



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

September 21, 2011

Richard Winberg
1027 S. 2600 W.
Aberdeen, ID 83210

Re: Basin-Wide Issue 13 Stipulation for Water Right 35-8201

Dear Mr. Winberg:

Enclosed is a Stipulation to Resolve Objection to 706 Report and Recommendation for Basin Wide Issue. The Stipulation has been signed by representatives of Idaho Power Company, the State of Idaho and the Idaho Department of Water Resources (IDWR). Please review the stipulation and sign where indicated if the agreement is acceptable to you. Executing this document is one step in resolving the objection filed to the 706 Report and allowing IDWR to remove water right 35-8201 from Attachment B of the Report.

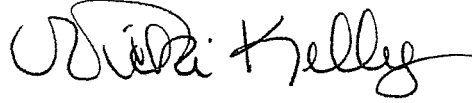
Also enclosed is a Notice of Abandonment of Water Right form. This form should be used to address enlargement right 35-11696, which is the right 35-8201 should have replaced. Please complete the form and have it notarized. If you will then mail both the signed stipulation and abandonment form back to me in the envelope provided, I will file the stipulation with the court and have the abandonment form processed at IDWR. You will receive a copy of the executed stipulation for your records. The Water Allocations section of IDWR will send you an acknowledge letter once the abandonment form has been processed.

In addition, the abandonment of right 35-11696 needs to be addressed with the Court as the water right was partially decreed by the Court on March 4, 2002. It is not unusual for claimants to accomplish this by writing a brief letter to the Court, explaining the situation to them, noting the right has been partially decreed and then requesting the partial decree of the water right be set aside. In most circumstances, the Court sets the matter for hearing, usually with telephone participation available.

The Court is committed to resolving the 706 Report objections soon, so if you could address these items at your earliest convenience, it would be greatly appreciated. If you have any further questions, please don't hesitate to ask. My email address is vicki.kelly@idwr.idaho.gov or I can be reached by telephone at 208-287-4816.

Thank you very much for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Vicki Kelly". The signature is fluid and cursive, with the first name "Vicki" written in a larger, more prominent script than the last name "Kelly".

Vicki Kelly
Paralegal
Idaho Department of Water Resources

Enclosures: 2