1907-1988)

January 21, 1994

RECEIVED

JAN 24 1994

Department of Water Resources
Adjudication Bureau

Ms. Diana R. Delaney,
Chief Deputy Clerk
District Court Snake River
Basin Adjudication
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Dear Ms. Delaney:

We are enclosing with this letter several Notices of Appearance. As we do so, we also wish to note one small item of some concern to us. It does not appear that all of the pleadings were examined to determine if an attorney may have already appeared of record. As we understand the statute, Idaho Code § 42-1412(4), the pleadings in each of these cases consist of the report of the director, objections, responses to objections, notices of claims and any negotiated agreement between the State of Idaho and any federal reserved water rights claimant. (Emphasis added). We have already appeared as counsel of record on most of the "Notices of Claims" filed in the subcases referenced in this letter.

For example, with respect to Don Aikele, about whom you have recently written us, we filed his notices of claims and are designated therein as counsel of record. The next pleading in each of his subcases is the director's report. Next came the objections; Mr. Aikele had no objections to the director's report and filed none. The objections were all filed by others, and the responses were all filed by Idaho Department of Water Resources. There never was an opportunity or a reason for us to appear as counsel of record in any pleading except the initial claim, where we did in fact formally appear.

Ms. Diana R. Delaney
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Nevertheless, in order to comply with the court's wishes, we are enclosing Notices of Appearance on behalf of the following clients for the subcases listed under the name of each such client: (Pursuant to the request of Special Master Bilyeu, we have enclosed enough copies of each Notice so that a copy can be placed in each subcase file).

Everett T. Acor, Jr.

34-02330 B
34-02426 C
34-07121 B
34-07179
34-07201
34-10896
34-12376

Kurt P. Acor

34-07077
34-07120

Don A. Aikele

34-07059 C
34-02272 A
34-02308 A
34-02358 D
34-02417 B
34-07154
34-00315
34-10832
34-00168 G
34-02358 E

Herman Aikele

34-00168 F
34-00654 A
34-00017 D
34-07164
34-12417

Juel Aikele

34-02417 A
34-02315
34-02358 A
34-02419 A
34-02429 B
34-02472 A

Leon Folkman

34-12397

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Jay V. Jensen

34-10873
34-00012
34-00013
34-02507
34-07055
34-07116
34-10923

L. Vaughn Jensen

34-00028 H
34-00080
34-00379
34-10552
34-00259 C
34-00372 B
34-0663 A
34-00738 B
34-00925 A

J-P Ranches (Judd Cramer, President)

34-07059 D
34-12381

M. Todd Perkes

34-12382
34-07122 A

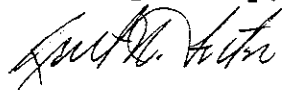
Mitchell D. Sorenson

34-00496 A
34-07096
34-07097
34-12416
34-02428
34-07223
34-00692 D

As we said, we have included enough copies of each Notice so that a copy can be placed in each subcase file; for example, seven for Everett T. Acor, two for Kurt P. Acor, and so on.

Thank you for your kind attention to this matter.

Yours very truly,



Kent W. Foster

KWF:kep

cc: Brigette Bilyeu, Special Master, Snake River
Basin Adjudication
A. Lynne Krogh
Susan E. Hamlin, Deputy Attorneys General
Department of Water Resources

CERTIFICATE OF SERVICE

I hereby certify that I am a duly licensed attorney in the State of Idaho, resident of and with my office in Idaho Falls, Idaho; that I served a copy of the following described pleading or document on the attorneys listed below by hand delivering or by mailing, with the correct postage thereon, a true and correct copy thereof on this 21st day of January, 1994.

Document Served:

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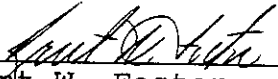
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State of Idaho
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Boise, ID 83711-4449

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Environment & Natural Resources
Division
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Boise, ID 83724



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KWF:kep