

Moffatt Thomas

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Robert E. Bakes, *of counsel*

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

September 29, 2009
via E-mail
and U.S. Mail

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

Chris Bromley
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0003

Kelly Christensen
Idaho Department of Water Resources Western
Region Office
2735 Airport Way
Boise, ID 83705

Re: Comments on Proposed Amended Recommendation for Water Right No. 37-00353L (Tom and Annette Goicoechea)
MTBR&F File No. 24158.0000

Dear Chris and Kelly:

I write on behalf of Tom and Annette Goicoechea, in response to Kelly's letter of August 31, 2009. As you know, Special Master Booth's order of August 18, 2009 in the Dean Ranch Subdivision subcases provides the parties with an opportunity to respond to the proposed amended recommendations that were attached to Kelly's letter. As an initial matter, thank you for the Department's willingness to re-evaluate the Dean Ranch Subdivision recommendations.

The Goicoecheas question the Department's inclusion of the following new remark in this recommendation:

This right shall provide no more than 0.02 cfs at the field headgate for irrigation of the land described above.

The narrative explanation that accompanies the proposed amended recommendations states that, "[a]lthough no documentation of any scientific determination of conveyance losses are available, it has historically been estimated to be as much as 50%." However, the Goicoecheas question whether this is a sufficient basis to include the new remark. Additional information regarding the basis for the new remark would greatly assist the Goicoecheas in their consideration of the Department's proposal.

Chris Bromley
Kelly Christensen
September 29, 2009
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Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Dylan', with a long, flowing horizontal stroke extending to the right.

Dylan B. Lawrence

DBL/llw

cc: Tom and Annette Goicoechea
Scott L. Campbell