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March 5, 2009

VIA FACSIMILE: (208) 334-2348

Idaho Department of Water Resources
Attn: John Westra, Western Regional Manager
2735 Airport Way
Boise, Idaho 83705-5082

***Re: Application for Exchange of Water #75007 in the name of Idaho Water
Resource Board and US Bureau of Reclamation***

Dear John:

This letter will follow and confirm the telephone conversation we had on the afternoon of March 4th regarding the above-referenced matter. As I indicated on the phone, I will not be able to attend the pre-hearing conference which is scheduled for March 5, 2009, but please send me the notes and any other documents that are produced as a result of that pre-hearing conference. At this point in time, and on behalf of our client, Tamarack Resort, LLC, we do want to continue with the protest, and we do want to continue to be kept in the loop regarding this matter. Thank you for your consideration. Please send me a copy of whatever documents are generated as a result of the pre-hearing conference. Thank you.

Sincerely,

Brian L. McMahon

BRIAN L. McMAHAN

BLM/mm

cc: Client
Idaho Water Resource Board
Bureau of Reclamation
US Department of Interior
American Falls Reservoir District #2
Minidoka Irrigation District
A & B, Burley, & Milner Irrigation Districts
Twin Falls & North Side Canal Companies