



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
February 11, 2011

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 11 2011	
By _____	Clerk
_____	Deputy Clerk

Hon. Eric Wildman
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: Subcase Nos. 75-63A, 75-77B, 75-2002, 75-2128, 75-4341, 75-10061AN & 75-10923
(McFarland)

Dear Judge Wildman:

On January 30, 2009, partial decrees were entered in water right subcase nos. 75-63A, 75-77B, 75-2002, 75-2128, 75-10061AN & 75-10923. The Department recently filed amended standard form 5s ("SF5s") with the SRBA Court in these six subcases. The amended SF5s were filed because these six subcases share a permissible place of use with contested water right no. 75-4341. We recently resolved subcase no. 75-4341 through an SF5 that increased the total number of acres from 280.9 to 326. Because of the change to water right no. 75-4341, the permissible place of use for 75-63A, 75-77B, 75-2002, 75-2128, 75-10061AN & 75-10923, should be amended to reflect the same permissible place of use.

The Department respectfully requests that the Court set aside and amend the partial decrees previously entered consistent with the recently filed SF5s so that the permissible place of use for all seven McFarland rights are consistent.

Sincerely,

GARRICK L. BAXTER
Deputy Attorney General for the
Idaho Department of Water Resources

cc: David Negri, Attorney at Law
Bruce McFarland
David McFarland
Tom McFarland

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To	Judge Wildman	From	G. Baxter		
Co./Dept.	SRBA Court	Co.	IDWR/OAC		
Phone #		Phone #	(208) 287-4800		
Fax #	(208) 736-2121	Fax #			