



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

April 29, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

HORNET CREEK WATER STORAGE ASSN LTD
C/O JACK RUBELT SECRETARY
2280 OLD HORNET RD
COUNCIL ID 83612-5033

Re: Objection to 67-408 and 67-408 – Digital Boundary

Dear Mr. Rubelt,

As I am sure you are aware, the Bureau of Land Management has filed an objection to the digital boundary associated with water rights 67-408 and 67-409. The digital boundary that we submitted to the court in January, per request from Special Master Booth, included federal and state lands.

Due to this objection, I altered the digital boundary to exclude 3 pieces of land that are not privately owned.

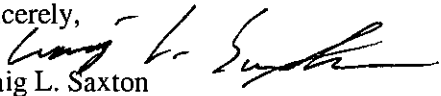
I am enclosing two maps that show the areas that are proposed to be removed. Red shows the original digital boundary to which the BLM objected, and yellow shows the amended digital boundary that I believe will satisfy BLM's objection.

Please look over that maps, and if possible, could you let me know if you disagree with the boundary changes by Friday May 8, 2008. If I don't hear from you, I will assume that the changes are ok and will formally circulate a Standard Form 5 (SF5) for your signature confirming that Hornet Creek Water Storage Assn LTD is in agreement with the proposed changes.

Both Hornet Creek Water Storage Assn and BLM need to sign the SF5 agreeing to the change. If both parties agree, then we will submit the SF5 to the court with the new digital boundary and hopefully resolve the objection before the initial hearing scheduled in June of 2009.

As always, please call me know if you have any questions.

Sincerely,


Craig L. Saxton

Water Right Supervisor

Adjudication Bureau

craig.saxton@idwr.idaho.gov

208-287-4916

Enclosures: Two Maps
Recommendations reports for 67-408 and 67-409