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LOUIS F. RACINE (1917-2005)
WILLIAM O. OLSON, OF COUNSEL

October 21, 2008

RECEIVED

OCT 23 2008

DEPARTMENT OF
WATER RESOURCES

John M. Melanson
Presiding Judge
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Re: *Water Right Nos. 35-07210 and 35-07369*
Allen Farms

Dear Judge Melanson:

I am writing with respect to the above-referenced matter and your *Order of Amended Partial Decree* dated September 23, 2008, and the attached Partial Decrees, copies of which are enclosed for your convenient reference. The place of use under both Amended Partial Decrees incorrectly reflects 367.0 acres, rather than 390 acres. Accordingly the Amended Partial Decrees are the same as the original Decrees issued January 31, 2002, and do not reflect the Special Master's Report and Recommendation dated July 23, 2008 (copy enclosed) which provides that "IT IS RECOMMENDED that the *Partial Decrees* in Subcases 35-7210 and 35-7369 be set aside and amended to include the 390 acres described in the licenses and SRBA Claims."

Would you kindly review this matter and determine if the Amended Partial Decrees can be corrected, as it appears that the mistake is due to inadvertence or oversight.

October 21, 2008

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Thank you for your consideration.

Respectfully,

RANDALL C. BUDGE

RCB:rr

Enclosures

cc: Mailing Service List:
Director of IDWR
State of Idaho
Allen Farms