



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
February 4, 2009

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB - 9 2009	
By _____	Clark Deputy Clerk

Diana Delaney
Snake River Basin Adjudication District Court
253 3rd Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Re: Subcases 75-17C, 75-11614, 75-14063 & 75-14125

Dear Diana:

I am writing you regarding the above-referenced water rights in Basin 75. Partial decrees were recently issued by the Snake River Basin Adjudication ("SRBA") District Court for these four water rights. However, I believe the partial decrees were issued by mistake. These water rights were not listed in the *Notice of Filing Statement of Unobjected to Portions of the Director's Report for Basin 75* submitted to the court on October 15, 2008. Furthermore, it is my recollection that at the initial hearings in Salmon, the Idaho Department of Water Resources ("Department") requested that these water rights be marked as uncontested overlaps and withheld from decree until other objections involving Jesse Creek in Basin 75 are resolved. Thus, I do not believe that the water rights should have been moved forward to decree yet. The Department respectfully requests that the SRBA District Court set aside the partial decrees for these rights so that the Department can ensure that the water rights in Basin 75 are properly recommended to the SRBA District Court.

Thank you for your consideration in this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

GARRICK BAXTER
Deputy Attorney General
Idaho Department of Water Resources

cc: Joyce Aldous
Danny Aldous
Stanley & Elisabeth Morgan
John & Sherri Goodman
Gary & Tamara Power