

August 4, 2008

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707

|                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| AUG - 8 2008                                                                            |              |
| By _____                                                                                | Clerk        |
| _____                                                                                   | Deputy Clerk |

Re: SRBA Case No. 39576  
Subcase Nos: 75-02025H, 75-10061AC,  
75-10062AA & 75-10678

Dear Sir:

My name is Donald Thomas. My wife and I are the sole trustees of the Thomas Family Trust, which is the owner of a piece of real property located at 13 Silver Cloud Rd., Carmen, Idaho 83462.

The Thomas Family Trust is one of the "non-objectors" to the recommendations of the Idaho Department of Water Resources.

I have, on behalf of the trust, received a copy of the "Notice Setting Subcase(s) for Initial Hearing" dated July 17, 2008. This notice states that the hearing is scheduled for Sept. 12, 2008 at 11:15 a.m. at the Lemhi County Court in Salmon, Idaho. The notice further states that attendance is mandatory and that all parties are required to attend and have full settlement authority.

I have been advised by Mr. Ray W. Rigby, the attorney representing the Thomas Family Trust and the other non-objecting water rights holders, that due to the fact that my wife and I are not in Idaho, and have no plans to be in Salmon, Idaho on Sept. 12<sup>th</sup>, our mandatory attendance is not required for this hearing. Mr. Rigby has further advised me that I should be available by telephone on that date.

At this point I should like to advise the Court that the real estate which is owned by the Thomas Family Trust is being sold and is currently in escrow with a tentative closing date of on or about, Sept. 1, 2008.

Thus, unless there is some unforeseen development, the Thomas Family Trust WILL NOT OWN THE PROPERTY ON SEPT. 12, 2008.

That being the case, I don't think that I, as a trustee can make decisions for the new owners.

It may be appropriate for the Court to notify the new, anticipated, property owners of the hearing.

The buyers are:

Johnny Cabigas  
4450 Elm St.  
Guadalupe, CA 93434  
(805) 343-2018

and

Lana Greenway  
1267 Mobil Ave.  
Camarillo, CA 93010  
(805) 987-4059

If, for some reason, the sale falls out of escrow, my wife and I will be available by telephone on Sept. 12, 2008.

If you have any questions I can be contacted at the address and telephone number listed below.

Sincerely,

  
Donald O. Thomas  
10400 Presilla RD.  
Camarillo, CA 93012  
(805) 529-1639

Copy: Ray W. Rigby