



MRT

May, Rammell, and Thompson

CHTD

July 3, 2008

Idaho Department of Water Resources
Attn: Sharla Cox
Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-6105

RE: Water claim for Andrew Bybee

Dear Ms. Cox:

I have reviewed your letter of June 24, 2008 with my client concerning discrepancies in the number of acres attached to his water claim. After reviewing the acres that you have listed in the map with my client, we have come to the conclusion that the discrepancy must have been a misprint on our part on the water claim. Accordingly, I have amended the water claim and initialed next to my amendments to reflect a change in the ¼ ¼ sections that you had specified contained discrepancies.

Also, with regard to place of use, you referenced that your diversion shows that the water is coming out of the Pleasant View Warm Springs versus the Goddard Warm Springs. I have discussed this issue with my client and he informed me that this particular water body is known by at least four or five different names, including both Pleasant View Warm Springs and Goddard Warm Springs. Thus, I believe we are talking about the same diversion point, it is just that we are using a different name for that diversion point. If your records reflect that this diversion is known as Pleasant View Warm Springs, my client does not have an objection to using that name as the source of water for the claim.

ATTORNEYS

GREGORY C. MAY
BRON M. RAMMELL
AARON N. THOMPSON

BRIAN J. CHENEY
PETER M. WELLS

PARALEGALS

KATHY BAIR
CERTIFIED IDAHO WORKER'S
COMPENSATION SPECIALIST
TIFFANY G. PIVA

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Department of Water Resources
Eastern Region

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If there is anything else that I need to do, please let me know. I would be happy to comply with any requirements that need to be taken care of.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter M. Wells', with a stylized flourish at the end.

Peter M. Wells, Esq.

PMW/kw
Enclosure
PW08-169
c.c.: Andy Bybee