



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

September 9, 2009

LANE BANGERTER
3007 CAN-ADA RD
MELBA ID 83641

RE: Snake River Basin Adjudication (SRBA) objections
Water Right No(s): 73-151, 73-12128, 73-12133, 73-12136, & 73-12143

Dear Mr. Bangerter,

Per our conversation, I am sending you several documents. In addition to the maps and recommendation reports described below, I am enclosing the Order to Show Cause issued by Special Master Dolan.

As we discussed, I am enclosing copies of the recommendations that describe your water rights as I would propose sending them to the court. The only changes made to the enclosed recommendations, fixed the error made when the parent rights 73-150B, 73-174D, 73-177, and 73-12109 were originally split. 19 acres and the proportionate diversion rate was recommended to the Rio B LLC rights when that 19 acres of water right actually falls on land owned by Five E Group LLLP (see enclosed maps).

A representative from Five E Group LLLP as well as W. Clinton Stennett appeared at the initial hearing on August 11, 2009 and agreed with the adjusted splits of the water rights.

Please look over the recommendations and let me know if you agree or disagree with them. If you agree, then I can have our legal staff start circulating settlement documents to all parties for signature. If you disagree, then perhaps we can meet and go over the changes you feel should be made before the upcoming hearing.

You had mentioned that you would like to try to settle the objections before the upcoming hearing which I am in support of. However, I want to mention that any changes made to your water rights would most likely effect the Five E Group and Stennett rights as well since we would be readjusting the splits. All parties will have to agree to the changes.

Please feel free to contact me with any questions or to set up an appointment to discuss your questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with the first name "Craig" being the most prominent.

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Enclosure(s): Order to Show Cause
 Maps showing original POU before and after split
 Amended recommendations 73-151, 73-12128, 73-12133, 73-12136, & 73-12143