

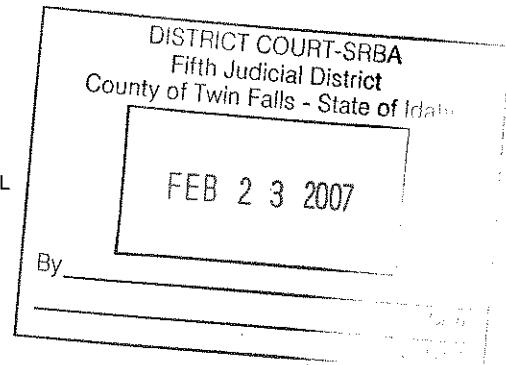


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FEB 27 2007

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WARDEN

February 23, 2007

Special Master Brigitte Bilyeu
Snake River Basin Adjudication
253 3rd Ave. North
P.O. Box 2707
Twin Falls, ID 83303-2707

Via Facsimile to: 736-3078

Re: Subcase No. 27-10028 (Gardner)

Dear Special Master Bilyeu:

Pursuant to your *Order Granting Motion to File Amended Claim and Setting Subcase Deadlines*, I am providing IDWR's Amended Director's Report for filing. The basis of the *Motion to File Amended Claim* was that the stockwater use was inadvertently left off of the original claim. The stockwater use is addressed in the Amended Director's Report, however; the Amended Claim also contained a proposed increase in the irrigation component of this water right. It is unclear if this is at issue. Because the Motion to File the Amended Claim only requested the addition of stockwater, IDWR has not addressed the irrigation use in the Amended Director's Report.

It may be prudent to set a status conference in this matter to clarify the irrigation component raised in the *Motion to Amend Claim* to determine if it is at issue.

If you should have any questions or comments, please feel free to contact me at 287-4811.

Sincerely,

Garrick L. Baxter
Deputy Attorney General

Enclosure

cc: Leon & Bonnie Gardner
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