

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



THEODORE R. BOOTH
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DEPARTMENT OF
WATER RESOURCES

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

Candice McHugh
Deputy Attorney General
Idaho Department of Water Resources
P O Box 83720
Boise, Idaho 83720-0098

Ken Knoblock
Senior Water Resource Agent
7600 Mineral Drive, Suite 100
Courd D' Alene, Idaho 83814-2615

October 12, 2006

Re: Possible errors in uncontested recommendations in Basin 77.

Dear Candice and Ken,

In reviewing the uncontested recommendations in Basin 77 prior to issuance of partial decrees, I have identified the following recommendations as possibly containing errors:

NUMBER	NATURE OF POSSIBLE ERROR
77-2048	Acreage limitation under domestic use
77-2056	Possibly need clarifying language re: Warm Lake Recreational Water District
77-4184	Hydropower use without subordination language
77-7096	No tributary listed
77-10051	No tributary listed
77-10094	Quantity described in AFY
77-14219	Hydropower use without subordination language

I had a telephone conversation with Ken Knoblock on October 12, 2006 for the purpose of identifying my concerns, and he has asked for some additional time to conduct further investigation. Accordingly, the above-identified rights have been withheld from being partially decreed.

I request that IDWR take another look at these water rights, and determine whether the *Director's Reports* contained any errors. In the event that any errors are discovered, I would ask you to identify whether it is simply a clerical error that may be remedied without the issuance of an amended director's report. Should further proceedings be required in any of these rights, Judge Melanson will most likely issue an order of reference to this Special Master.

Please contact me upon your review of these rights and we can discuss how to proceed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Theodore R. Booth', written in a cursive style.

Theodore R Booth

Cc: Main Case File