

Hon. Terrance A. Dolan
 February 3, 2011
 Special Master, SRBA
 Box 2707
 Twin Falls, Idaho 83303-2707

February 2, 2011

RECEIVED

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Re: James & Cathleen Tippet
 P.O. Box 15
 Carmen, Idaho 83462

DEPARTMENT OF
 WATER RESOURCES
 Uncontested Right No. 75-14236

Rod & Sue Edmiston
 P.O. Box 155
 Carmen, Idaho 83462

Uncontested Right No. 75-14337

Dear Special Master Dolan:

Earlier in the SRBA process the above two rights (priority year 1915) were disallowed. At that point in the process the several Department recommended overlapping rights for our properties were larger in the aggregate, and hence the Department did not consider our properties as requiring the additional "high water" 1915 right to bring our totals to two inches per acre.

Adjustments in per acre amounts for overlapping rights, as well as the acreage calculations for our properties following the disallowance, have resulted in our individual aggregate totals dropping below two inches per acre. For that reason we feel the 1915 priority for our lands is now appropriate and should be provided. These rights are not contested.

We respectfully request that the court grant the 1915 priority rights to our properties in the appropriate quantity to bring our aggregate amount for overlapping non-contested rights to two inches per acre. Counsel for the IDWR is aware of this request.

Sincerely,

James R. Tippet Cathleen T. Tippet

James & Cathleen Tippet

Rod & Sue Edmiston

Copies: Garrick Baxter
 IDWR

Director
 IDWR



Rod Edmiston

Susan Edmiston