

ARDEN AND ILENE ARRINGTON
PO BOX 1110
SALMON, ID 83467
208.756.1322

September 3, 2009

Monica P. Van Bussum
Sr. Water Resource Agent
IDWR Adjudication Bureau
322 East Front St., PO Box 83720
Boise, ID 83720-098

RE: Objections to Amended Director's Report dated August 24, 2009,
SRBA Civil Case # 39576; Rights #'s 75-13948, 75-13950, 75-14444, 75-14446

Dear Ms. Van Bussum:

As we discussed yesterday, I am forwarding to you copies of objections to the above-listed recommendations in the new Director's Report. As I mentioned, unlike other folks in this case, we received no notice of a court order setting aside the partial decrees that were conditionally granted back on November 17, 2008. Our rights had never been objected to, and IDWR had issued the partial decrees as recommended. Thus, I had no idea that your visit to our properties might have resulted in a reduction of our water rights. The information presented as justification in my objections has always been available to IDWR. Simple subtraction will verify the acreages irrigated, using the exhibits contained in this mailing. Had we received the same advance notice that others were given, I could have given you this information then, as part of our due process. Thus, and as I told you twice during our conversation, I am sorry that this has happened. You and I could have resolved this much earlier on.

As I mentioned, Ilene and I are the only water users in this case who currently raise livestock (sheep) on our property commercially. We and Gertrude Maxwell are the only two water users who currently irrigate pasture that is used for commercial grass leases to non-resident lessees. With the exception of the Gossacks, who pasture their 2 personal horses, *all of the other users are irrigating lawns.*

Regarding the objections for 75-13948 and 75-13950, as I told you yesterday, I will accept 4.0 acres, but not less. Regarding the objections for 75-14444 and 75-1446, that acreage should be raised to 3.2 acres.

If IDWR intends not to revise and reissue our recommendations, I will need to involve my attorney so that your agency can show cause for its decision. Otherwise, as stated on the objection forms, IDWR should contact me directly regarding its resolution of these matters.

Sincerely,

Copy
Arden Arrington
Cc: Donald F. Carey Esq., Quane Smith LLP