



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

August 26, 2008

Mr. & Mrs. Daniel Gibbens
19483 Lewis Ln.
Caldwell, ID 83605

Re: Subcase No. 63-19875

Dear Mr. & Mrs. Gibbens

Enclosed please find the original document entitled "Standard Form 5 – Stipulated Elements of a Water Right" (commonly referred to as SF 5) for the above referenced subcase nos. for Basin 67. Please review the new recommendation which is attached to the original SF 5 document. If all the information is correct, please sign and date the first page of the original and initial the page entitled "Recommendation of Water Rights Acquired Under State Law." After you have signed and initialed the original, **please return the documents to our office in the self addressed stamped envelope** provided for your convenience. Our office will gather the remaining signatures and make sure the documents are subsequently filed with the Court.

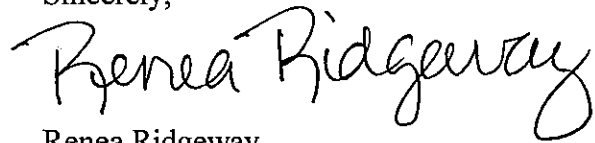
The Department is aware that you may have already signed these documents at or prior to the initial hearings. However, the Department has since noted that the recommendation originally submitted included incorrect language. The recommendation enclosed in this packet includes the correct language which has been agreed to upon by the objector and will subsequently resolve the objection to your water right claim. We apologize for any inconvenience this may cause you.

The corrected language is the remark where you agree to enter into an access agreement with the objector. The prior language was incorrect in that it appeared to make such agreements enforceable by the Department. The Department does not have that authority. The new remark clarifies that such agreements are between the Objector, the Respondent, and you, and like any other contract are enforceable in court and not by the Department.

If you have any questions regarding this process or the enclosed documents please do not hesitate to call me at 287-4814.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Renea Ridgeway". The signature is written in a cursive, flowing style with a large, prominent "R" at the beginning.

Renea Ridgeway
Paralegal, IDWR

Enclosures