

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2007 OCT 30 PM 9 52

STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

October 29, 2007

Honorable John M. Melanson
SRBA District Court
PO Box 2707
Twin Falls, ID 83303-2707

RE: Partial Decrees for: 21-2045, 21-2102, 21-2104, 21-7075, 21-7076,
21-12538 & 21-12539
North Fork Highlands Property Owners Association Inc.

Dear Judge Melanson:

On this date, the Idaho Department of Water Resources (Department) will file an Amended Director's Report for a previously disallowed water right recommendation, subcase number 21-4025. Partial Decrees were issued on April 26, 2007 for water rights with the same permissible place of use, identified above. The water right numbers included in the combined total of irrigated acres did not include 21-4025 since it was recommended disallowed.

Having now recommended 21-4025 as a valid right, the Department believes that it would be best if the combined use comment on the other decreed rights included 21-4025. This way, there would be no question whether 21-4025 could be exercised with the other rights. As such, I respectfully request that the Court amend the partial decrees for the above referenced rights by adding the following underlined language into the place of use comment:

The rights listed below are limited to the irrigation of a combined total of 215.7 acres in a single irrigation season. Combined Right Nos.: 21-7076, 21-7075, 21-12538, 21-12539, 21-2102, 21-2104, 21-2045, 21-4025.

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If you have any questions about this request, please do not hesitate to contact me at (208) 287-4811. I am providing a copy of this letter to the North Fork Highlands Property Owners Association so that it is aware of the issue.

Very Truly Yours,



Garreck L. Baxter
Deputy Attorney General

GLB/bh

cc: North Fork Highlands Property Owners Association Inc.