



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

July 18, 2005

VIA REGULAR MAIL

Special Master Ted Booth
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

Re: 61-349, 61-353, 61-356, 61-357, 61-2242, 61-2243, 61-7231

Dear Special Master Booth:

This letter is written to answer some of the Court's questions from the July 15, 2005, hearing in the above subcases.

The attachments to the Notice of Completed Administrative Proceeding filed by the Idaho Department of Water Resources contain a typographical error in one of the place of use remarks. The last sentence of the first place of use remark refers to right "37-4122" that right number should read "37-4112." Each water right attachment contains this same error and should be corrected in the Special Master's Report and Recommendation issued in the above subcases.

Notably, the order that approved the transfer for the above subcases contained the correct water right number and therefore, no amended administrative order is necessary. Also, because the Department believes the most prudent action for these subcases is to wait until the recommendations for the overlapping Basin 37 water rights have been reported, the Department will not be sending corrected descriptions to the water right holder. If there are changes to be made to the place of use for these subcases because of the findings for the Basin 37 overlapping water rights, then corrected descriptions for the above subcases will be filed with the court and sent to the water right holder.

I am sending a copy of this letter to the water right holder's attorney, Kent Foster, for his information. If there are any further questions on this matter, please call me at (208) 287-4810.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Candice McHugh", with a stylized flourish at the end.

Candice M. McHugh
Deputy Attorney General, IDWR

cc: Kent Foster
Don Shaff, IDWR
Gary Spackman, IDWR