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RECEIVED

SEP 24 2013

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Attn: James Cefalo
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

**RE: Request for Modification and Issuance of Amended Final Order Approving
Transfer 77757 (78365) in the Name of Tommy C. Waddoups LLC.**

Dear James:

We appreciate the Department's assistance as we have worked through the particulars of a final order on the above referenced transfer. As you know, there was some misunderstanding regarding how to properly document the location of the point of diversion. We request that the Department issue an approved transfer order with a condition that indicates that Cherry Creek, where one of the points of diversion is located, is also known as Antelope Creek. With this change, we believe the transfer can be issued consistent with the contents of the prior order that was eventually withdrawn when this issue regarding source came up.

We appreciate your attention to this matter. Please let me know if you have any questions or concerns.

Best Regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.