



State of Idaho

DEPARTMENT OF WATER RESOURCES

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July 21, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

LARRY D WHITTIER
JUDI A WHITTIER
HC 62 BOX 2161
MAY ID 83253

RE: Objection to Snake River Basin Adjudication (SRBA) recommendation 73-167

Dear Mr. and Ms. Whittier,

I have recently been asked to review the objection you filed to the recommendation to water right 73-167.

After reviewing the claim file and your objection, I feel that I can support changing the recommendation to reflect the requested diversion rate of 3.2 cfs.

However, I have not changed the recommended place of use. Your objection states that the place of use description is wrong but I am not sure what additional acreage is currently and has been historically irrigated.

I am enclosing a copy of the updated recommendation for your review. If it looks ok to you, then let me know and I will send out the appropriate settlement documents for signature. If we get the documentation submitted to the court before the initial hearing date, we can have the initial hearing canceled.

If you still disagree with the recommendation, I will be happy to discuss the place of use issues with you at the initial hearing.

Please feel free to contact me if you have any questions.

Sincerely,

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau
208.287.4916