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Department of Water Resources

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August 26, 2005

Steve Robischon, Technical Support Section
Adjudication Bureau
Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Field Examination and Evidence of Priority, SRBA 3-4002
Irrigation Diversion Rate Requirement, SRBA Claim 3-4002

Dear Mr. Robischon:

I represent the Lucich Family Limited Partnership. On July 22, 2005, you wrote it a letter asking for documentation to support the priority date claimed and asked that that information be received by August 31, 2005.

In a second letter written August 5, 2005, you asked for information to support a diversion rate in excess of 1 inch per acre. You asked that that information be provided no later than September 16, 2005.

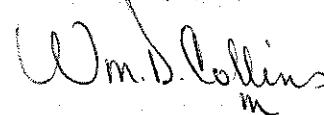
I am in the process of hiring a consultant to obtain the technical information to justify the greater diversion rate. Hopefully that information will be supplied before the September 16 deadline. However, it could be a week or two beyond that date.

With respect to providing evidence of documenting the priority date, we have obtained information that supports the diversion and use as of 1938. However, I have placed an order for the Homestead Entry File documentation. That information, as you know, will require at least two months to obtain. Once I receive supporting information I will provide it to you. Therefore, I would ask again, an extension of time beyond the August 31 date.

If these two requests for extension cause you any problem, please contact me immediately.

Very truly yours,

WESTBERG, McCABE & COLLINS, CTD.



William D. Collins

WDC:mrs

cc: Lucich Family Limited Partnership