



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709
<http://www.id.blm.gov>



In Reply Refer To:
7250 (933b)

January 25, 2008

Mr. Jay R. Friedly
Hall, Friedly & Ward
340 East 2nd North
Mountain Home, Idaho 83647

RE: Water Right Claim Number 02-02269, South Elmore Irrigation Co.

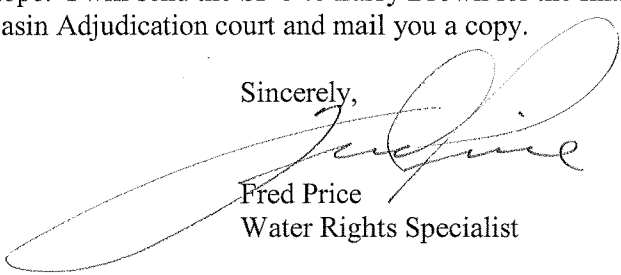
Dear Mr. Friedly:

Enclosed is a Standard Form 5 (SF-5) for the above-referenced water right claim that would resolve BLM's objection. The SF-5 is a stipulation between the claimant and the United States that the water right should be decreed as described on pages three through six of the SF-5. Please review the description of the water right claim; and if you agree, then sign the SF-5 (i.e. either you as counsel or an authorized officer of the company) in the space provided on page one and initial pages three through six.

You and I spoke briefly on the phone today where I was able to fill you in on the nature of BLM's objection which seeks to clarify the place of use element of the water claim to make it clear that only private land is intended to be irrigated within legal land descriptions which contain both public and private land. Clarification of use within a forty acre tract is achieved through a remark placed under the place of use element that reads: "Place of use does not include federal public lands." The underlying boundary (i.e. shapefile or map) of the irrigation activity which IDWR used to make its recommendation intruded into public land slightly. Attached to the SF-5 is a new boundary that trims public land from the boundary. If you have any questions or concerns, please call me at (208) 373-3831 or Larry Brown of the Dept. of Justice at (202) 305-0435.

If everything meets with your and your client's approval, please mail the SF-5 back to me in the enclosed postage paid, addressed FedEx envelope. I will send the SF-5 to Larry Brown for the final signature and he will file it with the Snake River Basin Adjudication court and mail you a copy.

Sincerely,


Fred Price
Water Rights Specialist

Enclosures: Standard Form 5, Subcase 02-02269,
BLM's Objection, and Entity Information