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FAX COVER SHEET

DATE: October 14, 2005

TO: Misty Mount

FAX: 287-6701

FROM: Dana Hofstetter

RE: Water Right No 03-4008A

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HOFSTETTER LAW OFFICE

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Telephone: (208) 424-7800
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October 14, 2005

Via U.S. Mail and Facsimile 287-6701

Misty Mount
Water Right Agent, Adjudication
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Re: C/C LLC - Water Right No. 3-4008A

Dear Ms Mount:

This letter will confirm our telephone conversation earlier today in which you provided a 2 week extension to October 31, 2005 for C/C LLC to respond to your letter of September 13, 2005 regarding Water Right No. 3-4008A. As we discussed, several people with knowledge of the priority date have been identified and we would like to have this additional time to arrange for the preparation and submission of affidavits. Thank you for agreement to this extension of time.

Sincerely,

HOFSTETTER LAW OFFICE, LLC



Dana L. Hofstetter

cc: George Colwell via facsimile
4001.2-6655



State of Idaho
DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 13, 2005

3-4008a
C/C LLC
3990 HWY 52
Payette, ID 83661

RESPONSE DEADLINE
October 17, 2005

Re: Evidence of Priority Date, Snake River Basin Adjudication claim 3-4008a

Dear Claimant(s):

The Notice of Claim to a Water Right (claim) identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed and the historic use of the water.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR may recommend the SRBA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide clear and convincing evidence dating back as far as possible. If you choose to submit statements from individuals as evidence, the statements should be in the form of a notarized affidavit.

Should you decide to return materials in a mailer other than that enclosed, please include the notation "ATTN: SRBA Claim Number 3-4008a" on the front of the mailer.

If you have any questions, please contact this office. Our toll free number is 1-800-451-4129. It will help speed things along if you have your claim number, 3-4008a, handy when you call.

Misty Mount
Water Right Agent
Adjudication

Enclosures

Proof of Priority Pamphlet
Copy of Claim 3-4008a / Map of Claimed area