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June 25, 2009

Bob Haynes
Regional Director
Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

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IDWR / NORTH

Re: Jacklin Water Rights

Dear Bob:

Jack Smetana, P.E., has met with you and had discussions concerning filing of water right claims on behalf of all the ownerships of Jacklin Land Company and other Jacklin entities. The discussions with you were most helpful.

Jacklin is in full support of the adjudication process and anxious to have its rights recognized and preserved as of the date of acquisition. Jack has spent a great deal of time preparing the claims with the assistance of Bruce Cyr of Jacklin and with minor contributions from me. That task has now been completed. We are anxious to get an early filing so that if there are any problems or concerns we may be fully advised and given the opportunity to resolve any difficulty.

With this letter I am submitting to you seven (7) Notices of Claim to a Water Right acquired under state law.

The fee for filing the claim is \$25.00 each so my assumption is that filing fees for the six would be \$175.00. I enclose my check for that amount payable to Department of Water Resources. If the check is to be payable to the court, please advise.

As you are undoubtedly aware from personal observation, the Jacklins have been farming in this area for a long period of time. Their earliest claim is November 5, 1952 and the priority dates continue through 1970. Since the initial filing of the Jacklins' perfected claim, they have used each of the water rights to the full extent as sought.

With the passage of time there has been a change of the water use requirements on the properties. Some of the agricultural land has gone into other uses. To the extent that any of these old water rights are not now being fully utilized at the present time, it would be the wish of the Jacklins to have these placed in the

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Water Bank. I assume this can be done through the adjudication process. If that is something we should be supplementing our filing with at the present time then I would appreciate being so advised.

The Jacklin objective is to protect its water rights in every way possible with the ultimate goal, shared with your department, to assure that the water rights are properly granted for all claimed water in North Idaho so that it will not be sought in the unlikely event that the State of Washington finds some constitutional method to claim unallocated waters.

Very truly yours,

Scott W. Reed
Attorney at Law

SWR:sbn

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