



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

April 6, 2009

Scott J. Smith
201 E. Center Street
P.O. Box 1391
Pocatello, ID 83402-1391

*Sent Via E-Mail to:
sjs@racinelaw.net*

RE: SRBA Subcase No. 27-2078 (Jorgensen Farms)

Dear Scott:

Recently, IDWR met with Ron Billstein of HKM Engineering concerning the above-referenced water right. Mr. Billstein provided a letter from you dated January 25, 2008, concerning the irrigation of the claimed parcel. The letter and attached maps reveal that the irrigation of this parcel is not consistent with the claim for water right no. 27-2078. The claim for 27-2078 was based on an old license and subsequently was recommended based on the license. If your letter is correct and Jorgensen Farms are irrigating this parcel from a difference source, Jorgensen Farms may need to file a late claim to continue the current irrigation practice. Please note that the SRBA Court has set a deadline for filing late claims in Basin 27 for April 10, 2009. Therefore, please contact Michael Holliday at 525-7161 at your earliest opportunity to discuss this issue.

If you should have any questions or comments, please don't hesitate to contact me at 287-4811.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Baxter", is written over the word "Sincerely,".

Garrick L. Baxter
Deputy Attorney General, IDWR

cc: Michael Holliday