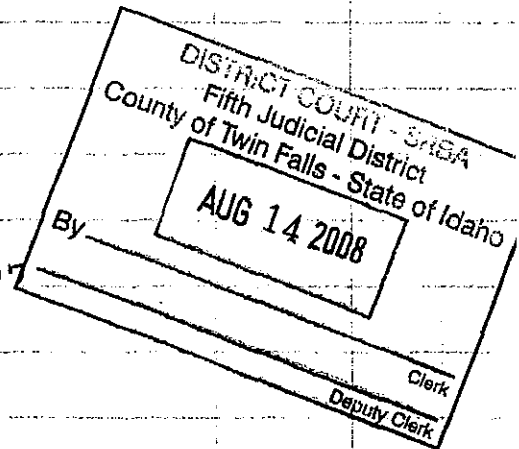


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To: Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 8330-2707



From: Dan Erskine & Connie Erskine
24788 Boise River Road
Parma, Idaho 83660

RE: Subcase 63-4595

This letter is in response to the objection filed by Terrel Glenn thru their lawyer Michael Lawrence on June 27, 2008. The form says "In Re SRBA Case No. 39576 Subcase 63-4595, Standard Form 1 objection".

Item #2 says should be "Unnamed Stream, trib. Boise River". I have no objection to this but in some of the old documents it is also ~~labeled~~ labeled it as a "draw".

Item #9 says it should be "14 acres". I disagree with this. The department of Water Resources has been out several times verifying the use. Vicky Music at Idaho Department of Water Resources says ~~this~~ ~~that~~ they can document everything from 1990 on ~~and~~ and the only time period is between 1978 and 1990. Mr. Glenn says the ground was not watered between 1978 and 1990. He stated that the ~~the~~ fiberglass pipe was burnt in 1978. I have enclosed a letter from Mr. Mc Curry in which he says the pipe didn't burn up ~~was~~ until

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his second wifes son (Gus) got home from being in the military. He wasn't ~~noted~~ released from the military until 1987. The first time the pipe burnt after it was built, was either in 1988 or 1989.

The water Resources determined the allowed water is .52 cfs and not .39 as Mrs. Glenn is trying to get it reduced to.

The Water Resources has had Vicky Music, Merlane ~~and~~ Dan Nelson talking to Emmett McCarry who has owned the property since 1936 and whom I bought it from in 2005. They have taken pictures, talked with Emmett, had him sign letters of what was done and when. They have walked the site, looked at the irrigation pipes and ditches. They have looked at the vegetation and have seen it has existed for years. There were trees in the pasture that were atleast 20 years old and if these had not been watered they would not have lived. These trees were in the middle of the north field and not along the edges where it could have been argued that water somehow could have gotten to them.

Emmett signed and gave ~~a~~ letter to the Water Resources ~~dated~~ dated 9/1/2006. I am enclosing another letter that is dated August 10, 2008 that he talks about all the events and when they happened. He is 88 years old now and doesn't get to far from his house but if the court would like to talk to him about these matters he would be more than willing to help.

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I think will all the documentation, letters, pictures, etc, that there should be no question about whether the property should continue to receive the .52 cfs as allowed by the Department of Water Resources.

Item #4 says the ^{priority} ~~priority~~ date should be "8/15/1910".

The Department of Water Resources lists the date of March 1, 1910. I think this date should also stay the same because of their records, findings and decisions. Thru the use of all of their information they are the experts in this area and I am not.

In summary: Please retain my priority date of March 1, 1910, allow my water right to remain at .52 cfs, and change the wording from an unnamed drain to a unnamed stream which was a tributary to the Boise River.

We can be contacted at our home phone at 208-722-5469

Dan Erskines cell phone is 208-440-~~4000~~ 4703

Cannie Erskines cell phone is 208-860-0564

Dan Erskin
Cannie Erskin

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Boise, Idaho 83720-0098

Chief, Natural Resources Division

Office of the Attorney General

State of Idaho

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United States Department of Justice

Environment & Natural Resources Division

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