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Julie Murphy

From: Dana Hofstetter <Dana@IdahoWaterLaw.com>
Sent: Friday, April 27, 2012 10:36 AM
To: Spencer, Nick
Cc: Julie Murphy; Williams, Ray
Subject: Re: Late claim numbers 63-33570, 63-33571, and 63-33590 (Obendorf)

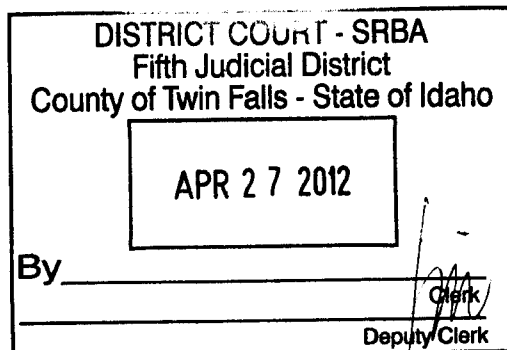
Ms. Murphy:

Under the circumstances, I have no objection to an extension.

Dana Hofstetter

On 4/27/2012 10:18 AM, Spencer, Nick wrote:

Hi Julie.



At the time the motions for leave to file the three late claims listed above were granted, Dana Hofstetter, counsel for the claimant, requested that IDWR investigate and recommend them on an expedited basis. Based upon this request the Court set them on an expedited track for investigation and recommendation. IDWR's recommendations are due by close of business on Monday, April 30th.

Water rights supervisor Jan Shurte is the adjudication staff member responsible for recommending these late claims. As part of her investigation of them, Ms. Shurte requested additional information from the claimant regarding priority date and measurement data for one of the PODs claimed for two of the rights in question. In response to that request Ms. Hofstetter has collected affidavits and has other information based upon a field visit conducted with her client's expert. Ms. Hofstetter recently contacted IDWR to schedule a meeting with Ms. Shurte to provide and discuss the information she and her client's expert have collected.

Unfortunately Ms. Shurte is not available to meet with Ms. Hofstetter at this time, nor is she able to finalize the recommendations of these three late claims, because she has been very ill for the last two weeks and unable to come to work. She remains at home today and at this point we do not know whether she will be able to come to work on Monday.

In short, there simply is not enough time remaining for Ms. Shurte to complete her investigation and prepare recommendations for these three late claims by the close of business this coming Monday. Therefore IDWR requests that the court extend the deadline for about a month in order to give Ms. Shurte time to recover, and full opportunity to complete her investigation and recommendation of these three late claims.

Thank you very much for your consideration.

Best wishes,

NBS